

**JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE
AGENDA**

January 17, 2007

10:00 A.M., ROOM 643 Legislative Office Building
Representative Yongue, presiding

Welcome and Introductions

Approval of Minutes

Perspective on North Carolina Public Schools

Dr. Meghan Doyle, NC Principal of the Year

Diana Beasley, NC Teacher of the Year

A High School Perspective

Dr. Noah V. Rogers, Principal

Ben L. Smith High School, Guilford County Schools

Draft Report

Shirley Iorio, Committee Staff

DRAFT MINUTES

JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE

January 17, 2007

The Joint Legislative Education Oversight Committee held its final meeting on January 17, 2007 at 10:00 a.m. in Room 643 of the Legislative Office Building. Chairman Douglas Yongue presided over the meeting. The following House members were present: Representatives Bell, Carney, Glazier, Insko, Jeffus, Lucas, McLawhorn, Pate, and Preston. The following Senators attended: Co-Chair, Senator Swindell and fellow Senators Atwater, Dannelly, Dorsett, Hartsell, Lucas, and Nesbitt. Please refer to *attachments 1, 2, and 3* for agenda, attendance, and visitor registration. Chairman Yongue convened the meeting at 10:00 a.m. and welcomed the committee, visitors, and Sergeant-at-Arms staff.

Approval of Minutes

As the first order of business, Chairman Yongue asked for a motion to approve the minutes of November 14 and 15 and December 4 and 5. With a motion from Representative Lucas and a second from Representative Bell, the committee unanimously voted to approve the minutes. With no further committee business, Chairman Yongue invited the first presenter.

Perspective on North Carolina Public Schools

Dr. Meghan Doyle, Hunter's Creek Middle School, presented her experience as North Carolina Principal of the Year with the committee. She told the members, North Carolina has good schools, but we need great schools to prepare our students to be successful in a global economy and the reality of the 21st Century. She praised the state for having the most Nationally Board Certified Teachers in the nation (1525 NBCT in 2006), with a total of over 11,000. She spoke of the challenges that we face – including 20,000 dropouts in 2004-2005. Of these high school dropouts, one-third occurred in the 9th grade. She noted the challenge we face in retaining teachers, with a salary ranking of 23rd in the nation. She urged the Committee to continue to support funding to increase teacher salaries, develop strong teacher education programs, rebuild standards for curriculum and instruction, and to provide funding for technology. Dr. Doyle thanked the Committee for their support of education in North Carolina and for their leadership. Dr. Doyle concluded her presentation with an overview of her professional background, starting her career in education as a lateral entry teacher. Representative Pate asked what the committee and legislature could do to retain more teachers. Dr. Doyle suggested that we need to do more to link skills, training, and salary. Senator Atwater asked if Dr. Doyle would mention all of the skills necessary to be a successful teacher. In this skill set, she mentioned the following: use of engaging technology in the classroom, classroom management, relevant lesson planning, and planning time for teachers. Finally, Representative Preston asked for a brief career history. Dr. Doyle informed the committee that she started as a lateral entry teacher after graduating from UNC Chapel Hill. She became a lateral entry administrator. She acquired her Master's degree and soon became principal at Hunter's Creek Middle School.

Mrs. Diana Beasley, NC Teacher of the Year, opened with an overview of her 25-year teaching career. Her comments included the importance of the North Carolina Center for the Advancement of Teaching (NCCAT) in recruiting and retaining competent and caring teachers. She hoped that this program would help principals in the future. She thanked the legislators for their support of the salary increase for teachers during the last session and asked them to reconsider the calendar issue and add back the five staff development days lost in this legislation. Most school systems that she has visited around the state have asked her to relay this message to the legislature, saying we want the flexibility to maintain our own calendar with additional time for staff development. She emphasized international programs in schools in order to increase international awareness. In addition, she asked members to continue DSSF funding and low-wealth funding, as well as adequate funding for technology and health and wellness legislation for a better quality of life for all. Chairman Yongue opened the floor to questions.

A High School Perspective

Dr. Noah V. Rogers, Principal, Ben L. Smith High School, Guilford County Schools summarized his teaching career and provided a brief overview of the population of his school and of the community. The 1,600 students enrolled in his school come from 42 different countries. His school, previously listed as a low performing school, has turned around as a result of the support of North Carolina Association of Educators, National Education Association, churches, and businesses and civic organizations. These support groups have provided funding incentives for teachers to teach remediation on Tuesdays, Thursdays and Saturdays. In addition, a local church is providing the location for these extra teaching times. Incentives were also provided for the students such as dances, social activities, and peer tutoring to help in the development of communication and social skills. Dr. Rogers challenged the members of the committee to visit schools in the Guilford County School System.

JLEOC Draft Report

Shirley Iorio, Committee Staff, presented an overview of the contents of the draft report. The report included meeting agendas, summaries of the Joint Legislative Education Oversight Committee, and the status of the previous recommendations from April. A motion was made by Representative Bell to adopt the report as presented and seconded by Representative Jeffus; the motion passed.

With no further committee business, Chairman Yongue adjourned the meeting at 11:12 a.m.

Katie Stanley
Committee Assistant

Representative Douglas Y. Yongue
Chairman

**Ben L. Smith High School
2407 S. Holden Road
Greensboro, NC 27406**

Ben L. Smith High School serves a population of 1600 students from 48 different countries who speak 42 different languages. Approximately 65% of the students qualify for the federal free and reduced price lunch program. The school was identified as a Priority School in 2002, based on North Carolina's ABC Model of Accountability that identifies this designation for schools where less than 60% of the students score at or above Achievement Level III. In addition, under the No Child Left Behind (NCLB) requirements, Smith High School did not meet all targets for Adequate Yearly Progress (AYP). In 2003-2004, they met 15 out of 21 targets, and in 2004-2005 they met 6 out of 17 targets for AYP. For 2005-2006, 23 out of 28 targets were met.

Ben L. Smith High School has served a changing community since it was opened in 1963. In the fall of 2005, Smith was identified by an article in the *News and Record* as having the second lowest socioeconomic group of high school students in the district. The article emphasized the perceived differences in school achievement based on socioeconomic background. While this is not an excuse for low performance, it may be considered as a contributing factor.

In February 2006, Dr. Noah Rogers became the principal of Ben L. Smith High School. Dr. Rogers is a graduate of Ragsdale High School (Guilford County, NC), and has a national reputation for having turned around a struggling high school in Norfolk, Virginia. Dr. Terry Grier, the Superintendent for Guilford County Schools, and the school board recruited Dr. Rogers believing that with his positive influence and data driven management style he could turn around Ben L. Smith High School just as he had with Lake Taylor High School.

Dr. Rogers has brought on board his own administrative and management team to begin the 2006-2007 school year. The new team is attending workshops and inservices and focusing on the process of becoming a data driven high school. With this team in place, and veteran and new teachers on board, it is believed that Smith High School has the infrastructure to achieve a goal of 70% proficient on End-of-Course tests.

An" Eagle's-Eye" View of Ben L. Smith High School

Ben L. Smith High School opened in 1963 and for over forty years has served the educational needs of its changing neighborhoods. There is an enrollment of over 1500 students for the fall semester of 2006. The school population is comprised of students from 39 countries speaking 35 different languages. Within this rich multicultural environment, there are numerous programs to meet the diverse needs and interests of the students.

- The International Baccalaureate (IB) Program began with the incoming freshmen in 2002 and graduated the first student with an IB diploma in 2006. One IB graduate for 2006 made a perfect score on the IB mathematics exam. Currently there are 36 students enrolled in one or more IB courses.
- The Advanced Placement (AP) program offers 13 subject classes and currently serves 90 students. In the spring of 2006, 128 students sat for 277 AP exams.
- The English for Speakers of Other Languages (ESOL) Program currently serves 132 students from 39 countries. The goal of the ESOL Program is to move students into the educational mainstream by helping them master English as quickly as possible.
- The Tech Prep Program offers an alternative to the traditional high school curriculum and focuses on workforce skills that will assist the student who wants to go directly into the workplace or community college rather than into a four-year college. During the 2005-06 school year, 152 students completed Tech Prep courses.

Notable Achievements:

- Jasmine Mitchell was the Morehead Scholarship recipient for 2006.
- Academically, the school met 23 of 28 indicators for Annual Yearly Progress (AYP) in 2005-06.
- The senior class of 2006 made a 49 point improvement on the SAT, the highest amount of improvement scored by any school in the district.
- The 2005-06 10th grades posted a 25% improvement on the state Writing Assessment.
- The Varsity cheerleaders won the 2nd Place trophy in the varsity all-girl division at NC State's cheerleading competition.
- The Junior Varsity cheerleaders won the 1st Place trophy in the JV all-girl division at NC State's cheerleading competition.
- The Smith High School Marching Band won 1st Place in all categories at its most recent competition in High Point.

Extracurricular Activities:

- There are 11 extracurricular clubs or organizations including Campus Life, Forensics, French Club, International Club, Latino Club, Men of Smith, Women of Smith, Beta Club and National Honor Society
- Sports include football, basketball, soccer, tennis, volleyball, golf, swimming, and track.

Ben L. Smith High School

Positive Changes and Continuing Needs

Positive Changes

Dr. Noah Rogers, principal; Lisa Comito, assistant principal; and Dr. Donna Matthews, curriculum facilitator are attending the year-long *Leadership for Priority High Schools* training provided by UNC- Chapel Hill, the Principals' Executive Program, and the Kenan-Flagler Business School.

The school is reviewing and is prepared to select a reform model as required by Judge Manning. Currently, the school is planning to adopt the Johns Hopkins Talent Development model.

As part of the Framework for Immediate Action, Smith High School listed partnerships with local churches and civic organizations. Beginning second semester, the high school will have a formal partnership with Ebenezer Baptist Church called "Stay Up While You're Out" to serve the needs of students who have been suspended. Students will receive tutoring, remediation, and one-on-one assistance from retired teachers who are members of the church.

Continuing Needs

Additional parent and community volunteers. The PTA is more active and involved than in previous years, but there is still a need for parents to volunteer and be visible in the school.

The school has a continuing need for teachers. One science position has remained unfilled since August. We have also had faculty hired who did not meet the needs of the school and were unable to work with the students. It has been necessary to try to replace both science and mathematics teachers.

We need additional elective courses and teachers; currently we have physical education classes with more than 40 students enrolled. These large numbers create problems for discipline and classroom activities.

We need a fulltime social worker since we have such a large immigrant population and a large percentage of students from low socioeconomic homes.

NORTH CAROLINA PUBLIC SCHOOL FACILITY NEEDS FACT SHEET



North Carolina's public schools need \$9.8 billion over the next five years to replace deteriorating facilities and modular classrooms and meet the demands of explosive growth in the K-12 student population.

Driving Forces

- **Population Increase** – North Carolina has experienced a 31% increase in population since 1995 and is now the 10th most populous state in the nation. Public school enrollment has increased by 91,181 students since 2000-01 for a current enrollment of 1.43 million and is projected to reach 1.62 million by 2014-15.
- **New State & Federal Initiatives** – Class size reductions in Grades K-3 since 2001-02 have added 3,118 teachers requiring commensurate space at existing school facilities. Many public schools also have made space for the state's expansion of the More at Four and Smart Start pre-kindergarten initiatives during the same time period and expect to add more than 200 additional classrooms for these efforts in the next five years. Federal mandates from the No Child Left Behind (NCLB) Act and the Individuals with Disabilities Education Act (IDEA), both of which call for more individual and small-group instruction, are placing additional burdens on public school facilities in North Carolina.
- **Explosive Growth** – Population growth in some North Carolina counties is occurring so fast that local school boards and county commissioners cannot keep pace, either with funding or classroom space. Fifteen school districts currently have 50% of the state's total K-12 enrollment. As a result of these demands, school districts statewide have added 1,506 mobile units (a 26.8% increase) since 2001 and now educate 178,325 students (13% of the total K-12 population) in 7,133 mobile units. Teachers and students assigned to these units often are exposed to the elements, traffic and other potentially dangerous situations during daily transitions.
- **Deteriorating Facilities** – Public school facilities dating back to the 1920s or earlier are still used on a daily basis for many North Carolina public school students, and many of these facilities pose health and safety hazards for the students and personnel. Leaking roofs, dilapidated boilers and cramped classrooms are just some of the problems facing school districts, which in many parts of the state do not have sufficient growth in the local tax base to support replacement and/or repairs.
- **Construction Cost Increase** – Construction costs for public schools have increased by 47% since 2000-01 and continue to climb along with the needs for facilities.

The Need

- **\$9.8 billion to add 4,941 new classrooms across North Carolina in 2,616 public schools.**
 - **New Schools** – \$4,327,137,980 for 268 total schools
 - **Renovations** – \$2,281,415,049 at 1,038 schools
 - **Additions** – \$2,256,214,566 at 1,116 schools
 - **Furnishings/Equipment** – \$760,759,206
 - **Land** – \$194,332,411
- **This investment in public school facilities will:**
 - Replace or repair deteriorating buildings.
 - Accommodate growth and decrease the need for mobile units.
 - Retrofit facilities for 21st Century technologies.
 - Improve working conditions for teachers to help address the state's teacher shortage.
 - Provide a better and safer learning environment for public school students.

State Action Requested

The 2007 General Assembly should approve a \$2 billion public school facilities bond referendum to put before North Carolina voters at the earliest possible date.



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NC Association of School Administrators
NC Citizens for Business & Industry
NC Council of Chambers of Commerce
NC School Boards Association
Public School Forum of NC

CRISIS IN THE CLASSROOM

WHAT THE \$2 BILLION BOND REFERENDUM WILL HELP CHANGE



Deteriorating wiring in this boiler room poses a severe health and safety threat.



Mobile units are increasingly used by districts to combat explosive growth.



Outdated technological equipment, such as this overhead projector, needs to be replaced.



Insufficient classroom space forces teachers to use heavy, dangerous rolling carts.



Overcrowding is a major problem: this teacher is forced to conduct class in a storage room.

DRAFT
Joint Legislative Education Oversight Committee
November 14, 2006
Minutes

The Joint Legislative Education Oversight Committee met on Tuesday, November 14, 2006 at 10:00 a.m. in Room 643 of the Legislative Office Building. Representative Douglas Yongue was the presiding Chairman. The following members were in attendance: Representatives Becky Carney, Robert Grady, Maggie Jeffus, Marvin Lucas, Louis Pate, Jean Preston, Joe Tolson, Edith Warren; and Senators Tom Apodaca, Bob Atwater, Janet Cowell, Charlie Dannelly, Katie Dorsett, John Garwood, Jeanne Lucas, Martin Nesbitt, and fellow Chairman, Senator A.B. Swindell. Chairman Yongue called the meeting to order, welcomed members of the committee, and called for a motion to approve the minutes of the November 29 and 30, 2005. Senator Lucas offered the motion, seconded by Representative Tolson, and the motion carried. With no further meeting business, Chairman Yongue called the first presenter.

