

House Select Committee on An Education System for North Carolina's Future
Monday, January 24, 2022 at 1:00 PM
Room 544 of the Legislative Office Building

MINUTES

The House Select Committee on An Education System for North Carolina's Future met at 1:00 PM on January 24, 2022, in Room 544 of the Legislative Office Building. Representatives Blackwell, Farkas, Hunt, Hurley, Torbett, Willis, and Zenger attended.

Representative John Torbett: A lot of people have asked me about what this committee is to do. I'll tell you exactly what I told everyone else, it's really pretty simple, and it goes something like this. If today, there was no education system in North Carolina, what would this body of individuals do to create one and what would it look like to carry us for the next hundred years? Needless to say, we have things that are at our hands, tools, technology, a tremendous about of knowledge from a system that was applied over a hundred years ago, to perhaps do what we can best create for the future of our kids as they exit a, perhaps, new and improved system. A lot of people are concerned about education, I don't have to tell ya'll. You read it each and every day, you see it, you hear about it from your constituents, to my colleagues, we get numerous emails about people across the state about education in every level, whether you are a teacher, whether you're a student, whether you are a parent, whether you are a supervisor in administration, just absolutely across the entire system of education we have concern. We're going to hear a little bit about that concern. We're going to learn, first and foremost today, I think you are going to find it very enlightening. When I talk to my constituents they ask me questions and often I have to explain the different nuances of what we do here, as far as what's a law, what is not a law, what's the constitutional requirement responsibility, what's not a constitutional requirement responsibility, what's a rule, how's a rule applied, how is it created, how is it enacted, what does it do, who has the authority to do rules, and then policies, departmental policies, interdepartmental policies, between subagencies in the agency, developing policies, who has the authority to do this, where do they come from, how do they originate, are they approved, are they checked off, or are they just implemented. These are questions I get each and every day from some of my constituents, and the nuances and differences between what's a general statute and what is a policy, what's a general statute and what is a rule. Often times policies in place or rules implemented, and most people thinks that's the law, when actually, it's not. So, we're going to hear today about the foundation of who has responsibility for what in education, and then the different nuances between constitutional requirements, responsibilities, general statutes, rules, and policies. With that we have a scholar with us today and thank you for spending your time with us. Look forward to hearing your discussion. Before I go any further, I'd like to offer an opportunity to my co-chairs, Representative Hugh Blackwell, Representative Pat Hurley, and Representative David Willis if you have any insight you'd like to share at this time. All co-chairs passed at this time to speak.

Representative John A. Torbett, Senior Chair, presided. Representative Torbett introduced the Sergeant-at-Arms and thanked the committee staff for being with us.

Bryan Gwyn, committee counsel, presented the committee charge (see attached and on committee website).

Jeanette Doran, President of the North Carolina Institute for Constitutional Law and currently on the Rules Review Commission gave a presentation on the constitution and statutory division of authority for educational policymaking between the General Assembly, State Board of Education, Superintendent of Public Instruction, and on the difference between rules and policy (see attached and on committee website)

Representative Blackwell: The exception that was enacted into law for testing and, I think, teacher evaluations, when was that was enacted, and do you know what the thinking was as to why that was accepted?

FOLLOWUP ANSWER FROM STAFF: The General Assembly enacted the exception to rulemaking process for licensure (which allows the SBE to adopt without rulemaking the minimum scores for licensure tests) in [SL 1997-383](#). The statutory citation in that bill is different than current law ([GS 115C-270.15](#)) because of a recodification a few years ago of the teacher licensure statutes. This is the only statutory exception for rulemaking for the State Board of Education. The State Board is also exempt from the contested case provisions of Chapter 150B with respect to the disapproval, termination, renewal, or nonrenewal of charters under Article 14A of Chapter 115C of the General Statutes. ([GS 150B-1\(e\)\(26\)](#)).

Jeanette Doran: I do not know when it was enacted and I believe, just from the language of it, regarding personnel matrix that it was probably prompted by concerns about the need for flexibility on personnel matters, it could have been prompted by a teacher shortage, it could have been prompted just by a change in policy, but I don't know when that exemption was enacted.

