

1 16 NCAC 06C .0372 - .0376 are proposed for repeal as follows:  
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4 **16 NCAC 06C .0372 DENYING A LICENSE APPLICATION OR SUSPENSION OR REVOCATION OF**  
5 **A LICENSE ISSUED BY THE NORTH CAROLINA DEPARTMENT OF PUBLIC**  
6 **INSTRUCTION**

7 **16 NCAC 06C. 0373 REPORTING REQUIREMENTS FOR SUSPECTED CHILD ABUSE BY A**  
8 **LOCAL EDUCATION AGENCY ADMINISTRATOR TO THE**  
9 **SUPERINTENDENT OF PUBLIC INSTRUCTION**

10 **16 NCAC 06C .0374 INVESTIGATION REQUIREMENTS TO DETERMINE REASONABLE CAUSE**  
11 **TO SUSPEND OR REVOKE AN EDUCATOR LICENSE**

12 **16 NCAC 06C .0375 VOLUNTARY SURRENDER OF AN EDUCATOR LICENSE**

13 **16 NCAC 06C .0376 REINSTATEMENT OR ISSUANCE OF A SUSPENDED, REVOKED, OR DENIED**  
14 **LICENSE**

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16 *History Note: Authority G.S. 115C-12; 115C-268.1; 116C-268.5; 115C-270.5; 115C-270.20; 115C-270.35;*  
17 *115C-325; 115C-325.9; 115C-400;*  
18 *Eff. October 1, ~~2020~~ 2020;*  
19 *Temporary Repeal Eff. April 5, 2024;*  
20 *Repealed Eff. July 1, 2024*

16 NCAC 06C .0601 is proposed for readoption with substantive changes as follows:

**SECTION .0600 – ~~CODE OF PROFESSIONAL PRACTICE AND CONDUCT FOR NORTH CAROLINA~~  
EDUCATORS STANDARDS OF PROFESSIONAL CONDUCT AND EDUCATOR DISCIPLINE**

**16 NCAC 06C .0601 PURPOSE AND APPLICABILITY DEFINITIONS**

~~The purpose of these Rules is to establish and uphold uniform standards of professional conduct for licensed professional educators throughout the State. These Rules shall be binding on every person licensed by the SBE, hereinafter referred to as "educator" or "professional educator," and the possible consequences of any willful breach shall include license suspension or revocation. The prohibition of certain conduct in these Rules shall not be interpreted as approval of conduct not specifically cited.~~

As used in this Section, the following definitions apply:

(1) "Child" means a person under the age of 16.

(2) "Convicted" or "conviction" means any of the following

(A) A plea of guilty.

(B) A plea of no contest, nolo contendere, or the equivalent.

(C) A verdict or finding of guilty by a jury, judge, magistrate, or other duly constituted adjudicatory body, tribunal, or official, either civilian or military.

(3) "License" means a professional educator license issued by the Department of Public Instruction ("DPI") in accordance with this Subchapter and Chapter 115C, Article 17E of the General Statutes.

(4) "Local superintendent" means the superintendent of a local school administrative unit, as provided in Chapter 115C, Article 18 of the General Statutes, or the staff member with the highest decision-making authority for a PSU, if there is no superintendent.

(5) "Respondent" means a person who currently holds a license or who has applied for a license.

(6) "Student" means a person enrolled in pre-kindergarten, kindergarten, or in Grade 1 through Grade 12 in any public school unit, or who has been enrolled in a public school unit within 6 months of an alleged violation of these Standards.