Report on Program for a Statewide Permit for Commercial Bus Companies that Transport to School-Sponsored Events

Mr. Derek Graham, Section Chief, Transportation Services, Department of Public Instruction, presented an overview of Session Law 2006-208, AN ACT TO ENSURE THE SAFEST TRANSPORTATION POSSIBLE FOR NORTH CAROLINA PUBLIC SCHOOL STUDENTS INVOLVED IN SCHOOL-SPONSORED TRAVEL. Please see attached legislation (Attachment 4). This legislation directed local boards of education that operate activity buses, to adopt a permitting policy relative to the proper use of these vehicles/buses when used for travel to athletic events and other school-sponsored events. In addition, the Department of Public Instruction in cooperation with the Department of Transportation were directed to develop a policy for issuing statewide permits to commercial motor coach companies that seek to contract with Local Education Agencies (LEAs) to provide travel to students, school personnel, and others authorized by the school system. In 2001, the North Carolina School Charter Transportation Safety Committee met to develop a set of state and federal guidelines and procedures for schools to use when contracting with commercial motor coach operators. This multi-agency effort resulted in the following recommended three-step process: (1)List of pre-approved motor coach companies - which includes a site visit, insurance verification, Satisfactory rating, etc.); (2)Contract for a specific trip, including itinerary details, fees, etc.; (3)Pre-trip review, which includes verification of driver's license, medical card, and satisfactory bus condition, etc. There are also federal requirements such as drug and alcohol testing and US DOT number to name a few. Since implementation of these guidelines, according to Mr. Graham, LEAs have been in compliance. As a result of the 2002 implementation, the NC Highway Patrol, NC School Boards Association, Federal Motor Carriers Safety Administration, NC Motor Coach Association, and NC Parent Teachers Association (PTA) have held meetings to address real-world problems and inefficiencies. One option discussed for revising these regulations was to have a statewide permit to be

issued by the NC DOT/DMV to commercial motor coach carriers. This would in turn minimize paperwork for LEAs and simplify the process for motor coach companies with a uniform set of regulations. This group last met on October 17, 2006 to discuss options for a statewide permitting process. Please see attached handout for pros and cons and next-steps (Attachment 5). Following Mr. Graham's presentation, he took questions from the committee. Representative Lucas applauded Mr. Graham for his efforts and asked about the monitoring of driver fatigue. Mr. Graham answered saying that in the pre-trip review, a principle or assistant principal can ask for an explanation from the driver of how time was spent resting before an actual trip – so that driver fatigue is not a risk. Also, Mr. Graham explained that in a contract, recommendations suggest that it should be drawn in such a way as to require a second driver on longer trips requiring more than the allowed hours of service. Senator Dorsett asked if random drug and alcohol testing is required. Mr. Graham suggested that random testing is required. This discussion would ideally take place on a site visit. Representative Pate asked about the need for a statewide list. Mr. Graham informed Representative Pate that Session Law 2006-208 requires that DPI and DOT develop a program for implementing a statewide permit. He explained that there is overlap considering the large motor carriers that may do business in a more broad area, i.e. Eastern North Carolina, Piedmont Triad, etc. Senator Lucas asked how a company could get on the statewide list, such as a new company. Mr. Graham noted that LEAs have discretion in when to add to the approved list – given time availability for site-visits. In other words, an LEA may have open-enrollment for a specific period each year or choose to revise their list at any time, starting with a site visit. Senator Malone asked if a company must be on an approved list. Mr. Graham suggested that though there is no mandate to require LEAs to abide by their approved list of motor coach carriers, it is strongly encouraged. Senator Malone followed up by asking if accidents vary between approved carriers and unapproved. There was no data at hand to prove the increased safety in using an approval process such as the ones in place. Chairman Yongue then encouraged Mr. Graham to review the data for future reports.

Evaluation of Student Success in Cooperative Innovative Education Programs

Mr. Geoff Coltrane, Research and Communications Director, North Carolina New Schools Project (NCNSP) presented his report to the committee as directed in accordance with Session Law 2005-276, Section 7.33, *Flexibility for High School Innovation* and Session Law 2003-277, Section 2, *Innovative Education Initiatives Act*. Mr. Coltrane is joined by Mr. Joseph Garcia, Vice President, Advocacy and Communications, NC New Schools Project. Mr. Coltrane described the high school redesign work of the New Schools Project in North Carolina. They are joined by the NC Department of Public Instruction, NC State Board of Education, UNC system, NC Community Colleges, 21st Century Schools, and many others. The NCNSP is funded largely by the Bill and Melinda Gates Foundation. High school redesign in the state is driven by three things: economic restructuring; student achievement and performance; teacher professionalism and satisfaction. Their goal is to bring dramatic structural change by changing instruction, increasing academic rigor for all students, and increasing accountability in 100 LEAs in the next five years. This change would take place in the form of two types of high schools – redesigned high schools and Learn and Earn/Early College High

Schools. The 2005 school year began with 13 Learn and Earn high schools participating in the Early College Program and 11 redesigned high schools. In 2006, we are over half way toward meeting the goal with 33 Learn and Earn and 25 redesigned high schools. The NCNSP expects to meet the goal by 2008 with at least one in every county. Mr. Coltrane cited the positive change taking place already, citing better student attendance rates, increased college course pass rates among early college high school students, decreased discipline referrals, higher ABC test results, and increased teacher satisfaction. Mr. Coltrane noted that the NCNSP partners with each LEA for six years - requiring one year of planning and five years of implementation, which includes extensive professional development for teachers. Please see the attached report and handout for this presentation in its entirety (Attachments 6, 7, 8). Mr. Coltrane took questions following his presentation. Senator Dorsett inquired about the school selection criteria. Mr. Coltrane explained that each school agrees to serve a representative population. Redesigned high schools draw students from middle schools typically with voluntary enrollment. Senator Dorsett then inquired about differences between early college and middle college. Mr. Coltrane explained that while early college high school students are guaranteed to graduate with a high school diploma and two years of college credits or an associate degree, middle college students graduate with some college credits, but not necessarily two years worth. In addition, middle college high school students do not necessarily start in ninth grade. Senator Apodaca asked what grade level students in early college high schools start. Mr. Coltrane revealed the need to start with ninth grade in order to achieve both a diploma and degree/two years college credit. However, there are a few exceptions. Senator Apodaca then asked what types of students are prone to attend. Mr. Coltrane noted that they are working with the State Board of Education to develop a clear policy to ensure that both underrepresented and under prepared students. Senator Malone asked what they are doing to reduce the frequency and current pressures of testing. Mr. Coltrane suggested that the NCNSP, in cooperation with 21st Century Schools, is looking at ways to update testing by piloting alternative assessments. Finally, Senator Cowell inquired about the track record of the longest existing redesigned and early college high schools in the country. Mr. Coltrane suggested that five years is the oldest in existence, and research is young in our state and across the nation.

With no further questions, Representative Pate introduced a class and four teachers from Heartwood Montessori School of Cary, NC. One of the students present was his own granddaughter. Chairman Yongue welcomed them with the committee's applause.

Mr. Ken Whitehurst, Associate Vice President, Academic and Student Services, NC Community College System first noted the role of the community colleges in accordance with Session Law 2005-276, Section 7.33, *Cooperative Innovative High School Programs* and Session Law 2003-277, *Innovative Education Initiatives Act*. Mr. Whitehurst first noted that there are over 3,000 high school students in North Carolina enrolled in innovative high school programs. Of the 3,000 students, 1,115 are in Learn and Earn Programs, 700 of which attend Early College programs at North Carolina's community colleges. The NC Community Colleges have succeeded this year in developing tracking software to evaluate these students and compare them to traditional community college students on campus. Mr., Whitehurst reminded committee members

of the challenges they face, such funding and adequate facilities due to ever increasing enrollment growth. Also, Mr. Whitehurst described the personnel needs in the areas of college liaisons and guidance counselors. Please see handout for exemptions provided to early college high school students, such as an exemption from tuition (Attachment 8). Mr. Whitehurst, following his presentation, opened the floor to questions. Senator Malone inquired about the transfer of college credits in a 2+2 program to the university from the community college. Mr. Whitehurst confirmed that under the comprehensive articulation agreement between the community colleges and universities, these college credits earned by the early college high school student will transfer to the university level. Senator Lucas inquired about the specific demographic of the high school students participating and of newly hired teachers entering the profession. Mr. Whitehurst promised to send this data at a later date – specific to the number of African-American males enrolled in these innovative high schools and the number of new teachers. Representative Tolson inquired about the role and incorporation of technology in these innovative high schools. Mr. Coltrane said that the individual schools apply technology as needed. However, he noted that six new innovative high schools are replicating a new technology high school out of Napa, California – with more emphasis on information technology. Senator Cowell inquired about the plan of the NC News Schools Project after 2008. Mr. Coltrane noted that because the focus is on 2008 and meeting the goal of 100 innovative high schools (one in every county), the plan beyond is not yet known. Mr. Garcia added to this response in saying that expansion will be needed once these innovative programs solidify their value compared to our traditional high schools. Senator Dorsett asked for the additional data to be provided to draw distinction between redesigned high school students and early college high school students. Senators Nesbitt and Cowell inquired about funding sources. Though it is unknown, there is some local funding here and there. Mr. Coltrane noted that the redesigned high schools receive \$300,000 over five years in grant funding from the Bill and Melinda Gates Foundation, where as the Early Colleges receive over \$1 million over a five year period in state grant dollars, in addition to funding for a few college liaisons, a few guidance counselors, higher salaried principals and clerical support. Senator Lucas asked about the provision of mentors for teachers. Mr. Whitehurst responded to Senator Lucas's concerns by noting that early college students are taught by seasoned, experienced college professors. So there is no need for all new hires. Chairman Yongue asked the presenters to provide a breakdown of the additional personnel needs, as compared to the traditional high school needs. With no further questions or comments, Chairman Yongue invited the next presenter.

Raising the Compulsory Attendance Age

Ms. Kathie Christie, Vice President, Knowledge Management and Clearinghouse, Education Commission of the States (ECS) first informed members of the history of ECS. Commissioned by Congress in 1965, ECS is an Interstate Compact aimed at communicating data and progress between states so that mistakes are not repeated and lessons are shared. Since 1960, the trend for compulsory school attendance age has been age 16 until the 1980s when many states started to amend their compulsory attendance age by raising to 18 years of age. Ms. Christie provided data on student disengagement,

pros and cons, alternatives to raising the age, and additional information on steps taken by other states. As of 2006, 26 states have a compulsory attendance age of 16, 9 states at age 17, and 16 states plus Washington, DC, America Samoa, and Puerto Rico at age 18. Proponents say raising the age encourages students to attend institutions of higher education, decreases dropout rates, juvenile crime, and pregnancy rates, and finally increases the number of high school graduates. Critics say forcing disengaged students to attend beyond age 16 is counter-productive because of their often disruptive influence. Ms. Christie noted that under No Child Left Behind, we must find ways - whether we change the compulsory attendance age or not - to educationally engage all students. Research suggests that only 25% of potential dropouts are retained by raising the compulsory attendance age to 18. Following her presentation, questions arose regarding the cost of implementing an initiative to raise the age to 18, if it could be phased-in over a period of time, and what we do with children who are planning to dropout at age 16. Please see Ms. Christie's handout (Attachment 9).

NC WISE – In the Schools

Mr. Peter Asmar, Associate Superintendent/Chief Information Officer, Department of Public Instruction introduced the next two presenters to the committee. Mr. Thomas Williams, Superintendent, Granville County Schools and Mr. Robert Logan, Superintendent, Asheville City Schools – both members of the NC WISE Steering Committee.

Superintendent Williams, Granville County Schools, praised the NC WISE application. Granville County Schools are in Wave II of implementation. However, he noted the need for improvements to address vendor issues, updated reporting, and stabilize testing rosters. There is also a need for additional training, weekend system maintenance, hardware and software funding and connectivity. Superintendent Williams finally discussed needed improvements necessary to upload test scores, increase access to historic data, and increase ease in developing reports. Overall, he suggested

Superintendent Logan, Asheville City Schools, presented an overview of the implementation of Wave I in his district. Wave I is operational and stable, supporting 16 school campuses, and 9,000 students. Superintendent Logan emphasized the need for additional continued funding for much needed personnel and a data manager. His main concerns were the ability of the program to handle the projected volume once every LEA is online. In addition, using the same calendar for reporting information has been problematic considering that all online LEAs are reporting at once – bombarding the system. Superintendent Logan insisted that this log jam is a consequence of the state mandated school calendar. He noted that staff training and dual enrollment were also problems to be addressed as well as issues related to clearing the open items at the Help Desk, integration of data bases, and the ability for the vendor to meet deadlines.

Ms. Bev White, Chief Technology Officer, Wake County Public School System (WCPSS) presented to the committee an overview of the efforts of WCPSS in using and maintaining the NC WISE application. WCPSS was the largest pilot district in the

original initiative in 1999. Currently, the NC WISE application is running on the WCPSS main computers and supports 147 schools. Customized data extraction provides clean, certified, and approved data to meet the reporting needs of the Department of Public Instruction (DPI). Teachers can access the NC WISE Teacher Assistant Module from home for managing resources and accessing real-time student information.

The challenges for WCPSS include the extensive testing required prior to applying patches or upgrades when vendor patches result in a malfunction of the application. Also, there is a challenge with the timing of new releases at inappropriate times during the school year, such as the year-end transition. WCPSS is currently devising and testing a method of scheduling and conversions for 22 district schools to a multi-track year round calendar in 2007-2008, while retaining historical data. There are on-going fiscal requirements to provide hardware, software, and network upgrades; to provide professional development and user support; to meet changing state reporting requirements; and to provide ongoing administrative support. There were no questions following the three presentations on NC WISE. Please see Ms. White's handout for her presentation in its entirety (Attachment 10).

Sales Tax Refund

Mr. Adam Levinson, Fiscal Analyst, Fiscal Research Division presented an overview of the definitions, mechanics, and recent legislation actions affecting school districts over the issue of refunding sales tax to LEAs. From 1961 to 1998 LEA were not eligible to receive refunds of state and local sales tax paid as a result of misuse of funds in earlier years. In 1998, LEAs were added to the list of "Certain Governmental Entities allowed the annual refund of sales and use taxes paid on direct purchases and on tax liability that is indirectly incurred". In the 2005 Session, legislation was passed to remove school districts from the refund eligibility list for taxes paid after July 1, 2005. The refunds were redirected to support statewide public school operations. In 2006, new legislation for clarification was passed to provide school systems with refunds of only local sales and use tax paid from the 2005-2006 fiscal year and beyond. It is important to note, according to Mr. Levinson, that school lunches and textbooks are exempt from state and local sales tax. Many LEAs focused their refund dollars between 1998 and 2005 to subsidize school construction costs. This is one remaining argument to bring back the refund. Other arguments include that of fairness and use of the refund for supplementing personnel salaries, etc. Mr. Levinson reminded committee members that there are transaction costs to issuing the refund. Please see Mr. Levinson's handout (Attachment 11). Chairman Yongue invited questions from the committee. Senator Lucas asked if counties were given the full burden of building schools, would this then technically save the costs of sales tax without a direct refund to the LEA. Mr. Levinson confirmed that while this is possible, there is a transaction cost. In this case, a county may own a school building instead of the LEA. Representative Pate argued the efficiency in a sales tax exemption, and asked for an explanation of the problems that existed before 1961 with a sales tax exemption. Mr. Levinson explained that there may have been security abuses (pre-1961) in presenting certification for purchases that may not have been for the benefit of the public schools. In other words, there must be some higher level of security to

prevent abuses – such as a card – distributed to only those with the proper purchasing authority. Senator Nesbitt asked if this could be considered as a loss for the LEA. Mr. Levinson confirmed this as a loss. And finally, Chairman Yongue asked if other educational entities receive the refund. Mr. Levinson argued that cities, counties, community colleges, and the universities in large part receive a sales tax refund.

Chairman Yongue introduced the next presenter, Ms. Leanne Winner, Director of Governmental Relations, NC School Boards Association to speak to the committee on the issue. Ms. Winner pointed out that the legislation, §105-164.14 lists every entity that receives the refund, which includes not-for-profit educational institutions (Attachment 12). Ms. Winner made members aware that the LEAs do view the loss of the refund dollars as a cut. Ms. Winner noted that school boards are disappointed that the motor sports industry in North Carolina received the refund, but public schools did not. Ms. Winner made mention of 2 handouts included in these minutes – 2 memos from the NC Treasurer's Office (Attachments 13, 14). These memos seek to clarify ways that LEAs may save in construction costs by entering into inter local agreements with counties. However, deeds to school property and buildings in this case would be held by counties until construction is paid off. As Ms. Winner noted, there were several bills, all of which failed, in the past session that called for either sales tax refund or exemption. The NC School Boards Association voted this morning to make this issue their number one legislative priority – preferring the exemption.

Mr. Clifton Dodson, Superintendent, Buncombe County Schools spoke to the committee about the issues they have faced in entering an inter-local agreement with the county for the purpose of subsidizing school construction. This meant a loss of \$300,000. As a result, the Buncombe County Commissioners' staff and public school staff have seen transaction costs in the form of more paperwork. Superintendent Dodson was perplexed as to why the legislature would deny public schools, considering the similarities with those who remained on the approved list. When asked how Buncombe County would spend the refund or exemption dollars, Superintendent Dodson emphasized the need to reach the Hispanic student population in the area, as well as the exceptional children population. There were no questions to follow.

Chairman Yongue recessed the meeting to reconvene the next day at 9:00 a.m.

November 15, 2006
Minutes

The Joint Legislative Education Oversight Committee reconvened at 9:00 a.m. on Wednesday, November 15, 2006 in Room 643 of the Legislative Office Building. Chairman Yongue presided over the meeting. Members in attendance were Representatives Carney, Jeffus, Lucas, McLawhorn, Pate, Tolson, and Warren; and Senators Apodaca, Atwater, Cowell, Dannelly, Dorsett, Garwood, Stevens, and Swindell.

