

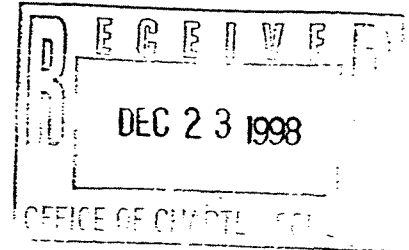
Public Schools of North Carolina

State Board of Education
Phillip J. Kirk, Jr., Chairman

<http://www.dpi.state.nc.us>

Department of Public Instruction
Michael E. Ward, State Superintendent

December 2, 1998



MEMORANDUM

TO Superintendents
Directors, Charter Schools
Directors, State Operated Programs

FROM Henry L. Johnson, Associate Superintendent
Instructional and Accountability Services

E Lowell Harris, Director
Exceptional Children Division *ELH*

SUBJECT Attorney General's Opinion

On October 28, 1998 we requested an Attorney General's opinion on the subject of the local education agency sharing information regarding teacher licensure. The question at issue is whether teacher licensure is a matter of public record that must be released by the school system to persons who request such information. The response was received on November 24.

According to the opinion, teacher licensure at the local level is considered part of the teacher's personnel record which is not subject to the public records law. However, since the state agency or the State Board of Education is not the employer of the teacher, and since the state agency has the authority to license or certify public school employees, teacher licensure status is a public record in the hands of the state agency or the State Board of Education.

A copy of the opinion is attached for your use. If you have any questions, please call me, 919/715-1997, or Mardie Meany, 919/715-1997. Thank you.

HLJ/ELH/MIM mm

Attachment

c Directors, Exceptional Children Programs
Dr. Grova Bridgers
Peter Leousis

OIAS 314