*History Note: Authority G.S. 115C-12(9); 115C-270.1; 115C-270.5; 115C-307;  
Eff. April 1, 1998;  
Temporary Amendment Eff. April 5, 2024; 2024;  
Readoption Eff. July 1, 2025.*

1 16 NCAC 06C .0602 is proposed for readoption with substantive changes as follows:

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3 **16 NCAC 06C .0602 STANDARDS OF PROFESSIONAL CONDUCT**

4 ~~(a) The standards listed in this Section shall be generally accepted for the education profession and shall be the basis~~  
5 ~~for State Board review of performance of professional educators. These standards shall establish mandatory~~  
6 ~~prohibitions and requirements for educators. Violation of these standards shall subject an educator to investigation and~~  
7 ~~disciplinary action by the SBE or LEA.~~

8 This Rule establishes uniform Standards of Professional Conduct (“Standards”) for professional educators in North  
9 Carolina, which apply to all persons who hold a professional educator license issued pursuant to this Subchapter and  
10 Chapter 115C, Article 17E of the General Statutes. These Standards shall be the basis for reviewing the performance  
11 or professional educators by the State Board of Education (“SBE”). Violation of these Standards shall be grounds for  
12 disciplinary sanctions against a professional educator’s license as provided in this Section.

13 ~~(b) Professional educators shall adhere to the standards of professional conduct contained in this Rule. Any intentional~~  
14 ~~act or omission that violates these standards is prohibited.~~

15 (1) ~~Generally recognized professional standards.~~ Recognized Professional Standards. The educator  
16 shall adhere to and practice the professional standards of all federal, state, and local governing  
17 ~~bodies.~~ bodies with public education oversight.

18 ~~(2) — Personal conduct. The educator shall serve as a positive role model for students, parents, and the~~  
19 ~~community. Because the educator is entrusted with the care and education of small children and~~  
20 ~~adolescents, the educator shall demonstrate a high standard of personal character and conduct.~~

21 ~~(2) —~~ Conduct with Students. The educator shall treat all students with respect and maintain appropriate  
22 professional boundaries with all students, regardless of whether that student is directly under the  
23 care or supervision of the educator. Specifically, the educator shall not engage in any of the  
24 following conduct toward or in the presence of a student:

25 (A) Use of profane, vulgar, or demeaning language.

26 (B) Intentional or reckless exposure of students to profane, vulgar, or sexually explicit material  
27 except as part of age-appropriate classroom instruction or other pedagogical practice.

28 (C) Solicitation, encouragement, or consummation of a romantic, physical, or sexual  
29 relationship with a student in any form, whether written, verbal, or physical. As used in  
30 this context, “solicitation” or “encouragement” shall include engaging in a pattern of  
31 flirtatious behavior; efforts to gain access to, or time alone with, a student with no clear  
32 educational or school-related objective; provision of individualized or specialized  
33 treatment, including tangible or monetary gifts, to a student that does not comply with  
34 generally recognized professional standards for educators; or any other behavior that could  
35 be perceived by a rational observer as excessively personal or intimate in the context of the  
36 educator-student relationship.

37 (D) Solicitation, encouragement, or consummation of sexual contact with a student.

- (E) Sexual harassment, as defined in 34 C.F.R. 106.30(a).
- (F) Child abuse, as defined in G.S. 14-318.2 or G.S. 14-318.4.
- (3) Alcohol and Controlled Substances. The educator shall not be under the influence of, possess, use, or consume an alcoholic beverage or a controlled substance, as defined in G.S. 90-95, on school premises, at a school-sponsored activity, or when otherwise discharging the educator's professional duties, unless the educator has a prescription from a licensed medical professional authorizing such use. The educator shall not furnish alcoholic beverages or controlled substances to a student, except for the administration of medication prescribed by a licensed medical professional in accordance with the educator's professional duties.
- (3) (4) Honesty. The educator shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of the educator's professional duties, including the following:
- (A) ~~statement~~ statements or representations of professional qualifications;
- (B) application or recommendation for professional employment, promotion, or licensure;
- (C) ~~application or recommendation~~ applications or recommendations for college or university admission, scholarship, grant, academic award, or similar benefit;
- (D) ~~representation~~ statements or representations of completion of college or staff development credit;
- (E) evaluation or grading of students or school personnel;
- (F) submission of financial or program compliance reports submitted to state, federal, or other governmental agencies;
- (G) submission of information in the course of an official inquiry by the ~~employing LEA or the SBE~~ related to facts of unprofessional misconduct, provided, however, SBE or the educator's employing PSU into allegations of professional misconduct, provided that an educator shall be given adequate notice of the allegations and may be represented by legal counsel; and
- (H) submission of information in the course of an investigation into school related criminal activity by a law enforcement agency, child protective services, or any other agency with the right authority to investigate, regarding school related criminal activity; provided, however, investigate, provided that an educator may decline to provide information to law enforcement if such evidence may tend to could incriminate the educator ~~as that term is defined by the Fifth Amendment to the U.S. Constitution.~~ in violation of the educator's rights under the United States Constitution or North Carolina Constitution.
- (5) Compliance with Criminal Laws. The educator shall not violate the criminal laws of this State, the United States, or any other state or territory under the jurisdiction of the United States.
- (4) (6) Proper ~~remunerative conduct.~~ Remunerative Conduct. The educator shall not solicit current students or parents of students to purchase equipment, supplies, or services from the educator in a private

