



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 795

FAILED

S795-ATC-120 [v.1]

CHANGES TITLE

AMENDMENT NO. 3
(to be filled in by
Principal Clerk)

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Comm. Sub. [NO]
Amends Title [YES]
Third Edition As Amended by
Floor Amendment #2

Date June 4, 2012

Senator Stein

1 moves to amend the bill on page 1, lines 2-12, as amended by Amendment #2, by rewriting the
2 lines to read:

3
4 "AN ACT TO MAKE CHANGES TO IMPROVE K-3 LITERACY; PROVIDE LITERACY
5 VOLUNTEER LEAVE TIME; DIRECT THE STATE BOARD OF EDUCATION TO
6 DEVELOP A NEW MODEL FOR MEASURING SCHOOL PERFORMANCE;
7 MAXIMIZE INSTRUCTIONAL TIME; PROVIDE FOR THREE PROTECTED
8 TEACHER WORKDAYS; FUND FIVE ADDITIONAL INSTRUCTIONAL DAYS
9 WITHIN THE EXISTING SCHOOL CALENDAR; ESTABLISH AN NC TEACHER
10 CORPS; STRENGTHEN TEACHER LICENSURE REQUIREMENTS; ESTABLISH
11 PLANS FOR PAY FOR EXCELLENCE; CLARIFY NC PRE-K PROGRAM
12 ELIGIBILITY AND ADD SLOTS; REPEAL PROHIBITION ON TEACHER
13 PREPAYMENT; PROVIDE A TAX DEDUCTION FOR EDUCATIONAL SUPPLIES;
14 AND DIRECT THE STATE BOARD OF EDUCATION TO REPORT ON THE
15 IMPLEMENTATION OF THE NEW DISMISSAL HEARINGS PROCESS AND
16 EVALUATION PROCESS FOR TEACHERS AS REQUIRED BY S.L. 2011-348.";

17
18 And on page 4, lines 39-40 by inserting between the lines the following:

19 "(6) Students whose principal decides that retention is not in the student's best
20 interest.";

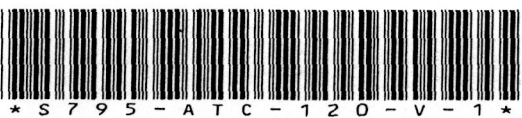
21
22 And on page 7, lines 47-48 by inserting between the lines the following:

23
24 "f. Students whose principal decides that retention is not in the student's best interest.";
25

26 And on page 9, line 13 through page 11, line 46, by rewriting those lines to read:

27
28 **"PART III. NEW MODEL FOR MEASURING SCHOOL PERFORMANCE**

29 **SECTION 3.(a)** The State Board of Education shall develop a new model for
30 measuring school performance that gives parents and educators more relevant and clear
31 information about how well schools are preparing students for college, work, and adulthood.



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1 The new accountability model shall reflect: (1) performance and status based on student
2 proficiency; (2) progress of schools based on annual measurable objectives; and (3)
3 school-level growth metrics using Education Value Added Assessment System (EVAAS)
4 results. The State Board shall report results from this new model for the State and for each local
5 school administrative unit in the annual report card required by G.S. 115C-12(9)c1.

6 **SECTION 3.(b)** This section is effective when it becomes law.";

7
8 And on page 12, line 38 through page 14, line 42, as amended by Amendment #2, by rewriting
9 the lines to read:

10
11 **"PART V. PROTECTED TEACHER WORKDAYS**

12 **SECTION 5.(a)** G.S. 115C-84.2(a) is amended by adding a new subdivision to
13 read:

14 "(a) School Calendar. – Each local board of education shall adopt a school calendar
15 consisting of 215 days all of which shall fall within the fiscal year. A school calendar shall
16 include the following:

17 ...

18 (4a) Three days, as designated by the local board, for use as teacher workdays.
19 These days shall be protected to allow teachers to complete instructional and
20 classroom administrative duties. The local school administrative unit shall
21 not impose any additional tasks on these days. The local board shall
22 schedule at least one of these days at the beginning of the school year and at
23 least one at the end of the school year.

24 ..."

25 **SECTION 5.(b)** This section is effective when it becomes law and applies
26 beginning with the 2013-2014 school year.";

27
28 And on page 17, line 42, through page 18, line 8, by deleting those lines;

29
30 And on page 18, lines 10-33 by deleting those lines and substituting the following:

31
32 **"PART X. PAY FOR EXCELLENCE**

33 **SECTION 10.(a)** Local boards of education may develop a plan of performance
34 pay for all licensed personnel employed by them after consulting with teachers and
35 administrators for the State Board of Education to consider. Under the performance pay plan,
36 licensed employees should be eligible to receive bonuses or adjustments to base salary for
37 meeting certain performance criteria. Criteria for award of bonuses or adjustments to base
38 salary in any proposed plan should include, but are not limited to, the following factors:

- 39 (1) Annual growth in student achievement of students assigned to a teacher's
40 classroom, when applicable.
41 (2) Annual growth in student achievement of students assigned to a specific
42 school.
43 (3) Assignment of additional academic responsibilities.

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- 1 (4) Assignment to a hard-to-staff school.
2 (5) Assignment to a hard-to-staff subject area.

3 If a local board of education decides to develop a plan of performance pay, it shall
4 submit the plan to the State Board of Education no later than March 1, 2013. The State Board
5 of Education shall consider the plans submitted by the local boards of education and report on
6 the submitted plans and the achievement-based compensation models developed as part of the
7 federal Race to the Top grant. The State Board shall submit the comprehensive report and all
8 plans to the Fiscal Research Division, the Joint Legislative Commission on Governmental
9 Operations, and the respective Subcommittees on Education Appropriations of the Senate and
10 House of Representatives no later than April 15, 2013. Members of the public may also submit
11 plans for performance pay no later than April 15, 2013, to the Fiscal Research Division, the
12 Joint Legislative Commission on Governmental Operations, and the respective Subcommittees
13 on Education Appropriations of the Senate and House of Representatives.

14 **SECTION 10.(b)** This section is effective when it becomes law.";
15
16


17 And on page 19, line 39 through page 41, line 7, by deleting those lines and substituting the
18 following:
19

20 **"PART XIV. REPORT ON TEACHER DISMISSAL HEARING PROCESS AND**
21 **EVALUATION PROCESS**
22

23 **SECTION 14.(a)** The State Board of Education shall report to the Joint Legislative
24 Education Oversight Committee on the implementation and outcomes of the new dismissal
25 hearing process and evaluation process for teachers as required by S.L. 2011-348. The report
26 shall be submitted by October 15, 2013.

27 **SECTION 14.(b)** This section is effective when it becomes law."
28
29

SIGNED


Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED 17-31 TABLED _____

Sarah Clapp
June 4, 2012