Representative Blackwell: I wonder is staff would have that readily available? I think you also said that the administrative procedures act applied to whatever fell into this category of rules of general applicability. What does that mean? Can the agency, in effect, avoid applicability of the APA by purporting to limit it so that it is not generally applicable?

Jeanette Doran: I think, part of that is, I mean, people will try whatever they want to try. It's sort of like when I was actively practicing and a client would ask could we sue over this, well, you can sue, can you win is the better question. So, in terms of trying to circumvent the APA rule making process by trying to circumscribe a rule and say it's not generally applicable, I think the standard evaluation of what constitutes generally applicable would be something that's imposed on outside groups, as opposed to, to be contra-distinguished from say internal operations that don't affect anybody on the outside and those are things like internal operating procedures about say, who has to get clearance to make copies on the copier, those sorts of internal policies that only govern inside and don't apply to the outside world. Those would be different from a rule, but I think anything that's being pushed out to the outside world is going to be subject to the definition of a rule.

Representative Blackwell: I want to talk about the practicality of challenging, let us say the state board for failure to follow the APA. It seems to be pretty clear there is language about they shall not do this and if they don't do this, its void or ineffective, but we're all aware, I think, of circumstances in which the pressure of those circumstances may cause people to be reluctant to challenge that which may not be in accord with the procedures required for APA. So, does it fall to parents or local boards of education to file lawsuits, or is there some entity that, on behalf, of those folks, can the Rules Review Commission, in effect, raise a challenge to something that didn't comply with rules, or do you have to wait and have your ability to do something triggered by others?

Jeanette Doran: So, there are a couple, I'm going to unpack that a little bit. So, after a rule gets promulgated by an agency, the way it is supposed to work is that then it goes to the Rules Review Commission and the Rules Review Commission votes to approve or not approve a rule and has a very circumscribed role. It only reviews for four things. It is specifically precluded by statute from considering the efficacy of a rule. Rules Review Commission does get into the policy. The Rules Review Commission reviews for statutory authority, clarity, necessity, and compliance with the APA. If the commission approves a rule, people can object to that. It only takes ten letters of objection, and the rule ends up back at the legislature, and those ten letters of objection can come from anybody in the state. Parents, non-profit organization advocates, it could be anybody. Any ten people and it gets legislative review and then it back with you guys. If the Rules Review Commission says no, you don't have statutory authority or you didn't comply with the APA because you didn't satisfy the requisite periods of public comments, or you didn't get a fiscal note when you needed one, then it goes, then the rule sort of shifts back to the agency and they can revise a rule. They'll sometimes ask for a fiscal note if that is what's missing, etc.

Representative Blackwell: My question has to do with, what if the agency says this isn't a rule. What if the agency says we don't have to adopt a rule and they are doing something and how do you raise the issue of you've got to call it a rule, it is a rule, you've got to go through the process, you can't say that you don't?

Jeanette Doran: I thought at one point you had ask if the RRC does anything, cause the RRC doesn't. They review the rules and that's where their duty ends. If you've got someone out there saying this is a rule you didn't go through the APA, they could seek a declaratory judgement, which is they walk into court and they ask a judge to say, this is not a rule, because you didn't pass it in compliance, or they simply don't comply with it and go back and say we didn't have to comply with that. We also know that the State Board of Education sued the state and the RRC a few years ago, saying that they didn't have to go through the rulemaking process and the Supreme Court decided that. In that case the State Supreme Court walked us through, and it was a 5-2 decision, so it was not a party line decision. In that decision, the State Supreme Court walked us through the history of the authority of the legislature, the history of the State Board of Education, and said very clearly, State Board of Education, like it or not, you are subject to the APA, because what you do is under the constitution subject to the laws enacted by the general assembly and among those laws is the APA. So, we already have a Supreme Court decision that is very clear, that the agency in question, State Board of Education has to comply with the APA.

If they are not doing that, one of the mechanisms to remedy that would be a declaratory judgement invalidating or declaring invalid, one of their, so called policies, or it could be a defense in come kind of non-compliance action saying we didn't have to comply.