remunerative capacity. An educator shall not tutor for remuneration students currently assigned to the educator's classes, unless approved by the local superintendent. An educator shall not accept any compensation, benefit, or thing of value other than the educator's regular compensation for the performance of any service that the educator is required to render in the course and scope of the educator's employment. This Rule shall not restrict performance of any overtime or supplemental services at the request of the ~~LEA; PSU,~~ PSU, nor shall it ~~apply to or~~ restrict the acceptance of gifts ~~or tokens of minimal value offered and accepted openly~~ from students, parents, or other persons in recognition or appreciation of ~~service;~~ the educator's professional service, provided the gift is given and received freely, openly, and without expectation of favor or advantage to the donor in return.

~~(5) — Conduct with students. The educator shall treat all students with respect. The educator shall not commit any abusive act or sexual exploitation with, to, or in the presence of a student, whether or not that student is or has been under the care or supervision of that educator, as defined below:~~

~~(A) — any use of language that is considered profane, vulgar, or demeaning;~~

~~(B) — any sexual act;~~

~~(C) — any solicitation of a sexual act, whether written, verbal, or physical;~~

~~(D) — any act of child abuse, as defined by law;~~

~~(E) — any act of sexual harassment, as defined by law; and~~

~~(F) — any intentional solicitation, encouragement, or consummation of a romantic or physical relationship with a student, or any sexual contact with a student. The term "romantic relationship" shall include dating any student.~~

~~(6) (7) Confidential information. Information.~~ The educator shall keep ~~in confidence~~ confidential all personally identifiable information regarding students or their family members that the educator has ~~been~~ obtained in the course of professional service, unless disclosure is required or permitted by law ~~or professional standards,~~ or is necessary for the personal safety of the student or others.

~~(7) (8) Rights of others. Others.~~ The educator shall not willfully or maliciously violate the constitutional or civil rights of a student, ~~parent/legal parent or legal~~ guardian, or colleague.

~~(8) (9) Required reports. Reports.~~ The educator shall make all reports required by ~~G.S. 115C; Chapter 115C~~ of the General Statutes.

~~(9) — Alcohol or controlled substance abuse. The educator shall not:~~

~~(A) — be under the influence of, possess, use, or consume on school premises or at a school-sponsored activity a controlled substance as defined by G.S. 90-95, the Controlled Substances Act, without a prescription authorizing such use;~~

~~(B) — be under the influence of, possess, use, or consume an alcoholic beverage or a controlled substance on school premises or at a school-sponsored activity involving students; or~~

~~(C) — furnish alcohol or a controlled substance to any student except as indicated in the professional duties of administering legally prescribed medications.~~

1       ~~(10) — Compliance with criminal laws. The educator shall not commit any act referred to in G.S. 115C-332~~  
2       ~~and any felony under the laws of the United States or of any state.~~

3       ~~(11) (10) Public funds and property. Funds and Property.~~ The educator shall not misuse public funds or ~~property,~~  
4       ~~funds of a school related organization, or colleague's funds. property or any funds belonging to an organization~~  
5       ~~affiliated with the school or PSU.~~ The educator shall account for funds collected from students, colleagues, ~~or~~  
6       ~~parents/legal guardians. parents, or legal guardians of students.~~ The educator shall not submit fraudulent requests  
7       for reimbursement, expenses, or pay.