As the first order of committee business, Chairman Yongue brought the committee's attention to a memo from the North Carolina Association of Educators (NCAE) on national teacher salary rankings. This memo is made part of these minutes (Attachment 15). Chairman Yongue then invited Lisa Guckian from the Hunt Institute to share information about their upcoming legislative retreat. Following all announcements, Chairman Yongue invited Dr. Kathy Sullivan to present.

Turnover Rates – Teachers, Principals, Superintendents

Dr. Kathy Sullivan, Director of Human Resource Management/Quality Professionals, NC Department of Public Instruction presented a summary of the report to the committee. Please see the attached report and handout for this presentation in its entirety (Attachments 16, 17). The report outlines teacher turnover rates by LEA, five year average turnover rates – statewide and by LEA, and reasons for leaving the profession – statewide and by LEA. Currently, the statewide teacher turnover rate is 12.32%. Among reasons for leaving the teaching profession, 3,900 said that their reason for leaving was no a significant reason. Dr. Sullivan argued that this group in particular could be reached and reduced in numbers. The main reason for the loss of 1088 teachers was dissatisfaction with teaching or a career change. North Carolina loses more teachers with provisional licensure than standard licensure. Principal turnover is increasing as well, for example in 1999 – 2000, we lost 20% of principals. This number gradually rose over the next six years. The three main reasons teachers leave are to teach elsewhere, retirement, and family relocation. Dr. Sullivan noted that while teacher turnover does not appear to be related to principal or superintendent experience, there is a relationship between principal experience and student performance. There were 75,000 responses to the most recent Teacher Working Conditions Survey. Of these 75,000 teachers surveyed, 39,000 teachers said they stay because of great principal leadership, while 21,000 indicated that they stayed because of empowerment. The number one indicator of student achievement, according to 40,000 teachers, is planning time. Over the past five years, the statewide turnover rate averaged 11.5%. Across the nation, the rate ranged from a 6% low in Florida to a 12% high in Alabama. Other professions, according to Dr. Sullivan average an 11% turnover rate. The turnover rate varied across our state, with the lowest in the mountain regions, and the highest in urban centers. Dr. Sullivan summarized nine overall conclusions. Please see the report for details.

Chairman Yongue opened the floor to questions. Senator Apodaca asked if there has ever been any analysis of turnover data comparing teachers with high pay or teachers

with low pay. Dr. Sullivan noted that when a school reports turnover data to DPI, there is no information given regarding the teacher's profile, including salary and such. They can however compare turnover between high poverty schools and low poverty schools. Senator Swindell asked for Dr. Sullivan's perspective as to why teachers are citing that they cannot get the courses that they need. Dr. Sullivan suggested that universities and community colleges are increasing course availability. However, teachers do not find the times convenient or because there is not enough enrollment in a particular course, that course may be cancelled. Representative Lucas stated his concern with the principal turnover rate. Dr. Sullivan informed members that the State Board of Education recently addressed the issue, including recommendations. Of these recommendations, one looks at approving alternative ways to prepare school administrators through pilot programs. Another recommendation is to reevaluate the salary schedule for principals and assistant principals. Dr. Sullivan agreed to share a copy of the State Board's recommendations with the committee at a later date. Senator Stevens asked the committee to consider discussion of bringing retired teachers back to the classroom where the needs arise. Representative Tolson asked about the role of the community colleges in training teachers. Dr. Sullivan said that all programs are young and do not necessarily have problems reported. However, she noted that some have complained about legislation that requires a lateral entry teacher have five years experience. There were no further questions.

6.5% Tuition Cap Plan – The University of North Carolina

Mr. Erskine Bowles, President, the University of North Carolina made a brief presentation on his 6.5% Tuition Cap Plan. He commented briefly on the issues of teacher recruitment and retention, noting the Guilford County Project's emphasis on adequate pay, content mentoring, and professional development through UNC at Greensboro. He informed committee members of talks and plans with SAS to gather our education data from four sources and compile into one large network.

President Bowles presented the four-year tuition plan, approved by the UNC Board of Governors, to cap tuition at 6.5%. He stated it was necessary to cap tuition for the purposes of predictability, flexibility, and affordability in order to increase access to higher education. He detailed the development of the funding formula, noting that funding from the legislature would be required to maintain the cap, along with increased federal funding, increased private funding, new sources of revenue, and by decreasing costs. President Bowles took questions from the committee following the presentation. Senator Stevens asked for clarification on the funding formula. President Bowles agreed to provide a copy of the plan to the committee. Representative Lucas asked about restricting students to acquire no more than 120 hours of credit. President Bowles admitted that the system is evaluating ways to cut down on six year graduates. Senator Lucas inquired about their legislative priorities. President Bowles promised a more condensed, prioritized budget request for the upcoming session. Senator Garwood and Representative Carney applauded President Bowles for his leadership. Senator Cowell encouraged President Bowles to pursue energy savings in order to cut costs that could be well spent in other areas. Chairman Yongue asked if fees would be capped. President

Bowles said that fees are also capped at 6.5%, except for debt service fees at individual campuses. Please see attached memo (Attachment 18).

Recruiting and retaining Math teachers – Guilford County Schools and Action Greensboro Pilot Program

Mr. Ed Uprichard, Provost, UNC-Greensboro, first highlighted the program details and how it came to be. This initiative, in collaboration with Guilford County Schools, the University system, and private foundations, seeks first to recruit and train math teachers at UNC-Greensboro.

Dr. Terry Grier, Superintendent, Guilford County Schools explained the salary plan to encourage math teachers to teach in Guilford County Schools. He identified 4 middle schools and 6 high schools participating in this pilot. Math teachers at these schools will receive a \$9,000 bonus annually to continue teaching. Based on the merit pay criteria set, math teachers in this district, considering additional bonuses available under the Value Added Model, could receive up to \$18,000 in bonuses annually. The school system has budgeted \$2.4 million for teacher salaries. Funds were provided by making cuts to parts of their system budget. In addition, they receive \$8 million in federal grant dollars as incentive to expand the program to other area schools. Any teacher can apply. Teacher applicants are evaluated on their value added scores from their previous school. Clearly there are not enough available quality math teachers in North Carolina to fill the vacant slots. Sixty percent of Guilford's teachers are from out-of-state and 40% from North Carolina. Dr. Grier addressed a few questions for clarification.

Finally, Mr. Jim Melvin, President, Joseph M. Bryan Foundation spoke to the committee about their role as financiers. The foundation will require a report on outcomes each year. President Melvin noted the promise of this effort to improve education. His foundation will continue to seek funding from the business community in the area.

Following the last presenter, Chairman Yongue announced the appointment of two subcommittees. First, he appointed a subcommittee to study the red light camera operations and revenues. Senator Cowell and Representative Lucas were appointed as Chairs, with Senator Hagan, Senator Hartsell, Representative Preston, and Representative McLawhorn as members. The second subcommittee was to study compensation of school psychologists, with Senator Lucas and Representative Tolson as Chairs. Members of the subcommittee were Senators Atwater and Malone, Representatives Carney and Pate.

Chairman Yongue adjourned the meeting at 11:05 a.m.

Respectfully submitted,

Douglas Y. Yongue

Katie Stanley

Draft Minutes
Joint Legislative Education Oversight Committee
December 4, 2006

The Joint Legislative Education Oversight Committee met on Tuesday, December 4, 2006 at 1:00 p.m. in Room 643 of the Legislative Office Building. Senator A. B. Swindell presided. Members present were Senators Atwater; Dannelly; Dorsett; Garwood; Lucas; Nesbitt; Stevens and Representatives Yongue, Co-Chair; Bell; Grady; Jeffus; Lucas; McLawhorn; Preston; Tolson and Warren. Committee clerks and members of the research and fiscal research staffs were also in attendance. A visitor registration sheet is attached (Attachment 1).

The chairman called the meeting to order at 1:10 p.m. and welcomed members and guests to the meeting.

Legislative Tuition Grants

The Chair first called on Dr. Hope Williams, President of the NC Independent Colleges and Universities. Dr. Williams thanked the committee for their continued support of the Legislative tuition grants. Dr. Williams requested the committee support a policy change in the current state statute that would enable part time students to become eligible for these legislative grants. Dr. Williams stated that since the 1970s, when the legislative grants were first established, the number of adult students seeking to complete their degrees has increased significantly. She advised that many colleges have established weekend, evening, off-campus sites and on-line courses to accommodate adult students, many of which have family obligations and hold full time jobs. Dr. Williams further advised that the estimated cost for the change would be \$4.2 million. She informed the committee that the Economic Development Board has endorsed this policy change.

Sen. Garwood was recognized and commended Dr. Williams for her contributions to the private universities and colleges and upon his departure from the Legislature he expressed appreciation to her for her commitment and service to the state.

Rep. Tolson asked how many students would be affected by this change and Dr. Williams responded that approximately 7,500 students throughout the system would be affected.

Chairman Swindell thanked Dr. Williams at the conclusion of her presentation.

NCCCS BioNetwork Report

The Chair next recognized Dr. Larry Keen, Vice-President for Economic and Workforce Development, NC Community College System, to report on the Community College System's BioNetwork initiative, as required by Senate Bill 1741, Section 8.6 (Attachment 2). Dr. Keen informed the committee that for the past two years, the

Community College System has focused on their BioNetwork System in an effort to stimulate even more growth in the biotechnology and pharmaceutical organizations throughout the state. Dr. introduced Matthew Meyer as the new BioNetwork Director, replacing Susan Seymore.

Using a power point presentation, Dr. Keen reviewed the Mission Statement and reviewed data which showed a dramatic growth in the workforce development area over the last two years (see Attachment 3 for details). Dr. Keen next reviewed with members the document entitled, "A Report on the NCCCS BioNetwork Required by Section 8.6 of the Session Laws 2006-66" prepared by the NC Community College System (see Attachment 4 for details). Dr. Keen expressed gratitude for the legislative support received thus far, and stated although great strides had been made there was still was much work to be done.

Representative Tolson was recognized and asked if the Community College System was engaged in nanotechnology. Dr. Keen advised that Forsyth Technical Community College had the first nanotechnology program in the state and had done significant work in that area, and Wake Technical Community College was also engaged in nanotechnology. Dr. Keen also responded to Representative Tolson that the Community College System was collaborating closely with the University System on this project. Representative Tolson urged the committee to be prepared to address the needs of what is developing in the area of nanotechnology.

Chairman Swindell thanked Dr. Keen for his presentation.

NC Public Schools: A Superintendent's Perspective

The Chair next recognized Dr. Shirley Prince, Superintendent of Scotland County Schools and North Carolina's School Superintendent of the Year, to present on the topic, "What's Good about North Carolina's Public School: A Superintendent's Perspective." Dr. Prince reported about her recent participation in a national conference attended by eminent educators from across the country and she became aware of how impressed participants from other states were with North Carolina's systemic approach to public education. Dr. Prince believed that North Carolina had been fortunate to have benefited from enlightened leadership within the state, which made professional training available to both teachers and the leadership in the school systems. She advised that North Carolina was one of but a few states to enact a statewide accountability system prior to the No Child Left Behind Act. She pointed out that although some school systems within the state faced challenges, they were provided with the resources to address many of the disadvantages. Dr. Prince also talked about the state's commitment to pre-K education and the child and family support teams in counties throughout the state. She credited North Carolina with addressing issues head on, rather than waiting for federal mandates to assist with change or improvements. In conclusion, Dr. Prince applauded the enlightened leadership at all levels of the state's public education system and the support and guidance of the Legislature. In response to a question raised regarding technology

needs and what the 21st Century classroom might look like, Dr. Prince responded that although the infrastructure was established several years ago with grants, it was difficult to maintain the number of computers and the band width that is needed. She also envisioned that future classrooms would do away with textbooks and students would access information through the information highway on their personal laptops. The Chairman thanked Dr. Prince at the conclusion of her remarks.

Kindergarten Entrance Cut-Off Age

The Chair next recognized Representative Dale Folwell who presented a recommendation which would establish August 31st as the date a child must reach the age of 5 to be eligible to enroll in kindergarten. He provided members with a handout of an article from the June 11, 2006 edition of the Winston-Salem Journal entitled, "A Simple Change" (Attachment 5). Rep. Folwell advised that he became interested in establishing the kindergarten cut-off age after studying the issue of the state's high school dropout rate and the inability to retain teachers after five years. Rep. Folwell advised he would be proposing legislation in the upcoming session endorsing this change and he requested that the committee include this recommendation in its report to be presented at the final meeting on January 17, 2007.

There being no further business to come before the Committee, the Chairman adjourned the meeting at 3:30 p.m.

Respectfully submitted,

A. B. Swindell, Chairman

Mo Hudson, Committee Clerk

Draft Minutes
Joint Legislative Education Oversight Committee
December 5, 2006

The Joint Legislative Education Oversight Committee reconvened its meeting of December 4, 2006 at 9 a.m. in Room 643 of the Legislative Office Building. Senator A. B. Swindell, Co-Chairman, presided. Senate members in attendance in addition to the co-Chairman were: Senators Atwater; Dorsett; Garwood; Lucas; Malone, and Stevens. Representatives attending were Co-Chairman Yongue; Bell; Jeffus; Grady; Lucas; Pate; Tolson, and Warren. Committee Clerks and Members of the legislative research and fiscal staffs were in attendance. A visitor registration sheet is attached (Attachment 1).

Teacher Working Conditions Survey

Chairman Swindell reconvened the meeting at 9:10 a.m. and welcomed members and guests to the meeting. The Chair first recognized Mr. Eric Hirsch, Executive Director, Center for Teaching Quality to present his report. Mr. Hirsch advised that an interim report on Teacher Working Condition was submitted to Governor Easley in October, 2006 and he provided copies of the report to members at the meeting (see Attachment 2). Mr. Hirsch advised that the final report is not expected until student achievement, teacher turnover and other state-provided data can be analyzed on or about February 1, 2007. Mr. Hirsch presented a power point presentation and provided copies for the members. He also reviewed pertinent charts and data highlighting the results (see Attachment 3), and he pointed out that each member was provided with individual data pertinent to schools in their district. He further advised members to visit www.northcarolinatwc.org for data about their specific school and stated this data was available online for teachers, parents and practioners to view at any time. Mr. Hirsch pointed out that although this data was available on a school by school basis, it was the Center's policy to protect the identity of specific teachers and school administrators responding to the survey and their identity would not be publicly revealed. Following the presentation, questions were raised and answered and there was considerable discussion regarding survey data, which indicated from their responses that teachers and administrators did not share the same viewpoint in several important areas. Chairman Swindell thanked Mr. Hirsch for his informative presentation.

The Chair next recognized Ann McArthur, Teacher Advisor, Governor's Office, to make a brief statement with regard to the Teacher Working Conditions report. Ms. McArthur reiterated that in the 2005 budget bill, the Legislature included a special provision requesting the State Board to redesign the evaluation instrument for the principals and that, as a result of the 2004 Teacher Working Conditions Survey, the State Board has recently completed the revisions of the standards for school administrators and there was a Request For Proposal (RFP) to redesign the evaluation instrument. Many of the concerns expressed today with regard to holding school administrators accountable would be addressed through this evaluation instrument.

Project Enlightenment

The Chairman next recognized Cynthia Chamblee, Director of Project Enlightenment, which is a part of the Wake County School System. Ms. Chamblee introduced Mary Ashe, Program Manager for the Literacy Connection, which is one of the programs that is funded by the US Department of Education. Ms. Chamblee gave a brief overview of Project Enlightenment and its programs (see Attachment 4 for details) and reported that the federal grant will end September 30, 2007. Ms. Chamblee recognized Mary Ashe to report on Early Reading First, an early literacy development program and provided members with a handout showing early test results from a pre-K program (see Attachment 5 for details). She also stated that the future vision which would be to establish a statewide network of early literacy leaders consisting of both teachers and administrators. She informed members that the network would train classroom teachers in current literacy research and demonstrate appropriate implementation of intentional literacy instruction. She also informed that the network would also equip administrators with the skills needed to support teachers in making research-based, intentional, and developmentally sound classroom changes. Charles Kromberg, Assistant Director of Project Enlightenment answered specific questions regarding the federal grant. At the conclusion, the Chair thanked both Ms. Chamblee and Ms. Ashe for their informative presentations.