Representative Blackwell: But who has standing to bring such a declaratory judgement action? Is there any state entity that can do that on behalf of what I'll call the public, or does that mean that a local education, public school unit, or parents have to hire lawyers, raise money, spend money from their sources to raise the question?

Jeanette Doran: Standing as a wickedly complex area, I would say, if you've got anybody who is directly impacted by it, which could be, it could be a local school board. They have brought various actions in their own right over the years over a number of different aspects. Could be that I think with the declaratory judgement act, I think there is certainly a very good argument to be made that parent on behalf of their children who are affected, could bring the action. They would have an interest, under our existing standing rubrics on constitutionality and constitutional standing, and taxpayer standing, I think that they probably could. I do its probably something that would be raised as a defense by the State Board of Education. Certainly, were I representing the State Board of Education, that's something that I think would be considered.

Representative Willis: You mentioned earlier that you had some examples, maybe you could walk through rather than just the slides. Could you give us some real-life examples?

Jeanette Doran: We have a case from the early 1980's. Riddle Communication and in it we have the State Board of Education, who brought a lawsuit saying they didn't want local governments to be able to contract over this news service that was being brought into schools. It's called Channel One. The contract was between Channel One and the Local Government. The State Board of Education didn't like that. State Supreme Court said the General Assembly already delegated authority for selecting secondary education materials to the local school boards. Because the General Assembly has spoken in this area, State Board of Education do not have any case. In Guthrie, in 1970's, we had a teacher who challenged rules that had been promulgated by the State Board of Education with regard to teacher certification. In that case, the State Supreme Court said, the State Board is allowed to promulgate these rules because the General Assembly didn't say anything. The General Assembly was silent on this issue, and so the State Board of Education gets to make its rules.

Representative Willis: Have there been any cases or challenges attempted that would challenge the general assembly's authority in any of the rule making or the policies, therefore, either by the board or by the department, or anyone else?

Jeanette Doran: That state board of education lawsuit over the APA, that was really a wide assault on the general assembly's authority. In fact, there were seven claims initially brought in that, one of which, was this kind of exotic argument that the state board of education was somehow not part of the legislative or executive branch. Like it was this mystery fourth branch of government, no one had ever heard of before. That claim was very promptly dropped, so other than a footnote in a case, you wouldn't know it was there. In that decision from the court of appeals and from the supreme court, generally speaking, the legislature has ultimate authority

over education and the state board of education is just stuck doing whatever they are going to do subject to any law that the general assembly enacts. In this particular case, the general assembly enacted the APA, but generally speaking you are subject to the laws of the general assembly. We don't have a lot of other cases. I think because that case was so profoundly clear, it's a spectacular majority opinion written by Justice Morgan.

Representative Willis: Has there been any cases where the general assembly has had to challenge the authority of the school board in certain issues?

Jeanette Doran: Not that I know of.

Representative Blackwell: I would like to go back to what I think is maybe a constitutional or statutory question. The charge of the committee is to deal with K-12 Education; however, K-12 Education involves teachers who are trained to become teachers in higher ed. What are the constitutional provisions that govern the legislature's ability to impose requirements or conditions on higher ed as it relates to preparation of teachers for K-12 schools? Where do we go to get authority to do that, if we have it, is it restricted, what are the parameters on that?

Jeanette Doran: I would advise this. I think you can constitutionally do it with, instead of trying to regulate what is coming out of the university system and teacher preparation, it would probably be a sounder approach to regulate who is allowed to teach, who's certified to teach, who's qualified to teach, who can be hired, which also as a matter of policy would capture anyone who's trained outside of North Carolina. You have someone who goes to the University of South Carolina for college and wants to teach in North Carolina. You would certainly want to make sure that you are capturing that pool of teachers. So probably the most effective way to go about doing what it sounds like you would be interested in doing is to revise your statutes on teacher qualifications. That would definitely be under your elementary and secondary authority. There are provisions in the state constitution regarding higher ed, but I think, there isn't anything that would limit you, in terms of what you can do, to establish minimum qualifications for teachers in elementary and secondary schools.

