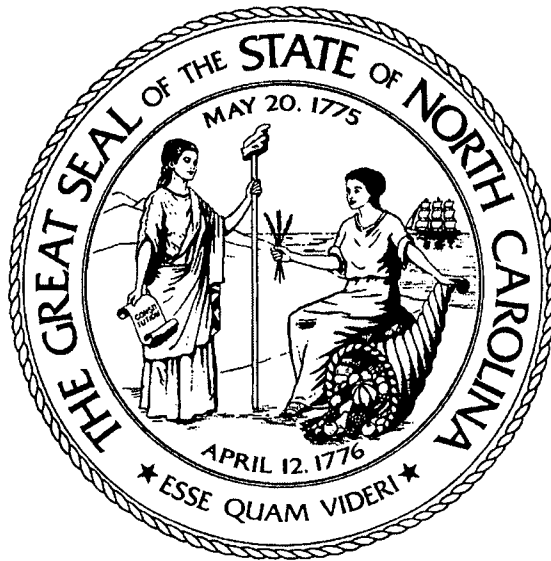


2001

**HOUSE
EDUCATION
SUBCOMMITTEE ON
PRESCHOOL, ELEM., &
SECONDARY ED**

MINUTES



**EDUCATION SUBCOMMITTEE ON
PRE-SCHOOL, ELEMENTARY AND
SECONDARY EDUCATION
2001-2002**

CHAIR

REPRESENTATIVE EDITH WARREN

VICE CHAIRS

**REPRESENTATIVE LORENE COATES
REPRESENTATIVE RUSSELL TUCKER**

RESEARCH STAFF

**Robin Johnson
Kory Goldsmith
Shirley Iorio**

COMMITTEE ASSISTANT

Nancy Willis

**HOUSE SUBCOMMITTEE ON PRESCHOOL,
ELEMENTARY AND SECONDARY EDUCATION
2001-2002 Session**

| <u>MEMBER</u> | | <u>ASSISTANT</u> | <u>PHONE</u> | <u>OFFICE</u> | <u>SEAT</u> |
|-------------------------|------------|-------------------------------------|--------------|---------------|-------------|
| WARREN, Edith | Chair | Nancy Willis Committee Assistant | 715-3019 | 417A | 28 |
| COATES, Lorene | Vice Chair | Melissa Lennon | 733-5784 | 633 | 92 |
| TUCKER, Russell | Vice Chair | Surena Henderson | 715-3015 | 417C | 29 |
| BELL, Larry | | Carolyn Edwards | 733-5863 | 531 | 96 |
| CRAWFORD, Mark | | Denise Roberts | 733-5605 | 1209 | 89 |
| DOCKHAM, Jerry | | Regina Irwin | 733-5822 | 1106 | 66 |
| EDWARDS, Zeno | | Jo Hinton | 733-5906 | 637 | 3 |
| GULLEY, Jim | | Lucille Carter | 733-5860 | 1307 | 25 |
| HENSLEY, Bob | | Margie Penven | 733-5780 | 610 | 79 |
| HIATT, Bill | | Edna Pearce | 733-5862 | 1008 | 63 |
| JOHNSON, Linda | | Debbie Pons | 733-5605 | 1209 | 117 |
| LUCAS, Marvin | | Audrey Ray | 733-5775 | 1323 | 82 |
| MILLER, Paul | | Eryn Gee | 733-5956 | 640 | 27 |
| NYE, Edd | | Jo Bobbitt | 733-5477 | 639 | 1 |
| POPE, Art | | Barbara Rhodes | 733-5809 | 539 | 53 |
| RUSSELL, Carolyn | | Susan Brothers | 715-0873 | 1213 | 103 |
| SHERRILL, Wilma | | Rosa Kelley | 715-3026 | 403 | 37 |
| UNDERHILL, Alice | | Marian Phillips | 733-5776 | 1219 | 91 |
| WALKER, Tracy | | Barbara Powell | 733-5935 | 1111 | 107 |
| WARWICK, Nurham | | Linda Uzzell | 715-3003 | 419C | 14 |
| WEISS, Jennifer | | Susan Doty | 733-5781 | 2221 | 16 |

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| BADDOUR, Phil | Elizabeth Kirkland | 715-0850 | 2301 | 31 |
| CUNNINGHAM, Pete | Valerie Rustin | 733-5778 | 541 | 7 |
| DEDMON, Andy | Donna Abu Harb | 733-5732 | 2213 | 12 |
| EARLE, Beverly | Ann Raeford | 733-5747 | 535 | 95 |
| HACKNEY, Joe | Emily Reynolds | 733-5752 | 2207 | 69 |

Counsel and Staff:

Robin Johnson
Kory Goldsmith
Shirley Iorio

ATTENDANCE

**EDUCATION / Subcommittee on Pre-School,
Elementary and Secondary Education**

2001-2002 Session

[illegible]

**EDUCATION / Subcommittee on Pre-School,
Elementary and Secondary Education**

[illegible][illegible]

North Carolina General Assembly
Through House Committee on

Date: 11/14/2001

Time: 15:01

Education Subcommittee on Pre-School, Elementary and Secondary EducationPage: 001 of 0
2001-2002 Biennium Leg. Day: H-167/S-161

| Bill | Introducer | Short Title | | Latest Action | In Date | Out Date |
|--------|------------|--|----|---|----------|----------|
| H0025= | Blust | REMOVE CAP ON CHARTER SCHOOLS. | H | Assigned To Education Subcommittee on Pre-School, Elementary and Secondary Education | 04-16-01 | |
| H0026= | Shubert | REMOVE CAP ON CHARTER SCHOOLS. | H | Assigned To Education Subcommittee on Pre-School, Elementary and Secondary Education | 04-16-01 | |
| H0029= | Daughtry | LIFT CAP ON CHARTER SCHOOLS | H | Assigned To Education Subcommittee on Pre-School, Elementary and Secondary Education | 04-16-01 | |
| H0217 | Miller | SCHOOL CURRICULUM MUST INCLUDE CONSUMER EDUC. | H | Assigned To Education Subcommittee on Pre-School, Elementary and Secondary Education | 03-13-01 | |
| H0823 | Decker | ED. OV. STUDY NONPUBLIC STUDENTS/ PUB. SCH. ACT. | *H | Re-ref Com On Rules, Calendar, and Operations of the House | 04-16-01 | 04-25-01 |
| H1198 | Shubert | TEACHERS' DUTY TO PREPARE PORTFOLIOS LIMITED. | H | Assigned To Education Subcommittee on Pre-School, Elementary and Secondary Education. | 04-23-01 | |
| H1207 | Shubert | LEA'S AUTHORIZED TO CREATE CHARTER SCHOOLS. | H | Assigned To Education Subcommittee on Pre-School, Elementary and Secondary Education | 04-18-01 | |
| H1256 | Underhill | ED OV. STUDY TEACHER PORTFOLIO REQUIREMENT. | *H | Re-ref Com On Rules, Calendar, and Operations of the House | 04-23-01 | 04-25-01 |

'\$' indicates the bill is an appropriation bill.

A bold line indicates the bill is an appropriation bill.

'*' indicates that the text of the original bill was changed by some action.

'=' indicates that the original bill is identical to another bill.

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
PRESCHOOL, ELEMENTARY AND SECONDARY
EDUCATION

April 18, 2001

The House Education Subcommittee on Preschool, Elementary and Second Education met on Wednesday, April 18, 2001, in Room 424 of the Legislative Office Building at 1:00 p.m.. The following members were present: Chair Rep. Edith Warren, Vice Chairs Representatives Coates and Tucker, Representatives Bell, M. Crawford, Edwards, Gulley, Johnson, Lucas, Miller, Underhill, Warwick and Cunningham. Staff Counselors Robin Johnson, Kory Goldsmith, and Sara Kamprath were also in attendance. A Visitor Registration list is attached and made part of these minutes.

The Chair called the meeting to order to consider the following bills:


Representative Miller was recognized to explain HB 217, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE CONSUMER EDUCATION IN GRADES NINE THROUGH TWELVE. A copy of the bill and summary, together with handouts presented by Representative Miller, Attachments 1, 2, and Attachment 3 are attached and made a part of these minutes. A good discussion followed with questions and responses. J. B. Buxton, Legislative Director for the Department of Public Instructions, presented the position of the Department of Public Instructions which was while the Board supports many of the areas in the bill, it does not feel that this bill is needed to further these aims and does not support this bill. Joyce Elliott with NCAE expressed some of her thoughts on the bill and stated that the position of the NCAE is no position but there is concern about adding additional teaching material at this time. After further discussion, it was agreed that this committee would wait for a similar bill to come from the Senate. Representative Miller will work with that bill and draft further language to incorporate the House bill with the Senate bill. No vote on this bill is required.

The next order of business was three identical bills, HB 25, HB 26 and HB 29, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS. Copies of these bills are attached and made a part of these minutes. HB 25, HB 26 and HB 29 were combined into one bill and were explained by Representatives Blust, Shubert and Daughtry. A summary and additional documents were distributed, copies of which are attached as listed as Attachment 4. A discussion followed. J.B. Buxton, Legislative Director for the Department of Public Instructions, stated that a study is being conducted by DPI on the impact of charter schools and will be completed in January, 2002. No preliminary releases have been made at this time. The Department of Public Instruction supports a cap on the number of charter schools until


the results of this study are completed. At that time, copies of the results of that study will be delivered to the legislature. Rep. Daughtry read a statement made by NCCBI as follows: "NCCBI supports charter schools for a alternative to parents to the public education system. It strongly encourages the General Assembly to extend the cap on the number of charter schools that are allowed in the state and to insure that additional resources are available to charter schools in order to meet the needs of the students." Phillip Adkins, President of the Charter School League, spoke next on the value of charter schools in the area. After a good discussion with questions and responses by Mr. Adkins, a decision was made to complete this discussion at another time.

There being no further business, the Chair adjourned the meeting at 1:55 p.m.