AVID Program

The Chairman recognized Jim Nelson, Executive Director and CEO of The Advancement Via Individual Determination (AVID) Center, San Diego, California. He also introduced Cheryl Gaffney, Associate Director of National Programs. Mr. Nelson informed the committee that the program was established in 1980 in one school in San Diego and the program is now in more than 3,000 schools and impacting 200,000 students in 40 states and 15 foreign countries. He provided members with two handouts outlining the mission statement and Fact Sheet (see Attachments 6 and 7 for details). Mr. Nelson reported that AVID Programs were experiencing significant success in North Carolina and currently the program was in 193 schools with an enrollment of 8,300 students. He stated that because the Program was relatively new in North Carolina, they were just now beginning to see seniors graduate. Before closing, Ms. Gaffney introduced Ms. Susan Lamar, AVID Director in North Carolina. Chairman Swindell thanked Mr. Nelson and Ms. Gaffney for their presentation and he applauded the AVID Program and informed members that AVID at one time received state funding, but was not currently receiving any state funds.

Small Specialty High Schools Pilot Program

Chairman Swindell next recognized Dr. Rebecca Garland, Executive Director, State Board of Education. Dr. Garland stated that Senate Bill 622, Session Law 2005-276, required that the State Board evaluate the Small Specialty High Schools program. Dr. Garland informed members that the purpose of these schools was to improve graduation

rates and student achievement, and because the program was still relatively new there was few data to report. Dr. Garland presented a power point presentation and provided members with a copy (Attachment 8). Dr. Garland advised that funding was being provided by the state for each of the principals at a Level 3; instructional support is provided to each school with a guidance counselor and each school receives two clerical assistants. She further stated that teachers received the standard salary based on years experience and degrees, as teachers in other schools receive. In concluding, Dr. Garland stated that they only have one-year of date, but there is evidence of improved student achievement; more positive relationship between students and teachers; and students in this program are more employable because of the business skills being shared; e.g., such as oral and written communication; critical thinking; teamwork; use of technology. At the conclusion of the meeting, Chairman Swindell thanked Dr. Garland for her report.

The chair announced that the final meeting of the committee would be held on January 17, 2006 at 10 a.m. and there being no further business to come before the committee, the meeting was adjourned at 10:15 a.m.

Respectfully submitted,

A. B. Swindell, Chairman

ATTEST:

Mo Hudson

DRAFT

**JOINT LEGISLATIVE
EDUCATION OVERSIGHT COMMITTEE**



***REPORT TO THE
2007 SESSION
OF THE
GENERAL ASSEMBLY
OF NORTH CAROLINA***

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STATE OF NORTH CAROLINA

JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE



January 17, 2006

TO THE MEMBERS OF THE 2007 SESSION OF THE GENERAL ASSEMBLY:

Attached for your consideration is the report to the 2007 Session of the General Assembly. This report was prepared by the Joint Legislative Education Oversight Committee pursuant to G.S. 120-70.81.

Respectfully submitted,

Senator A.B. Swindell
Cochair

Representative Douglas Yongue
Cochair

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2005-2007

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ARTICLE 12H.
Joint Legislative Education Oversight Committee.

§ 120-70.80. Creation and membership of Joint Legislative Education Oversight Committee.

The Joint Legislative Education Oversight Committee is established. The Committee consists of 22 members as follows:

- (1) Eleven members of the Senate appointed by the President Pro Tempore of the Senate, at least two of whom are members of the minority party; and
- (2) Eleven members of the House of Representatives appointed by the Speaker of the House of Representatives, at least three of whom are members of the minority party.

Terms on the Committee are for two years and begin on the convening of the General Assembly in each odd-numbered year. Members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee.

A member continues to serve until his successor is appointed. A vacancy shall be filled within 30 days by the officer who made the original appointment.

§ 120-70.81. Purpose and powers of Committee.

(a) The Joint Legislative Education Oversight Committee shall examine, on a continuing basis, the several educational institutions in North Carolina, in order to make ongoing recommendations to the General Assembly on ways to improve public education from kindergarten through higher education. In this examination, the Committee shall:

- (1) Study the budgets, programs, and policies of the Department of Public Instruction, the State Board of Education, the Department of Community Colleges, the Board of Governors of The University of North Carolina, and the constituent institutions of The University of North Carolina to determine ways in which the General Assembly may encourage the improvement of all education provided to North Carolinians and may aid in the development of more integrated methods of institutional accountability;
- (2) Examine, in particular, the Basic Education Plan and the School Improvement and Accountability Act of 1989, to determine whether changes need to be built into the plans, whether implementation schedules need to be restructured, and how to manage the ongoing development of the policies underlying these legislative plans, including a determination of whether there is a need for the legislature to develop ongoing funding patterns for these plans;
- (3) Study other states' educational initiatives in public schools, community colleges, and public universities, in order to provide an ongoing commentary to the General Assembly on these initiatives and to make

recommendations for implementing similar initiatives in North Carolina;
and

(4) Study any other educational matters that the Committee considers necessary to fulfill its mandate.

(b) The Committee may make interim reports to the General Assembly on matters for which it may report to a regular session of the General Assembly. A report to the General Assembly may contain any legislation needed to implement a recommendation of the Committee.

§ 120-70.82. Organization of Committee.

(a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Joint Legislative Education Oversight Committee. The Committee shall meet at least once a quarter and may meet at other times upon the joint call of the cochairs.

(b) A quorum of the Committee is 10 members. No action may be taken except by a majority vote at a meeting at which a quorum is present. While in the discharge of its official duties, the Committee has the powers of a joint committee under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.

(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee.

§ 120-70.83. Additional powers.

The Joint Legislative Education Oversight Committee, while in discharge of official duties, shall have access to any paper or document, and may compel the attendance of any State official or employee before the Committee or secure any evidence under G.S. 120.19. In addition, G.S. 120-19.1 through G.S. 120-19.4 shall apply to the proceedings of the Committee as if it were a joint committee of the General Assembly.

§§ 120-70.84 through 120-70.89: Reserved for future codification purposes.

COMMITTEE PROCEEDINGS

The Joint Legislative Education Oversight Committee held 7 meetings.

October 10, 2006

2006 Education Legislation Update

Shirley Iorio, Committee Analyst

Review of Education Oversight Studies for 2007 Session

Shirley Iorio, Committee Analyst

Late Release of End of Grade Math Scores

Dr. Lou Fabrizio, Director, Accountability Services, Department of Public Instruction

Math and Science Teacher Salary Supplement

Philip Price, Associate Superintendent, Financial and Business Services, Department of Public Instruction

NC Wise Status Report

Peter Asmar, Associate Superintendent/Chief Information Officer, Department of Public Instruction

Leandro Update

Drupti Chauhan, Committee Counsel

"Turn Around Plan" for Low-Performing High Schools

Dr. Pat Ashley, Director of High School Improvement, Department of Public Instruction

Disadvantaged Student Supplemental Funding (DSSF) Update

Adam Levinson, Fiscal Research Division

Report on DSSF

DSSF Pilot Status Update

Evaluations of DSSF Funding Initiatives

Dr. Elsie Leak, Associate Superintendent, Curriculum and School Reform Services, Department of Public Instruction

LEA Assistance Program Report

Dr. Elsie Leak, Associate Superintendent, Curriculum and School Reform Services, Department of Public Instruction

October 11, 2006

New Calendar Law (HB 1464) Effects/Problems

Leanne Winner, Director of Governmental Relations, NC School Boards Association

Greg Killingsworth, Principal, Lumberton Senior High School, Robeson County

Martin Lancaster, President, North Carolina Community College System

Dr. Joseph T. Barwick, President, Carteret Community College

Cooperative Endeavors between UNC and the NC Community College System for Teacher Preparation/2+2 E-Learning Initiative

Dr. Alan Mabe, Vice President for Academic Planning, UNC General Administration

Dr. Delores Parker, Vice President for Academic and Student Services, NC Community College System

Study of the Mission and Program Needs of the UNC and the NC Community College System (Pappas Consulting Report)

Dr. Harold L. Martin, Senior Vice President for Academic Affairs, UNC General Administration
Kennon Briggs, Vice President for Business and Finance, NC Community College System

Status of the Program of Study for Lateral Entry Teachers Offered by the NC Community College System

Martin Lancaster, President, North Carolina Community College System
Dr. Alan Mabe, Vice President for Academic Planning, UNC General Administration
Howard Lee, Chairman, North Carolina State Board of Education

November 14, 2006

Report on Program for a Statewide Permit for Commercial Bus Companies that Transport to School-Sponsored Events

Derek Graham, Section Chief, Transportation Services, Department of Public Instruction

Evaluation of Student Success in Cooperative Innovative Education Programs

Geoff Coltrane, Research and Communications Director, North Carolina New Schools Project
Joseph Garcia, Vice President, Advocacy and Communications, North Carolina New Schools Project
Ken Whitehurst, Associate Vice President for Academic and Student Services, NC Community College System Office

Raising Compulsory Attendance Age

Kathy Christie, Vice President, Knowledge Management & ECS Clearinghouse
Education Commission of the States

NC WISE – IN THE SCHOOLS

Peter Asmar, Associate Superintendent/Chief Information Officer, Department of Public Instruction
NC WISE Steering Committee
Thomas Williams, Superintendent, Granville County Schools
Robert Logan, Superintendent, Asheville City Schools
Bev White, Chief Technology Officer, Wake County Public Schools

Sales Tax Refund

Adam Levinson, Fiscal Analyst, Fiscal Research Division

Leanne Winner, Director of Governmental Relations, NC School Boards Association
Clifton Dodson, Superintendent, Buncombe County Public Schools

November 15, 2006

Turnover Rates – Teachers, Principals, Superintendents

Dr. Kathy Sullivan, Director, Human Resource Management/Quality Professionals, NC Department of Public Instruction

6.5% Tuition Cap Plan—The University of North Carolina

Erskine Bowles, President, The University of North Carolina

Recruiting and Retaining Math Teachers—Guilford County Schools and Action Greensboro Pilot Program

Ed Uprichard, Provost, UNC-Greensboro
Terry Grier, Superintendent, Guilford County Schools
Jim Melvin, President, Joseph M. Bryan Foundation

December 4, 2006

Legislative Tuition Grants

Hope Williams, President
North Carolina Independent Colleges and Universities

North Carolina Community College System BioNetwork Report

Dr. Larry Keen, Vice-President for Economic and Workforce Development
North Carolina Community College System

What's Good about NC Public Schools: A Superintendent's Perspective

Dr. Shirley Prince, Superintendent, Scotland County Schools

Kindergarten Entrance Cut-off Age

Representative Dale Folwell

December 5, 2006

Teacher Working Conditions Survey

Eric Hirsch, Executive Director, Center for Teaching Quality

Highlighted Programs

Project Enlightenment

Cynthia Chamblee, Director

Mary Ashe, Program Manager, Early Reading First Federal Grant

AVID (Advancement Via Individual Determination)

Jim Nelson, Executive Director, AVID Center

Cheryll Gaffney, National Associate Director for Divisions, AVID Center

Small Specialty High Schools Pilot Program Report

Dr. Rebecca Garland, Executive Director, State Board of Education

January 17, 2007

Perspective on North Carolina Public Schools

Dr. Meghan Doyle, NC Principal of the Year

Diana Beasley, NC Teacher of the Year

A High School Perspective

Dr. Noah V. Rogers, Principal

Ben L. Smith High School, Guilford County Schools

Draft Report

Shirley Iorio, Committee Staff

SUMMARY OF COMMITTEE MEETINGS

October 10, 2006 Meeting

Dr. Shirley Iorio, Committee Analyst, presented a list of legislation addressing education issues passed during the 2006 session. She also reviewed the 2006 reports and studies due to Education Oversight.

Dr. Lou Fabrizio, Director of Accountability Services with the Department of Public Instruction, spoke on the reasons for the delayed release of End of Grade math scores and was urged by the committee to meet the November deadline and update members as to the results.

Dr. Philip Price, Associate Superintendent of Financial and Business Services with the Department of Public Instruction, presented information on the Math and Science Teacher Salary Supplement pilot program and the counties selected to participate.

Peter Asmar, Associate Superintendent/Chief Information Officer of the Department of Public Instruction, presented the NC Wise Status Report. Mr. Asmer discussed current status under the Wave 2 Plan, projections for Wave 3, and reviewed both strengths and areas of needed improvement of the program.

Drupti Chauhan, Committee Counsel, next provided a *Leandro* Update. She advised that the State Board had been placed on notice regarding 44 low-performing high schools, and that DPI had presented specific plans to address the low-performing schools. She also explained that 5 of the 6 urban districts involved in the lawsuit had voluntarily dismissed their claims.

Dr. Pat Ashley, Director of High School Improvement with the Department of Public Instruction, spoke on the "Turn Around Plan" for Low-Performing High Schools. She explained that DPI had developed turn-around plans to assist the schools, the plans were currently on-going, and re-evaluation of the schools would be occurring in the fall and early winter.

Adam Levinson, Fiscal Research Division, updated the Committee on the Disadvantaged Student Supplemental Funding (DSSF). He reviewed the history of the allotment and the specifics of the funding formula.

Dr. Gary Henry, Faculty Member of the UNC School of Education and team leader of the Evaluations of DSSF Initiatives, updated the Committee on the focus on academically disadvantaged students and future areas of assessment.

Dr. Elsie Leak, Associate Superintendent of Curriculum and School Reform Services with the Department of Public Instruction, also spoke on DSSF, reporting that the DSSF pilot program had concluded, but that DPI continued to work with the 16 *Leandro* districts. She also spoke about the program's strengths and challenges.

October 11, 2006 Meeting

Leanne Winner, Director of Governmental Relations for the NC School Boards Association, spoke on the effects and problems of the New Calendar Law (HB 1464), and provided information obtained from polling school superintendents across the state.

After some discussion by the committee, Greg Killingsworth, Principal of Lumberton Senior High School in Robeson County, also spoke on the new calendar law and shared examples of how the schedule change had negatively impacted students in his school.

Dr. Joseph T. Barwick, President of Carteret Community College, also spoke on the new calendar law. He urged that a study of the economic impact on the tourism industry be conducted before making changes.

He also suggested that the calendars of DPI, the community college system, and the UNC system should be aligned, and highlighted problems caused by the varied schedules.

Martin Lancaster, President of the North Carolina Community College System, spoke next on the calendar issue. He stated that the community college system believed that completion of the fall semester prior to Christmas break was educationally sound. He reported that community colleges were attempting to be flexible with scheduling dual enrollment students, and suggested that further study on this issue was needed.

Dr. Alan Mabe, Vice President for Academic Planning for the UNC General Administration, presented next on cooperative endeavors between the UNC and Community College Systems. Dr. Mabe discussed the development of several on-line degree programs in high-need areas, initially focusing on teacher education.

Dr. Delores Parker, Vice President for Academic and Student Services of the NC Community College System, spoke next on the 2+2 Learning Initiative. She provided information on the number of students participating in the program and the four components of the project.

Dr. Harold L. Martin, Senior Vice President for Academic Affairs of the UNC General Administration, presented the Pappas Consulting Report, a study of the mission and program needs of the UNC and Community College Systems. Dr. Martin discussed the commitment to cooperation between the two entities, implementation by the UNC and Community College System of key recommendations, and highlighted each of the seven areas outlined in the report.

Kennon Briggs, Vice President for Business and Finance of the NC Community College System, also spoke on this topic, focusing on the collaboration between the UNC and Community College Systems. He also spoke on new program start-ups and future facility plans, and identified future funding needs.

Martin Lancaster, President of the North Carolina Community College System, spoke on the status of the program of study for lateral entry teachers offered by the Community College System. He discussed the number of community colleges involved and particular challenges for military personnel in taking advantage of the program.

Dr. Alan Mabe, Vice President for Academic Planning of the UNC General Administration, spoke regarding the UNC System collaboration with independent colleges and universities in identifying on-line courses for lateral entry teacher preparation.

Howard Lee, Chairman of the North Carolina State Board of Education, spoke on the excellent working relationship between the UNC System, Community College System, State Board and DPI.

November 14, 2006 Meeting

Derek Graham, Section Chief of Transportation Services for the Department of Public Instruction, presented a report on the implementation of recent legislation regarding school-sponsored travel. Mr. Graham discussed the development of permit policies for local activity buses, as well as the ongoing development of a statewide permit for commercial bus companies that transport to school-sponsored events.