Representative Blackwell: For some reason, I was thinking there was some authority somewhere that, other than the indirect approach, that you suggest, is we won't hire people unless they have got this, if the schools don't want to train people that can't get hired, so they do it. You're saying, we can't, for example, require UNC Greensboro School of Education to offer certain types of courses, minimum hours, or anything that would impact what's actually delivered as a part of the instructional process for teacher preparation.

Jeanette Doran: I'm not saying that you couldn't do that. I am saying that it's probably not going to capture everybody that you want to capture. It wouldn't capture people who are studying out of state. It wouldn't capture people who study at private universities and colleges. I don't think it's that you couldn't set those standards for the UNC system, for the state funded system. It's that it's probably not as effective and probably gone get you into a little more of a conflict on how the university is structured in terms of curricula independence and senate faculty pushback and a whole host of legal and policy issues that could very easily be avoided by going into the direct route of establishing what the teacher qualifications are for the K-12 system.

Representative Blackwell: Staff, I can't remember what it's called, but it seems to me a few years back, that we got a professional standards board. Is that boards function exclusively to set requirements for getting into the profession as an employee or does the board have some ability to impose requirements directly on higher ed?

Brian Gwyn, Legislative Analysis: I believe you are referring to the PEPSC, Professional Educator Preparation and Standards Commission. It largely has an advisory role, but it covers everything related to educator preparation and teacher licensure. There is a process by which the recommendations of PEPSC go up to the state board and the state board can determine whether or not it accepts or rejects the recommendations, but they start in an advisory role and they do cover everything, their purview can cover everything related to educator preparation including the types of requirements that a teacher might have to study and learn in an EPP in order for the state to actually recognize the EPP. So, the way it works in North Carolina, is that in order for a teacher to be licensed, they have to go to an approved EPP, so the state board has the authority to determine which EPPs are actually approved. So that is how the general assembly has up to this point, elected to provide certain requirements in statute on EPPs, basically saying the state board must factor in this criterion and set these certain minimum requirements in order for an EPP to be approved, otherwise, a student could go to it and then ultimately it would not lead to licensure. I'm happy to go into a little more detail if I can?

Jeanette Doran: If I may follow up on that. I suspect it's structured that way, where the control is at the licensure end as opposed to the teacher's college level training. It has, I think, pretty much always been that the control is through certification and minimum employment standards, once they've actually finished their university.

Representative Torbett: Brian would you please put them on a list of future presenters and have them come explain?

Jeanette Doran: There are a few other constitutional provisions that I think are noted at the end of the presentation. You've got some information, sites to the taxing authority, restrictions on the drawing of funds. Some of that goes back to litigation that we've had, Richmond County Board of Education, we've had Leandro and Hoke and we've got a number of other cases out there. None of which were really under the umbrella of my presentation today, but there are a few slides in there. I am happy to talk with any of you or any of your fellow Representatives. If you have questions, feel free to call me or email me. I have attached my business card to the pocket copies of the constitution you have. If you'd ever like me back to present on something, I'm happy to do so or happy to take phone calls or emails. Thank you so much for having me and thank you for your interest in the North Carolina Constitution.

Representative Torbett: We should all be more interested in the North Carolina Constitution. Thank you for your presentation and we'll move on. Now then, why did we hear about our constitution, policy and requirements? Number one, if we venture down this road, we kind of got to know what fence to stay in. We have to have the boundaries marked, that way we run into the least obstacles and hurdles. I'm going to rely heavily on staff, as we go on this journey, that if we often talk about something, can we do this, would it be constitutional, would it be

rulemaking, would it be general statute needed. Kind of give us a differentiate between what would be required.

