



JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE
December 3, 2013
Room 643

The Joint Legislative Education Oversight Committee met on Tuesday, December 3, 2013 at 10:00 AM in room 643 of the Legislative Office Building.

Twenty-one members were present. Members present include: Representative Bryan Holloway (Co-Chair), Representative Linda Johnson (Co-Chair), Senator Jerry Tillman (Co-Chair), Representative Hugh Blackwell, Representative Tricia Cotham, Representative Craig Horn, Representative James Langdon, Representative Marvin Lucas, Representative Chuck McGrady, Representative Paul Stam, Senator Chad Barefoot, Senator Bill Cook, Senator Earline Parmon, Senator Louis Pate, Senator Dan Soucek, Senator Trudy Wade, Representative Brian Brown, Representative Debra Conrad, Representative Chris Malone, Representative Bob Steinberg, and Senator Josh Stein.

Representative Holloway presided. Representative Holloway called the meeting to order and recognized the Sergeant-at-Arms.

Representative Holloway recognized a motion to approve the minutes from the Joint Legislative Education Oversight Committee from November 5th, 2013. The minutes were approved.

2012-2013 End-of-Grade and End-of-Course Scores

Representative Holloway introduced Dr. Tammy Howard, Director of Accountability Service for the North Carolina Department of Public Instruction.

Dr. Howard began by reviewing slides on how and why new assessment tests were administered in 2012-2013 and how they set new academic achievement standards for student performance. During her overview, Dr. Howard noted that when evaluating growth and proficiency in testing there is not a 1:1 correlation and these two statistics should be evaluated separately.

Dr. Howard then shifted to a slideshow of the READY Accountability Report: 2012-13 Growth and Performance of North Carolina Public Schools created by the Department of Public Instruction, which was presented to the State Board on November 7th, 2013. The report began by focusing on growth; though new academic standards were set and new achievement cuts were made, DPI saw that 70% of schools in North Carolina continued to meet or exceed growth expectations.



In examining Table 2 of the READY Accountability Report, Dr. Howard noted that 2012-13 was a baseline year and cannot be compared fairly to other data. Any dips may be attributed to the new content standards. The lowest percent proficient was among students in 8th grade math, which is to be expected seeing that rigorous new standards were set in place. These standards were decided upon reflection that many students were not prepared for High School math upon completing the 8th grade. The highest percent proficient was among students in 8th grade science. This may be attributed to new rigorous standards set in 6th and 7th grade science in previous years which better prepared students for their 8th grade science curriculum.

In Table 4, Dr. Howard pointed out that 58.5% of 11th grade ACT takers made a score of 17 or higher, with 17 being the minimum admission requirement for UNC system schools.

Representative Blackwell asked if NAPE scoring would continue to be used for comparative purposes even with the implementation of Common Core.

Dr. Howard replied that yes, NAPE intends to continue to collect trend data and state-level data, a practice which dates back to 1969. NAPE will continue to provide trend information.

Representative Horn remarked that testing standards have changed three times over the last six years and asked how many tests per year we administer to a student.

Dr. Howard stated tests are administered in reading and mathematics in grades 3-8. There is one measure for reading and mathematics in High School through the Math I and English II tests. A science exam is given in grades 5 and 8 as well as a Biology test in High School. These are required by the US Department of Education as a part of No Child Left Behind and ESCA requirements.

The state of North Carolina also administers tests to gauge educator effectiveness through EOG and EOC exams. If a teacher teaches more than one subject, the county can opt out of testing twice and use the results of one of that teacher's class to rank that educator's effectiveness.

She also stated that career and technical education courses require tests, which are curriculum based.

Representative Horn inquired if those required tests were outside the accountability of DPI.

Dr. Howard replied that the Career and Technical Education division carries out CTE tests, with Joanne Honeycutt at the director of that division. DPI and CTE collaborate as needed.

Senator Cook expressed concern about North Carolina's school proficiency. He noted that on page three of the handout, under School Progress and State Targets, 74.5 % did not meet their



target. On page 4, a similar chart shows that we did not meet federal targets. He asked if this data means that North Carolina is not doing well.

Dr. Howard responded that she would not interpret that data as an indicator that we are not doing well. One must consider all of the data as a whole. She cited that 70% of schools in NC met or exceeded growth. Also, some of the targets that were not met were participation targets. For example, when a school is unable to test 95% of grade 7 math students, it does not meet its target.

Senator Cook asked how this evaluation factors into Common Core.

Dr. Howard replied that she is not a content expert and stated that she would answer in the context of testing.

Since the early 1990's North Carolina has had content standards. After seeing significant growth over the years, the state decided to reevaluate its math standard and implement more rigorous testing. Whenever a standard is changed, the percentage drops in the first year. North Carolina was already moving toward reevaluating its content standards before Common Core was implemented. Now we just happen to use their standard instead of developing our own.

Representative Holloway remarked that if any members had further questions they could be emailed to Dr. Howard directly.

Model Teacher Contracts

Representative Holloway recognized and introduced Katie Cornetto, Attorney for the NC State Board of Education.

Ms. Cornetto explained that the State Board was working toward developing a model teacher contract for use by local boards. The NC Board of Education began by examining existing contracts from other states, like Indiana and Mississippi; contracts from North Carolina; and looked at the law. After creating a draft, the board circulated it to external stakeholders (i.e.: local boards of education, local superintendents, teachers). The department accepted and examined feedback from this draft for several months. A final draft will be presented to the State Board by January 1st, 2014. Once it is approved the contract will be a temporary rule.