Geoff Coltrane, Research and Communications Director of the North Carolina New Schools Project, spoke next on the work of the New Schools Project, highlighting the goals of the project and current progress in developing both Learn and Earn and redesigned high schools.

Ken Whitehurst, Associate Vice President for Academic and Student Services of the NC Community College System Office, also spoke on this topic, discussing the role of the community college system in innovative high school programs and presenting information on funding and facilities needs due to enrollment growth.

Kathy Christie, Vice President of the Knowledge Management & ECS Clearinghouse for the Education Commission of the States, spoke next on raising the compulsory attendance age, discussing historical trends, pros and cons, and alternatives.

Peter Asmar, Associate Superintendent/Chief Information Officer of the Department of Public Instruction, next introduced two members of the NC WISE Steering Committee, Thomas Williams, Superintendent of Granville County Schools, and Robert Logan, Superintendent of Asheville City Schools to speak on NC WISE. Superintendent Williams discussed the Wave II implementation of NC WISE in Granville County and noted areas of needed improvement. Superintendent Logan spoke on the Wave I implementation of NC WISE in Asheville City Schools, and also noted specific concerns.

Bev White, Chief Technology Officer for Wake County Public Schools, also spoke on this topic, discussing Wake County's efforts in using and maintaining the NC WISE application. She also spoke on the challenges facing that system.

Adam Levinson, Fiscal Analyst with the Fiscal Research Division, spoke next on refunding sales taxes to LEAs. He provided legislative history on the sales tax refund to public schools, and presented information on arguments to bring back the refund, as well as costs associated with it.

Leanne Winner, Director of Governmental Relations with the NC School Boards Association, spoke next on this issue. She indicated the NCSBA's support of the sales tax exemption. Clifton Dodson, Superintendent of the Buncombe County Public Schools, also spoke on this issue, discussing increased costs due to the loss of the exemption.

November 15, 2006 Meeting

Dr. Kathy Sullivan, Director of Human Resource Management/Quality Professionals with the NC Department of Public Instruction, presented on turnover rates for teachers, principals, and superintendents. She discussed current turnover rates and reasons given for turnover, as well as comparisons to other states and professions.

Erskine Bowles, President of The University of North Carolina, spoke on the 6.5% Tuition Cap Plan. He discussed the reasons for the cap, and detailed the development of the funding formula.

Ed Uprichard, Provost of UNC-Greensboro, spoke on the Guilford County Schools and Action Greensboro Pilot Program for recruiting and retaining math teachers. Terry Grier, Superintendent of Guilford County Schools, also spoke on the salary plan to encourage math teachers to teach in Guilford County Schools. Jim Melvin, President of the Joseph M. Bryan Foundation, also spoke regarding the Foundation's role in assisting with financing the program.

December 4, 2006 meeting

Hope Williams, President of North Carolina Independent Colleges and Universities, spoke on Legislative tuition grants, and suggested a policy change to permit eligibility of part-time students for these grants. She discussed the cost for the change and support of the Economic Development Board for this expansion.

Dr. Larry Keen, Vice-President for Economic and Workforce Development of the North Carolina Community College System, spoke on the North Carolina Community College System BioNetwork initiative. He presented a report and reviewed data on growth in the workforce development area covering the two previous years.

Dr. Shirley Prince, Superintendent of Scotland County Schools and NC Superintendent of the Year, spoke next on the topic, "What's Good about NC Public Schools: A Superintendent's Perspective." She praised the leadership, accountability and commitment to education within the state.

Representative Dale Folwell spoke on the kindergarten entrance cut-off age, recommending that August 31st be established as the cut-off age for five-year-olds to enroll. He indicated that he would introduce legislation on this matter and requested the committee include the recommendation in its report.

December 5, 2006 Meeting

Eric Hirsch, Executive Director of the Center for Teaching Quality, reported on the Teacher Working Conditions Survey. He presented information on the statistics available in the interim report and indicated that the final report would be completed in 2007.

Ann McArthur, Teacher Advisor with the Governor's Office, spoke next and discussed redesigns of the evaluation instruments for school administrators.

Cynthia Chamblee, Director of Project Enlightenment, gave an overview of the Project programs and funding from federal grants. Mary Ashe, Program Manager for the Literacy Connection, spoke on Early Reading First, an early literacy reading development program that was part of the Project, and discussed future plans to create a network of early literacy leaders.

Jim Nelson, Executive Director of the AVID Center, and Cheryl Gaffney, Associate Director for National Programs of the AVID Center, spoke next on AVID (Advancement Via Individual Determination). Mr. Nelson discussed the program's history, mission statement, and success in North Carolina.

Dr. Rebecca Garland, Executive Director of the State Board of Education, presented a report on the Small Specialty High Schools Pilot Program. Dr. Garland discussed the goals of the schools, funding issues, and instructional support. She noted that although data was limited, the schools had shown improvements in student achievement.

Update on Recommendations from the 2006 Interim Report

- **Teacher Retention and Recruitment**

In order to improve teacher retention and recruitment, the Committee recommended that the Future Teachers of North Carolina Loan Fund be amended by adding fifty scholarship loans for students who agree to become certified in math or science and teach full-time in the subject area in a North Carolina public school for three years within five years of graduation. An additional \$325,000 was appropriated by the General Assembly to expand the program by fifty scholarships. Also, \$1,000,000 was provided for an additional 400 Prospective Teacher Scholarship Loans with priority given to students seeking teacher licensure in middle and high school mathematics and science as well as students participating in a 2+2 teacher education program between the constituent institutions of The University of North Carolina and the North Carolina Community College System. The 2006 Appropriations Act also provided funds for a salary supplement pilot to be developed by the State Board of Education. Funds were appropriated so that three pilot local school systems can provide a salary supplement of \$15,000 for up to 10 newly hired math and/or science teachers at the middle and/or high school level. Senate Bill 1617 and House Bill 2234 were introduced to expand the North Carolina Teaching Fellows Program but neither bill was enacted.

- **Retirees Returning to Work**

House Bill 1910 and Senate Bill 1474 were introduced to propose changes to the Teachers' and State Employees' Retirement System to affect retirees who return to work. Neither bill was enacted.

- **Mathematics and Science Teacher Preparation Programs**

The Committee recommended legislation to encourage the University of North Carolina to direct the constituent institutions to redesign their mathematics and science teacher preparation programs. House Bill 1926 and Senate Bill 1477 were introduced but neither bill was enacted.

- **Legislative Tuition and State Contractual Grants for Teaching and Nursing Students**

The Committee recommended legislation to expand the Legislative Tuition Grants and State Contractual Scholarship Grant Funds to include part-time and full-time students who have bachelor's degrees and have returned to college to obtain licensure in teaching and nursing. The provisions were placed in the 2006 Appropriations Act and were enacted. The House Select Committee on Healthcare recommended the creation of a Graduate Nurse Scholarship Program for Faculty Production. That provision was placed in the 2006 Appropriations Act and provides \$15,000 per year for up to two years for master's candidates in nursing education and up to three years for doctoral candidates. There was also an increase in the amount of the scholarship loan for the Nursing Scholars Program from \$5,000 to \$6,500.

- **Low-Wealth Supplemental Funding**

The Committee recommended that increased funding be provided for low-wealth counties. The 2006 General Assembly fully funded the low-wealth supplemental funding allotment by increasing the appropriation to \$41,893, 391.

- **Disadvantaged Student Supplemental Fund**

The Committee supported the continued funding and expansion of the Disadvantaged Student Supplemental Fund. The 2006 Appropriations Act provided for an increased allocation of \$27,002,670 for the Fund. In addition, the Committee found that accountability for the Fund should be a priority. \$500,000 was appropriated by the General Assembly to provide additional funds to support comprehensive evaluation of: (i) the extent to which local school systems use disadvantaged student and low-wealth supplemental allotments to improve outcomes for students at-risk of school failure, and (ii) the extent to which the Department of Public Instruction supports the local school systems in using disadvantaged student supplemental funds and other supplemental allotments efficiently and effectively.

- **Technology and Global Education**

The Committee supported the expansion and upgrading of school technology initiatives. \$6,000,000 was appropriated to provide funds to upgrade public school connectivity and revise School Technology Plans. House Bill 1909 and Senate Bill 1398 were recommended by the Committee to appropriate funds to develop and implement pilot programs to provide instruction in foreign languages that are not currently taught in the public schools. Neither bill was enacted.

- **Communities in Schools**

The Committee encouraged the General Assembly to provide continued funding for Communities in Schools. \$1,000,000 was appropriated to Communities in Schools.

Appendix

Appendix

**JOINT LEGISLATIVE
EDUCATION OVERSIGHT COMMITTEE**



***REPORT TO THE
2006 REGULAR SESSION
OF THE
2005 GENERAL ASSEMBLY
OF NORTH CAROLINA***

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STATE OF NORTH CAROLINA

JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE



April 25, 2006

TO THE MEMBERS OF THE 2006 REGULAR SESSION OF THE 2005 GENERAL ASSEMBLY:

Attached for your consideration is the report to the 2006 Regular Session of the 2005 General Assembly. This report was prepared by the Joint Legislative Education Oversight Committee pursuant to G.S. 120-70.81.

Respectfully submitted,

Senator A.B. Swindell
Cochair

Representative Douglas Yongue
Cochair

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2005-2006

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Sara Kamprath
Drupti Chauhan
Dee Atkinson

Mo Hudson, Committee Assistant
Katie Stanley, Committee Assistant

COMMITTEE PROCEEDINGS

The Joint Legislative Education Oversight Committee held 11 meetings.

November 29, 2005

Budget/Authorizing Legislation/Studies

Robin Johnson, Committee Counsel

Spotlight on 2005 Education Legislation

Dr. Shirley Iorio, Committee Analyst

Teacher Shortage

Dr. Kathy Sullivan, Director, Human Resource Management/Quality Professionals
NC Department of Public Instruction

Teacher Working Conditions Survey

Eric Hirsch, Executive Director
Center for Teaching Quality
Dr. Larry Price, Superintendent
Wilson County Schools

Teacher Recruitment/Retention Proposals

Report and Recommendations from the State Board of Education Teacher
Retention Task Force
Dr. Jane Norwood, Vice Chairman, State Board of Education, and Chairman of Task Force

Governor's Office

Ann McArthur, Teacher Advisor
Dan Gerlach, Senior Policy Advisor for Fiscal Affairs

North Carolina Association of Educators
Eddie Davis, President

Professional Educators of North Carolina
Dr. Ellen Greaves, Executive Director

November 30, 2005

Proposal for Funding for Lateral Entry Teachers/Nurses

Dr. A. Hope Williams, President, N.C. Independent Colleges and Universities

Low-Wealth Funds

Lydia Prude, Section Chief, School Allotments, Financial and Business Services, Department of Public
Instruction
Alexis Schauss, Section Chief, Information Analysis and Reporting, Financial and Business Services,
Department of Public Instruction
Dr. Shirley B. Prince, Superintendent, Scotland County Schools
Dr. Norman W. Shearin, Jr., Superintendent, Vance County Schools

DPI Contract Positions

Philip Price, Associate Superintendent, Financial and Business Services, Department of Public Instruction

January 10, 2006

Erskine Bowles, President, University of North Carolina

Joint Distance Learning Initiatives Between the Community Colleges and Universities

Delores Parker, Vice-President for Academic and Student Services, NC Community College System
Alan Mabe, Vice-President for Academic Planning, UNC General Administration
Robyn Render, Vice-President for Information Resources and Chief Information Officer, UNC General Administration
Saundra Williams, Vice-President for Administration, NC Community College System

School Employees' Salary Structure

Alexis Schauss, Chief, Information Analysis and Reporting Section, DPI

NC Teaching Fellows Program

Jo Ann Norris, Associate Executive Director, NC Public School Forum

Recommendations from the Summit on National Board Certified Teachers

January 11, 2006

College Access and Financial Aid

Dr. Bobby Kanoy, Associate Vice President Academic Affairs, UNC General Administration
Brian Williams, Director of Technology and Internet Services, CFNC and
Susan McCracken, Resource and Partnership Development, GEAR UP NC
Tony Tyson, Senior at Green County High School
Dr. Steve Brooks, Executive Director, State Education Assistance Authority

Return to Work Following Retirement

Leslie Winner, UNC Vice President for Legal Affairs/General Counsel
Dr. Gordon Burns, President, NC Association of Community College Presidents, and President, Wilkes Community College
Dr. Ed Wilson, President, Wayne Community College
Katherine Joyce, Assistant Executive Director, Association of School Administrators

February 8, 2006

June Atkinson, Superintendent of Public Instruction

Global Education

Dr. Kenneth E. Peacock, Chancellor, Appalachian State University
Millie Ravenel, Executive Director, The Center for International Understanding
Robert Phay, Director, World View – An International Program for Educators – The University of North Carolina at Chapel Hill
Dr. Delores Parker, Vice-President for Academic and Student Services, North Carolina Community College System
Dr. Elsie Leak, Associate Superintendent, Curriculum and School Support Services, Department of Public Instruction

Science Education

Dr. Elsie Leak, Associate Superintendent, Curriculum & School Support Services, DPI
Christine Boytos, Associate Director for Community and Business Management, GlaxoSmithKline, Inc.
Brenda Evans, Director, North Carolina Infrastructure for Science Education (NC-ISE)

Dr. Sam Houston, Jr., President and Chief Executive Officer, North Carolina Science, Mathematics, and Technology Education Center

LEA Consolidation

Adam Levinson, Fiscal Analyst, Fiscal Research Division

The North Carolina New Schools Project

Dr. Tony Habit, Executive Director, New Schools Project

NC Wise Update

Philip Price, Associate Superintendent, Financial & Business Services, DPI

**March 8, 2006
Wilson and Nash Counties**

Wilson Technical Community College

Dr. Rusty Stephens, President, Wilson Technical Community College

Overview of Wilson Technical Community College and the transformation to a "green campus"

Mr. Hank Widmer, Director, Eastern North Carolina School for the Deaf

Overview and update on the Eastern North Carolina School for the Deaf

Wells Elementary School

Dr. Larry Price, Superintendent, Wilson County Schools

Impact Schools: The Integration of Technology into Instruction

The Honorable Beverly Perdue, Lieutenant Governor

Business Education Technology Alliance (BETA) Report

Nash Community College

Dr. Bill Carver, President, Nash Community College

Ms. Fay Agar, Principal, Nash-Rocky Mount Middle College High School

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Ms. Sylvia Harriss, Director, Communities in Schools of the Rocky Mount Region

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Dr. Rick McMahon, Superintendent, Nash-Rocky Mount Schools

School Uniforms and Discipline

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June Atkinson, Superintendent, Department of Public Instruction

Martin Lancaster, President, The North Carolina Community College System

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Don Steed, Superintendent, Hoke County Public Schools
Mike Burriss, Assistant Superintendent for Facilities, Wake County Public Schools

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Nancy Reid, Novice Teacher Coach, Asheville City Public Schools
Pat Hensley, Assistant Superintendent for Human Resources, Catawba County Public Schools
Rae Thompson, Director of Professional Learning, Catawba County Public Schools
Brenda Jones, Assistant Superintendent for Human Resources, Pitt County Public Schools

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Adam Levinson, Fiscal Analyst, Fiscal Research Division

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Jack Henderson, President, NC Association of Career Colleges and Schools
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Proposed Report, Findings, and Recommendations to 2006 Session

Committee Findings and Recommendations

The Joint Legislative Education Oversight Committee makes the following findings and recommendations to the 2006 Regular Session of the 2005 General Assembly:

1. Teacher Retention and Recruitment

The Committee encourages the General Assembly to continue to support initiatives that address the State's teacher shortage, focus on recruiting math and science teachers, improve teacher preparation programs, maintain high standards for all teachers, and raise teacher salaries.

The Committee believes there is a growing shortage of competent teachers in North Carolina. This shortage is due to increasing student enrollment, class-size reduction initiatives, and teacher retirements. The teacher shortage is the most acute in rapidly growing school systems, in rural, low-wealth counties, and in schools with high numbers of at-risk students. In addition, many of the State's school systems are experiencing a shortage of certified teachers in math and science.