What I'd like, I sent you an email, is to help express some general thoughts on what would you do to help create a process to education the children of North Carolina to best be able to accommodate their needs once they exit whatever level of education. I'll break the ice and throw a couple out there for you that I've often wondered about. Of course, being a dad, which is not the qualifier, but it often helps, of a child that went through the public education system. Also being PTO president of each one of her schools, except for high school. I was very involved with the education process withing each and every school that she went through. Then also being County Commissioner for eight years, I got to see the back scene of the financial part of local education, not state funding, but at least local education, primarily focused on infrastructure. I have a pretty good dose of education over the last twenty-six years. I'm learning something new each and every day. I've often wondered why because you are a certain age, why are you in a certain grade? Each and every year, we have discussions around calendar. Why don't we just fix that issue and check the box and move on to other issues. Relative specific to instructional time-have we off loaded too much responsibility, other than just teaching to teachers in the classroom. Is it time now that we hire additional people for that school to do the things that a teacher is now obligated to do, to allow them to focus back on teaching? My focus on this committee is to focus on three, what I call the trifecta of education. That's the parent, student, and teacher. Provide primary focus on that, then leadership for that and then everyone else from the support aspect.

Representative Zenger: Let me start by saying, I raised four kids. Five and a half years between top and the bottom. Two things that I learned. The biggest thing that just kind of blew me away. They were all brought up exactly the same. Lived in the same house the entire time. We didn't even change addresses, and the differences between each one of these kids is unbelievable. I just figured, they'll all be brought up the same, they'll all be the same. No, not even close. Over that period of time my wife and I used the public education system, we used the private system, we home schooled, we used magnet schools, and we used the dual enrollment in the community college system. The reason that was, is that we recognized different kids had different gifts and talents and interests, and we also, our overarching philosophy was, we need to prepare these kids, what is education for. For preparing for them to be able to live on their own and to excel at what they are doing. One of the things that I think has evolved, I don't know that this is anybody's fault, but you talk about a huge system. We've got a lot of one size fits all that just doesn't work. We see kids, I should preface that I did urban ministry for thirteen years with young people in Baltimore City, so I was very involved with the school system there. One of the problems is that we are not providing enough opportunity for kids to be different and to go do some of those different things. We are getting better at that. My point to all of this is, I think that we need to get back to understanding that the primary purpose of education is to equip these folks to be good adults and I think this gets lost with some of these other issues. Not every kid is going to be college. Not every kid is going to go the law school. Some of them are going to be diesel mechanics or other tradesmen. How do we make it so it's not an all or nothing, that there are options and avenues? I think we've greatly failed our kids with financial literacy.

Representative Hurley: Having gone to school a long time ago, I have noticed how things have changed and not so much for the better. Children today, many of them, cannot read, write, spell, or give change. They certainly can't sign their names. I've tried to correct that, but that hasn't worked so far. I want to see that happen. Many things that worked then, would work again now. We had discipline, we had respect for each other and for ourselves. We cared about one another. Most of us, I understand, had two parents at home and today that has changed, because of divorce and many other things. I think we need to look at the child. We need to help the child and I think we need a dedicated, trained correctly, teacher in each class. I think that is the number one way to get the children to be a success. They are going to have to have teachers who care and who care if they get it. Some kids are not getting it and they are just not taking the time. Testing is not going to always tell this, because a lot of children test different ways. We have got to do life skills. The children are not getting it. This is very important in the jobs that are open today, that the like skills have not been taught in grammar school, high school, or college. I care what to know what is working in our schools and what is not working. If the money is going to something that is not working, I think we need to look at that and put the money somewhere else. I'm excited about the intent of this committee, I'm excited about what we are going to hear from the people out here and I'm hoping we have a good outcome and I hope that we can make a difference in our student's lives with this committee.