Respectfully submitted,



Representative Edith D. Warren
Chair



Nancy S. Willis
Committee Assistant

Nancy Willis (Rep. Warren)

From: Nancy Willis (Rep. Warren)**Sent:** Tuesday, April 17, 2001 12:18 PM**Subject:** Committee Notice for Subcommittee on Preschool, Elementary and Secondary Education

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
2001-2002 SESSION**

You are hereby notified that the House Subcommittee on PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATION will meet as follows:

DAY & DATE: **Wednesday, April 18, 2001****TIME:** **1:00 p.m.****LOCATION:** **Room 424 LOB**

The following bills will be considered (Bill # & Short Title & Bill Sponsor):

HB 217 School Curriculum Must Include Consumer Educ. (Rep. Miller)
HB 25 Remove Cap on Charter Schools (Rep. Blust)
HB 26 Remove Cap on Charter Schools (Rep. Shubert)
HB 29 Lift Cap on Charter Schools (Rep. Daughtry)
HB 823 Nonpublic School Students in School Activities (Rep. Decker)

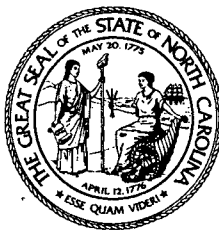
Respectfully,

Representative Edith D. Warren
Chairman

I hereby certify this notice was filed by the committee assistant at the following offices at **1:00 p.m.** on **April 17, 2001.**

____ Principal Clerk
____ Reading Clerk - House Chamber

Nancy Willis (Committee Assistant)



HOUSE EDUCATION SUBCOMMITTEE ON PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATION

**April 18, 2001
Room 424 LOB
1:00 PM**

AGENDA

OPENING REMARKS

Representative Edith D. Warren, Chair

AGENDA ITEMS

HB 217 School Curriculum Must Include Consumer Educ. (Rep. Miller)

HB 25 Remove Cap on Charter Schools (Rep. Blust)

HB 26 Remove Cap on Charter Schools (Rep. Shubert)

HB 29 Lift Cap on Charter Schools (Rep. Daughtry)

HB 823 Nonpublic School Students in School Activities (Rep. Decker)

ADJOURNMENT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

H

1

HOUSE BILL 217

Short Title: School Curriculum Must Include Consumer Educ. (Public)

Sponsors: Representatives Miller; Adams, Bell, Cunningham, Gibson, Hunter, Luebke, Michaux, Nesbitt, Oldham, Wainwright, and Womble.

Referred to: Education.

February 22, 2001

A BILL TO BE ENTITLED

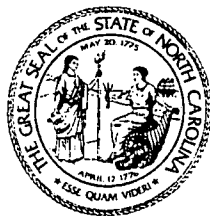
AN ACT TO REQUIRE THE PUBLIC SCHOOLS TO PROVIDE CONSUMER EDUCATION IN GRADES NINE THROUGH TWELVE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-81 is amended by adding a new subsection to read:

"(i) The State Board of Education shall adopt a consumer education curriculum for grades 9 through 12 and shall specify the minimum amount of instructional time that shall be devoted to it. Topics covered in the curriculum shall include, but not be limited to, installment purchasing, budgeting, investing, banking, bank lending practices, comparisons between conventional and sub-prime lending sources, consumer credit issues, win/loss ratios of State-sponsored lotteries, comparisons of prices, and an understanding of the consumer's role in formulating and achieving the goals of the mixed free enterprise system through the consumer's interaction with agriculture, business, labor unions, and government."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2001-2002 school year.



HOUSE BILL 217: School Curric. Must Include Consumer Educ.

BILL ANALYSIS

Committee: House
Date: April 17, 2001
Version: First Edition

Introduced by: Rep. Miller
Summary by: Sara Kamprath
Education Policy Analyst

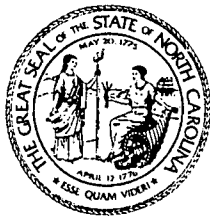
SUMMARY: *House Bill 217 requires that the State Board of Education adopt a consumer education curriculum for the 9th through 12th grade. The act is effective when it becomes law and applies beginning with the 2001-02 school year.*

BACKGROUND: Currently the N.C. Standard Course of Study does not include a comprehensive consumer education curriculum. Students may be exposed to some of the principles of consumer education in workforce development education courses, especially business education courses and family and consumer sciences education courses. Workforce development education courses are electives so every student may not take one of these courses. Students may also be exposed to some of the principles of consumer education in the Economic, Legal, and Political Systems in Action (ELPS) course. ELPS is a graduation requirement.

Illinois, Connecticut, and Rhode Island require consumer education courses according to data from the Education Commission of the States. Florida and Arizona may offer consumer education courses.

BILL ANALYSIS: House Bill 217 directs the State Board of Education to adopt a consumer education curriculum for high school students. The board shall specify the minimum amount of instructional time needed. The bill also includes a list of topics that shall be covered in the curriculum.

H217-SMRJ-001



HOUSE BILL 217: School Curric. Must Include Consumer Educ.

BILL ANALYSIS

Committee: House
Date: April 17, 2001
Version: First Edition

Introduced by: Rep. Miller
Summary by: Sara Kamprath
Education Policy Analyst

SUMMARY: *House Bill 217 requires that the State Board of Education adopt a consumer education curriculum for the 9th through 12th grade. The act is effective when it becomes law and applies beginning with the 2001-02 school year.*

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H217-SMRJ-001

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ROAD RACE
2001

SATURDAY MAY 5
MENTAL INFO

Greenspan wants more financially literate citizens Understanding concepts of budgets, savings could forestall poor choices

By JEANNINE AVERSA Associated Press
The Herald-Sun
Saturday, April 07, 2001
Final Edition
Inside Front Section
Page A9

WASHINGTON - Helping Americans - especially young ones - understand basic concepts about budgeting and saving should prevent them from making bad financial decisions, Federal Reserve Chairman Alan Greenspan said Friday.

Greenspan stressed the importance of beginning the learning process as early as possible.

"Improving basic financial education at the elementary and secondary school level is essential to providing a foundation for financial literacy that can help prevent younger people from making poor financial decisions that can take years to overcome," Greenspan said in a speech to a Fed-sponsored conference on community development.

In his speech, Greenspan made no comments about the state of the nation's economy or the future course of interest rates.

The central bank has cut rates three times this year in an effort to stave off recession. Economists believe more reductions are on the way.

Greenspan said improving financial literacy among children and adults is particularly crucial given the ever-expanding financial choices facing consumers, as well as the ever-growing role of technology at home and at work.

"Education can play a critical role in equipping consumers with the fundamental knowledge required to choose among the myriad of products and providers in the financial services industry," Greenspan said.

In particular, a sound financial education "may help to prevent vulnerable consumers from becoming entangled in some types of financially devastating credit arrangements," he said.

Those consumers, often low-income, generally don't have access to or don't use banking services, such as checking and savings accounts.

Being armed with a financial education could be particularly helpful in stemming predatory lending, Greenspan said.

That's abusive mortgage lending, which Greenspan has criticized as unfair to minorities and the elderly.

But financial literacy can be useful in more basic ways - giving people the knowledge to create household budgets, initiate savings plans and make strategic investment decisions, he said.

"Such financial planning can help families to meet their near-term obligations," Greenspan said.

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General Statutes Referring to Curriculum Standards

G.S. 115C-12 Duty of State Board of Education:

(9a) Power to Develop Content Standards. - The Board shall develop a comprehensive plan to revise content standards and the standard course of study in the core academic areas of reading, writing, mathematics, science, history, geography, and civics. The Board shall involve and survey a representative sample of parents, teachers, and the public to help determine academic content standard priorities and usefulness of the content standards. A full review of available and relevant academic content standards that are rigorous, specific, sequenced, clear, focused, and measurable, whenever possible, shall be a part of the process of the development of content standards. The revised content standards developed in the core academic areas shall (i) reflect high expectations for students and an in-depth mastery of the content; (ii) be clearly grounded in the content of each academic area; (iii) be defined grade-by-grade and course-by-course; (iv) be understandable to parents and teachers; (v) be developed in full recognition of the time available to teach the core academic areas at each grade level; and (vi) be measurable, whenever possible, in a reliable, valid, and efficient manner for accountability purposes. High school course content standards shall include the knowledge and skills necessary to enter the workforce and also shall be aligned with the coursework required for admission to the constituent institutions of The University of North Carolina. The Board shall develop and implement a plan for end-of-course tests for the minimum courses required for admission to the constituent institutions. All end-of-course tests shall be aligned with the content standards. The Board also shall develop and implement an ongoing process to align State programs and support materials with the revised academic content standards for each core academic area every five years. Alignment shall include revising textbook criteria, support materials, State tests, teacher and school administrator preparation, and ongoing professional development programs to be compatible with content standards. The Board shall develop and make available to teachers and parents support materials, including teacher and parent guides, for academic content standards. The State Board of Education shall work in collaboration with the Board of Governors of The University of North Carolina to ensure that teacher and school administrator degree programs, ongoing professional development and other university activity in the State's public schools align with the State Board's priorities. (....)

(10) Power to Provide for Programs or Projects in the Cultural and Fine Arts Areas. - The Board is authorized and empowered, in its discretion, to make provisions for special programs or projects of a cultural and fine arts nature for the enrichment and strengthening of educational opportunities for the children of the State. For this purpose, the Board may use funds received from gifts or grants and, with the approval of the Director of the Budget, may use State funds which the Board may find available in any budget administered by the Board.

115C-81. Basic Education Plan:

(a) The General Assembly believes that all children can learn. It is the intent of the General Assembly that the mission of the public school community is to challenge with high expectations each child to learn, to achieve, and to fulfill his or her potential. With that mission as its guide, the State Board of Education shall adopt a Basic Education

Program for the public schools of the State. Before it adopts or revises the Basic Education Program, the State Board shall consult with an Advisory Committee, including at least eight members of local boards of education, that the State Board appoints from a list of nominees submitted by the North Carolina School Boards Association. The State Board shall implement the Basic Education Program within funds appropriated for that purpose by the General Assembly and by units of local government. It is the intent of the General Assembly that until the Basic Education Program is fully funded, the implementation of the Basic Education Program shall be the focus of State educational funding. It is the goal of the General Assembly that the Basic Education Program be fully funded and completely operational in each local school administrative unit by July 1, 1995. It is further a goal of the General Assembly to provide supplemental funds to low-wealth counties to allow those counties to enhance the instructional program and student achievement. (a1) The Basic Education Program shall describe the education program to be offered to every child in the public schools. It shall provide every student in the State equal access to a Basic Education Program. Instruction shall be offered in the areas of arts, communication skills, physical education and personal health and safety, mathematics, media and computer skills, science, second languages, social studies, and vocational and technical education. Instruction in vocational and technical education under the Basic Education Program shall be based on factors including:

- (1) The integration of academic and vocational and technical education;
- (2) A sequential course of study leading to both academic and occupational competencies;
- (3) Increased student work skill attainment and job placement;
- (4) Increased linkages, where geographically feasible, between public schools and community colleges, so the public schools can emphasize academic preparation and the community colleges can emphasize specific job training; and
- (5) Instruction and experience, to the extent practicable, in all aspects of the industry the students are prepared to enter.

(a2) Repealed by Session Laws 1995, c. 534, s. 1.

(a3) Alcohol and Drug Education Program to Be Recommended and Implemented:

- (1) A comprehensive education program that includes alcohol and drug use prevention education must be available to every child in North Carolina schools in kindergarten through high school.
- (2) The State Board of Education shall develop and maintain a recommended list of alcohol and drug use prevention education materials that include components for teacher training and ongoing assessment and evaluation to verify success and ensure the use of up-to-date information and strategies.
- (3) The Department of Public Instruction will work to strengthen instructional offerings in the content and skill areas of the Basic Education Program in which alcohol and drug use prevention education is addressed. Curricular materials and resources will be developed that meet, extend, and supplement drug and alcohol education as outlined in the North Carolina Standard Course of Study and the Teacher Handbook for the competency-based curriculum.
- (4) The Department of Public Instruction shall recommend to the State Board of Education any drug use prevention education support materials that should be removed or

added to the recommended list of curricular resources developed and maintained by the State Board of Education.

