

Chapter 14 – Procedure for Seeking Exception from Licensure Requirements

Overview

Policy

The State Board of Education will consider requests for exceptions from licensure requirements in State Board Policy due to extenuating circumstances for individuals who: (1) following initial licensure, have not completed the course work required to maintain a license; OR (2) have not met other licensure requirements.

What exceptions are not permitted

The State Board of Education will not grant exceptions to licensure requirements mandated by State or federal law.

Submitting an Appeal

All appeals for exception from licensure requirements should be submitted directly to the Director of the Division of Human Resource Management who will submit the materials to the Appeals Panel. The materials that must be submitted are detailed in this chapter. Incomplete applications for exceptions will not be considered.

In this chapter

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Appeals Panel

Composition of the Panel

Upon the recommendation of the Chair, the State Board of Education shall appoint two or more members of the Board and at least four professional educators to an Advisory Board on Requests for Exception from Teacher Licensing Requirements.

From those individuals appointed to the Advisory Board, the Chair shall construct review panels consisting of no less than four professional educators and one member of the State Board of Education.

Each review panel shall be chaired by a member of the State Board of Education.

What the panel will do

The panels shall review those requests for exception from licensure assigned to them, evaluate the merits of the requests and submit to the State Board of Education recommendations to grant or deny the requests along with any other information the panels deem material.

A panel may require the representatives of the local school administrative unit which submitted the application for exception as well as the individual in question to provide additional information, appear before the panel, respond to questions, produce documents and otherwise cooperate with the panel's efforts to evaluate the merits of a request for exception. With the approval of the chair of the panel, members may participate in panel meetings by telephone.

Decision by the State Board of Education

After it receives the panel's recommendation, the State Board of Education shall make a decision whether to grant or deny the requested exception, provided an extension for course work will not extend the three-year time limit in which a lateral entry teacher must satisfy all course work and testing requirements for a continuing license.

SBE POLICY:
TCP-A-0 21

Exception from Required Coursework

LEA application for exception

A local board of education may apply to the State Board of Education for a one-year exception from licensure requirements for an individual who, due to extenuating circumstances, has not completed the course work required to maintain a license.

What the individual must submit

The individual must submit a signed document which includes:

- A description of the extenuating circumstances that the teacher claims prevented him or her from satisfying the requirements for licensure;
 - A request for an extension of his or her license for one additional year to complete the course work required to maintain a license; and
 - An acknowledgment that the teacher understands that the materials submitted to the State Board of Education in support of his or her request are public records subject to disclosure under Chapter 132 of the North Carolina General Statutes.
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What the individual's principal submits

The North Carolina principal who most recently supervised the individual must submit a signed document which includes:

- The dates the principal supervised the teacher;
 - Sufficient evidence of the individual's academic and professional preparation to satisfy the State Board of Education that the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students; and
 - A statement that in the principal's opinion the teacher is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom; and
 - A copy of any of the individual's summative annual evaluations for the past three years.
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Exception from Required Coursework

What the superintendent submits

The superintendent of the employing LEA must submit a signed document which includes:

- A statement certifying that, based upon a review of the individual's and the principal's documentation and evidence, the superintendent believes the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom;
 - A list of the required course work that the applicant has completed;
 - A description of the efforts that the local school administrative unit has made to assist the teacher to complete the required course work;
 - A list of the required course work that the applicant must complete to qualify for a license;
 - A description of the efforts that the local school administrative unit will make to assist the teacher to complete the required course work during the next year of teaching; and
 - A statement that the superintendent believes that the applicant is likely to complete the required course work within the one-year extension.
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What the local board chair submits

The chair of the local board of education must submit a signed document which includes:

- A certification that the local board of education has investigated the extenuating circumstances that the teacher claims prevented him or her from completing the required course work for a license without undue hardship;
 - A statement that the local board of education is satisfied that the teacher's description of the circumstances is true;
 - A statement that the local board of education is satisfied that, due to the extenuating circumstances, the teacher could not have completed the required course work for a license without undue hardship;
 - A certification that the local board of education has approved the employment of the teacher for the next school year, subject only to the State Board of Education's decision to grant the requested one-year extension of the teacher's provisional license.
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Notification of SBE decision

The Department of Public Instruction will notify the LEA of the decision of the State Board of Education relative to the appeal.

Exception from Other Licensure Requirements

LEA application for exception

A local board of education may apply to the State Board of Education for an exception from licensure requirements for an individual who has not fulfilled licensure requirements, other than course work, due to extenuating circumstances.

What the individual must submit

The individual must submit a signed document which includes:

- A list of the licensure requirements from which he or she is requesting an exception;
 - A description of the extenuating circumstances that the individual claims prevented him or her from fulfilling the licensure requirements; and
 - An acknowledgment that the individual understands that the materials submitted to the State Board of Education in support of his or her request are public records subject to disclosure under Chapter 132 of the North Carolina General Statutes.
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If the individual is NOT currently employed in the LEA seeking the exception

If the individual is NOT currently employed in the LEA seeking the exception, the LEA shall submit:

- Sufficient evidence of the individual's academic and professional preparation to satisfy the State Board of Education that the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students; and
 - A copy of any teaching evaluations the individual received during the past three years.
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Exception from Other Licensure Requirements

If the individual is currently employed in the LEA seeking the exception

If the individual is currently employed in the LEA seeking the exception, the LEA shall submit:

- Sufficient evidence of the individual's academic and professional preparation to satisfy the State Board of Education that the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to all his or her students;
- A document, signed by the North Carolina principal who most recently supervised the individual, which includes:
 - The dates the principal supervised the teacher;
 - A statement that in the principal's opinion the teacher is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom; and
 - A copy of any teaching evaluations the individual received during the past three years.

What the superintendent submits

The superintendent of the LEA seeking the exception must submit a signed document which includes:

- A statement certifying that, based upon a review of the individual's and the principal's documentation and evidence, the superintendent believes the individual is competent to teach the standard course of study and has demonstrated the ability to implement effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in his or her classroom;
 - A description of the deficiencies that prevent the individual from meeting licensure requirements;
 - A description of any efforts that the local school system has made to assist the individual to complete the licensure requirements; and
 - The reasons the superintendent believes that the individual should be granted a license despite the failure to meet the licensure requirements.
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Exception from Other Licensure Requirements

What the local board chair submits

The chair of the local board of education must submit a signed document which includes:

- A certification that the local board of education has investigated the extenuating circumstances that the individual claims prevented him or her from completing the requirements for a license;
- A statement that the local board of education is satisfied that the individual's description of the circumstances is true;
- A statement that the local board of education is satisfied that, due to the extenuating circumstances, the individual could not have completed the requirements for a license without undue hardship;
- A certification that the local board of education has approved the employment of the teacher for the next school year, subject only to the State Board of Education's decision to grant the individual a license.

Notification of SBE decision

The Department of Public Instruction will notify the LEA of the decision of the State Board of Education relative to the appeal.