8       ~~(12) (11) Scope of professional practice. Professional Practice.~~ The educator shall not perform any ~~act as an~~  
9       ~~employee in a position professional duty or function~~ for which licensure is required by ~~the rules of the SBE or by~~  
10       ~~G.S. 115C or the North Carolina General Statutes this Chapter or by Chapter 115C of the General Statutes~~ during  
11       any period in which the educator's license ~~has been~~ is suspended or revoked.

12       ~~(8) (12) Conduct related to ethical violations. Abuse of Authority.~~ The educator shall not directly or indirectly use  
13       or threaten to use any official authority or influence in any manner that ~~tends to discourage, restrain, interfere~~  
14       ~~with, coerce, or discriminate~~ discourages, restrains, coerces, interferes with, or discriminates against any  
15       subordinate or any licensee who in good faith ~~reports, discloses, divulges, reports~~ or otherwise brings to the  
16       attention of ~~an LEA, a PSU,~~ the SBE, or any other public agency authorized to take remedial action, any facts or  
17       information relative to the actual or suspected violation of any law or rule regulating the duties of persons serving  
18       in the public school system, including ~~but not limited to these Rules. those established by this Section.~~

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21   History Note:     Authority G.S. ~~115C-295.3; 115C-12(9); 115C-270.5; 115C-307;~~  
22                         *Eff. May 1, 1998;*  
23                         *Temporary Amendment Eff. June 6, 2024;*  
24                         *Readoption Eff. July 1, 2025.*

1 16 NCAC 06G .603 is proposed for adoption as follows:

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3 **16 NCAC 06C .0603 INVESTIGATION OF ALLEGED MISCONDUCT BY A LICENSED**  
4 **PROFESSIONAL EDUCATOR OR LICENSE APPLICANT**

5 (a) Upon receipt of allegations and substantiating information regarding a respondent that would provide cause for  
6 imposing disciplinary sanctions on a licensee or denying an application for a license under Rule .0604 of this Section,  
7 the Superintendent of Public Instruction ("Superintendent") shall investigate the allegations to determine if such action  
8 is warranted. The Superintendent shall investigate allegations or information from any source in a position to provide  
9 such information, including a PSU, State agency, court or other tribunal, or other credible person or institution. The  
10 Superintendent shall also consider information disclosed by a license applicant in the application.

11 (b) The Superintendent is authorized to utilize the power conferred upon the State Board of Education ("SBE") under  
12 G.S. 115C-270.35(e), including the power to subpoena documents, secure witness testimony, or hire investigators, for  
13 the purpose of conducting investigations under this Rule.

14 (c) If the Superintendent finds cause to impose disciplinary sanctions on a licensee or deny a license application for  
15 any of the reasons described in Rule .0604 of this Section, the Superintendent shall prepare a proposed order containing  
16 findings of fact, conclusions of law, and the proposed sanction(s) or denial.

17 (d) The Superintendent shall provide the respondent with a copy of the proposed order and notify the respondent that  
18 the proposed sanctions or denial described in the order shall become final unless the respondent commences an  
19 administrative proceeding under Chapter 150B, Article 3 of the General Statutes within 60 days of the notice. The  
20 Superintendent shall send the notice via electronic mail and certified mail to the latest addresses provided to the SBE,  
21 and the 60-day time limitation shall commence on the date of electronic delivery or placement of the notice in an  
22 official depository of the United States Postal Service, whichever is earlier, in accordance with G.S. 150B-23(f).

23 (e) If the respondent commences administrative proceedings, the SBE shall stay the proposed order until receipt of a  
24 final decision or order under G.S. 150B-34. If the respondent does not commence proceedings within the 60-day time  
25 limitation, the proposed order shall become final, and the Superintendent shall take all necessary actions to enforce  
26 the order.