(5) Local boards of education may select supplemental alcohol and drug use prevention education materials from the list maintained by the State Board of Education, or develop their own supplemental materials to be approved by the State Board of Education.

(6) Local boards of education shall implement alcohol and drug use prevention education as a primary part of their comprehensive health education program.

(7) Local boards of education will provide for ongoing evaluation of drug use prevention education resources, to include participation in on-going evaluations with the Department of Public Instruction.

(8) Local boards of education must implement an approved drug and alcohol education prevention program for kindergarten through sixth grade by the 1990-91 school year, and for seventh grade through twelfth grade by the 1991-92 school year.

(9) Local boards of education will meet educational State accreditation standards related to instruction in preventing alcohol and drug use in grades K-12.

(10) The Department of Public Instruction, in conjunction with local school districts, will provide for staff development to train educators and support personnel to implement a comprehensive alcohol and drug use prevention education program.

(11) Sequential, age-appropriate instruction will be provided that has the following features:

a. Reaches all students in all grades;

b. Presents a clear and consistent message that the use of alcohol and illicit drugs and the misuse of other drugs is unhealthy and harmful;

c. Reflects current research and theory;

d. Includes all abusable substances;

e. Utilizes information that is current and accurate;

f. Involves students in active "hands-on" learning experiences;

g. Integrates substance abuse education with other health and social issues and other subject and skill areas of the North Carolina Basic Education Program and Standard Course of Study;

h. Promotes understanding and respect for the law and values of society;

i. Encourages health, safe, and responsible attitudes and behaviors;

j. Includes strategies to involve parents, family members, and the community;

k. Includes information on intervention and treatment services;

l. Is continually open to revision, expansion and improvement.

(a4) Conflict Resolution and Mediation Models: The State Board of Education shall develop a list of recommended conflict resolution and mediation materials, models, and curricula that address responsible decision making, the causes and effects of school violence and harassment, cultural diversity, and nonviolent methods for resolving conflict, including peer mediation and shall make the list available to local school administrative units and school buildings by the beginning of the 1994-95 school year. In developing this list, the Board shall emphasize materials, models, and curricula that currently are being used in North Carolina and that the Board determines to be effective. The Board shall include at least one model that includes instruction and guidance for the voluntary implementation of peer mediation programs and one model that provides

instruction and guidance for teachers concerning the integration of conflict resolution and mediation lessons into the existing classroom curriculum.

(b) The Basic Education Program shall include course requirements and descriptions similar in format to materials previously contained in the standard course of study and it shall provide:

- (1) A core curriculum for all students that takes into account the special needs of children and includes appropriate modifications for the learning disabled, the academically or intellectually gifted students, and the students with discipline and emotional problems;
- (2) A set of competencies, by grade level, for each curriculum area;
- (3) A list of textbooks for use in providing the curriculum;
- (4) Standards for student performance and promotion based on the mastery of competencies, including standards for graduation, that take into account children with special needs and, in particular, include appropriate modifications;
- (5) A program of remedial education;
- (6) Required support programs;
- (7) A definition of the instructional day;
- (8) Class size recommendations and requirements;
- (9) Prescribed staffing allotment ratios;
- (10) Material and equipment allotment ratios;
- (11) Facilities guidelines that reflect educational program appropriateness, long-term cost efficiency, and safety considerations; and
- (12) Any other information the Board considers appropriate and necessary.

The State Board shall not adopt or enforce any rule that requires Algebra I as a graduation standard or as a requirement for a high school diploma for any student whose individualized education program (i) identifies the student as learning disabled in the area of mathematics and (ii) states that this learning disability will prevent the student from mastering Algebra I.

(c) (For final effective date see notes) Local boards of education shall provide for the efficient teaching at appropriate grade levels of all materials set forth in the standard course of study, including integrated instruction in the areas of citizenship in the United States of America, government of the State of North Carolina, government of the United States, fire prevention, the free enterprise system, and the dangers of harmful or illegal drugs, including alcohol. Except when a board authorizes teaching in a foreign language in order to comply with federal law, local boards of education shall require all teachers and principals to conduct classes except foreign language classes in English. Any teacher or principal who refuses to do so may be dismissed.

(c) (For future effective date see notes) Local boards of education shall provide for the efficient teaching at appropriate grade levels of all materials set forth in the Basic Education Program, including integrated instruction in the areas of citizenship in the United States of America, government of the State of North Carolina, government of the United States, fire prevention, the free enterprise system, and the dangers of harmful or illegal drugs, including alcohol.

Except when a board authorizes teaching in a foreign language in order to comply with federal law, local boards of education shall require all teachers and principals to conduct classes except foreign language classes in English. Any teacher or principal who refuses to do so may be dismissed.

(d) The standard course of study as it exists on January 1, 1985, and as subsequently revised by the State Board, shall remain in effect until its components have been fully incorporated and implemented as a part of the Basic Education Program.

(e) Repealed by Session Laws 1995, c. 534, s. 2.

(e1) School Health Education Program to Be Developed and Administered.

(1) A comprehensive school health education program shall be developed and taught to pupils of the public schools of this State from kindergarten through ninth grade. This program includes age-appropriate instruction in the following subject areas, regardless of whether this instruction is described as, or incorporated into a description of, "family life education", "family health education", "health education", "family living", "health", "healthful living curriculum", or "self-esteem":

- a. Mental and emotional health;
- b. Drug and alcohol abuse prevention;
- c. Nutrition;
- d. Dental health;
- e. Environmental health;
- f. Family living;
- g. Consumer health;
- h. Disease control;
- i. Growth and development;
- j. First aid and emergency care, including the teaching of cardiopulmonary resuscitation (CPR) and the Heimlich maneuver by using hands-on training with mannequins so that students become proficient in order to pass a test approved by the American Heart Association, or American Red Cross;
- k. Preventing sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS) virus infection, and other communicable diseases;
- l. Abstinence until marriage education; and
- m. Bicycle safety.

(2) The State Board of Education shall supervise the development and operation of a statewide comprehensive school health education program including curriculum development, in-service training provision and promotion of collegiate training, learning material review, and assessment and evaluation of local programs in the same manner as for other programs. The State Board of Education shall adopt objectives for the instruction of the subject areas listed in subdivision (1) of this subsection that are appropriate for each grade level. In addition, the State Board shall approve textbooks and other materials incorporating these objectives that local school administrative units may purchase with State funds. The State Board of Education, through the Department of Public Instruction, shall, on a regular basis, review materials related to these objectives, and distribute these reviews to local school administrative units for their information.

(3) The State Board of Education shall develop objectives for instruction in the prevention of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS) virus infection, that includes emphasis on the importance of parental involvement, abstinence from sex until marriage, and avoiding intravenous drug use.

Any program developed under this subdivision shall present techniques and strategies to deal with peer pressure and to offer positive reinforcement and shall teach reasons, skills, and strategies for remaining or becoming abstinent from sexual activity; for appropriate grade levels and classes, shall teach that abstinence from sexual activity until marriage is the only certain means of avoiding out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health and emotional problems, and that a mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding diseases transmitted by sexual contact, including Acquired Immune Deficiency Syndrome (AIDS); and shall teach the positive benefits of abstinence until marriage and the risks of premarital sexual activity. Any instruction concerning the causes of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), in cases where homosexual acts are a significant means of transmission, shall include the current legal status of those acts.

(4) The State Board of Education shall evaluate abstinence until marriage curricula and their learning materials and shall develop and maintain a recommended list of one or more approved abstinence until marriage curricula. The State Board may develop an abstinence until marriage program to include on the recommended list. The State Board of Education shall not select or develop a program for inclusion on the recommended list that does not include the positive benefits of abstinence until marriage and the risks of premarital sexual activity as the primary focus. The State Board shall include on the recommended list only programs that include, in appropriate grades and classes, instruction that:

- a. Teaches that abstinence from sexual activity outside of marriage is the expected standard for all school-age children;*
- b. Presents techniques and strategies to deal with peer pressure and offering positive reinforcement;*
- c. Presents reasons, skills, and strategies for remaining or becoming abstinent from sexual activity;*
- d. Teaches that abstinence from sexual activity is the only certain means of avoiding out-of-wedlock pregnancy, sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), and other associated health and emotional problems;*
- e. Teaches that a mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS);*
- f. Teaches the positive benefits of abstinence until marriage and the risks of premarital sexual activity;*
- g. Provides opportunities that allow for interaction between the parent or legal guardian and the student; and*
- h. Provides factually accurate biological or pathological information that is related to the human reproductive system.*

(5) The State Board of Education shall make available to all local school administrative units for review by the parents and legal guardians of students enrolled at that unit any State-developed objectives for instruction, any approved textbooks, the list of reviewed

materials, and any other State-developed or approved materials that pertain to or are intended to impart information or promote discussion or understanding in regard to the prevention of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), to the avoidance of out-of-wedlock pregnancy, or to the abstinence until marriage curriculum. The review period shall extend for at least 60 days before use.

6) Each local school administrative unit shall provide a comprehensive school health education program that meets all the requirements of this subsection and all the objectives established by the State Board. Each local board of education may expand on the subject areas to be included in the program and on the instructional objectives to be met. This expanded program may include a comprehensive sex education program for that local school administrative unit only if all of the following requirements are satisfied:

a. Before a comprehensive sex education program is adopted, the local board of education shall conduct a public hearing, after adequately notifying the public of the hearing.

b. For at least 30 days before this public hearing and during this public hearing, the objectives for this proposed program and all instructional materials shall be made available for review.

c. For at least 30 days after the public hearing, the objectives for the program and all instructional materials shall remain available for review by parents and legal guardians of students in that local school administrative unit.

(7) Each school year, before students may participate in any portion of (i) a program that pertains to or is intended to impart information or promote discussion or understanding in regard to the prevention of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), or to the avoidance of out-of-wedlock pregnancy, (ii) an abstinence until marriage program, or (iii) a comprehensive sex education program, whether developed by the State or by the local board of education, the parents and legal guardians of those students shall be given an opportunity to review the objectives and materials. Local boards of education shall adopt policies to provide opportunities either for parents and legal guardians to consent or for parents and legal guardians to withhold their consent to the students' participation in any or all of these programs.

8) Students may receive information about where to obtain contraceptives and abortion referral services only in accordance with a local board's policy regarding parental consent. Any instruction concerning the use of contraceptives or prophylactics shall provide accurate statistical information on their effectiveness and failure rates for preventing pregnancy and sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), in actual use among adolescent populations and shall explain clearly the difference between risk reduction and risk elimination through abstinence.

(9) Contraceptives, including condoms and other devices, shall not be made available or distributed on school property.

