



Licensed Educator Misconduct Report Form

Pursuant to Article IX, Section 5 of the North Carolina Constitution and N.C.G.S. § 115C-270.5(a), the State Board of Education (“SBE”) has plenary authority over professional educator licenses in North Carolina, subject to the requirements of Chapter 115C, Article 17E of the North Carolina General Statutes. In accordance with that authority, the State Board of Education has adopted rules governing disciplinary action against a license, including the revocation or suspension of an existing license, or the denial of an application to issue, renew, or add a subject matter area to a license. These rules are codified in Title 16, Subchapter 6C of the North Carolina Administrative Code and permit the State Board to take disciplinary action against the license for any of the following reasons:

- (1) fraud, material misrepresentation, or concealment in the application for the license.
- (2) changes in or corrections of the license documentation that make the individual ineligible to hold a license.
- (3) conviction or entry of a plea of no contest, as an adult, to a crime if there is a reasonable and adverse relationship between the underlying crime and the continuing ability of the person to perform any of their professional functions.
- (4) final dismissal of a person by a local education agency (LEA) pursuant to N.C.G.S. § 115C—325(e)(1)b if there is a reasonable and adverse relationship between the underlying misconduct and the continuing ability of the person to perform any of their professional functions.
- (5) final dismissal of a person by a LEA due to physical or mental incapacity under N.C.G.S. § 115C-325(e)(1)e.
- (6) resignation from employment with an LEA without thirty calendar days’ notice, except with the prior consent of the local superintendent.
- (7) revocation of a license by another state.
- (8) any other illegal, unethical, or lascivious conduct by a person if there is a reasonable and adverse relationship between the underlying conduct and the continuing ability of the person to perform any of their professional functions in an effective manner.
- (9) failure to report revocable conduct as required by law as referenced in 16 NCAC 06C .0373.
- (10) violation of the Standards of Professional Conduct as provided in 16 NCAC 06C .0602.

Pursuant to SBE Policy GOVR-005, the SBE has delegated its authority related to professional educator licensure, including its authority to suspend or revoke licenses, to the Superintendent of Public Instruction. The Superintendent is charged with investigating allegations of conduct by a licensed professional educator that could justify disciplinary action against that educator’s license for the reasons set forth above.

LEAs and charter schools are responsible for reporting any conduct of this nature to the Superintendent using this form. School administrators are **required by law** to report conduct by a licensed employee that would justify automatic revocation of the employee’s license under N.C.G.S. § 115C-270.35(b) or involves the physical or sexual abuse of a child within five business days after the employee resigns, is dismissed from employment, or is otherwise disciplined as a result of the alleged conduct (see 16 NCAC 06C .0373).

Pursuant to N.C.G.S. § 115C-13, the SBE is an authorized recipient of confidential personnel records held by local boards of education, their officers, and their employees.

Reporting Party Information			
Public School Unit (PSU) Type <i>Select the appropriate box.</i>	Local Education Agency (LEA)		Charter School
PSU Name			
PSU Address			
Name of Person Completing This Form			
Title			
Email			
Phone Number			

Licensed Educator Information	
<i>Provide the last known contact information you have for the licensed educator you are reporting. You should provide personal contact information to the extent known—DO NOT provide the licensee’s PSU email address or phone number, as the licensee will not have access to them following termination or resignation.</i>	
Name <i>Include full name and any known aliases.</i>	
License Number	
Email	
Phone Number	
Home Address	
Most Recent School or Department where Employed	
Position Held / Grade Level or Subject Matter Taught	
First Date of Employment	
Last Date of Employment <i>If still employed, put “N/A.”</i>	

Reason for Reporting	
<i>Select all the reasons you are reporting this licensed employee or former employee (generically, “licensee”).</i>	
<input type="checkbox"/>	The licensee has been placed on paid or unpaid suspension due to the suspicion that the licensee employee may have engaged in conduct that, if substantiated, would justify disciplinary action against the licensee’s professional educator license in accordance with SBE rules and policies. <i>See 16 NCAC 06C .0372 and .0602.</i>
<input type="checkbox"/>	The licensee has or may have engaged in conduct which, if substantiated, would violate the North Carolina Testing Code of Ethics. <i>See 16 NCAD 06D .306.</i>
<input type="checkbox"/>	The licensee has resigned either during or immediately following an investigation regarding an act that, if substantiated, would justify disciplinary action against the licensee’s

	professional educator license in accordance with SBE rules and policies. <i>See</i> 16 NCAC 06C .0372 and .0602.
	The licensee has resigned prior to termination or non-renewal, or the PSU has initiated termination or non-renewal proceedings as a result of an investigation concluding that the licensee has engaged in conduct that would justify disciplinary action against the licensee’s professional educator license in accordance with SBE rules and policies. <i>See</i> 16 NCAC 06C .0372 and .0602.
	The licensee has been recommended for dismissal and chose to resign <i>without</i> the written agreement of the local superintendent or head of school. <i>See</i> N.C.G.S. § 115C-325(o).
	The licensee has pled guilty or “no contest” to, or has been finally convicted of, a criminal offense that would justify automatic revocation of the licensee’s professional educator license under N.C.G.S. § 115C-270.35(b).
	Other (please describe below)

Factual Allegations
<p>Description of the Allegations</p> <p><i>In the space below, provide detailed information regarding the factual allegations that justify this report. To the extent possible, provide exact dates, locations, and names of the parties involved. Names of minors may be included in confidential reports to the Superintendent but will <u>not</u> be used in any subsequent disciplinary orders or notices issued by Superintendent.</i></p>
<p>List of Attached Evidence</p> <p><i>In the space below, list all documentation that is included as supplemental evidence with this report. Information that the reporting party should attach may include, but is not limited to, the following:</i></p> <ul style="list-style-type: none"> • Investigative notes and records of school personnel (clearly indicate the date, author, and general subject matter of any notes). • Statements by witnesses or other parties involved with the allegations. • Formal notices of disciplinary action provided to licensee (including notices of suspension, intent to recommend termination, or final termination by the PSU governing authority). • Records of disciplinary action by the PSU governing authority (e.g., resolution of dismissal by the local board of education). • Documentation of prior disciplinary action against the licensee, even if unrelated to the conduct described in this report. • Any criminal records, including warrants for arrest, indictments, or evidence of other court proceedings (PSUs are not expected to seek out this information independently, but should report it if they have it). • Any statements, notices of resignation, or other evidence provided by the licensee in the course of the PSU’s investigation.

<ul style="list-style-type: none"> • Video or audio recordings (contact SBE Office of General Counsel for instructions on how to deliver). • Any other relevant documentation. 						
Have the allegations been referred to law enforcement? <i>If yes, provide the contact information for the investigating agency and officer(s), if known.</i>	Yes		No		Unknown	
Has the licensee been formally charged with a crime? <i>If yes, provide a description of the charge(s), the name of the charging jurisdiction (e.g., county), and the case number(s), if known.</i>	Yes		No		Unknown	

Certification

I hereby certify that, to the best of my knowledge, the information provided in this report is true, accurate, and complete. I understand that completion and submission of this form does not relieve me of any duty to report child abuse to the appropriate social services or law enforcement agency, or any other duty imposed by law or by an occupational licensing body.

Printed Name

Signature

Date

Thank you for completing this report. The completed form and all supporting documentation must be submitted via email to Joan Champagne, SBE Paralegal, at joan.champagne@dpi.nc.gov. For assistance completing this form, contact Joan or the SBE Office of General Counsel.

State Board of Education
Office of General Counsel

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984-236-2100 (p)

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