Representative Willis: I could concur with Representative Hurley and Representative Zenger, I think a lot of where we are at today, in terms of education, the needs of the children have changed significantly and I think it is a societal shift, as well. I saw a chart a while back that showed what student in the early 1900's would have known coming out of what was equivalent to the eighth grade at that point and what our kids coming out of high school know now, and there was significant gap in the knowledge that our children now would have had versus an eighth grader then. I think a lot of it goes back to literacy and what we look at. We know we've been failing our kids in terms of their ability to read at the end of the third grade on an effective level for years. We know after third grade it shifts from learning to read, to reading to learn, and if a child is behind at that point, they are never going to catch up and we don't have effective programs to help them catch up, by and large. On the other side, we've got parents who've advocated their responsibility far too often to the schools now. I've had parents specifically say it's not my job to educate my child, that's why I send them to school. I think we have to go back to understanding what the parent's responsibilities actually are. The parent should be the number one advocate, the number one teacher for their child. They may not be the math specialist or the literacy specialist, but in terms of rearing, raising, and educating their child and preparing them for life, it really should be a parent's responsibility. The point made earlier, I think is well noted, that our teachers today and for a long time have been asked to take on more and more responsibilities. They are asked to play nurse maid, they are asked to play parent, they are asked to play psychologist. They are asked to play so many roles beyond what they are learning and being prepared for in the university system, that a lot of these folks aren't really skilled to do to that point. They do a fantastic job trying to help these children, they do the best they can, but I think we've got to get back to understanding what the role and the responsibility of the teachers are, what the role and responsibility of the parent are. There has to be parental accountability reestablished to some level for this to be successful and I think we really have to understand, and I think Representative Zenger mentioned it earlier, what is the role of education and if it's to prepare a student for life and a career, to be a successful adult, what does that look like and what

are those responsibilities. Now if they've changed, maybe we need to go back and look at the curricula that's being taught and how that's affecting them, are they prepared. Is a student that walks across a stage and receives a diploma after graduating high school, prepared to go out, do they have the basic skills they need to get a job? We know there's a shortage of skilled labor across the state, that's not going to stop. We've got to take a look at what our employers are looking for, what the needs are of those children at that point in time and then how do we help them get there? I think the point was noted earlier, why do we have these arbitrary grade levels that we know aren't working for a lot of our students. The one size fits all approach to many students doesn't work. We've got an increasing number of children that are on the spectrum. We've got an increasing number of children that have attention deficit issues and the way that these children learn aren't necessarily the same and we can't expect them to sit still, and we know there is plenty of research out there that shows these children are able and effective learners, but it has to be done in a way that fits their individual needs. We've got to find a way to break out of the mold that we are in right now and meet these children where they are at, if we want this to be successful going forward.

Representative Blackwell: I don't disagree with a lot of the observations that have already been made but trying to look a little bit more broadly at what I understood the committee's charge to be, is we are looking at an education system for the future. I think a system is more than a collection of different programs and policies that we may emphasize or deemphasize from time to time. The two things systemically that I would hope we will talk about, look at, while we are doing this work, first has to do with leadership. I think that impacts whatever you want done, whether it's financial literacy, whether it's basic reading and math skills, if you don't have the right leaders with vision and skills to lead others in place, then most of the great ideas may not end up being put into place effectively. At this point, it seems to me, and I felt this way when I first came to the legislature, in fact, I had legislation drafted back then, but it didn't go anywhere, to make the State Superintendent of Public Instruction, the head of the State Board of Education. That way you don't end up with the sort of double headed situation that we've got currently. I'd also take a look at whether we ought to maybe consider electing members to the State Board of Education. The reason I suggest that is, we don't need a system in which a governor with different views controls the majority of the board and the superintendent, even if he or she were chair of the State Board, if outvoted by people who have different policies. If the voters are going to elect the superintendent, we might could elect from districts, members of the State Board, with the idea that the public could then become the auditor of whether that leadership was being effective in ways that voters and parents felt that it should be. I hope we'll take a look at that constitutional organizational structure there. The second thing that I want to mention, that I think is really a systemic observation, is something that didn't exist back when the last constitutional amendments were adopted. That is the computer world. I don't believe for a moment that computers can teach our kids effectively without the interaction of teachers and other education leaders, but I do think that they are tools that can do a lot for us, especially if we are talking about meeting the needs of individual students, we have a resource now that can assess an individual student so that the teacher can see needs what and how they are moving along, and I'm excited that the DPI, currently, and Superintendent Truitt, apparently is continuing to pursue the task of competency-based education. Computers open up that avenue of doing a more individualized instruction for students, whatever, they may need. The other aspect of computers is if we are going to focus on student outcomes, not the satisfaction of educators

