

ADMINISTRATIVE MEMORANDUM

SUBJECT In-State Tuition For North Carolina Teachers
Incident To Courses For Certification
And Professional Development

NUMBER 375
DATE October 22, 1997

This Administrative Memorandum provides guidance with respect to new G.S. 116-143.5, which was enacted through passage of Section 8.22(c) of Senate Bill 352 ("The Current Operations and Capital Improvements Appropriations Act of 1997"), now Session Law 1997-443. G.S. 116-143.5 confers the in-State tuition rate on certain North Carolina teachers for courses they may take for teacher certification or professional development as a teacher. The statute was first announced within the University by a memorandum of September 25, 1997, from Mr. David Edwards, Special Assistant to the President.

A copy of G.S. 116-143.5 is attached to this Administrative Memorandum. In accordance with its provisions, the new statute shall be implemented within the University as follows:

1. An applicant for the benefit of G.S. 116-143.5 must be a teacher or other person paid on the North Carolina teacher salary schedule incident to full-time employment by a North Carolina public school. "Full-time employment" means employment under which the employee's aggregate of duties qualifies the applicant for membership in the Teachers' and State Employees' Retirement System" (TSERS) or would so qualify the applicant if employed on a permanent basis. The applicant must provide a written declaration from the principal of the applicant's employing school verifying the applicant's employment status as a full-time employee paid on the North Carolina teacher salary schedule.

2. The applicant must be a North Carolina legal resident (domiciliary), of any duration, as determined by the enrolling institution with reference to G.S. 116-143.1 and A Manual to Assist the Public Higher Education Institutions of North Carolina In the Matter of Student Residence Classification for Tuition Purposes. Determinations with respect to legal residence may be appealed as provided by the residence Manual and the "Policies and Procedures of the State Residence Committee."
3. The applicant must be found to have established North Carolina legal residence prior to commencement of the course(s) for which the benefit of G.S. 116-143.5 is sought.
4. Any course for which the tuition benefit may be received must be "relevant to teacher certification or to professional development as a teacher." The applicant must provide to the enrolling institution a written declaration to that effect from the principal of the applicant's employing school.
5. The tuition benefit shall pertain only to courses commencing on or after July 1, 1997.
6. Except as provided in paragraph 7, below, application for the tuition benefit shall be permitted with respect only to academic terms commencing on or after the date on which the applicant delivers in proper order, an application for the benefit, including all supporting forms, declarations, and materials.
7. The tuition benefit may be afforded retroactively with respect to academic terms commencing on or after July 1, 1997, if (a) application for the benefit, including all supporting forms, declarations, and materials, is delivered in proper order on or before the last day of classes for the enrolling institution's fall term 1997, and (b) the application demonstrates satisfaction of all conditions for receipt of the tuition benefit as of the date on which commenced the academic term(s) for which the waiver is sought.
8. The constituent institutions shall furnish to each applicant for tuition waiver an application form on which the applicant shall be required to enter at least the following:
 - a. The applicant's name, permanent residuary address, current mailing address, name of each course for which the waiver is sought, the applicant's personal signature, and date of the application.
 - b. A statement that there is attached to the form a written declaration executed by the principal of the public school employing the applicant, verifying that:

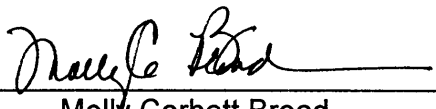
(1) The applicant is a full-time employee of the principal's public school, such that the applicant qualifies for membership in the Teachers' and State Employees' Retirement System (TSERS), or would so qualify if employed on a permanent basis;

(2) The applicant is paid on the North Carolina teacher salary schedule; and

(3) Each course (which must be named by the principal in the declaration) is relevant to the applicant's teacher certification or to professional development as a teacher.

c. A statement that there is attached to the form a properly completed residence-and-tuition status application for the academic term(s) pertinent to the requested tuition waiver.

Questions concerning this Administrative Memorandum may be addressed to Mr. Edwards, of this office.


Molly Corbett Broad

Attachment: Session Law 1997-443, section 8.22

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-443
SENATE BILL 352

AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS AND
FOR CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS,
INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

PART I. INTRODUCTION AND TITLE OF ACT

INTRODUCTION

Section 1. The appropriations made in this act are for maximum amounts necessary to provide the services and accomplish the purposes described in the budget. Savings shall be effected where the total amounts appropriated are not required to perform these services and accomplish these purposes and, except as allowed by the Executive Budget Act, or this act, the savings shall revert to the appropriate fund at the end of each fiscal year.

TITLE OF ACT

Section 1.1. This act shall be known as "The Current Operations and Capital Improvements Appropriations Act of 1997."

Requested by: Senators Winner, Lee, Representatives Arnold, Grady, Preston
TEACHER CERTIFICATION

Section 8.22. (a) The State Board of Education shall establish an advisory committee to assist it in studying the lateral entry program, a program which encourages lateral entry into the profession of teaching by skilled individuals from the private sector. In the course of the study, the State Board shall consider the recruitment, retention, training, and evaluation of persons who enter the teaching profession by lateral entry. The State Board shall place special emphasis on lateral entry of teachers at the high school level who have significant postbachelors degree experience.

The State Board of Education shall report the results of its study to the Joint Legislative Education Oversight Committee prior to April 15, 1998.

(b) The State Board of Education shall review the issue of certifying out-of-state teachers to determine how to facilitate the certification in North Carolina of qualified teachers who are trained in other states. The State Board of Education shall report the results of this review to the Joint Legislative Education Oversight Committee prior to December 15, 1998.

(c) Article 14 of Chapter 116 of the General Statutes is amended by adding a new section to read:

"§ 116-143.5. Tuition of certain teachers.

Notwithstanding G.S. 116-143.1, any teacher or other personnel paid on the teacher salary schedule who (i) has established a legal residence (domicile) in North Carolina and (ii) is employed full-time by a North Carolina public school, shall be eligible to be charged the in-State tuition rate for courses relevant to teacher certification or to professional development as a teacher."