The Committee supports the initiatives proposed by Erskine Bowles, President of the University of North Carolina. These initiatives include improved collaboration by the deans of the schools of education in order to (i) improve teacher preparation programs and (ii) increase the numbers of students who choose teaching as a career. The Committee recommends that special emphasis be placed on recruiting math and science teachers. The Committee recommends enactment of legislation to fund 50 additional Future Teachers of North Carolina Scholarship Loans for students who agree to become certified in math or science. Scholarship Loan recipients must also agree to teach in that subject area in a North Carolina public school for three years within five years after graduation. See attached DRAFT LEGISLATION: 2005-RJz-2[v.4]. The Committee also recommends special emphasis be placed on strengthening math and science teacher education programs and recruiting minorities and males into teaching. The Committee also encourages the General Assembly to consider initiatives to provide differentiated pay for math and science teachers as well as President Bowles' initiatives to provide higher salaries for math and science teachers willing to teach in low performing schools. In addition, the Committee supports the Governor's proposals to continue raising teachers' salaries.

The Committee believes that the North Carolina Teaching Fellows Program is an effective tool in recruiting outstanding high school students to choose teaching as a career. The program also benefits the teacher preparation programs the students attend. The Committee believes that the Teaching Fellows Program can provide more benefits to students if it allows fellows to enroll in a broader spectrum of colleges and universities that have teacher education programs. As a result, the Committee encourages the North Carolina Teaching Fellows Program to expand the number of colleges and universities in the State that can participate in the North Carolina Teaching Fellows Program. In order to accomplish this expansion in a manner that will allow the Program to be as beneficial and effective as it currently is, the Committee encourages the General Assembly to provide funds to allow for additional Fellows and to provide the administrative support that will be needed.

2. House Bill 706 – An Act to Amend the Teacher Certification Law to Facilitate the Hiring of Teachers – Status report

This is the bill that Governor Easley vetoed in September 2005, and that is currently in the House Rules Committee. Upon receiving a vetoed bill and its gubernatorial veto message, the receiving chamber must immediately proceed to reconsider the bill. A vetoed bill can be referred to committee for review and recommendation. Thus, the referral to committee constitutes the chamber's "immediate" consideration of the vetoed bill. The vetoed bill cannot be amended. No time limit is set for the committee to act or to make a recommendation on the vetoed bill. Therefore, the Rules Committee has until the end of the 2005 General Assembly to act (or not) on the bill. The end of the 2005 General Assembly will be when the Short Session that begins May 9, 2006, adjourns.

The Committee members are pleased to report that the State Board of Education adopted a policy that is similar to the provisions in House Bill 706. The Department of Public Instruction has been issuing licenses under that policy since its adoption.

3. Joint Legislative Education Oversight Subcommittee on Retirees Returning to Work

A subcommittee was appointed to determine whether it is possible to reach consensus on the easing of last year's changes to the law governing retirees who return to work. This subcommittee met three times and recommends enactment of legislation to amend the special provision in the 2005 Budget Bill that provides the conditions under which retired teachers and State employees may return to work after retirement. Representatives of the University system, the Community College system, the State Board of Education and other interested parties met and discussed their problems with implementing the current law. These education groups made recommendations that are included in the draft legislation. See attached DRAFT LEGISLATION: 2005-LL-219[v.17].

4. Mathematics and Science Teacher Preparation Programs

There is increasing evidence that teacher preparation programs are not enabling individuals in these programs to acquire the in-depth content knowledge and well-honed skills needed to teach mathematics or science, or both, in the public schools, whether in elementary, middle or high school. In light of the rapidly changing global economy, colleges and universities must redesign their programs to prepare teachers who can challenge North Carolina's students with rigorous content standards so that when these students ultimately enter the workforce, they will have the skills and knowledge required in the future.

The Committee recommends enactment of legislation to encourage The University of North Carolina to begin the process to encourage the constituent institutions to redesign their mathematics and science teacher preparation programs. See attached DRAFT LEGISLATION: 2005-RHz-10[v.5].

The Committee also encourages the Board of Governors and the State Board to evaluate and revise professional development programs to provide current teachers in-depth content knowledge and well-honed skills needed to teach science or mathematics. The Boards shall

report to this Committee by December 1, 2006, on changes that are recommended or under consideration.

5. Legislative Tuition Grants and State Contractual Scholarship Fund Grants and Aid for Nursing Students

The Committee understands the critical shortage in teaching and nursing that the State is facing. The Committee believes that encouraging professionals that already hold undergraduate degrees in other areas to go back to college to pursue licensure in teaching or nursing is an excellent way to increase the numbers of outstanding teachers and nurses in the State. The Committee recommends that the State Contractual Scholarship Fund Grants and the Legislative Tuition Grants be expanded to include part-time and full-time students who have bachelor's degrees but have returned to college to obtain licensure in teaching and nursing. See attached DRAFT LEGISLATION 2005-RQ-5 [v.6]. The Committee also supports expanding scholarships and scholarship loan funds for students enrolled in nursing programs at public institutions of higher education.

6. Improving School Leadership

There is a growing body of research that supports the idea that improving student achievement, particularly for low-income and minority students, is accomplished with the guidance of an effective leader at the building level. Therefore, it is imperative that principal preparation programs and professional development programs prepare and develop principals for the challenges of leading the schools of today and the future.

The Committee recommends that the Board of Governors of The University of North Carolina, in consultation with the State Board of Education, revise their school administrator programs and report to the Joint Legislative Education Oversight Committee by January 15, 2007, their recommendations for improving the preparation of new school principals and the professional development of current school principals. The revisions shall, at a minimum, focus on middle and high school principals, particularly those in schools where a large number of the students do not perform well, and the identification and inclusion of the skills a principal needs to be an effective instructional leader who is able to coach, teach and develop the teachers in their school. The report to the Joint Legislative Education Oversight Committee shall also include a plan for the implementation of the revised programs, any statutory changes needed, and a date by which these changes will be implemented.

7. Initiatives for Low-Wealth School Systems

The Committee continues to fully support initiatives designed to assist schools in low-wealth counties. In particular, the Committee encourages the Governor to recommend and the General Assembly to provide increased funds for low-wealth counties so that this education funding category can finally be fully funded. The Committee also supports the continued annual report to this Committee on how these funds are used by the local education administrative units that receive these funds.

8. Disadvantaged Student Supplemental Fund

The Committee recognizes the importance of the Disadvantaged Student Supplemental Fund and supports the continued funding and expansion of the Fund in order to improve academic achievement for all students. However, the Committee finds that accountability for the Fund must be a priority in order to document how the money has impacted student achievement. The Committee recommends that the General Assembly maintain oversight and require regular reports on how the monies in the Fund are used.

9. Accountability for Entities, Including Non-Profit Organizations, that Receive State Funds to Implement Education Programs

In addition to State and local education agencies that receive State funds to provide a public education to the children of this State, numerous other entities also receive State funds to implement programs to enhance or supplement the programs offered in the public schools. These programs should be held accountable to the General Assembly in order to continue to receive State funds.

The Committee encourages the General Assembly to improve its program and fiscal oversight of all of these entities by providing for audits that the General Assembly and its appropriations committees could use when determining whether State funds should be used to support or enhance these programs. One approach would be to authorize this Committee to contract with program and fiscal auditors for audits of specific programs.

10. Global Education

The Committee finds that public education must keep current with the changing world so that our students are prepared for the world of the future. In the past 30 years the world has changed dramatically. There have been more creations and inventions than ever in history. The demographics of the United States and this State have seen significant shifts that are expected to continue. There also are upcoming shifts in the global economy: none of the future largest cities will be in the northern hemisphere and the next one billion consumers will come from Brazil, India, China, and developing markets.

As part of the State's goal to be a leader in the global economy, the Committee strongly supports the continued expanding and upgrading of our school technology initiatives. These initiatives must be based on comprehensive plans that include measurable goals and objectives. At a minimum, the Committee encourages annual program and financial audits to assure credibility of these plans and to permit refinements as needed.

The Committee also encourages the General Assembly to support initiatives to expand the foreign languages being taught in the public schools so that languages currently not taught, such as Arabic, Japanese, and Chinese, are available. The Committee specifically supports the March 9, 2006, recommendations from DPI's Foreign Language Task Force (See attached Recommendations) and recommends consideration of legislation to create a pilot program to provide this expanded foreign language instruction. See attached DRAFT LEGISLATION 2005-LEz-245Z[v.1].

11. Dropout Prevention/Communities in Schools

The Committee enthusiastically supports the work of Communities in Schools. This organization involves members of local communities to provide tutors, mentors, scholarships and other services for students who are at risk of dropping out of school. Due to this organization's documented success with these students, the Committee encourages the General Assembly to continue providing State funds for this organization and, if funds are available, to provide additional funds.

ARTICLE 12H.
Joint Legislative Education Oversight Committee.

§ 120-70.80. Creation and membership of Joint Legislative Education Oversight Committee.

The Joint Legislative Education Oversight Committee is established. The Committee consists of 22 members as follows:

- (1) Eleven members of the Senate appointed by the President Pro Tempore of the Senate, at least two of whom are members of the minority party; and
- (2) Eleven members of the House of Representatives appointed by the Speaker of the House of Representatives, at least three of whom are members of the minority party.

Terms on the Committee are for two years and begin on the convening of the General Assembly in each odd-numbered year. Members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee.

A member continues to serve until his successor is appointed. A vacancy shall be filled within 30 days by the officer who made the original appointment.

§ 120-70.81. Purpose and powers of Committee.

(a) The Joint Legislative Education Oversight Committee shall examine, on a continuing basis, the several educational institutions in North Carolina, in order to make ongoing recommendations to the General Assembly on ways to improve public education from kindergarten through higher education. In this examination, the Committee shall:

- (1) Study the budgets, programs, and policies of the Department of Public Instruction, the State Board of Education, the Department of Community Colleges, the Board of Governors of The University of North Carolina, and the constituent institutions of The University of North Carolina to determine ways in which the General Assembly may encourage the improvement of all education provided to North Carolinians and may aid in the development of more integrated methods of institutional accountability;
- (2) Examine, in particular, the Basic Education Plan and the School Improvement and Accountability Act of 1989, to determine whether changes need to be built into the plans, whether implementation schedules need to be restructured, and how to manage the ongoing development of the policies underlying these legislative plans, including a determination of whether there is a need for the legislature to develop ongoing funding patterns for these plans;
- (3) Study other states' educational initiatives in public schools, community colleges, and public universities, in order to provide an ongoing commentary to the General Assembly on these initiatives and to make

recommendations for implementing similar initiatives in North Carolina;
and

- (4) Study any other educational matters that the Committee considers necessary to fulfill its mandate.

(b) The Committee may make interim reports to the General Assembly on matters for which it may report to a regular session of the General Assembly. A report to the General Assembly may contain any legislation needed to implement a recommendation of the Committee.

§ 120-70.82. Organization of Committee.

(a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Joint Legislative Education Oversight Committee. The Committee shall meet at least once a quarter and may meet at other times upon the joint call of the cochairs.

(b) A quorum of the Committee is 10 members. No action may be taken except by a majority vote at a meeting at which a quorum is present. While in the discharge of its official duties, the Committee has the powers of a joint committee under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.

(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee.

§ 120-70.83. Additional powers.

The Joint Legislative Education Oversight Committee, while in discharge of official duties, shall have access to any paper or document, and may compel the attendance of any State official or employee before the Committee or secure any evidence under G.S. 120.19. In addition, G.S. 120-19.1 through G.S. 120-19.4 shall apply to the proceedings of the Committee as if it were a joint committee of the General Assembly.

§§ 120-70.84 through 120-70.89: Reserved for future codification purposes.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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BILL DRAFT 2005-RJz-2 [v.4] (04/20)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
4/21/2006 12:33:16 PM

Short Title: Amend Future Teachers Scholarship Loan .

(Public)

Sponsors: Unknown.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE FUTURE TEACHERS OF NORTH CAROLINA SCHOLARSHIP LOAN FUND BY ADDING FIFTY SCHOLARSHIP LOANS FOR STUDENTS WHO AGREE TO BECOME CERTIFIED IN MATH OR SCIENCE, TEACH FULL-TIME IN THAT AREA IN A NORTH CAROLINA PUBLIC SCHOOL FOR THREE YEARS WITHIN FIVE YEARS AFTER GRADUATION, AND MEET CERTAIN OTHER REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-209.38 reads as rewritten:

"§ 116-209.38. Future Teachers of North Carolina Scholarship Loan Fund.

(a) There is established the Future Teachers of North Carolina Scholarship Loan Fund. The purpose of the Fund is to provide a two-year scholarship loan of six thousand five hundred dollars (\$6,500) per year for any North Carolina student pursuing a college degree to teach in the public schools of the State. The scholarship loan shall be paid only for the student's junior and senior years. The scholarship loan is available if the student is enrolled in a State institution of higher education or a private institution of higher education located in this State that has an accredited teacher preparation program for students planning to become certified teachers in North Carolina. The State Education Assistance Authority shall administer the Fund and shall award ~~100~~150 scholarship loans annually.

(b) The Board of Governors of The University of North Carolina, in consultation with the State Board of Education and the State Board of Community Colleges, shall develop the criteria for awarding the scholarship loans under this section and shall adopt very stringent standards for awarding these scholarship loans to ensure that only the best

1 students receive them. Additional criteria for awarding a scholarship loan under this
2 section shall include all of the following:

- 3 (1) ~~The student is one who either: (i) maintained a "B" or better average in
4 college and is enrolled as a junior or senior in a teacher preparation
5 program at any of the institutions described by subsection (a) of this
6 section; or (ii) completed a college transfer curriculum at a community
7 college in the State's Community Colleges System, maintained a "B" or
8 better average in the community college courses, and is accepted and
9 enrolled in a teacher preparation program at one of the institutions
10 described by subsection (a) of this section.~~
- 11 (2) ~~The student agrees to become certified in math, science, special
12 education, or English as a Second Language and teach full-time in that
13 subject area in a North Carolina public school for three years within
14 five years after graduation.~~
- 15 (3) ~~Any additional criteria that the Board of Governors of The University
16 of North Carolina, in consultation with the State Board of Education
17 and the State Board of Community Colleges, considers necessary to
18 administer the Fund effectively.~~

19 (b1) Additional criteria for awarding the first 100 scholarship loans under this
20 section shall include all of the following:

- 21 (1) The student is one who either: (i) maintained a "B" or better average in
22 college and is enrolled as a junior or senior in a teacher preparation
23 program at any of the institutions described by subsection (a) of this
24 section; or (ii) completed a college transfer curriculum at a community
25 college in the State's Community Colleges System, maintained a "B" or
26 better average in the community college courses, and is accepted and
27 enrolled in a teacher preparation program at one of the institutions
28 described by subsection (a) of this section.
- 29 (2) The student agrees to become certified in math, science, special
30 education, or English as a Second Language and teach full-time in that
31 subject area in a North Carolina public school for three years within
32 five years after graduation.
- 33 (3) Any additional criteria that the Board of Governors of The University
34 of North Carolina, in consultation with the State Board of Education
35 and the State Board of Community Colleges, considers necessary to
36 administer the Fund effectively.

37 (b2) Additional criteria for awarding the remaining 50 scholarship loans under this
38 section shall include all of the following:

- 39 (1) The student is one who either: (i) maintained a "B" or better average in
40 college and is enrolled as a junior or senior in a teacher preparation
41 program at any of the institutions described by subsection (a) of this
42 section; or (ii) completed a college transfer curriculum at a community
43 college in the State's Community Colleges System, maintained a "B" or

1 better average in the community college courses, and is accepted and
2 enrolled in a teacher preparation program at one of the institutions
3 described by subsection (a) of this section.

4 (2) The student agrees to become certified in math or science and teach
5 full-time in that subject area in a North Carolina public school for three
6 years within five years after graduation.

7 (3) Any additional criteria that the Board of Governors of The University
8 of North Carolina, in consultation with the State Board of Education
9 and the State Board of Community Colleges, considers necessary to
10 administer the Fund effectively.

11 (c) If a student who is awarded a scholarship loan under this section fails to
12 comply with the provisions of this section or the terms of the agreement awarding the
13 scholarship loan, then the student shall repay the full amount of the scholarship loan
14 provided to the student and the appropriate amount of interest as determined by the State
15 Education Assistance Authority.

16 (d) The Board of Governors of The University of North Carolina, the State Board
17 of Education, and the State Board of Community Colleges shall: (i) prepare a clear
18 written explanation of the Future Teachers of North Carolina Scholarship Fund and the
19 information regarding the availability and criteria for awarding the scholarship loans,
20 and (ii) shall provide that information to the appropriate counselors in each local school
21 system and the appropriate institutions of higher education and shall charge those
22 counselors to inform students about the scholarship loans and to encourage them to
23 apply for the scholarship loans.