with the professional, not the satisfaction of other folks, are students doing better where they need to do better. Are they reading effectively? Are they in a position to compete effectively with other areas of the world? Our advanced students test more poorly than the advanced students in other areas of the world. Everybody is familiar with the long-standing achievement gap we've got in North Carolina and across the country that's been there for forty or fifty years. As a part of our new system, there needs to come sort of devotion to taking advantage of the data that computers can provide us on a real time basis really to move the needle forward and if it's not moving stop doing what you are doing that doesn't work and start doing something different. I think that also means that if we look at how we organize that data, what date we collect, and what tells us whether it's really working or not, we need some sort of independent audit of that data. We don't need to ask DPI, how are you folks doing, tell us what your data says? It's also like we need an independent audit, sort of like Beth Wood goes into various agencies and does an independent audit, but it's not her office that she's auditing or telling us about. I would just encourage us to take a look at the leadership of education that the state is currently structured constitutionally and to make some changes in the area of using data to actually do the best job of impacting student outcomes.

Representative Hunt: First of all, thank you for putting me on this committee. I am excited about the work we can do. I think we can make a big difference in North Carolina. I am happy to hear from everyone, especially your views as parents. I too am a parent of two children and one of the things that we did have when my children were in elementary school, were multi-age classes. So that sort of talks about what you spoke about, Chairman. That was based on Gardner's Theory of Intelligences, which I encourage everyone to look up. Some of the things I want to talk about come from the Hunt-Lee Commission. We know that is a bicameral commission which is looking at access, funding, structure, and alignment and transitions. They are going to spend six months doing that. One of the things that they've come up with, I like to start at the very beginning, when children are born, we know that sometimes parents need help, especially if it's a single parent household. We have things in the state like family connections and the nurse family partnerships that sends people into the homes to try to help the parent learn how to be a parent. I think that's extremely helpful, and we need to expand the access to that. Then there are things like smart start and more at four that help children learn the things that they need to learn before they get to kindergarten, so they'll be ready to learn once they are in kindergarten. Lately there has been some developments in that area for children who do not make the cutoff, if they are on a waiting list, especially in rural areas. Edgecombe County is doing something that is very innovative called the early learning network that allows children to meet in pods, in libraries or community centers with their families, once or twice a week to practice being together as a group, sitting down, listening to someone read, putting on their listening ears, that sort of thing. That's very innovative, that's happening right now in Edgecombe County. We need to expand that to the rest of the state. Once children get to school, what do we need. We know we need people that have talent, such as principals and teachers. We know that things like the teaching fellows' program, expanded teaching roles, having principal leadership programs are very, very important and help develop these roles and people to be in them. We have to invest in those positions. We also know, especially since covid that counselors, nurses, and social workers are very, very important and necessary, and children have great needs, even greater now than they did before. We also know that teacher assistants help in the classroom. They take some of the burden off of the teachers. We need to add them back in.

Those are some the things that I'm interested in. We can make this system better in North Carolina. We know how to do it. We have a variety of groups doing great things in North Carolina like Best NC and the Hunt-Lee Commission and we can take all their data and make a real difference in the lives of parents and teachers and students.

Representative Farkas: Thank you for the service opportunity on this committee. My interest, I'm a product of public schools all the way through and my brother is a teacher at a public magnet school here in Wake County and it's amazing to hear the stories that he tells every day and the difficulties that he faces, but it's incredibly rewarding work and I'm in awe of people like him and teachers across the area and having grown up in a place in Eastern North Carolina where even in the private sector in the work I do, you can see the disproportionate level of investment depending on the County, depending on the access to good teachers. We've really got to, particularly, in our rural areas, look at what kind of regional approaches we can bring to bear with conversations about making sure public education that access is getting where it needs to be. To Representative Hunt's point that the teacher pipeline is an issue that I would definitely love to see tackled head on. I think she mentioned some good points already with the teaching fellows' program, the reinstatement of masters pay. How do we really inspire the next generation of such a critical work force, that the number one determinate of success in a child's life is the educator, the teacher that's in the room with them. How to we double down on that and make sure teachers who are in the field, see and recognize that we see their talent and we recognize that we want to reward it and incentivize the best and the brightest to stay here. How do we do that, what's the best way to do it withing the public schools? Then one other side, this is probably my perspective in the design construction industry is the facilities and the spaces that we are putting these students in. Again, being out of a rural area, I've seen schools where the gyms can't be opened because the floors or the foundations are having major issues, water is coming through our ceilings. How do we have conversations about those facilities so that regardless of whether you are in one of our bigger cities or you're out in a rural area, you are living in a place that truly fosters learning and is productive. The studies back us up clearly on just even the basic use of daylighting in a building and what that can do for student in terms of just natural productivity. I'd love to see us talk more about that, how we are driving funds towards those major facility investments, because I really do think they make a meaningful difference.

