



## NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

*R. Scott Ralls, Ph.D.*

*President*

July 2, 2012

### MEMORANDUM

**TO: Presidents  
Chief Academic Officers  
Chief Business Officers**

**FROM: Jennifer Haygood, Vice President for Business and Finance and  
Chief Financial Officer**

**SUBJECT: High School Teachers Teaching Community College Courses**

Based on questions we have received from colleges, this memo is provided to clarify how colleges may employ high school teachers to teach community college courses. The appropriate method to use depends on whether the instruction will occur during or outside the high school teacher's regular contractual school day.

**During Teacher's Contractual School Day:** If a college is seeking instructional services from a high school teacher during his/her normal workday, the college must contract with the local education agency (LEA) or school (in the case of a charter or private school), rather than the individual, since the individual is an employee of the LEA/school during the instructional period. Note that a high school teacher's planning period is part of his/her contractual school day. The community college pays the appropriate percent of employment for the teacher's work day (inclusive of any salary differential) to the LEA or school for inclusion in the teacher's regular pay check. When entering into such arrangements, the college is responsible for ensuring that it has complied with the State Board's policy governing curriculum instructional contracts and SACS Principles of Accreditation CS 3.4.7, Contractual Agreements.

**Outside Teacher's Contractual School Day:** If the college is seeking instructional services from a public or private high school teacher outside his/her normal workday, the college can contract directly with the individual, assuming he/she has the requisite qualifications. For example, a high school teacher may be employed by an LEA or school for less than a full-day. The same teacher may be employed by a community college for the remainder of the work-day. Another scenario is when a teacher completes his/her full-time contractual requirements with a LEA or school and is also employed in a secondary job with another employer (including a community college) in the evening. In both instances, each employer pays the teacher for the job assigned and completed.

On a separate, but related issue, I would like to remind colleges that Section 7.1A.(g) of S.L. 2011-145 repealed effective January 1, 2012, the portion of G.S. 115D-41 that prohibited colleges from generating budget FTE if they contracted with a local administrative school unit. Colleges that entered into instructional contracts with LEAs for the Fall 2011 semester will need to seek reimbursement later this summer for these direct instructional costs plus 15% for administrative costs. As of Spring 2012, however, community colleges that contract with a local school administrative unit for a public high school teacher to teach a college level course shall generate budget FTE for that course. Colleges are no longer allowed to receive reimbursement for direct instructional costs contained in the contract plus 15% for administrative costs for instruction provided after the Fall 2011 term.

If you have any questions, please call (919-807-7021) or e-mail me ([haygoodj@nccommunitycolleges.edu](mailto:haygoodj@nccommunitycolleges.edu)).

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Email