(10) School health coordinators may be employed to assist in the instruction of any portion of the comprehensive school health education program. Where feasible, a school health coordinator should serve more than one local school administrative unit. Each person initially employed as a State-funded school health coordinator after June 30, 1987, shall have a degree in health education.

(f) Establishment and Maintenance of Kindergartens. -

(1) Local boards of education shall provide for their respective local school administrative unit kindergartens as a part of the public school system for all children living in the local school administrative unit who are eligible for admission pursuant to subdivision (2) of this subsection provided that funds are available from State, local, federal or other sources to operate a kindergarten program as provided in this subsection. All kindergarten programs so established shall be subject to the supervision of the Department of Public Instruction and shall be operated in accordance with the standards adopted by the State Board of Education, upon recommendation of the Superintendent of Public Instruction. Among the standards to be adopted by the State Board of Education shall be a provision that the Board will allocate funds for the purpose of operating and administering kindergartens to each school administrative unit in the State based on the average daily membership for the best continuous three out of the first four school months of pupils in the kindergarten program during the last school year in that respective school administrative unit. Such allocations are to be made from funds appropriated to the State Board of Education for the kindergarten program.

(2) Any child who meets the requirements of G.S. 115C-364 shall be eligible for enrollment in kindergarten. Any child who is enrolled in kindergarten and not withdrawn by the child's parent or guardian shall attend kindergarten.

(3) Notwithstanding any other provision of law to the contrary, subject to the approval of the State Board of Education, any local board of education may elect not to establish and maintain a kindergarten program. Any funds allocated to a local board of education which does not operate a kindergarten program may be reallocated by the State Board of Education, within the discretion of the Board, to a county or city board of education which will operate such a program.

(g) Civic Literacy. -

(1) Local boards of education shall require during the high school years the teaching of the nation's founding and related documents, which shall include at least the major principles in the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.

(2) Local boards of education shall require that high school students demonstrate knowledge and understanding of the nation's founding and related documents in order to receive a certificate or diploma of graduation from high school.

(3) Local boards of education shall include among the requirements for graduation from high school a passing grade in all courses that include primary instruction in the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.

(3a) Local boards of education shall allow and may encourage any public school teacher or administrator to read or post in a public school building, classroom, or event, excerpts

or portions of writings, documents, and records that reflect the history of the United States, including, but not limited to, (i) the preamble to the North Carolina Constitution, (ii) the Declaration of Independence, (iii) the United States Constitution, (iv) the Mayflower Compact, (v) the national motto, (vi) the National Anthem, (vii) the Pledge of Allegiance, (viii) the writings, speeches, documents, and proclamations of the founding fathers and Presidents of the United States, (ix) decisions of the Supreme Court of the United States, and (x) acts of the Congress of the United States, including the published text of the Congressional Record. Local boards, superintendents, principals, and supervisors shall not allow content-based censorship of American history in the public schools of this State, including religious references in these writings, documents, and records. Local boards and professional school personnel may develop curricula and use materials that are limited to specified topics provided the curricula and materials are aligned with the standard course of study or are grade level appropriate.

(4) The State Board of Education shall require that any high school level curriculum-based tests developed and administered statewide beginning with academic year 1990-91 include questions related to the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.

(5) The State Department of Public Instruction and the local boards of education, as appropriate, shall establish curriculum content and provide for teacher training to ensure that the intent and provisions of this subsection are carried out. The curriculum content established shall include a review of the contributions made by Americans of all races.

(h) Character Education. - Local boards of education may require the teaching of the following character traits in the public schools:

(1) Courage. - Having the determination to do the right thing even when others don't and the strength to follow your conscience rather than the crowd; and attempting difficult things that are worthwhile.

(2) Good judgment. - Choosing worthy goals and setting proper priorities; thinking through the consequences of your actions; and basing decisions on practical wisdom and good sense.

(3) Integrity. - Having the inner strength to be truthful, trustworthy, and honest in all things; acting justly and honorably.

(4) Kindness. - Being considerate, courteous, helpful, and understanding of others; showing care, compassion, friendship, and generosity; and treating others as you would like to be treated.

(5) Perseverance. - Being persistent in the pursuit of worthy objectives in spite of difficulty, opposition, or discouragement; and exhibiting patience and having the fortitude to try again when confronted with delays, mistakes, or failures.

(6) Respect. - Showing high regard for authority, for other people, for self, for property, and for country; and understanding that all people have value as human beings.

(7) Responsibility. - Being dependable in carrying out obligations and duties; showing reliability and consistency in words and conduct; being accountable for your own actions; and being committed to active involvement in your community.

(8) Self-Discipline. - Demonstrating hard work and commitment to purpose; regulating yourself for improvement and restraining from inappropriate behaviors; being in proper control of your words, actions, impulses, and desires; choosing abstinence from

premarital sex, drugs, alcohol, and other harmful substances and behaviors; and doing your best in all situations.

115C-81.2. Comprehensive plan for reading achievement.

(a) The State Board of Education shall develop a comprehensive plan to improve reading achievement in the public schools. The plan shall be fully integrated with State Board plans to improve student performance and promote local flexibility and efficiency. The plan shall be based on reading instructional practices for which there is strong evidence of effectiveness in existing empirical scientific research studies on reading development. The plan shall be developed with the active involvement of teachers, college and university educators, parents of students, and other interested parties. The plan shall, if appropriate, include revision of the standard course of study, revision of teacher certification standards, and revision of teacher education program standards.

(b) The State Board of Education shall critically evaluate and revise the standard course of study so as to provide school units with guidance in the implementation of balanced, integrated, and effective programs of reading instruction. The General Assembly believes that the first, essential step in the complex process of learning to read is the accurate pronunciation of written words and that phonics, which is the knowledge of relationships of the symbols of the written language and the sounds of the spoken language, is the most reliable approach to arriving at the accurate pronunciation of a printed word. Therefore, these programs shall include early and systematic phonics instruction. The State Board shall provide opportunities for teachers, parents, and other interested parties to participate in this evaluation and revision.

(c) In order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction, the State Board of Education, in collaboration with the Board of Governors of The University of North Carolina and with the North Carolina Association of Independent Colleges and Universities, shall review, evaluate, and revise current teacher certification standards and teacher education programs within the institutions of higher education that provide coursework in reading instruction.

(d) Local boards of education are encouraged to review and revise existing board policies, local curricula, and programs of professional development in order to reflect changes to the standard course of study and to emphasize balanced, integrated, and effective programs of reading instruction that include early and systematic phonics instruction.

115C-216. Boards of education required to provide courses in operation of motor vehicles.

(a) Course of Training and Instruction Required in Public High Schools.

- The State Board of Education and local boards of education are required to provide as a part of the program of the public high schools in this State a course of training and instruction in the operation of motor vehicles, in accordance with G.S. 20-88.1.

(b) Inclusion of Expense in Budget. - The local boards of education of every local school administrative unit are hereby authorized to include as an item of instructional service and as a part of the current expense fund of the budget of the several high schools under their supervision, the expense necessary to install and maintain such a course of training and instructing eligible persons in such schools in the operation of motor vehicles.

(c) to (f) Repealed by Session Laws 1991, c. 689, s. 32(c).

113-60. Instructions on forest preservation and development.

(a) It shall be the duty of all district, county, township rangers, and all deputy rangers provided for in this Chapter to distribute in all of the public schools and high schools of the county in which they are serving as such fire rangers all such tracts, books, periodicals and other literature that may, from time to time, be sent out to such rangers by the State and federal forestry agencies touching or dealing with forest preservation, development, and forest management.

(b) It shall be the duty of the various rangers herein mentioned under the direction of the Secretary, and the duty of the teachers of the various schools, both public and high schools, to keep posted at some conspicuous place in the various classrooms of the school buildings such appropriate bulletins and posters as may be sent out from the forestry agencies herein named for that purpose and keep the same constantly before their pupils; and said teachers and rangers shall prepare lectures or talks to be made to the pupils of the various schools on the subject of forest fires, their origin and their destructive effect on the plant life and tree life of the forests of the State, the development and scientific management of the forests of the State, and shall be prepared to give practical instruction to their pupils from time to time and as often as they shall find it possible so to do.

Session Laws 1995, c. 289, s. 1 provides that the General Assembly encourages the State Board of Education to make information regarding gun safety programs for elementary schools available to local boards of education. Further, the State Board of Education is encouraged to promote gun safety education programs that teach children not to touch guns and that are designed to help prevent firearm-related accidents.

Consumer Education Requirement Comments

- Idea came from constituents
- Object is to make consumer education part of our basic curriculum
- Let me just offer some thoughts as to why this particular bill makes sense

We are all consumers whether we are 4 or 84

Even at age 4, when we get a quarter to buy some candy, someone is targeting us to buy certain type or brand

Without a fundamental education in consumerism, we are all subject to marketing practices from individuals and companies

How to handle our money is a basic function of our free enterprise society.

The General Assembly, and the US Congress has made many laws to protect us against fraud, predatory lending, and other unscrupulous practices; however in my opinion the best protection is a good sound educational foundation.

This Bill covers the following topics

- Banking
- Investing
- Balancing a Check Book
- Conventional Banking versus Sub-Prime Lenders
- Installment Loan Options
- Credit Reports

As you know these are important issues that we as adults must all deal with.

The Bill also allows the State Board of Education to determine and set up how to implement such a program. They can incorporate it in a class such as the 9th grade Economic, Legal, and & Political System class that's currently required or set up a new one, or pass it on to the local boards of education to make this decision.

Would we be alone in such legislation?

No.

Illinois has had such a requirement for over 30 years.

Florida, Arizona, California, Connecticut, Rhode Island, Wisconsin are other states with consumer education requirements written in the statutes.

What about North Carolina, have we set the curriculum at the state level.

Yes.

Currently, there are other topics covered North Carolina State Statutes:

- Motor Vehicle driving requirements
- Sex Education
- Authorization to provide Cultural and Fine Arts
- Alcohol and Drug Education
- Conflict Resolution and Mediation Models
- Civil Literacy

Recently, the General Assembly passed a bill to require teaching North Carolina history to be taught and even specified the number of weeks to teach and what grades.

Providing a

Enclosed is an article about Greenspan's opinion on the same topic given by a constituent

"Improving basic financial education at the elementary and secondary school level is essential to providing a foundation for financial literacy that can help prevent younger people from making poor financial decisions that can take years to overcome"

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

H

1

HOUSE BILL 25*

Short Title: Remove Cap on Charter Schools. (Public)

Sponsors: Representatives Blust; Capps, Decker, Gillespie, Harrington, Hilton, Morris, Pope, Rayfield, Shubert, and C. Wilson.

Referred to: Rules, Calendar, and Operations of the House.