Representative Torbett: We are missing Representative Shepard and Representative Brockman were unable to attend due to personal reasons. I'd like to mention one thing that we talked about and it actually is in the constitution and it is not talked about very much, but just for the sake of addressing a constitutional requirement of education. On page 83 of your book, which is article IX. Section 1. Education Encourages (the heading) Religion, morality, and knowledge being necessary to good government and the happiness of mankind school, libraries, and means of education shall forever be encouraged. You just don't hear that that often. I thought that to begin that Article IX., I think that was a very good statement issued by some of our forefathers for the lack of a better term. We are noting everything you said, we will bring business and industry in to provide their perception of what they think a good education system of potential workforce coming out might be. Granted, we're not here to train workers, we're here to educate students, but also, it's best on their behalf, if they are properly prepared with the knowledge needed to go out and earn above a living wage, the best they could possibly do, to give them that

ability. I think we have the folks in this room that can pull that off and make that happen. We are going to bring in teachers. We'll be taking some junkets across the state to certain areas to see what's working and maybe to see what's not working. We have to differentiate between what is working and what is not working. I think Representative Hurley hit on it, that if we are exercising the expenditures of the peoples tax money in such a broad thing as education, nearing almost sixty percent of our total budget, then I think it is incumbent upon us to make sure we are getting the biggest bang for our buck and making sure that if we say we are going to have kids reading by the time they exit grade three, by golly, they are reading when they exit grade three. If they are in the ninth grade, they are reading on a ninth-grade level. If you look at your major publications, they'll say the United States are currently around twenty-fifth or twenty-sixth globally in education. I intend to have North Carolina do a whole lot better than that. Not only are we the friendliest military state, but we're the education state too and we can do a lot better than twenty-fifth or twenty-sixth globally as a country, much less just in North Carolina. I've said this in transportation, and I'll use it in education as well, is that my concern is not the mountain or the sea or the middle part of North Carolina, it's us against the other forty-nine. We will be rolling up into a short session, so if there is potential legislation that may start to come up from this committee and you want to enter that, prepare that for short session, that's fine. We will have an interim report as short session gets here in May, June, or July; we're assuming. I would think that any weighty or meaty legislation would be a collaborative and a compilation of work at the end of the duties of this committee which is probably a year to two years down the road. If you have any ideas, suggestions or specifics that you would like the committee to look into, please bring them forward. We are currently planning to meet on February 7, at 1:00pm in 544LOB. The next stage of this will be hearing from Superintendent Truitt. The following meeting on February 21 we are looking at getting the Chairman of the North Carolina Board of Education to understand their duties and responsibilities. People have asked me about this committee, and I am telling them that if we didn't have an education system and we needed to create one what would one look like and that's pretty much what we are here for. Do I have any goal in mind, where I want to be at a certain time and the answer is absolutely not. The idea is to start with a foundation and start building a framework and eventually put a room and some great shingles on top of that roof to last for a hundred years.

Representative Hunt: Please provide the materials on the website as early as possible.

Representative Hurley: Could we get a snapshot of our individual counties about where we are standing right now? Like the number of students, the difference in enrollment from last year to this year how many have gone, whether they are in public, private, charter, or home schools.

The meeting adjourned at 2:30PM.

Representative John A. Torbett, Senior Chair Presiding

Viddia Torbett, Committee Clerk