

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

FILED SENATE  
Apr 1, 2019  
S.B. 460  
PRINCIPAL CLERK

S

D

SENATE BILL DRS35220-MK-28

Short Title: Performance/Professors as K-12 Teachers. (Public)

Sponsors: Senators D. Davis and Ballard (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE A LOCAL BOARD OF EDUCATION TO VERIFY THAT ANY  
ADJUNCT INSTRUCTOR THAT THE LOCAL BOARD CONTRACTS WITH SHALL  
NOT HAVE RECEIVED UNSATISFACTORY PERFORMANCE EVALUATIONS  
FROM HIS OR HER OTHER EMPLOYERS WITHIN ONE YEAR OF THE CONTRACT  
AND TO REQUIRE PERFORMANCE EVALUATIONS DURING THE TERM OF THE  
CONTRACT TO ENSURE THE INSTRUCTOR MEETS SATISFACTORY  
PERFORMANCE STANDARDS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-157.1 reads as rewritten:

"§ 115C-157.1. **Adjunct CTE instructors.**

(a) Adjunct Hiring Criteria. – The State Board of Education shall develop minimum criteria of relevant education or employment experience to qualify to contract as an adjunct instructor in each career and technical education career ~~cluster and~~ cluster. The criteria established by the State Board related to hiring an adjunct instructor shall also include a requirement that the adjunct instructor shall not have received unsatisfactory performance evaluations from any other employers during the year prior to a contract and that the local board of education shall retain documentation of any prior evaluations. The State Board shall make such criteria available to local boards of education.

(b) Contracting with Adjunct Instructors. – Notwithstanding Article 20 and Part 3 of Article 22 of this Chapter, a local board of education may contract with an individual to serve as an adjunct instructor who meets the adjunct hiring criteria established by the State Board of Education for a specific career and technical education career cluster. The local board of education may contract with an adjunct instructor on an annual or semester basis, subject to the following requirements:

- (1) An adjunct instructor may be employed for no more than 10 hours per week.
- (2) An adjunct instructor shall be subject to a criminal history check, to ensure that the person has not been convicted of any crime listed in G.S. 115C-332.
- (3) An adjunct instructor shall not be required to hold or apply for licensure as a teacher.
- (4) An adjunct instructor must complete preservice training in all of the following areas prior to beginning instruction:
  - a. The identification and education of children with disabilities.
  - b. Positive management of student behavior.
  - c. Effective communication for defusing and deescalating disruptive or dangerous behavior.



\* D R S 3 5 2 2 0 - M K - 2 8 \*

1 d. Safe and appropriate use of seclusion and restraint.

2 (5) An observation and evaluation of the adjunct instructor shall occur during the  
3 term of the contract. The adjunct instructor must meet and maintain  
4 satisfactory performance standards as a condition of the contract."

5 **SECTION 2.** G.S. 115C-298.5 reads as rewritten:

6 "**§ 115C-298.5. Adjunct K-12 instructors in core academic subjects.**

7 (a) Adjunct Hiring Criteria. – The State Board of Education shall develop minimum  
8 criteria of relevant education or employment experience for an individual who is currently  
9 employed at an institution of higher education as a faculty member to qualify that individual to  
10 contract as an adjunct instructor in specific core academic subjects in grades kindergarten through  
11 ~~12 and 12~~. The criteria established by the State Board related to hiring an adjunct instructor shall  
12 also include a requirement that the adjunct instructor shall not have received unsatisfactory  
13 performance evaluations from any other employers during the year prior to a contract and that  
14 the local board of education shall retain documentation of any prior evaluations. The State Board  
15 shall make such criteria available to local boards of education.

16 (b) Contracting With Adjunct Instructors. – Notwithstanding any provisions in this  
17 Article to the contrary and Part 3 of Article 22 of this Chapter, a local board of education may  
18 contract with an individual to serve as an adjunct instructor who meets the adjunct hiring criteria  
19 established by the State Board of Education for specific core academic subjects. The local board  
20 of education may contract with an adjunct instructor on an annual or semester basis, subject to  
21 the following requirements:

22 (1) An adjunct instructor may be employed for less than 20 hours per week or for  
23 less than six full consecutive months of employment. Adjunct instructors may  
24 be classified as temporary full-time or part-time employees. Based on the  
25 status as a temporary public school employee, an adjunct instructor shall not  
26 be eligible to earn paid leave, participate in the Teachers' and State Employees'  
27 Retirement System, or receive or purchase health benefits through the State  
28 Health Plan for Teachers and State Employees.

29 (2) An adjunct instructor shall be subject to a criminal history check to ensure that  
30 the person has not been convicted of any crime listed in G.S. 115C-332.

31 (3) An adjunct instructor shall not be required to hold or apply for licensure as a  
32 teacher.

33 (4) If an adjunct instructor is not licensed as a teacher, the adjunct instructor shall  
34 complete preservice training, which may be offered through an educator  
35 preparation program or by a local school administrative unit, in all of the  
36 following areas prior to beginning instruction:

37 a. The identification and education of children with disabilities.

38 b. Positive management of student behavior.

39 c. Effective communication for defusing and de-escalating disruptive or  
40 dangerous behavior.

41 d. Safe and appropriate use of seclusion and restraint.

42 (5) An observation and evaluation of the adjunct instructor shall occur during the  
43 term of the contract. The adjunct instructor must meet and maintain  
44 satisfactory performance standards as a condition of the contract."

45 **SECTION 3.** This act is effective when it becomes law and applies to contracts  
46 entered into on or after that date.