February 1, 2001

- 1 A BILL TO BE ENTITLED
- 2 AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS.
- 3 The General Assembly of North Carolina enacts:
- 4 SECTION 1. G.S. 115C-238.29D(b) is repealed.
- 5 SECTION 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 26

Short Title: Remove Cap on Charter Schools. (Public)

Sponsors: Representatives Shubert; Allred, Blust, Capps, Decker, Gillespie, Grady, Harrington, Hilton, Howard, Morris, Pope, Rayfield, West, and C. Wilson.

Referred to: Rules, Calendar, and Operations of the House.

February 1, 2001

A BILL TO BE ENTITLED

AN ACT TO REMOVE THE CAP ON THE NUMBER OF CHARTER SCHOOLS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-238.29D(b) is repealed.

SECTION 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

H

1

HOUSE BILL 29

Short Title: Lift Cap on Charter Schools.

(Public)

Sponsors: Representatives Daughtry; Allred, Blust, Capps, Davis, Decker,
Gillespie, Harrington, Hilton, Morris, Pope, Rayfield, and Shubert.

Referred to: Rules, Calendar, and Operations of the House.

February 1, 2001

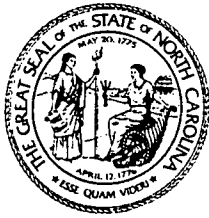
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SECTION 1. G.S. 115-238.29D(b) is repealed.

SECTION 2. This act is effective when it becomes law.



HB 25, HB 26 AND HB 29: Remove Cap on Charter Schools.

BILL ANALYSIS

Committee:

Date:

Version:

Introduced by:

Summary by:

SUMMARY: *These three House bills would remove the current statewide cap of 100 charter schools. The bill is effective when it becomes law.*

CURRENT LAW: Under the provisions of G.S. 115C-238.29D (b) enacted in 1996, the State Board of Education cannot authorize more than 5 charter schools per year in a single local school administrative unit and no more than a total of 100 charter schools statewide. If more than 5 charter schools in a single local school administrative unit or more than 100 schools statewide meet the final approval standards, then the State Board shall give priority to the applicants that are most likely to further State education policies.

In 1999, the General Assembly directed the State Board of Education to continue its review and evaluation of charter schools. The evaluation shall analyze the charter schools' impact on the delivery of services by traditional public schools, student progress in charter schools, best practices coming out of charter schools, and other applicable information.

The State Board must report to the Joint Legislative Education Oversight Committee by January 1, 2002. The report must include a recommendation as to whether to increase the number of charter schools, to modify the charter school program, or to terminate the charter school program.

BILL ANALYSIS: The three House bills would remove the current restriction on the State Board that limits the authorization of charter schools in a single local school administrative unit to no more than 5 per year and sets a total of 100 charter schools statewide.

H25-SMRJ-001

§ 115C-238.29D. Final approval of applications for charter schools.

(a) The State Board shall grant final approval of an application if it finds that the application meets the requirements set out in this Part or adopted by the State Board of Education and that granting the application would achieve one or more of the purposes set out in G.S. 115C-238.29A. The State Board shall act by March 15 of a calendar year on all applications and appeals it receives prior to February 15 of that calendar year.

(b) The State Board shall authorize no more than five charter schools per year in one local school administrative unit. The State Board shall authorize no more than 100 charter schools statewide. If more than five charter schools in one local school administrative unit or more than 100 schools statewide meet the standards for final approval, the State Board shall give priority to applications that are most likely to further State education policies and to strengthen the educational program offered in the local school administrative units in which they are located.

(c) The State Board of Education may authorize a school before the applicant has secured its space, equipment, facilities, and personnel if the applicant indicates the authority is necessary for it to raise working capital. The State Board shall not allocate any funds to the school until the school has obtained space.

(d) The State Board of Education may grant the initial charter for a period not to exceed five years and may renew the charter upon the request of the chartering entity for subsequent periods not to exceed five years each. A material revision of the provisions of a charter application shall be made only upon the approval of the State Board of Education. Beginning with the charter school's second year of operation and annually thereafter, the State Board shall allow a charter school to increase its enrollment by ten percent (10%) of the school's previous year's enrollment or as is otherwise provided in the charter. This enrollment growth shall not be considered a material revision of the charter application and shall not require the prior approval of the State Board.

An enrollment growth of greater than ten percent (10%) shall be considered a material revision of the charter application. The State Board may approve an enrollment growth of greater than ten percent (10%) only if the State Board finds that:

- (1) The actual enrollment of the charter school is within ten percent (10%) of its maximum authorized enrollment;
- (2) The charter school has commitments for ninety percent (90%) of the requested maximum growth;
- (3) The board of education of the local school administrative unit in which the charter school is located has had an opportunity to be heard by the State Board of Education on any adverse impact the proposed growth would have on the unit's ability to provide a sound basic education to its students;
- (4) The charter school is not currently identified as low-performing;

- (5) The charter school meets generally accepted standards of fiscal management; and
- (6) It is otherwise appropriate to approve the enrollment growth.

Rep. Fern Shubert

From: Rep. Fern Shubert
Sent: Tuesday, February 06, 2001 10:53 AM
To: Rep. Fern Shubert
Subject: Charters - school choice helps public schools

THE BENEFITS OF SCHOOL CHOICE

Highly respected Harvard University economist Caroline Hoxby has concluded in recent studies that school choice does improve educational performance. She compared results in metropolitan areas that have lots of school districts with those that don't.

Parents have greater choice in cities with multiple school districts, since they can move from a district with poor schools into one with superior schools. When a school district is city-wide, choice is denied parents.

For instance, comparing multiple-district Boston with single-district Miami, Hoxby found that choice in Boston, compared to single-district Miami, was associated with a 1.4-grade-levels improvement in student performance and an increase in young adult earnings of 15 percent.

Among Hoxby's other conclusions:

- o Choice actually reduces spending on education -- with the improvement in performance being achieved at lower cost.
- o Choice has the biggest impact on school productivity in states where districts have greater financial independence.
- o Policies that reduce choice are likely to increase the share of students in private schools and reduce the share of voters who are interested in the general well-being of public education.

Finally, the view that greater choice favors the rich at the expense of the poor gets no backing. Everybody gains.

Source: "The Difference that Choice Makes," Economics Focus, Economist, January 27, 2001; Caroline Hoxby, "Does Competition Among Public Schools Benefit Students and Taxpayers?" American Economic Review, December 2000, and "Would School Choice Change the Teaching Profession?" NBER Working Paper No. 7866, National Bureau of Economic Affairs.

For more on Public School Choice
<http://www.ncpa.org/pi/edu/edu3.html#b>

Rep. Fern Shubert

From: EPI-Update [info@educationpolicy.org]
Sent: Friday, April 06, 2001 10:24 PM
To: EPI-Update
Subject: [epi-update] Champion of Freedom Encourages Parents to Enter Educational Debate

Champion of Freedom Encourages Parents to Enter Educational Debate

The Education Policy is pleased that its efforts to foster a competitive education industry are shared by a number of outstanding leaders in American society. Few are as astute as Ted Forstmann, Chairman and CEO, Parents in Charge, who made these remarks Wednesday to a group gathered at the National Press Club.

Make Education look more like America: Put Parents in Charge
National Press Club
April 3, 2001

It was three years ago, here at the National Press Club, that I announced the formation of the Children's Scholarship Fund. It has exceeded our fondest hopes as we have been able to help 40,000 low income children escape failing public schools and seek a quality education in the school of their choice. Personally, I have evolved from a person with simple charitable objectives into someone who has become painfully aware of the real facts of the education system in America.

So today I would like to share with you what I have learned and to tell you the unvarnished truth as I see it. I'm going to suggest that we do not have a real education debate in this country. What we have are competing ideas for tinkering with the same old system.

We're like the famous mythical Emperor's loyal subjects, debating whether his hat is red, or his boots are green - when in fact, he isn't wearing anything at all.

Now the little boy who first had the temerity to say out loud that the Emperor had no clothes was, you will recall, given a pretty hard time. I guess I'm ready for that. In fact, in the early days of the Children's Scholarship Fund an education bureaucrat actually called me "un-American" on a television news show. Un-American for helping 40,000 underprivileged kids? it got me thinking, in this context what really is American or un-American after all?

Well, to me, America is a democratic capitalist country. That's pretty basic. Democratic means you have choices. It means people are free to choose all sorts of things - from who to vote for, to how to pray, to what to read, even free to drive multi-ton vehicles up to 65 miles per hour. Capitalism would imply that multiple suppliers compete, on a relatively level playing field, for the business of these free people who we call customers. But I want you to notice that in K-12 education, not a word that I have just spoken applies. We don't allow people to choose where their children go to school, who teaches them or what they learn - and we have one supplier with essentially no competition.

Obviously, that's monopolistic. And given the fact that the payment for the product is mandatory - through taxes - and consumption of the product is compulsory - through attendance laws -- that's about as powerful a monopoly as has ever existed.

By the way, we passed the Sherman Anti-Trust Act outlawing monopolies in 1890 because we came to a national consensus that monopolies produce a low quality product at a high price. That's another fact.

So here's where I begin to feel like the little boy looking at the naked Emperor. Because when it comes to the so-called education debate, all we've really been asking ourselves is what kind of monopoly we ought to have - one with longer hours, or smaller class sizes, or more buildings, or what. No one asks what seems to me to be the really obvious question, which is: why do we have a monopoly in K-12 education at all? Why in a country that is both democratic and capitalist, and that has a university system that is highly competitive and the envy of the world, does none of this apply to K-12 education?

Well surely, there must be a reason. We are told that America was founded on a system of government schools - and that therefore, they are a fundamental underpinning of our society. This is totally false. In fact, our founders consciously chose to base the country on an open system of education - one in which any legitimate supplier could enter the market and compete, and parents could choose from among them. Competition kept quality high and costs low. It wasn't until 100 years after our founding, that things changed when Horace Mann convinced the Massachusetts legislature to start a government-operated system in that state.

Both utopianism and bigotry played a role. Mann promised that if Massachusetts adopted his ideas, "nine-tenths of the crimes in the penal code would become obsolete." But, in reality, both he and his followers were concerned about the large numbers of Irish Catholic immigrants entering the country, and felt that government schools were the best way to homogenize them within the broader Anglo-Saxon, Protestant society. Parents who once had authority over their children's education had it taken gradually away - sometimes at the point of a bayonet. The whole thing might not even have survived had it not been adopted and very heavily sponsored by major industrialists like Carnegie, Rockefeller, Ford and Astor who believed a standardized, bureaucratic system could turn out compliant workers to staff their new factories, oil fields and coal mines.

Okay, so it turns out that the system we have is in fact the opposite of what the founders had in mind. But if it is a good system, maybe it only needs to be changed in some way or other. We're told repeatedly that more money is needed to make the system work. But dozens of studies have tried to show a connection between money and learning without success. In fact we've increased spending fourteen-fold in inflation-adjusted terms since 1920, yet our schools, by just about every conceivable measure from test scores to basic safety, continue to perform at a mediocre level. That should come as no surprise. I think you all know without my telling you that no monopoly in history has ever been reformed by raising its prices, or for that matter expanding office hours, building more office space, or even by making its customers wear uniforms.