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28 *History Note: Authority G.S. 115C-12(9); 115C-270.5; 115C-270.30; 115C-270.35; 150B-22; 150B-23;*  
29 *Temporary Adoption Eff. April 5, 2024;*  
30 *Eff. July 1, 2025.*

16 NCAC 06C .0604 is proposed for adoption as follows:

**16 NCAC 06C .0604 DENYING A LICENSE OR SANCTIONING A LICENSEE**

(a) The State Board of Education ("SBE") may, following an investigation in accordance with Rule .0603 of this Section, impose disciplinary sanctions on a person who holds a license issued by the Department of Public Instruction or deny an application for any such license if the SBE finds, by a preponderance of the evidence, that the respondent has done any of the following:

- (1) Engaged in fraud, material misrepresentation, or concealment in an application for the license.
- (2) Become ineligible for the license due to changes or corrections in the license documentation.
- (3) Been convicted of a crime in any state, federal, or territorial court of the United States, including military tribunals.
- (4) Been dismissed by a local board of education, pursuant to G.S. 115C-325(e)(1) or 115C-325.4, or by the governing body of any other PSU.
- (5) Resigned from employment with a PSU without thirty calendar days' notice, except with the prior consent of the local superintendent.
- (6) Had a professional educator license or other occupational license revoked or suspended in North Carolina or another state due to a finding of misconduct by the relevant occupational licensing board or agency.
- (7) Failed to report suspected child abuse in accordance with G.S. 115C-400 or other suspicion of professional misconduct by a licensed employee in accordance with Rule .0608 of this Section.
- (8) Violated the Testing Code of Ethics, codified at 16 NCAC 06D .0311.
- (9) Engaged in any other illegal, unethical, or lascivious conduct, or otherwise violated the Standards of Professional Conduct as described in Rule .0602 of this Section.

(b) When deciding whether to impose disciplinary sanctions or deny an application for a license, the SBE shall consider the following factors:

- (1) The existence of a reasonable and adverse relationship between the underlying misconduct and the ability of the respondent to perform the respondent's professional duties as an educator.
- (2) The severity of the misconduct.
- (3) The impact of the misconduct on students, other educators, and the school community.
- (4) The respondent's degree of culpability in the misconduct.
- (5) The degree of remorse exhibited by the respondent for the misconduct.
- (6) Any evidence of reformed behavior on the part of the respondent.
- (7) Subsequent incidents of misconduct by the respondent or the probability of future misconduct.

(c) If the SBE determines that sanctions against a current licensee are warranted, it shall impose sanctions in accordance with Rule .0605 of this Section.



1     *History Note:*     *Authority G.S. 115C-12(9); 115C-174.11; 115C-174.12; 115C-270.5; 115C-270.30; 115C-270.35;*  
2                         *150B-22; 150B-23;*  
3                         *Temporary Adoption Eff. April 5, 2024;*  
4                         *Eff. July 1, 2025.*

1 16 NCAC 06C .0605 is proposed for adoption as follows:

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3 **16 NCAC 06C .0605 DISCIPLINARY SANCTIONS**

4 (a) Upon finding of a basis for imposing disciplinary sanctions against a respondent under Rule .0604 following an  
5 investigation under Rule .0603 of this Section, the State Board of Education ("SBE") may impose any of the following  
6 sanctions:

7 (1) Written Warning;

8 (2) Written Reprimand;

9 (3) Suspension for a Defined Term; or

10 (4) Revocation.

11 (b) In addition to one of the sanctions listed in Paragraph (a), the SBE may impose additional conditions upon a  
12 respondent—including requirements that the respondent complete additional continuing education credits beyond  
13 those required by G.S. 115C-270.30, community service hours, or other activities—if the purpose of the condition is  
14 remedial, relevant to the misconduct giving rise to the sanction, and designed to reduce the possibility of recidivism.