24 (e) The Board of Governors of The University of North Carolina shall adopt rules
25 to implement this section.

26 (f) The Board of Governors of The University of North Carolina shall report to
27 the Joint Legislative Education Oversight Committee by March 1 each year regarding
28 the Fund and scholarship loans awarded from the Fund. (2005-276, s. 9.11(a).)"

29 **SECTION 2.** Section 9.11(b) of S.L. 2005-276 reads as rewritten:

30 "**SECTION 9.11.(b)** Of the funds appropriated in this act to the State
31 Education Assistance Authority the sum of six hundred fifty thousand dollars
32 (\$650,000) for the 2005-2006 fiscal year and the sum of ~~one million three hundred~~
33 ~~thousand dollars (\$1,300,000)~~ one million six hundred twenty-five thousand dollars
34 (\$1,625,000) for the 2006-2007 fiscal year shall be used to implement this act."

35 **SECTION 3.** This act becomes effective July 1, 2006.
36

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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BILL DRAFT 2005-LL-219 [v.17] (4/12)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
4/26/2006 10:14:00 AM

Short Title: Retirees Returning to Work.

(Public)

Sponsors: .

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAW AFFECTING RETIREES RETURNING TO
3 WORK.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 135-1 is amended by adding a new subdivision to read:

6 "(14a) "Normal retirement age" means the age of 60 or older with 25 or more
7 years of creditable service or the age of 65 or older with 5 or more
8 years of membership service."

9 **SECTION 2.** G.S. 135-1(20) reads as rewritten:

10 "(20) "Retirement" means the termination of employment and the complete
11 separation from active service with no intent or agreement, express or
12 implied, to return to service. A retirement allowance under the
13 provisions of this Chapter may only be granted upon retirement of a
14 member. In order for a member's retirement to become effective in any
15 month, the member must render no service, including part-time,
16 temporary, substitute, or contractor service, at any time during the six
17 months immediately following the effective date of retirement. means:

18 a. In the case of a member who has reached normal retirement age,
19 the commencement of a retirement allowance under the provisions
20 of this Article.

21 b. In the case of a member who has not yet reached normal retirement
22 age, the commencement of a retirement allowance under the
23 provisions of this Article and a complete separation from active
24 service, with no intent or agreement, express or implied, to return to
25 service, and subject to the requirement that the member shall not

1 render any service, whether part-time, temporary, substitute, or
2 contractor service, at any time during the total of twenty-five
3 working days immediately following the effective date of
4 retirement plus the longer of the number of weeks during each of
5 the previous two years in which there were no paid days of
6 employment."

7 **SECTION 3.(a)** Subsection (d) of Section 28.24 of S.L. 1998-212, as
8 amended by Section 7A.1 of S.L. 2005-144, reads as rewritten:

9 "(d) This section becomes effective January 1, 1999, and expires June
10 30, 2007. 1999."

11 **SECTION 3.(b)** The introductory language of Section 67 of S.L. 1998-217,
12 as amended by Section 7A.1 of S.L. 2005-144, reads as rewritten:

13 "SECTION 67. Effective January 1, 1999, through June 30, 2007,
14 G.S. 135-3(8)c., as rewritten by Section 28.24(a) of S.L. 1998-212 reads as rewritten:"

15 **SECTION 3.(c)** Subsection (b) of Section 67.1 of S.L. 1998-217, as
16 amended by Section 7A.1 of S.L. 2005-144, reads as rewritten:

17 "(b) This section becomes effective January 1, 1999, and expires June
18 30, 2007. 1999."

19 **SECTION 3.(d)** Subsection (c) of Section 32.25 of S.L. 2001-424, as
20 amended by Section 7A.1 of S.L. 2005-144, reads as rewritten:

21 "SECTION 32.25.(c) This section becomes effective July 1, 2001, and
22 expires June 30, 2007. 2001."

23 **SECTION 3.(e)** This section becomes effective June 30, 2006.

24 **SECTION 4.** G.S. 135-3(8)c. reads as rewritten:

25 "c. Should a beneficiary who retired on an early or service
26 retirement allowance under this Chapter be reemployed, or
27 otherwise engaged to perform services, by an employer
28 participating in the Retirement System on a part-time,
29 temporary, interim, or on a fee-for-service basis, whether
30 contractual or otherwise, and if such beneficiary earns an
31 amount during the 12-month period immediately following the
32 effective date of retirement or in any calendar year which
33 exceeds fifty percent (50%) of the reported compensation,
34 excluding terminal payments, during the 12 months of service
35 preceding the effective date of retirement, or twenty thousand
36 dollars (\$20,000), whichever is greater, as hereinafter indexed,
37 then the retirement allowance shall be suspended as of the first
38 day of the month following the month in which the
39 reemployment earnings exceed the amount above, for the
40 balance of the calendar year. The retirement allowance of such a
41 beneficiary shall also be suspended as provided in this sub-
42 subdivision if that beneficiary earns in any one month an
43 amount that exceeds sixty percent (60%) of the average reported

1 monthly compensation, excluding terminal payments, earned
2 during the twelve months of service immediately preceding the
3 effective date of retirement, unless the beneficiary's
4 employment resulting in that monthly amount is for a fixed term
5 of no more than six months and is preceded by at least a six-
6 month continuous separation from active service following the
7 beneficiary's retirement. The retirement allowance of the
8 beneficiary shall be reinstated as of January 1 of each year
9 following suspension. The amount that may be earned before
10 suspension shall be increased on January 1 of each year by the
11 ratio of the Consumer Price Index to the Index one year earlier,
12 calculated to the nearest tenth of a percent (1/10 of 1%).

13 The computation of postretirement earnings of a beneficiary
14 under this sub-subdivision, G.S. 135-3(8)c., ~~who has been~~
15 ~~retired at least six months~~ meets either definition of retirement
16 under G.S. 135-1(20) and who, before the effective date of
17 reemployment, has not been employed in any capacity with a
18 public school for at least six months immediately preceding the
19 effective date of reemployment, at any time during the total of
20 25 working days immediately following the effective date of
21 retirement plus the longer of the number of weeks during each
22 of the previous two years in which there were no paid days of
23 employment for that member, shall not include earnings while
24 the beneficiary is employed to teach in a permanent full-time or
25 part-time capacity that exceeds fifty percent (50%) of the
26 applicable workweek in a public school. The Department of
27 Public Instruction shall certify to the Retirement System that a
28 beneficiary is employed to teach by a local school
29 administrative unit under the provisions of this sub-subdivision
30 and as a retired teacher as the term is defined under the
31 provisions of G.S. 115C-325(a)(5a).

32 Beneficiaries employed under this sub-subdivision are not
33 entitled to any benefits otherwise provided under this Chapter as
34 a result of this period of employment."

35 **SECTION 5.** G.S. 115C-325(a)(5a) reads as rewritten:

36 "(5a) "Retired teacher" means a beneficiary of the Teachers' and State
37 Employees' Retirement System of North Carolina who ~~has been retired~~
38 ~~at least six months~~, meets either definition of retirement under G.S.
39 135-1(20), who, before the effective date of reemployment, has not
40 been employed in any capacity for at least six months, immediately
41 preceding the effective date of reemployment, with a public school at
42 any time during the total of 25 working days immediately following the
43 effective date of retirement plus the longer of the number of weeks

1 during each of the previous two years in which there were no paid days
2 of employment for that member, who is determined by a local board of
3 education or a charter school to have had satisfactory performance
4 during the last year of employment by a local board of education or a
5 charter school, and who is employed to teach as provided in G.S.
6 135-3(8)c. A retired teacher at a school other than a charter school
7 shall be treated the same as a probationary teacher except that (i) a
8 retired teacher is not eligible for career status and (ii) the performance
9 of a retired teacher who had attained career status prior to retirement
10 shall be evaluated in accordance with a local board of education's
11 policies and procedures applicable to career teachers."

12 **SECTION 6.** Section 29.28(f) of S.L. 2005-276 reads as rewritten:

13 **"SECTION 29.28.(f)** Subsections (a) and (b) of this section become effective
14 August 1, 2005. Subsection (e) of this section becomes effective November 1, 2005, but
15 does not apply to participants in The University of North Carolina Phased Retirement
16 ~~Program until June 30, 2007.~~ Program. The remainder of this section becomes effective
17 June 30, 2005."

18 **SECTION 7.** The University of North Carolina shall establish a normal
19 retirement age for the Optional Retirement Program of either 59½ or 60 years of age and
20 shall limit the UNC Phased Retirement Program to persons who have reached that
21 normal retirement age.

22 **SECTION 8.** The North Carolina Community College System may establish
23 a phased retirement program for its faculty that functions in a manner similar to The
24 University of North Carolina Phased Retirement Program.

25 **SECTION 9.** This act becomes effective July 1, 2006, but Sections 1 through
26 5 of this act do not apply to participants in The University of North Carolina Phased
27 Retirement Program or to members of the phased retirement program established for the
28 faculty of the North Carolina Community College System under Section 8 of this act.
29



NORTH CAROLINA GENERAL ASSEMBLY
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Terrence D. Sullivan
Director

To: Joint Legislative Education Oversight Committee
Subcommittee on Retirees Returning to Work

Senator Dannelly, Co-chair
Representative Glazier, Co-chair

From: Shirley Iorio, Ph D
Legislative Analyst, Research Division

Date: April 25, 2006

Re: Bill Draft 2005-LL-219[v.17]

This proposed legislation makes several changes within the Teachers' and State Employees' Retirement System (TSERS) affecting retirees who return to work:

Section 1. Amends G.S. 135-1 by establishing a "normal retirement age" as follows:

- The age of 60 or older with 25 or more years of creditable service, **or**
- The age of 65 or older with 5 or more years of membership service.

Section 2. Amends G.S. 135-1(20) by rewriting the definition of "retirement" as follows:

- For a member who has reached normal retirement age, retirement means the start of a retirement allowance under the statutory provisions for TSERS.
- For a member who has not yet reached normal retirement age, retirement means the start of a retirement allowance under the statutory provisions for TSERS **and the following:**
 - A complete separation from active service, with no intent or agreement, express or implied, to return to service; **and**
 - A requirement that the member shall not render any service, on a part-time, temporary, substitute, or contractual basis at any time during the total of 25 working days immediately following the effective date of retirement **plus** the longer of the number of weeks during each of the previous two years in which there were no paid days of employment.

Section 3. Removes the sunset on the provisions governing retired teachers returning to the classroom and establishes an effective date for this section of June 30, 2006.

Section 4. Amends, G.S. 135-3(8)c, the law that pertains to beneficiaries who retire on an early or service retirement allowance and return to work for an employer that participates in the Retirement System. Currently, a retiree may return to service during the 12-month period immediately following the effective date of retirement or in any calendar year on a part-time, interim, temporary or contractual basis and earn the greater of \$20,000 (adjusted each year for inflation) or 50% of the salary that the person earned during the 12 months of service prior to retirement. If the retiree exceeds this earnings cap, their retirement allowance is suspended as of the first day of the month following the month in which the reemployment earnings exceeded the cap. This proposed legislation adds the following conditions:

- If the beneficiary earns in any one month an amount that exceeds 60% of the average reported monthly compensation, excluding terminal payments, earned during the 12 months of service immediately preceding the effective date of retirement, then their retirement allowance is suspended.*

*Exception. When the beneficiary's employment resulting in that monthly amount is for a fixed term of no more than six months **and** is preceded by at least a six-month continuous separation from active service following their retirement.

There is an exemption that allows a beneficiary to be re-employed to teach after retirement and still collect full retirement benefits in addition to their salary. Currently, a beneficiary who is reemployed to teach must be retired at least six months and may not have been employed in any capacity with a public school for at least six months immediately preceding the effective date of reemployment. Also, to be exempt from the postretirement earnings cap, the beneficiary must be employed to teach in a permanent full-time or part-time capacity that exceeds 50% of the applicable workweek in a public school.

This proposed legislation reduces the break-in-service time from six months to the following:

- For a beneficiary who meets either definition of retirement in Section 2 above and who, before the effective date of reemployment, has not been employed in any capacity with a public school at any time during the total of 25 working days immediately following the effective date of retirement **plus** the longer of the number of weeks during each of the previous two years in which there were no paid days of employment for that member.

Section 5. Amends G.S. 115C-325(a)(5a) to make conforming changes to the definition of "retired teacher".

Section 6. Restores the UNC Phased Retirement Program by removing the reemployment restrictions for participants.

Section 7. Requires The University of North Carolina to establish a normal retirement age for the Optional Retirement Program of either 59 ½ or 60 years of age and limit the UNC Phased Retirement Program to persons who have reached that normal retirement age.

Section 8. Allows the North Carolina Community College System to establish for its faculty a phased retirement program similar to the UNC Program.

Section 9. Sets an effective date of July 1, 2006. However, Sections 1 through 5 do not apply to participants in the UNC Phased Retirement Program or to members of the phased retirement program established for the faculty of the NC Community College System under Section 8.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

U

D

BILL DRAFT 2005-RHz-10 [v.5] (04/18)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

4/21/2006 2:36:34 PM

Short Title: Sci/Math Teacher Prep. Programs.

(Public)

Sponsors: .

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT
3 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO ENCOURAGE
4 THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH
5 CAROLINA TO REDESIGN THEIR MATHEMATICS AND SCIENCE
6 TEACHER PREPARATION PROGRAMS, AND TO MAKE AN
7 APPROPRIATION.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** The purpose of this act is to encourage the constituent
10 institutions of The University of North Carolina to redesign their teacher preparation
11 programs so that they better prepare the individuals who must acquire in-depth content
12 knowledge and well-honed skills to teach mathematics or science, or both, in the public
13 schools, whether in elementary, middle or high school. In light of the rapidly changing
14 global economy, these redesigned programs must prepare teachers who can challenge
15 North Carolina's students with rigorous content standards so that when these students
16 ultimately enter the workforce, they will have the skills and knowledge required in the
17 future.

18 **SECTION 2.(a)** The Board of Governors of The University of North
19 Carolina shall develop and implement a competitive proposal process and criteria for
20 assessing proposals to establish rigorous, innovative, interdisciplinary, and collaborative
21 teacher preparation programs for individuals who will teach mathematics or science, or
22 both, whether in elementary, middle, or high school. To facilitate the development of
23 the programs, program criteria, and the proposal process, the Board of Governors shall
24 convene a task force of mathematicians, scientists, and individuals with teacher
25 preparation expertise to assist it in designing the proposal process and criteria for

1 assessing the proposals. The Task Force shall consult with the State Board of
2 Education, persons familiar with mathematics and science education in other countries,
3 members of business and industry, and any other persons the Task Force considers
4 appropriate.

5 **SECTION 2.(b)** The Task Force shall identify which departments, schools,
6 or other programs within constituent institutions may submit a proposal under this act.
7 The Task Force also shall determine whether proposals to develop a multi-campus,
8 regional, distance, or joint program will be eligible for consideration. The Task Force
9 shall develop criteria for assessing the proposals submitted under this act. Submitted
10 proposals shall include the extent to which the proposed programs:

- 11 (1) Reflect a vision for preparing teachers who have a strong foundation of
12 the content knowledge and skills needed to teach mathematics or
13 science, or both, whether in elementary, middle, or high school.
- 14 (2) Are interdisciplinary in design and involve more than schools of
15 education.
- 16 (3) Reflect collaboration with local school administrative units,
17 professional associations, mathematics and science organizations, and
18 business and industry.
- 19 (4) Meet content standards proposed by mathematicians or scientists, or
20 both.
- 21 (5) Demonstrate a significant commitment and sharing of campus
22 resources.
- 23 (6) Employ entrance standards and criteria that will attract outstanding
24 applicants who reflect the racial and economic composition of the
25 State.
- 26 (7) Can serve as models for other mathematics and science teacher
27 preparation programs in the State.
- 28 (8) Include other elements that the Board of Governors and Task Force
29 consider appropriate and necessary.

30 **SECTION 2.(c)** The Board of Governors shall develop a budget for the
31 programs established under this section that reflects the resources necessary to establish
32 and operate redesigned mathematics and science teacher preparation programs.