Now, we have a new administration. President Bush and Secretary Paige are in charge and we are fortunate that they are because they bring impressive credentials and the best of intentions to bear.

As you know they have proposed instituting standards and accountability and that is very salutary. Every good CEO taking over a business would institute standards and demand accountability. But they still would have to compete against other suppliers. So, I submit that standards and accountability - while beneficial for the organization you are in charge of, are in no way the equal of, or a substitute for competition and freedom of choice.

Ladies and gentlemen, we are paying a huge price by being so willfully stupid. By refusing to open this system up, we continue to perpetuate a kind of educational apartheid. While more affluent families can buy themselves better options -- either by sending their children to private schools, or moving out to more expensive suburbs with better public schools - poor parents are stuck with no option other than government

schools that can't teach or even protect their children. The result: 70 percent of our inner city 4th graders are unable to read at even a basic level - that's according to the Department of Education. To illustrate a point I made just a moment ago: right here, in our nation's capital, we have the highest per pupil education spending, and lowest performance, of any urban school district in America. Normally we expect children to learn more as they advance through schools, but this school system has managed to turn that expectation on its head -- according to a report issued by the District of Columbia Financial Responsibility and Management Assistance Authority in November, 1996, "the longer students stay in the District's public school system, the less likely they are to succeed educationally."

It was this kind of inequality that convinced me three years ago to start the Children's Scholarship Fund. John Walton and I pooled together \$200 million, and offered some 40,000 scholarships. Our offices were completely overwhelmed by the response: we received 1.25 million applications from all over the country - sent in, in some cities from as many as a third of the eligible population. Consider that these were all from people who were already getting their product for free, who had an average yearly income of \$20,000 a year, and yet who were willing to put up \$1,000 per child in order to take advantage of these partial scholarships. And some people still seriously suggest that parents don't care or aren't qualified to be in charge of their children's education.

Well, I think I have news for you - very big news. We commissioned the SWR Whitman Group and The Wirthlin Group to produce bi-partisan polling on this subject. The results are eye-opening. 69% of those polled believed parents, as opposed to government, should set the standards for educational performance. 72% agreed that our educational system would be improved if there were a multitude of suppliers. And 82% believed parents should be able to choose their children's school. You have the full survey and methodology in your press kits.

So we verified what parents want. We also wanted to know what teachers thought. More than 11,000 teachers, including Polly Broussard of the Associated Professional Educators of Louisiana, John Taylor Gatto, New York State Teacher of the Year, Ernestine Sanders of Cornerstone Schools in Detroit, Michigan, Michael Feinberg of KIPP Academies in Houston, Guy Doud of Staples, Minnesota, and Thomas Fleming of Michigan, both of whom are National Public School Teachers of the Year, and all of whom are here today, have signed onto a Statement of Principles which says amongst other things:

We believe: Parents and guardians, not government, have primary responsibility for and authority over their children's education.

We believe: Children are the reason for a system of education, and that system's needs must not take precedence over the needs of children;

We believe: Teaching is a profession and good teachers deserve recognition and compensation based on their performance.

We believe: Government currently controls the vast majority of schools in this country; our system of education would be improved by a multitude of providers as opposed to a government monopoly.

And by the way, not only do 11,000 teachers support these principles - so do two Secretaries of Education, Bill Bennett and Joe Califano. A third, current Secretary of Education Rod Paige, speaking at a conference I also addressed just last month, declared that, "the idea of public school monopoly is dead. It needs to be relegated to the Smithsonian." He also said to me, "Ted, the arguments against your position are all bogus."

The support of thousands of teachers and millions of parents - is why I'm here today. I'm here to launch Parents in Charge, a bipartisan

organization which advocates the following:

That every child - regardless of race, creed, or household income - must have an equal opportunity to receive a quality education. That parents have a prior right to determine what sort of education be given to their child. And therefore that parents have a right to choose: where their children attend school, and have a say in who teaches them, and what they learn.

We have created Parents in Charge to advance these principles, and to educate America in a national campaign as to the real problems and real possibilities of American education.

While we know that monopolies don't work - we also know what does. Freedom of choice and competition work. Listen to what my fellow board member and former White House Chief of Staff Erskine Bowles has to say: "There has never been an industry, never been a company, never been a product that has not been improved by competition."

We have an example of this, even within education itself. It's our system of higher education - and it's the envy of the world. Consumers are free to choose among all sorts of different options - including state-run, and even religious institutions. And suppliers are free to set up schools, compete on a fairly level playing field, and even, after meeting certain basic certifications, receive government funding - which, by the way, isn't considered school aid, but student aid. This kind of freedom for consumers and freedom for suppliers produces high quality, innovation, and specialization to meet a diverse universe of students' needs.

You can go at night, part time, or even online; you can pursue general studies, or a specific discipline. And if you aren't satisfied, you aren't going to be forced to sit there for four years - you can transfer to a school that better suits your goals and needs.

For the same kind of thing to occur in our primary and secondary schools we need to have equality of opportunity not just for consumers, but for suppliers as well. It's no good to say that families are free to choose their children's schools when there are no schools to choose from. This was brought home to me a year ago when we offered to fill every empty seat in New York's private and parochial schools. While we were able to help 3,400 children, there are 162,000 children still waiting to be helped.

And there's nowhere for them to go. There's no supply because suppliers don't have an equal opportunity to compete. How can they - when their customers have to pay twice, first in terms of taxes, then in terms of tuition? No wonder the majority of existing suppliers are either those who are willing to forgo making a profit - namely, parochial schools - or those elite institutions, which cater to customers at the highest end of the income scale.

The powerful interests that work so tirelessly to maintain the status quo claim that fundamental changes would be too difficult and too disruptive. But consider this. The payment method would be the same. We would all continue to chip in with our tax dollars - some a great deal, some a little, some not at all. The government would continue to be the collection agent but not the sole supplier of the product. Instead, there would be multiple qualified suppliers - including the government. Parents would be free to choose among these suppliers and funding would be allocated on the basis of their choices.

Please remember, this was a right parents once enjoyed - and it was taken away. Horace Mann started us down this path proclaiming that parents should be taken out of the equation entirely and that their children should be considered "hostages" to the great cause of government schooling. What would happen if Mann's "hostages" were

released - if parents were put back in charge of their children's education? Parents as consumers would demand quality, safety, and variety. Suppliers would utilize technology, innovation and private investment to compete for their business. The teaching profession would benefit as well. Yes, bad teachers would not make it. But good teachers would finally get the high regard and higher pay they deserve. And perhaps most importantly, I believe that putting parents in charge would revitalize families as well. We worry about the dissolution of families. But we have reaped what we have sown: by taking away one of the family's most important responsibilities and bonding functions.

So here's the bottom line of what I'm talking about: freedom, choice, competition. Equal opportunity for both consumers and suppliers. As I look out at all of you, I see some skeptical faces and I sympathize. This would have seemed pretty radical to me too when I appeared here three years ago with nothing more than a desire to help some underprivileged children. And I want to freely admit to you that with regard to the conventional wisdom on all sides of the so-called education debate, this is pretty different stuff. But I'll bet that most of you will agree with me that what I've been talking about is pretty normal in most every other area of American life. Because I'm really just talking about freedom. I'm really just talking about making K-12 education look more like the rest of America - including our much admired university system.

Freedom ought not to be on trial - the absence of freedom should be. The burden of proof ought not to be on parents seeking their rights - but on those who would deny them those rights. We should all be seeking a system that educates the public - not continuing to live in denial about the anachronistic system we now have, in which so many children are left behind. I'm asking you to think about the possibility of a new day in which education would be more democratic, more creative and competitive - in a word, yes, so much more American than the system we have now. Thank you.

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VISITOR REGISTRATION SHEET

EDUCATION Subcommittee on Pre-School,
Elementary and Secondary Education

Name of Committee

April 18, 2001

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

| | |
|------------------|---|
| Melissa Gray | JYF |
| David Henderson | NCH E North Carolinians for Home Education |
| Debbie Lancaster | NCH E (North Carolinians for Home Education) 419 N Boylan Ave, Raleigh 27603 |
| Masi Fitz-Wynn | (NCH E) North Carolinians for Home Ed. Address - Same as above |
| Jeff Townsend | NCH E North Carolinians for Home Education - Raleigh |
| Joyce Elliott | North Carolina Association of Educators |
| Quil Cebon | NCAE |
| Candace McKinney | NCAE |
| Kelvin Spragley | NCAE |
| Anne Berlam | Berlam Assoc |
| Supan Harman | WCPSS |

VISITOR REGISTRATION SHEET

EDUCATION Subcommittee on Pre-School,
Elementary and Secondary Education

Name of Committee

April 18, 2001

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Jonkie Campain

DPI

John B. Good

NCAST

Julie Comptel

NCCBI

Leslie Bevacqua

NCCBI

Colman Harris

~~NCCBI~~

JP RK

SBE

Mark H. Cresset

C4L

VISITOR REGISTRATION SHEET

EDUCATION Subcommittee on Pre-School,
Elementary and Secondary Education

Name of Committee

April 18, 2001

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS[illegible]

MINUTES
HOUSE EDUCATION SUBCOMMITTEE ON
PRESCHOOL, ELEMENTARY AND SECONDARY
EDUCATION

April 25, 2001

The House Education Subcommittee on Preschool, Elementary and Second Education met on Wednesday, April 25, 2001, in Room 415 of the Legislative Office Building at 8:30 a.m.. The following members were present: Chair Rep. Edith Warren, Vice Chairs Representatives Coates and Tucker, Representatives Bell, M. Crawford, Edwards, Gulley, Miller, Nye, Russell, Underhill, Walker, and Weiss. Staff Counselors Robin Johnson and Sara Kamprath were also in attendance. The House Pages in attendance were Larry Taylor of Cumberland County, Catherine Koontz of Davidson County and Kevin Randell of Wake County. A Visitor Registration list is attached and made part of these minutes.

The Chair called the meeting to order to consider the following bills:


Two bills concerning teacher portfolios were introduced and jointly discussed. Representatives Underhill and McLawhorn were recognized to explain HB 1256, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PERFORMANCE-BASED LICENSURE PROGRAM TO PERMIT BEGINNING TEACHERS TO SUBMIT PORTFOLIOS DURING THE THIRD YEAR OF TEACHING. Representative Shubert was then recognized to explain HB 1198, A BILL TO BE ENTITLED AN ACT TO LIMIT THE NUMBER OF PORTFOLIOS THAT TEACHERS ARE REQUIRED TO PREPARE. Rep. Shubert presented a handout attached hereto as Attachment No. 1 and made a part of these minutes. J.B. Buxton with the State Board of Education was recognized and gave the position of the Board of Education as being firmly opposed to removal of the performance-based licensure system of teacher development and further explained the opposition. He introduced Kathy Sullivan, Resource Manager, and Vicky Collins with Department of Public Instruction and a teacher in residence. After a good discussion of the portfolios, including questions and responses from Mr. Buxton, Ms. Sullivan and Ms. Collins, Representative Tucker made a motion to amend HB 1256 into a Proposed Committee Substitute and give a favorable report to the Committee Substitute and an unfavorable report to the original bill with a request that the bill be re-referred to Rules. Representative Weiss seconded the motion. The motion carried. This bill is to be reported directly to the floor.