Ms. Cornetto then presented sample contracts from Indiana and Mississippi to the representatives as examples.

Ms. Cornetto then reviewed the model contract for teachers' handout and noted that the blanks were left for local school boards to fill in, as these figures vary. She also noted that for #5) Extra or Special Duties, coaching for example, would require a separate contract outside of the scope of teacher salary provisions.



This contract is subject to modification through legislative action.

An additional layer for the state board to consider is to pursue a rule. Ms. Cornetto explained that under provision "m" a rule would allow flexibility for LCA and teachers not to have to change their contract each time there is a change to the law.

Senator Tillman expressed his gratitude to Ms. Cornetto for her creating a general contract for local school systems to use.

Representative Stam asked if LEAs are subject to pre-audit requirements like counties and cities are and if so should it be included in the form.

Ms. Cornetto responded that she would find out.

Representative Stam followed up with a question regarding section #6) Healthcare Benefits. He asked if the Attorney General had looked at that to make sure the state is not promising more than they are obligated.

Ms. Cornetto replied that her office works closely with the Attorney General's office but that she will review this section as per his request.

Senator Pate remarked that the model contract looked like it specifically dealt with classroom teachers. Since many schools employ teachers under a different title, would they be eligible to use this contract format?

Ms. Cornetto stated that the Attorney General defines what constitutes a teacher according to tenure law and changes to contracts. Under the section of "Duties" this contract can be made clearer according to job title, such as a media specialist. This contract, she noted, was made to be as broad and vague while being as binding as possible.

21st Century Learning Grants

Representative Holloway recognized and introduced Donna Brown, the Director of Federal Program Monitoring and Support Division NC Department of Public Instruction.

Ms. Brown presented an update on 21st Century Learning Centers to the committee. Schools and private organizations in North Carolina apply for grants so they might be eligible for these technology systems. Ms. Brown walked the members through the process of applying and eligibility requirements, as well as explaining how to keep the grant and what consequences would be for not meeting these requirements. The goal of the program is to serve children through technology.



Seeing that none of the members of the joint committee had questions pertaining to Ms. Brown's presentation, Representative Holloway recognized Senator Tucker, a non-committee member, for questions.

Senator Tucker asked if the State Board of Education passed a rule that the overhead for any of the grants might be no more than 12%.

Ms. Brown replied that there is a 12% administrative cap.

Senator Tucker said that with a 12% administrative cap there is ample room for line iteming in accounting, referencing a case from Real Girls Incorporated. He asked what had changed in the process in accountability.

Ms. Brown replied that since the audit report was released, sub grantees using the cash request system must submit source documentation on a monthly basis. They have hired someone part-time to review these documents.

Senator Tucker commented that the same cash request system was in place at the time of Real Girls Inc. and the system did not catch them. He then asked what has changed so that the system will be able to catch errors like this again.

Ms. Brown replied that there has been more oversight, such as the requiring monthly documents and a part-time staffer who reviews these cases.

Senator Sanderson asked if there was anything inherent in the grant proposals to fulfill the entire amount that is requested.

Ms. Brown replied that there is not. There is nothing that would prohibit 21st Century Learning Grants to provide less money than was requested, as long as the organization was notified in advance.

Senator Sanderson commented that it would make sense to help more children a little bit, than help a few number of students a lot. He then asked if there is an appeals process to a proposal that has been denied.

Ms. Cornetto stepped in to answer that there is not an appeal process for grants.

Senator Tillman then inquired about a specific case that was denied and wanted to know why this case did not meet these requirements.

Ms. Brown stated that basic components of the application were missing, two copies and a CD Rom. She continued that the movement to a web-based system would help remedy errors like this, as duplicate copies and CD-ROMs are superfluous when submitted over the Internet.



Senator Stam asked why more copies were not requested once it was noticed they were missing.

Ms. Brown explained that when dealing with such a large volume of applications, setting a standard such as providing the necessary components is fairly standard procedure. She stated that she hopes that in the future problems like this are remedied by the new online system.

School Safety

Representative Holloway introduced Dr. Ben Matthews, Director of Safe and Healthy School Support Division from the NC Department of Public Instruction.

Dr. Matthews reviewed the hand out, Selected School Safety Provisions from the 2013 Budget, S.L. 2013-360. The State Board of Education authorized a grant to their division for school safety devices so that they can get these resources to the schools as fast as possible.

The NC General Assembly granted 7 million dollars for SRO officers for Elementary and Middle Schools. Since only 41 LEAs and 5 Charter schools applied for these resources, they extended the deadline for applications. So far they have granted \$4.2 million of the \$7 million, which was authorized for SRO officers in Elementary and Middle Schools. In 1996, there were only 236 SRO officers in North Carolina, in 2013 there are 1,460 SROs in 2,500 schools and are coming close to having an officer in every school.

Dr. Matthews continued to review the remainder of the School Safety 2013 Budget. He concluded by thanking the members for their support of SROs, as there has been a strong push for more of them from the schools.

Representative Holloway asked how many schools have schematics and how many do not.

Dr. Matthews remarked that this was something they would definitely do.

There were no additional questions from members of the committee.

The meeting adjourned at 12:05 PM.



Representative Bryan Holloway
Presiding

Isabel Villa-Garcia, Committee Clerk