33 **SECTION 3.** The Board of Governors shall report to the Joint Legislative
34 Education Oversight Committee on the budget developed under Section 2.(c) of this act
35 and on the design for the programs and the proposal process created under Section 2 of
36 this act by December 1, 2006.

37 **SECTION 4.** Requests for proposals shall be disseminated to the constituent
38 institutions no later than January 15, 2007. Proposals shall be submitted to the Board of
39 Governors no later than June 1, 2007. The Board of Governors shall then reconvene the
40 Task Force to screen the submitted proposals. After its screening, the Task Force shall
41 make its recommendations to the Board of Governors by September 1, 2007. The Board
42 of Governors shall choose the institutions that shall have the redesigned mathematics
43 and science teacher preparation programs no later than November 1, 2007.

1 **SECTION 5.** Institutions chosen to have programs under Section 4 of this
2 act shall plan for the implementation of the programs. Programs shall begin operating
3 no later than September 1, 2008.

4 **SECTION 6.** There is appropriated from the General Fund to the Board of
5 Governors of The University of North Carolina the sum of fifty thousand dollars
6 (\$50,000) for the 2006-2007 fiscal year to implement Section 2 of this act.

7 **SECTION 7.** Section 5 of this act shall not become effective unless
8 sufficient funds are appropriated for this purpose. Nothing in this act shall require the
9 General Assembly to appropriate any funds to implement it.

10 **SECTION 8.** This act becomes effective July 1, 2006.
11

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

D

BILL DRAFT 2005-RQ-5 [v.6] (04/21)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

Short Title: Tuit. & Contract. Grants for Teaching/Nursing.

(Public)

Sponsors: Representative Yongue.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO PROVIDE STATE CONTRACTUAL SCHOLARSHIP FUND
GRANTS AND LEGISLATIVE TUITION GRANTS FOR STUDENTS WHO
HAVE BACHELOR'S DEGREES BUT ARE PURSUING LICENSURE AS
NURSES OR TEACHERS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-19 reads as rewritten:

**"§ 116-19. Contracts with private institutions to aid North Carolina
students;students and licensure students; reporting requirement.**

(a) In order to encourage and assist private institutions to continue to educate North Carolina ~~students~~students and licensure students, the State Education Assistance Authority may enter into contracts with the institutions under the terms of which an institution receiving any funds that may be appropriated pursuant to this section would agree that, during any fiscal year in which such funds were received, the institution would provide and administer scholarship funds for needy North Carolina students and licensure students in an amount at least equal to the amount paid to the institution, pursuant to this section, during the fiscal year. Under the terms of the contracts the State Education Assistance Authority would agree to pay to the institutions, subject to the availability of funds, a fixed sum of money for each North Carolina student and licensure student enrolled at the institutions for the regular academic year, said sum to be determined by appropriations that might be made from time to time by the General Assembly pursuant to this section. Funds appropriated pursuant to this section shall be paid by the State Education Assistance Authority to an institution on

certification of the institution showing the number of North Carolina students and licensure students enrolled at the institution as of October 1 of any year for which funds may be appropriated. For purposes of this subsection, "needy North Carolina students"students and licensure students" are those eligible students and licensure students who have financial need as determined by the institution under the institutional methodology or the federal methodology as defined by the State Education Assistance Authority. For purposes of this subsection, "institutional methodology" means a need-analysis formula, developed by College Scholarship Service, that determines the student's ~~and~~ or licensure student's and his or her family's capacity to pay for postsecondary education each year.

(b) The State Education Assistance Authority shall document the number of full-time equivalent North Carolina undergraduate students and full-time and less than full-time licensure students that are enrolled in off-campus programs and the State funds collected by each institution pursuant to G.S. 116-19 for those students. The State Education Assistance Authority shall also document the number of scholarships and the amount of the scholarships that are awarded under G.S. 116-19 to students and licensure students enrolled in off-campus programs. An "off-campus program" is any program offered for degree credit away from the institution's main permanent campus.

The State Education Assistance Authority shall include in its annual report to the Joint Legislative Education Oversight Committee the information it has compiled and its findings regarding this program."

SECTION 2. G.S. 116-20 reads as rewritten:

"§ 116-20. Scholarship and contract terms; base period.

In order to encourage and assist private institutions to educate additional numbers of North Carolinians, the Board of Governors of the University of North Carolina is hereby authorized to enter into contracts within the institutions under the terms of which an institution receiving any funds that may be appropriated pursuant to this section would agree that, during any fiscal year in which such funds were received, the institution would provide and administer scholarship funds for needy North Carolina students and licensure students in an amount at least equal to the amount paid to the institution, pursuant to this section, during the fiscal year. Under the terms of the contracts the Board of Governors of the University of North Carolina would agree to pay to the institutions, subject to the availability of funds, a fixed sum of money for each North Carolina student and licensure student enrolled as of October 1 of any year for which appropriated funds may be available, over and above the number of North Carolina students enrolled in that institution as of October 1, 1997, which shall be the base date for the purpose of this calculation. Funds appropriated pursuant to this section shall be paid by the State Education Assistance Authority to an institution upon recommendation of the Board of Governors of the University of North Carolina and on certification of the institution showing the number of North Carolina

students and licensure students enrolled at the institution as of October 1 of any year for which funds may be appropriated over the number enrolled on the base date. In the event funds are appropriated for expenditure pursuant to this section and funds are also appropriated, for the same fiscal year, for expenditure pursuant to G.S. 116-19, students and licensure students who are enrolled at an institution in excess of the number enrolled on the base date may be counted under this section for the purpose of calculating the amount to be paid to the institution, but the same students and licensure students may also be counted under G.S. 116-19, for the purpose of calculating payment to be made under that section."

SECTION 3. G.S. 116-21.1 reads as rewritten:

"§ 116-21.1. Financial aid for North Carolina students and licensure students attending private institutions of higher education in North Carolina.

(a) Funds shall be appropriated each fiscal year in the Current Operations Appropriations Act to the Board of Governors of The University of North Carolina for aid to institutions and shall be disbursed in accordance with the provisions of G.S. 116-19, 116-21, and 116-22.

(b) The funds appropriated in compliance with this section shall be placed in a separate, identifiable account in each eligible institution's budget or chart of accounts. All funds in the account shall be provided as scholarship funds for needy North Carolina students and licensure students during the fiscal year. Each student and licensure student awarded a scholarship from this account shall be notified of the source of the funds and of the amount of the award. Funds not utilized under G.S. 116-19 shall be available for the tuition grant program as defined in G.S. 116-21.2."

SECTION 4. G.S. 116-21.2 reads as rewritten:

"§ 116-21.2. Legislative tuition grants to aid students and licensure students attending private institutions of higher education.

(a) In addition to any funds appropriated pursuant to G.S. 116-19 and in addition to all other financial assistance made available to institutions, or to ~~students~~ persons attending these institutions, there is granted to each full-time North Carolina undergraduate student attending an approved institution as defined in G.S. 116-22, a sum, to be determined by the General Assembly for each academic year which shall be distributed to the full-time undergraduate student as provided by this subsection.

(a1) The legislative tuition grant provided by this section shall also be granted to each full-time licensure student who is enrolled in a program intended to result in a license in teaching or nursing at an approved institution. The legislative tuition grant provided by this section shall be awarded on a pro-rata basis to any licensure student who is enrolled less than full-time in a program intended to result in a license in teaching or nursing at an approved institution. The legislative tuition grant and pro-rated legislative tuition grant authorized under this subsection shall be paid for undergraduate courses only.

(b) The tuition grants provided for in this section shall be administered by the State Education Assistance Authority pursuant to rules adopted by the State Education Assistance Authority not inconsistent with this section. The State Education Assistance Authority shall not approve any grant until it receives proper certification from an approved institution that the student or licensure student applying for the grant is ~~an eligible student~~ eligible. Upon receipt of the certification, the State Education Assistance Authority shall remit at the times as it prescribes the grant to the approved institution on behalf, and to the credit, of the ~~student~~ student or licensure student.

(c) ~~In~~ Except as provided in subsection (a1) of this section, in the event a student on whose behalf a grant has been paid is not enrolled and carrying a minimum academic load as of the tenth classroom day following the beginning of the school term for which the grant was paid, the institution shall refund the full amount of the grant to the State Education Assistance Authority. If a licensure student on whose behalf a pro-rated grant has been paid in accordance with subsection (a1) of this section is not enrolled in the undergraduate class as of the tenth classroom day following the beginning of the school term for which the grant was paid, the institution shall refund the full amount of the grant to the State Education Assistance Authority. Each approved institution shall be subject to examination by the State Auditor for the purpose of determining whether the institution has properly certified eligibility and enrollment of students and licensure students and credited grants paid on behalf of the students ~~them~~.

(d) In the event there are not sufficient funds to provide each eligible student or licensure student with a full ~~grant~~ grant as provided by subsection (a) of this section or a full or a pro-rated grant as provided by subsection (a1) of this section:

- (1) The Board of Governors of The University of North Carolina, with the approval of the Office of State Budget and Management, may transfer available funds to meet the needs of the programs provided by subsections ~~(a)-(a)~~ (a), (a1), and (b) of this section; and
- (2) Each eligible student and licensure student shall receive a pro rata share of funds then available for the remainder of the academic year within the fiscal period covered by the current appropriation.

(e) Any remaining funds shall revert to the General Fund."

SECTION 5. G.S. 116-21.3 reads as rewritten:

"§ 116-21.3. Legislative tuition grant limitations.

(a) For purposes of this section, an "off-campus program" is any program offered for degree credit away from the institution's main permanent campus.

(b) No legislative tuition grant funds shall be expended for a program at an off-campus site of a private institution, as defined in G.S. 116-22(1), established after May 15, 1987, unless (i) the private institution offering the program has previously notified and secured agreement from other private institutions operating

degree programs in the county in which the off-campus program is located or operating in the counties adjacent to that county or (ii) the degree program is neither available nor planned in the county with the off-campus site or in the counties adjacent to that county.

(c) Any member of the armed services, as defined in G.S. 116-143.3(a), abiding in this State incident to active military duty, who does not qualify as a resident for tuition purposes, as defined under G.S. 116-143.1, is eligible for a legislative tuition grant pursuant to this section if the member is enrolled as a full-time ~~student~~undergraduate student or as a licensure student. The member's legislative tuition grant shall not exceed the cost of tuition less any tuition assistance paid by the member's employer.

(d) A legislative tuition grant authorized under ~~G.S. 116-21.2~~G.S. 116-21.2(a) shall be reduced by twenty-five percent (25%) for any individual student who has completed 140 semester credit hours or the equivalent of 140 semester credit hours."

SECTION 6. G.S. 116-21.4(b) reads as rewritten:

"(b) Expenditures made pursuant to G.S. 116-19, 116-20, 116-21.1, or 116-21.2 shall not be used for any student or licensure student who:

- (1) Is incarcerated in a State or federal correctional facility for committing a Class A, B, B1, or B2 felony; or
- (2) Is incarcerated in a State or federal correctional facility for committing a Class C through I felony and is not eligible for parole or release within 10 years."

SECTION 7. G.S. 116-22 is amended by adding a new subdivision to read:

"(1b) 'Licensure student' shall mean a person who:

- (a) Has a bachelor's degree;
- (b) Is enrolled either full-time or less than full-time in a program intended to result in licensure in teaching or nursing;
- (c) Attends an institution located in the State; and
- (d) Qualifies as a resident of North Carolina in accordance with definitions of residency that may from time to time be adopted by the Board of Governors of the University of North Carolina and published in the residency manual of the Board."

SECTION 8. There is appropriated from the General Fund to the State Education Assistance Authority the sum of one million five hundred thousand dollars (\$1,500,000) for the 2006-2007 fiscal year to implement this act.

SECTION 9. This act becomes effective July 1, 2006.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

H

D

BILL DRAFT 2005-LEz-245Z [v.1] (4/10)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
4/25/2006 3:03:14 PM

Short Title: New Foreign Lang. in Schools/Pilot Program.

(Public)

Sponsors: Representative.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT
LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO
APPROPRIATE FUNDS TO DEVELOP AND IMPLEMENT A PILOT
PROGRAM TO PROVIDE CLASSES IN FOREIGN LANGUAGES
CURRENTLY NOT TAUGHT, AND IN THE CULTURE, GEOGRAPHY,
POLITICAL, LEGAL AND ECONOMIC SYSTEMS OF COUNTRIES
WHERE THOSE LANGUAGES ARE SPOKEN.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Department of Public Instruction the sum of one million dollars (\$1,000,000) for the 2006-2007 fiscal year to establish and implement a pilot program in six local school administrative units to offer classes in which instruction is provided (i) in foreign languages currently not taught in the public schools, (ii) on the culture, geography, political, legal and economic systems of the countries where those languages are spoken, and (iii) on the Internet in order to make these classes available to other local school administrative units.

The State Board of Education, with the assistance of the Department of Public Instruction, shall select pilot local school administrative units that are distributed geographically throughout the State. Up to two high schools in each pilot unit shall implement the program. Classes shall begin in the second semester of the 2006-2007 school year.

The State Board of Education shall approve the curriculum for the pilot program and for the internet courses on an expedited basis.

SECTION 2. This act becomes effective July 1, 2006.

Recommendations
Foreign Language Task Force Meeting
March 9, 2006

A group of K-16 foreign language educators, school administrators, and community advocates met in Raleigh on March 9, 2006 to develop recommendations to strengthen foreign language instruction in North Carolina. As a result of this discussion, the committee proposes the following recommendations and action steps:

High Student Performance

- 1. Encourage the State Board of Education to establish Global Preparedness as a 6th Priority. The task force believes that the priority will underscore the importance of learning languages and studying other cultures and will reinforce the efforts of local districts trying to establish strong second language instructional programs that lead to the development of proficiency.**

- 2. Work toward the establishment of a K-12 pipeline of articulated instruction in each LEA which will result in students who graduate with communicative proficiency at the advanced level in listening, speaking, reading, and writing in at least one language other than English.**
 - Provide incentive grants to LEAs to begin programs – perhaps 10 grants per year of \$75,000-\$100,000. Grants would be awarded on a competitive basis.
 - Create a public relations program in conjunction with the *Discover Languages* initiative of the American Council on the Teaching of Foreign Languages (ACTFL) that emphasizes the importance of second language study for all students. The program should be directed to school administrators (especially principals), parents, policy makers, and other members of the community.
 - Develop K-16 collaboratives in various regions of the state to support second language instruction, to apply for grants to strengthen K-12 language instruction and teacher preparation and, to explore ways in which university faculty can provide advanced level languages instruction for high school students
 - Designate a foreign language professional to serve as a district foreign language supervisor or lead teacher to coordinate foreign language instruction and professional development
 - Ask the State Board of Education to develop a foreign language concentration for high school students and a designation on the high school transcript of students who reach high levels of proficiency.
 - Encourage students to do graduation projects in languages other than English

- Award LEAs state recognition for graduating a certain percentage of students as language proficient or for showing significant improvement and progress toward achieving the goal.

3. Expand instruction in critical, non-traditional languages

- Appropriate funds to assist in the development of a Chinese distance-learning program
- Cooperate with the Governors Schools to develop offerings in critical languages such as Chinese, Arabic, and Russian
- Develop collaborative instructional programs between school districts and institutions of higher education to offer critical languages
- Ask the State Board of Education to develop a policy which would encourage heritage speakers to improve and maintain their home language including awarding credit for language instruction outside the public school setting
- Allow the use of “at risk funds” for the development of literacy skills in students’ first language (non-English language)

Quality Professionals

4. Increase the pool of qualified foreign language teachers

- Designate a percentage of Teaching Fellows specifically for foreign languages
- Establish scholarships to encourage heritage language speakers to become foreign language teachers, especially in critical languages
- Develop a public-private partnership to provide funding to assist foreign language teachers and future foreign language teachers to study in other countries in order to build language skills.

The majority of the recommendations do not require additional funds. However, the following is the budget for those that do:

RECOMMENDATION 2 —incentive grants to LEAS	\$750,000 per year—10 grants at \$75,000 per LEA
RECOMMENDATION 3 —funds to assist in the development and delivery of a Chinese distance learning program	\$1,000,000
RECOMMENDATION 4 —scholarships to encourage heritage language speakers to become foreign language teachers	\$50,000 per year-- \$2500 per year for 20 scholarships which could be renewed
RECOMMENDATION 4 —assist foreign language teachers and future teachers to study in other countries	\$50,000 per year--\$2500 for 20 teachers