Representative Decker was introduced to explain HB 823, A BILL TO BE ENTITLED AN ACT TO PERMIT PRIVATE SCHOOL AND HOME SCHOOL STUDENTS TO ENGAGE IN EXTRACURRICULAR ACTIVITIES IN PUBLIC SCHOOLS. Representative Decker then submitted his handout, attached hereto as

Attachment No. 2 and made a part of these minutes. Following discussion, Rep. Tucker made a motion to amend the bill into a Proposed Committee Substitute and give a favorable report to the Committee Substitute and an unfavorable report to the original bill with a request that the bill be re-referred to Rules. Representative Decker seconded the motion. The motion carried. This bill is to be reported back to Education.

There being no further business, the meeting was adjourned at 9:30 a.m.

Respectfully submitted,


Representative Edith D. Warren
Chair


Nancy S. Willis
Committee Assistant

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
2001-2002 SESSION**

You are hereby notified that the House Subcommittee on PRESCHOOL,
ELEMENTARY AND SECONDARY EDUCATION will meet as follows:

DAY & DATE: **Wednesday, April 25, 2001**

TIME: **8:30 a.m.**

LOCATION: **Room 415 LOB**

The following bills will be considered (Bill # & Short Title & Bill Sponsor):

HB 823 Nonpublic School Students in School Activities (Rep. Decker)

HB 1198 Teachers' Duty to Prepare Portfolios Limited (Rep. Shubert)

HB 1207 LEA's authorized to Creat Charter Schools (Rep. Shubert)

HB 1256 Change the Teacher Portfolio Requirements (Rep. Underhill, McLawhorn)

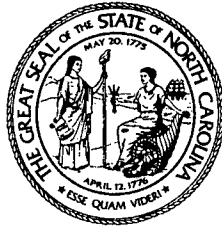
Respectfully,

Representative Edith D. Warren
Chairman

I hereby certify this notice was filed by the committee assistant at the following offices at
8:00 on April 25, 2001.

____ Principal Clerk
____ Reading Clerk - House Chamber

Nancy Willis (Committee Assistant)



HOUSE EDUCATION SUBCOMMITTEE ON PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATION

**April 25, 2001
Room 415
8:30 a.m.**

OPENING REMARKS

Representative Edith D. Warren, Chair

AGENDA ITEMS

- HB 823 Nonpublic School Students in School Activities (Rep. Decker)**
- HB 1198 Teachers' Duty to Prepare Portfolios Limited**
- HB 1207 LEA's authorized to Create Charter Schools (Rep. Shubert)**
- HB 1256 Change the Teacher Portfolio Requirements**

ADJOURNMENT

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

H

1

HOUSE BILL 1256

Short Title: Change the Teacher Portfolio Requirement. (Public)

Sponsors: Representatives Underhill, McLawhorn (Primary Sponsors);
Wainwright, Coates, Holliman, and Harrington.

Referred to: Education.

April 12, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE PERFORMANCE-BASED LICENSURE PROGRAM
3 TO PERMIT BEGINNING TEACHERS TO SUBMIT PORTFOLIOS DURING
4 THE THIRD YEAR OF TEACHING.

5 Whereas, the General Assembly directed the North Carolina State Board of
6 Education, in consultation with the Board of Governors of The University of North
7 Carolina, to evaluate and develop enhanced requirements for continuing teacher
8 certification that reflect more rigorous standards for continuing certification; and

9 Whereas, the State Board of Education carried out this responsibility by
10 adopting the Performance-Based Licensure Program; and

11 Whereas, the Policy Manual of the State Board of Education states that this
12 process is designed to offer the beginning teacher the autonomy and responsibility for
13 developing a product that reflects his or her teaching; and

14 Whereas, the Program requires each initially licensed teacher to prepare a
15 performance-based product, which is a collection of evidence produced in the normal
16 course of teaching, representing the teacher's best work; and

17 Whereas, this evidence is gathered over time through a systematic process of
18 reflection and is ultimately compiled in a finished product to be submitted for licensure
19 review; and

20 Whereas, according to the Policy Manual, the product is typically submitted
21 during the second year of teaching; and

22 Whereas, the expectation that most teachers will submit this product during
23 the second year of teaching undermines a teacher's ability to focus on his or her primary
24 responsibilities, which are the teacher's responsibilities to the students and to improving
25 professional skills; Now, therefore,

26 The General Assembly of North Carolina enacts:

1 **SECTION 1.** The State Board of Education shall modify the timetable for
2 the Performance-Based Licensure Program so that initially licensed teachers typically
3 submit a performance-based product during the third year of teaching.

4 **SECTION 2.** This act is effective when it becomes law.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

H

1

HOUSE BILL 1198

Short Title: Teachers' Duty to Prepare Portfolios Limited.

(Public)

Sponsors: Representatives Shubert; Brubaker and Harrington.

Referred to: Education.

April 12, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO LIMIT THE NUMBER OF PORTFOLIOS THAT TEACHERS ARE
3 REQUIRED TO PREPARE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-296(b) reads as rewritten:

6 "(b) (See Note) It is the policy of the State of North Carolina to maintain the
7 highest quality teacher education programs and school administrator programs in order
8 to enhance the competence of professional personnel certified in North Carolina. To the
9 end that teacher preparation programs are upgraded to reflect a more rigorous course of
10 study, the State Board of Education, as lead agency in coordination and cooperation
11 with the University Board of Governors, the Board of Community Colleges and such
12 other public and private agencies as are necessary, shall continue to refine the several
13 certification requirements, standards for approval of institutions of teacher education,
14 standards for institution-based innovative and experimental programs, standards for
15 implementing consortium-based teacher education, and standards for improved
16 efficiencies in the administration of the approved programs. The certification program
17 shall provide for initial certification after completion of preservice training, continuing
18 certification after three years of teaching experience, and certificate renewal every five
19 years thereafter.

20 The State Board of Education, as lead agency in coordination with the Board of
21 Governors of The University of North Carolina and any other public and private
22 agencies as necessary, shall continue to raise standards for entry into teacher education
23 programs.

24 The State Board of Education, in consultation with the Board of Governors of The
25 University of North Carolina, shall evaluate and develop enhanced requirements for
26 continuing certification. The new requirements shall reflect more rigorous standards for
27 continuing certification and to the extent possible shall be aligned with quality

1 professional development programs that reflect State priorities for improving student
2 achievement.

3 The State Board of Education, in consultation with local boards of education and the
4 Board of Governors of The University of North Carolina, shall reevaluate and enhance
5 the requirements for renewal of teacher certificates. The State Board shall consider
6 modifications in the certificate renewal achievement and to make it a mechanism for
7 teachers to renew continually their knowledge and professional skills. The State Board
8 shall adopt new standards for the renewal of teacher certificates by May 15, 1998.

9 Effective July 1, 2001, teachers shall not be required to prepare or submit portfolios
10 for continuing certification at the State level or for renewal of teacher certificates at the
11 State level. Also, portfolios shall not be used in the State certification process.

12 The standards for approval of institutions of teacher education shall require that
13 teacher education programs for students who do not major in special education include
14 demonstrated competencies in the identification and education of children with learning
15 disabilities. The State Board of Education shall incorporate the criteria developed in
16 accordance with G.S. 116-74.21 for assessing proposals under the School Administrator
17 Training Program into its school administrator program approval standards.

18 All North Carolina institutions of higher education that offer teacher education
19 programs, masters degree programs in education, or masters degree programs in school
20 administration shall provide performance reports to the State Board of Education. The
21 performance reports shall follow a common format, shall be submitted according to a
22 plan developed by the State Board, and shall include the information required under the
23 plan developed by the State Board."

24 **SECTION 2.** G.S. 115C-307 is amended by adding a new subsection to
25 read:

26 "**§ 115C-307. Duties of teachers.**

27 ...

28 (i) To Produce Portfolios for Some Students. — A teacher may prepare a
29 portfolio of a student's work if the teacher determines that it will benefit the student to
30 do so. A teacher shall not be required to prepare portfolios for any students except for
31 students with special needs. Any portfolio of a student's work that is prepared by a
32 teacher shall be shared with the student's parent or guardian."

33 **SECTION 3.** This act is effective when it becomes law.

County can't afford to lose new teachers because of PBLs

A new development in the ongoing performance-based licensure, or PBL, issue has placed Union County at a higher risk of losing a number of teachers, which is something it cannot afford.

The PBL is a collection of evidence, such as sample lesson plans and a videotape of the teacher in the classroom, that initially licensed teachers, or ILTs, must complete by their second year.

Originally, if ILTs did not complete the PBL, then they were allowed to teach in North Carolina for one more year.

As of March 9, however, those terms have changed. The new rules say that anyone who fails to turn in the finished PBL cannot come back after that year.

Because this is a statewide requirement, it puts every school system on red alert.

The problem with the PBL is that it is a ridiculous way to assess how teachers are doing their jobs.

Anyone can make a good video of him or her teaching. Many of these new teachers have already done something similar to the PBL in college, so asking them to do it again is just needless repetition.

Because this is required by the State Board of Education, officials in the Union County school system have their hands tied.

They are forced to follow the rule, even though many agree that the PBL will drive away many young teachers that the school system desperately needs.

Actually, school officials and the Union County Board

of Education have been more than supportive of these young teachers. They invited two teachers to come and speak at a breakfast with the school board and area legislators in February.

One legislator, Rep. Fern Shubert, R-Union, took interest and at that meeting handed out a bill draft which calls for the end of requiring teachers to do portfolios in order to continue teaching in the state.

As of this week, however, that bill has not yet been proposed in Raleigh. On Thursday, Shubert said she hoped to have the bill introduced "hopefully within the next two weeks."

Teachers, principals and school administrators all face a sobering thought as the prospect of losing more teachers draws nearer and nearer with the end of the school year approaching.

Not to take anything away from veteran teachers, but these young teachers are the future of our schools.

And they will find better jobs somewhere else. It's not like teachers are something in low demand. Systems all across the country are begging for teachers to come and teach in their schools.

Many of these ILTs want to continue teaching in Union County, because they like their schools and the children here. When they are asked to continually jump through hoops, however, enough eventually becomes enough.

Here's hoping that Shubert or someone in the General Assembly takes notice and acts quickly. Otherwise, the county will face yet another teacher shortage.

**Comments by Jim Stegall,
President Union County Professional Educators:**

“Any person of average intelligence or better (and plenty of spare time on his or her hands) can produce a portfolio good enough to pass muster. It is a paper and video produce that is easier to fake than to create legitimately. If the state goes through with its plan to license teachers based on PBL, it will represent a significant lowering of standards for teachers in North Carolina.”

