



HOUSE BILL 428: Teacher Licensure/Retired Educator Program.

This Bill Analysis reflects the contents of the bill as it was presented in committee.

2021-2022 General Assembly

Committee:	House Education - K-12. If favorable, re-refer to Pensions and Retirement. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 20, 2021
Introduced by:	Reps. Elmore, Brody, Miller, Clemmons	Prepared by:	Kara McCraw Staff Attorney
Analysis of:	First Edition		

OVERVIEW: HB 428 would make the following changes:

- **Part I** – Make the limited license for certain teachers renewable and require development of alternatives to examination requirements to convert to a continuing professional license.
- **Part II** – Extend the sunset on the program to allow retired educators to return to work in high-need schools to 2024 and expand the program to include retired instructional support personnel.

PART I. TEACHER LICENSURE CHANGES

CURRENT LAW: Certain teachers who are not eligible for a continuing professional license (CPL) or who have an out-of-state teaching license may receive a limited license requested by the local board of education that is only valid in that local school administrative unit. A limited license is valid for three years and cannot be renewed. To qualify as an in-state licensee, the teacher must hold an initial professional license (IPL) or residency license (RL), but have failed to meet the examination requirements, and the local board must include an affidavit from the teacher's principal and superintendent attesting to the fact that the individual is an effective teacher and will be encouraged to continue to pursue a CPL. To qualify as an out-of-state licensee, the teacher must hold a current teacher license in another state that is in good standing, and the local board must submit an affidavit that the teacher has been employed as a licensed teacher in another state for at least three years, and will be encouraged to pursue an IPL or CPL, as appropriate.

BILL ANALYSIS: Part I would make the limited license a renewable license, and require the local board to evaluate the teacher's effectiveness every three years. The teacher would be required to demonstrate that he or she met or exceeded expectations in subjects evaluated using the Education Value-Added Assessment System (EVAAS).

The State Board of Education (SBE), in consultation with the Department of Public Instruction and the Professional Educator Preparation and Standards Commission, would be required to

- Develop an alternative requirement to examinations for conversion of an IPL or RL to a CPL.
- Examine issues related to licensure classes and teacher salary, including way to increase recruitment and retention.

The SBE would be required to report to the Joint Legislative Education Oversight Committee on these items and recommended legislative changes by February 15, 2022.

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PART II. EXTEND AND EXPAND THE PROGRAM TO ALLOW RETIRED EDUCATORS TO RETURN TO WORK IN HIGH NEED SCHOOLS

CURRENT LAW: Retirees of the Teachers' and State Employees' Retirement System (TSERS) must meet certain conditions to return to work with a TSERS employer while continuing to receive the monthly TSERS retirement benefit, including a break in service and earnings restrictions. S.L. 2019-110, as amended by S.L. 2019-212, created an exception to these requirements (program) to allow qualifying retired teachers to return to work in high-need schools and still receive full retirement benefits.

To qualify for the program, the teacher must have retired on or before February 1, 2019, and be reemployed on an annual contract by a local board of education to provide classroom instruction as a teacher exclusively at a high-need school or schools. A high-need school is a school that, at any point on or after July 1, 2017, (i) is a Title I school as defined by federal law or (ii) receives an overall school performance grade of D or F, as calculated by the SBE. Teachers rehired under the program are paid on the first step of the teacher salary schedule, except for STEM (science, technology, engineering, and math) and special education teachers, who are paid on the sixth step of the salary schedule. The program expires June 30, 2021.

BILL ANALYSIS: Part II would extend the program to June 30, 2024, and expand eligible participants to include instructional support personnel, which include counselors, social workers, psychologists, speech pathologists, and audiologists who meet the previously enacted retirement requirements and are reemployed exclusively in a high-need school. Those instructional support personnel rehired under the program would be paid on the first step of the teacher salary schedule, except for school psychologists, school speech pathologists licensed at the master's level or higher, and school audiologists licensed at the master's level or higher, who would be paid on the sixth step of the salary schedule.

EFFECTIVE DATE: Except as otherwise provided, HB 428 would become effective when it becomes law.