15 (c) Notwithstanding Rule .0603 of this Section or Paragraph (a) of this Rule, the SBE shall summarily suspend the  
16 license of a respondent if the SBE finds that the public health, safety, or welfare requires emergency action and  
17 incorporates those findings in the order prepared in accordance with Rule .0603 of this Section. A finding that a  
18 respondent has been charged in the General Court of Justice with any crime, the conviction for which would result in  
19 automatic revocation of the respondent's license under G.S. 115C-270.35(b), shall be considered prima facie evidence  
20 in satisfaction of this Paragraph. Following the summary suspension, the SBE shall promptly commence a disciplinary  
21 investigation and proceedings in accordance with Rules .0603 and .0604 of this Section.

22 (d) The Department of Public Instruction ("DPI") shall, upon expiration of the 60-day time limitation described in  
23 Rule .0603(e) of this Section, publish the sanction and a brief description of the basis for the sanction on its website  
24 and report it to the National Association of State Directors of Teacher Education and Certification, except that this  
25 requirement shall not apply to a Written Warning. DPI shall not disclose any information related to the sanction that  
26 is considered confidential under Chapter 115C, Article 21A of the General Statutes or is otherwise protected from  
27 disclosure under State or federal law.

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29 *History Note: Authority G.S. 115C-12(9); 115C-270.5; 115C-270.30; 115C-270.35; 150B-3; 150B-22; 150B-23;*  
30 *Temporary Adoption Eff. April 5, 2024;*  
31 *Eff. July 1, 2025.*  
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1 16 NCAC 06G. 0606 is proposed for adoption as follows:

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3 **16 NCAC 06C .0606 VOLUNTARY SURRENDER OF A LICENSE**

4 (a) An individual licensed under Chapter 115C, Article 17E of the General Statutes may notify the State Board of  
5 Education in writing of the individual's intention to voluntarily surrender the individual's license to the SBE.

6 (b) The SBE may accept the voluntary surrender of a license in lieu of pursuing revocation of the license if, following  
7 an investigation in accordance with Rule .0603 of this Section, the SBE determines that the surrender of the license  
8 will not compromise public safety. The Superintendent of Public Instruction shall prepare a proposed order containing  
9 findings of fact and conclusions of law demonstrating that circumstances exist that would justify pursuing revocation  
10 of the respondent's license. The Superintendent shall provide the respondent with a copy of the proposed order and  
11 notify the respondent that the respondent's license will be revoked within 10 days of the notice. The Superintendent  
12 shall send the notice via electronic mail and certified mail to the latest addresses provided to the SBE.

13 (c) The Department of Public Instruction ("DPI") shall, upon expiration of the 10-day time limitation described in  
14 Paragraph (b), publish the revocation and a brief description of the basis for the revocation on its website and report  
15 it to the National Association of State Directors of Teacher Education and Certification. DPI shall not disclose any  
16 information related to the revocation that is considered confidential under Chapter 115C, Article 21A of the General  
17 Statutes or is otherwise protected from disclosure under State or federal law.

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20 *History Note: Authority G.S. 115C-12(9); 115C-270.5; 115C-270.30; 115C-270.35; 150B-22; 150B-23;*  
21 *Temporary Adoption Eff. April 5, 2024;*  
22 *Eff. July 1, 2025.*

1 16 NCAC 06C .0607 is proposed for adoption as follows:

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3 **16 NCAC 06C .0607 REINSTATEMENT OF OR RECONSIDERATION FOR A LICENSE**

4 (a) A respondent whose license has been revoked or whose application for a license has been denied under this Section  
5 may seek reinstatement of the revoked license or reconsideration of the license application no sooner than 12 months  
6 after the effective date of the revocation or denial.

7 (b) The respondent shall submit a request to the State Board of Education in writing that includes a statement  
8 describing why the circumstances that led to the revocation or denial do not or no longer justify prohibiting the  
9 respondent from holding a license.

10 (c) The SBE may deny the request, grant the request, or grant the request on a probationary basis. If the SBE grants  
11 the request on a probationary basis, the respondent's license status shall be subject to review by the SBE one year from  
12 the date that the license is granted, and the respondent shall comply with any conditions the SBE may impose.