**Comments from petition from first and second year initially
licensed teachers in Union and Mecklenburg County:**

“We all strongly believe that teachers must be held accountable for the sake of the students we teach. However, we also believe that the produce that we are being required to complete in order to obtain our license to teach in North Carolina is a very unnecessary and insulting requirement. . . .Forcing us to submit this product is an insult to our abilities to teach and most importantly it takes away very valuable time that could be spent in planning and organizing our lesson plans. . . .We feel that a much more logical approach would be to have a probationary period for ILTs that lasts three years. Upon the end of the third year, the ILT’s evaluations, abilities, and standardized test scores could be assessed. If the teachers were then lacking in certain areas, they would be required to complete the product during their fourth year. Forcing all of us to complete this product is equivalent to punishing us for all the ineffective teachers who have come before us. This entire PBL process is not being viewed as a growth tool. It is being looked at as another obstacle placed in front of us on our way to become successful teachers in a state that is already facing a severe teacher shortage.”

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

D

HOUSE BILL 1256
PROPOSED COMMITTEE SUBSTITUTE H1256-CSRH-33 [v.1]

4/24/2001 7:50:41 PM

Short Title: Ed Ov. Study Teacher Portfolio Requirement.

(Public)

Sponsors:

Referred to:

April 12, 2001

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT
COMMITTEE TO STUDY THE PERFORMANCE-BASED LICENSURE
PROGRAM FOR BEGINNING TEACHERS.

The General Assembly of North Carolina enacts:

SECTION 1. The Joint Legislative Education Oversight Committee shall study the implementation of and the timetable for the Performance-Based Licensure Program for initially licensed teachers. The Committee shall consider the legal and policy implications related to providing an additional year for teachers to start or complete the Program. If the Committee determines the timetable should be changed, then the Committee shall evaluate the teacher salary schedule and its relationship to continuing certification. The Committee shall report its recommendations, which may include any recommended statutory changes, to the 2002 Regular Session of the 2001 General Assembly.

SECTION 2. This act is effective when it becomes law.

**2001 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from permanent sub committee(s) is/are presented:

By Representative(s) EDITH D. WARREN (Chair/Chairs) for the Permanent Subcommittee on
PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATION of the Standing Committee
on EDUCATION.

- ☐ Committee Substitute for
H.B. 1256 A BILL TO BE ENTITLED AN ACT TO MODIFY THE
PERFORMANCE-BASED LICENSURE PROGRAM TO PERMIT BEGINNING TEACHERS TO
SUBMIT PROTFOLOS DURING THE THIRD YEAR OF TEACHING.

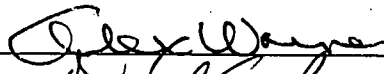
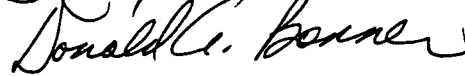
REPORTED TO THE STANDING COMMITTEE ON

RECOMMENDED ACTION:

- ☐ With a favorable recommendation.
- ☐ With a favorable recommendation and recommend that the bill be re-referred to the Committee on
- ☐ With a favorable recommendation, as amended.
- ☐ With a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on
- ☐ With an unfavorable recommendation.
- ☐ With a favorable recommendation as to proposed committee substitute bill, ☐ which changes the title, unfavorable as to original bill.
- ☐ With a favorable recommendation as to proposed House committee substitute bill, ☐ which changes the title, unfavorable as to Senate committee substitute bill.
- ☐ Without prejudice.
- ☐ Other recommended action: _____

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

Representative BONNER AND WARNER for the Standing Committee on EDUCATION.

s/ 


- ☐ With a favorable report.
- ☐ With a favorable report, as amended.
- ☒ With a favorable report as to committee substitute bill (# _____), ☒ which changes the title, unfavorable as to (original bill) (~~Committee Substitute Bill # _____~~) (and recommendation that the committee substitute bill (# _____) be referred to the Committee on RULES)

02/15/01

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

H

1

HOUSE BILL 823

Short Title: Nonpublic School Students in School Activities.

(Public)

Sponsors: Representatives Decker; Barbee, Barnhart, Blust, Bowie, Cansler, Capps, Carpenter, Davis, Dockham, Eddins, Ellis, Esposito, Gibson, Gillespie, Harrington, Hiatt, Hilton, Howard, Johnson, Justus, Kiser, McComas, McCombs, Miner, Morris, Nye, Preston, Russell, Setzer, Sexton, Shubert, Smith, Starnes, Walend, Walker, Warwick, Weatherly, West, C. Wilson, and G. Wilson.

Referred to: Education.

March 27, 2001

A BILL TO BE ENTITLED

AN ACT TO PERMIT PRIVATE SCHOOL AND HOME SCHOOL STUDENTS TO
ENGAGE IN EXTRACURRICULAR ACTIVITIES AT PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-47(4) reads as rewritten:

"§ 115C-47. Powers and duties generally.

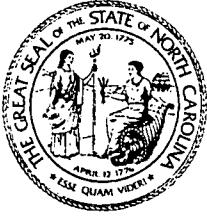
In addition to the powers and duties designaed in G.S. 115C-36, local boards of
education shall have the power or duty:

...

(4) To Regulate Extracurricular Activities. – Local boards of education
shall make all rules and regulations necessary for the conducting of
extracurricular activities in the schools under their supervision,
including a program of athletics, where desired, without assuming
liability therefor; provided, that all interscholastic athletic activities
shall be conducted in accordance with rules and regulations prescribed
by the State Board of Education. Local boards of education may adopt
rules permitting students enrolled in nonpublic schools and students
enrolled in home schools to participate in public school extracurricular
activities that are otherwise unavailable to them, at the cost of the
students' parents and on a space available basis.

...."

SECTION 2. This act is effective when it becomes law and applies
beginning with the 2001-2002 school year.



HOUSE BILL 823: Nonpublic School Students in School Activities.

BILL ANALYSIS

Committee: House Education
Date: April 17, 2001
Version: First Edition

Introduced by: Representative Decker
Summary by: Sara Kamprath
 Education Policy Analyst

SUMMARY: *House Bill 823 provides that a local board of education may adopt rules that permit nonpublic school students and home school students to participate in public school extracurricular activities at the parents' expense and when space is available.*

BACKGROUND: Currently it is not clear whether home schooled students of compulsory attendance age may pay participate in extracurricular activities offered by the public schools. For students above the compulsory attendance age, it clearly is a local decision as to whether they may participate in these activities.

The law authorizes the State Board of Education to adopt rules that set the eligibility requirements for interscholastic athletic activities. The State Board may designate an organization to enforce the rules at the high school level. The North Carolina High School Athletic Association (NCHSAA) governs whether students can participate in athletics. In addition to other rules of participation, the association requires a student to be a "regularly enrolled member of the school's student body" as a condition for athletic eligibility. This rule is typical in other states. Each local school system must determine which students meet this requirement.

The bill is effective when it becomes law and applies beginning with the 2001-02 school year.

Issue: It is unclear whether the current bill would allow students enrolled in nonpublic schools and students enrolled in home schools to participate in high school athletics.

H823-SMRJ-001

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

D

HOUSE BILL 823
PROPOSED COMMITTEE SUBSTITUTE H823-CSRJ-13 [v.1]

4/25/2001 10:44:37 AM

Short Title: Ed. Ov. Study Nonpublic Students/Pub. Sch. Act. (Public)

Sponsors:

Referred to:

March 27, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT
3 COMMITTEE TO STUDY THE PARTICIPATION OF PRIVATE SCHOOL AND
4 HOME SCHOOL STUDENTS IN EXTRACURRICULAR ACTIVITIES AT
5 PUBLIC SCHOOLS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The Joint Legislative Education Oversight Committee shall
8 study the participation of nonpublic school students and home school students in
9 extracurricular activities at public schools. The Committee shall consider the conditions
10 when these students may participate and whether the students' parents should pay the
11 costs for participation. The Committee shall report its recommendations, which may
12 include any recommended statutory changes, to the 2002 Regular Session of the 2001
13 General Assembly.

14 **SECTION 2.** This act is effective when it becomes law.
15

**2001 PERMANENT SUBCOMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE
The following report(s) from permanent sub committee(s) is/are presented:

By Representative(s) EDITH D. WARREN (Chair/Chairs) for the Permanent Subcommittee on
PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATION of the Standing Committee
on EDUCATION.

☐ Committee Substitute for

H.B. 0823

A BILL TO BE ENTITLED AN ACT TO PERMIT PRIVATE
SCHOOL AND HOME SCHOOL STUDENTS TO ENGAGE IN EXTRACURRICULAR
ACTIVITIES AT PUBLIC SCHOOLS.

REPORTED TO THE STANDING COMMITTEE ON EDUCATION

RECOMMENDED ACTION:

☐ With a favorable recommendation.

☐ With a favorable recommendation and recommend that the bill be re-referred to the Committee on

☐ With a favorable recommendation, as amended.

☐ With a favorable recommendation, as amended, and recommend that the bill be re-referred to the
Committee on

☐ With an unfavorable recommendation.

☒ With a favorable recommendation as to proposed committee substitute bill, ☒ which changes the title,
unfavorable as to original bill, *and recommend that the bill be re-referred
to the Committee on Rules*

☐ With a favorable recommendation as to proposed House committee substitute bill, ☐ which changes
the title, unfavorable as to Senate committee substitute bill.

☐ Without prejudice.

☐ Other recommended action: _____

WITH APPROVAL OF STANDING COMMITTEE CHAIR(S) FOR REPORT TO BE MADE
DIRECTLY TO THE FLOOR OF THE HOUSE:

~~Representative BONNER AND WARNER for the Standing Committee on EDUCATION~~

s/ _____

☐ With a favorable report.

☐ With a favorable report, as amended.

☐ With a favorable report as to committee substitute bill (#), ☐ which changes the title,
unfavorable as to (original bill) (Committee Substitute Bill #). (and recommendation that
the committee substitute bill (#) be referred to the Committee on .)

02/15/01

VISITOR REGISTRATION SHEET

EDUCATION Subcommittee on Pre-School,
Elementary and Secondary Education

April 25, 2001

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

| | |
|--------------------|--------|
| Mayenell Gull | DPI |
| Carol A. Ool | NCAER |
| Jina Nyn | NCA SA |
| Jana Kunguis | NCA TA |
| Alice K. Underhill | NC GA |
| Marian M. Lanthorn | NC GA |
| Shoant Harrison | WCPSS |
| Leanne Wimmer | NCSBA |
| JB K | STE |
| Kathy Sullivan | DPI |
| Vicki Collins | DPI |

VISITOR REGISTRATION SHEET

EDUCATION Subcommittee on Pre-School,
Elementary and Secondary Education

Name of Committee

April 25, 2001

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

A. J. Craig

LCA

Henry M. Lancaster

LCA

John A. Barker

~~NCATA~~