

**16 NCAC 06C .0374 INVESTIGATION REQUIREMENTS TO DETERMINE REASONABLE CAUSE
TO SUSPEND OR REVOKE AN EDUCATOR LICENSE**

(a) Upon the receipt of a written request and substantiating information from anyone in a position to present credible information as a basis for the suspension or revocation of a person's license, the Superintendent of Public Instruction shall conduct an investigation sufficient to determine whether cause exists to believe that the person's license should be suspended or revoked.

(b) If the Superintendent determines that cause exists to believe that the person's license should be suspended or revoked on one or more of the grounds specified in Rule .0372 of this Section, the Superintendent shall prepare written charges on behalf of the State Board of Education (SBE).

(c) The SBE shall provide the person with a copy of the written charges, and notify the person that it will revoke the person's license unless the person, within 60 days of receipt of notice, initiates administrative proceedings under Article 3, Chapter 150B of the General Statutes. The notice will be sent certified mail, return receipt requested.

(d) If the person initiates administrative proceedings, the SBE shall defer action on the matter until receipt of a final decision as provided for in G.S. 150B-34. If the person does not initiate administrative proceedings or voluntarily surrender his or her license within 60 days of receipt of notice, the decision of the SBE to suspend or revoke becomes effective at the expiration of the 60 day period for initiating an administrative proceeding.

(e) The SBE may suspend an individual's license for a stated period of time or may revoke the license, depending upon such factors as: the severity of the infraction, the impact of the infraction on the individual's ability to perform duties, and rehabilitation efforts and activities.

History Note: *Authority G.S. 115C-12; 115C-268.1; 115C-268.5; 115C-270.5; 115C-270.20; 115C-270.35;
115C-325;
Eff. October 1, 2020.*