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14 *History Note: Authority G.S. 115C-12(9); 115C-270.5; 115C-270.30; 115C-270.35; 150B-22; 150B-23;*  
15 *Temporary Adoption Eff. April 5, 2024;*  
16 *Eff. July 1, 2025.*  
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1 16 NCAC 06C .0608 is proposed for adoption as follows:

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3 **16 NCAC 06C .0608 REPORTING REQUIREMENTS FOR PSU ADMINISTRATORS**

4 (a) For purposes of this Rule, the following definitions apply:

5 (1) "Administrator" means a superintendent, associate superintendent, assistant superintendent,  
6 personnel administrator, principal, school director, or head of school employed by a PSU.

7 (2) "Misconduct" means either:

8 (A) Conduct that justifies automatic revocation of a license under G.S. 115C-270.35(b);

9 (B) Conduct that has resulted in a criminal charge or indictment for any of the crimes listed in  
10 G.S. 115C-270.35(b); or

11 (C) Conduct involving the physical or sexual abuse of a child or a student. "Physical abuse"  
12 means the infliction of physical injury other than by accident or in self-defense. "Sexual  
13 abuse" means any sexual contact with a child or student, regardless of the presence or  
14 absence of consent.

15 (b) In addition to any duty to report suspected child abuse under G.S. 115C-400 or other provision of law, any  
16 administrator who knows, has reason to believe, or has actual notice of a complaint that a professional educator  
17 licensed under Chapter 115C, Article 17E of the General Statutes has engaged in misconduct, as defined in Part (a)(2)  
18 of this Rule, that results in the suspension without pay, termination of employment, non-renewal of the employment  
19 contract, or resignation of the educator shall report the misconduct in writing to the State Board of Education within  
20 five calendar days of the dismissal, suspension, nonrenewal, or acceptance of the educator's resignation by the  
21 governing body of the PSU or its authorized designee. If an educator resigns within 30 days of a complaint for  
22 misconduct or during an ongoing investigation of a complaint, the alleged misconduct is presumed to have resulted in  
23 the resignation.

24 (c) If a PSU governing body or its authorized designee demotes, dismisses, declines to renew the employment contract  
25 of, or accepts the resignation of a professional educator licensed under Chapter 115C, Article 17E of the General  
26 Statutes as a result of conduct that is not covered by Paragraph (b) of this Rule but that may otherwise justify  
27 disciplinary sanctions against the educator under Rule .0604 of this Section, an administrator for the PSU shall report  
28 the conduct in writing to the SBE within 30 calendar days of the demotion, dismissal, nonrenewal, or acceptance of  
29 the educator's resignation by the governing body of the PSU or its authorized designee.

30 (d) If one administrator submits a single report on behalf of the PSU pursuant to the requirements of this Rule, that  
31 report shall satisfy the reporting obligations of all administrators who may have reporting obligations under this Rule  
32 or under G.S. 115C-326.20.

33 (e) If a PSU terminates the employment of an educator, does not renew the educator's contract, or accepts the educator's  
34 resignation for any reason that may require a report under this Rule, an administrator for the PSU shall notify the  
35 educator of the reporting requirement upon separation from employment.

36 (f) In accordance with G.S. 115C-13 and notwithstanding Chapter 115C, Article 21A of the General Statutes, local  
37 boards of education and their officers and employees shall provide to the SBE or the Superintendent of Public

1 Instruction, upon request, all personnel records and other investigative records associated with any educator reported  
2 to the SBE pursuant to this Rule. This provision does not apply to communications between an attorney and the local  
3 board or its officers or employees that is subject to attorney-client privilege.

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5 *History Note: Authority G.S. 115C-12(9); 115C-270.5; 115C-270.30; 115C-270.35; 115C-326.20; 150B-22;*  
6 *150B-23;*  
7 *Temporary Adoption Eff. April 5, 2024;*  
8 *Eff. July 1, 2025.*  
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