

**2015-2016**

**HOUSE  
EDUCATION – K-12**

**MINUTES**



**HOUSE COMMITTEE ON EDUCATION K-12**  
**2015-2016 SESSION**

Clerks: Pattie Fleming and Joanna Hogg



**Rep. Elmore,**  
Chairman



**Rep. Horn,**  
Chairman



**Rep. L. Johnson,**  
Chairman



**Rep. Cotham,**  
Vice Chairman



**Rep. Hanes**  
Vice Chairman



**Rep. Ager**



**Rep. Bryan**



**Rep. Cleveland**



**Rep. Dixon**



**Rep. Farmer-  
Butterfield**



**Rep. Fisher**



**Rep. Glazier**



**Rep. C. Graham**



**Rep. Hardister**



**Rep. Hurley**







**Rep. Iler**



**Rep. Jones**



**Rep. Lambeth**



**Rep. Langdon**



**Rep. Malone**



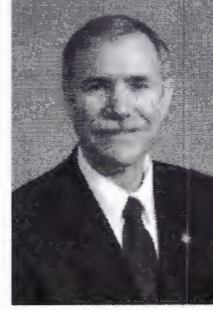
**Rep. Meyer**



**Rep. Pittman**



**Rep. Richardson**



**Rep. Riddell**



**Rep. Stam**



**Rep. R. Turner**



**Rep. Whitmire**



## **LIST OF FREQUENTLY USED EDUCATION ACRONYMS AND ABBREVIATIONS**

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<b>ADM</b>	Average Daily Membership (a measure of student headcount)
<b>AIG</b>	Academically or Intellectually Gifted
<b>AP</b>	Advanced Placement
<b>Approps / Ed Approps</b>	Appropriations Committee / Education Appropriations Committee
<b>ARRA</b>	American Recovery and Reinvestment Act
<b>ASU</b>	Appalachian State University
<b>BOG</b>	University of North Carolina Board of Governors
<b>CC</b>	Community College
<b>Con Ed</b>	Continuing Education
<b>CTE</b>	Career & Technical Education
<b>CWD</b>	Children with Disabilities
<b>DPI</b>	Department of Public Instruction
<b>DSSF</b>	Disadvantaged Student Supplemental Funding
<b>ECSU</b>	Elizabeth City State University
<b>ECU</b>	East Carolina University
<b>Ed</b>	Education
<b>FRD / Fiscal</b>	Fiscal Research Division
<b>FSU</b>	Fayetteville State University
<b>FTE</b>	Full-Time Equivalent (either referring to students or employees)
<b>FY</b>	Fiscal Year
<b>G.S.</b>	General Statute
<b>IDEA</b>	Individuals with Disabilities Education Act
<b>IPEDS</b>	Integrated Post-secondary Education Data System
<b>LEA</b>	Local Education Agency (local school district)
<b>LEP</b>	Limited English Proficiency
<b>NAEP</b>	National Assessment of Educational Progress
<b>NBPTS</b>	National Board for Professional Teaching Standards
<b>NCA&amp;T</b>	NC Agricultural and Technical State University
<b>NCCAT</b>	North Carolina Center for the Advancement of Teaching

## **LIST OF FREQUENTLY USED EDUCATION ACRONYMS AND ABBREVIATIONS**

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<b>NCCCS</b>	North Carolina Community College System
<b>NCCU</b>	North Carolina Central University
<b>NCGA/GA</b>	NC General Assembly
<b>NCICU</b>	North Carolina Independent Colleges and Universities
<b>NCLB</b>	No Child Left Behind
<b>NCSU</b>	North Carolina State University
<b>NCVPS</b>	North Carolina Virtual Public School
<b>NR</b>	Nonrecurring
<b>R</b>	Recurring
<b>RttT</b>	Race to the Top
<b>SBCC</b>	State Board of Community Colleges
<b>SEAA</b>	NC State Education Assistance Authority
<b>Sec.</b>	Section number (in a bill)
<b>S.L.</b>	Session Law
<b>SP</b>	Special Provision
<b>System Office</b>	NCCCS System Office
<b>TAs</b>	Teacher Assistants
<b>UNC</b>	The University of North Carolina System. Occasionally, UNC-Chapel Hill.
<b>UNC-A</b>	University of North Carolina at Asheville
<b>UNC-C</b>	University of North Carolina at Charlotte
<b>UNC-CH</b>	University of North Carolina at Chapel Hill
<b>UNC-G</b>	University of North Carolina at Greensboro
<b>UNC-GA, GA</b>	UNC - General Administration
<b>UNC-P</b>	University of North Carolina at Pembroke
<b>UNC-SA</b>	University of North Carolina School of the Arts
<b>UNC-W</b>	University of North Carolina at Wilmington
<b>WCU</b>	Western Carolina University
<b>WSSU</b>	Winston-Salem State University

## GLOSSARY OF FREQUENTLY USED FISCAL TERMS

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**ALLOCATION OR ALLOTMENT:** The method of distribution for State and federal funds to local education agencies or community colleges. Each has a specific distribution formula and specific rules governing allowable use of funds.

**APPROPRIATION:** An action by the General Assembly authorizing the withdrawal of money from the State treasury. An enactment by the General Assembly that authorizes, specifies, or otherwise provides that funds may be used for a particular purpose is not an appropriation.

**AUTHORIZED BUDGET:** The funds appropriated by the General Assembly updated to reflect line-item reallocations allowed by the State Budget Act and approved by the Office of State Budget and Management.

**AVERAGE DAILY MEMBERSHIP (ADM):** Metric used to measure public school student headcount. This metric is most applicable for the purposes of determining State funding allotments provided to local school districts.

**BIENNIUM:** The two fiscal years beginning on July 1 of each odd-numbered year and ending on June 30 of the next odd-numbered year.

**BOILERPLATE:** Special provisions (budgetary language) that are typically repeated year after year in the budget bill.

**CARRY-FORWARD:** Funds that are appropriated but unspent which, by authorized budget revision, are brought forward for expenditure in the following fiscal year.

**CERTIFIED BUDGET:** The budget as enacted by the General Assembly including adjustments made for (i) distributions to State agencies from statewide reserves appropriated by the General Assembly, (ii) distributions of reserves appropriated to a specific agency by the General Assembly, and (iii) organizational or budget changes directed by the General Assembly but left to the Director of the Budget to carry out.

**CONTINUATION (BASE) BUDGET:** The budgeted amounts for operating funds required to carry on already established programs at the level of support approved by the previous General Assembly.

**DEPARTMENTAL RECEIPTS:** Fees, licenses, federal funds, grants, fines, penalties, tuition, and other similar collections or credits generated by State agencies in the course of performing their governmental functions and that are not defined as tax proceeds or nontax revenues. Departmental receipts may include moneys transferred into a fiscal year from a prior fiscal year.

**ENCUMBRANCE:** A financial obligation created by a purchase order, contract, salary commitment, unearned or prepaid collections for services provided by the State, or other legally binding agreement.

**EXPENDITURE:** The spending of funds by a State entity or agency.

**FULL-TIME EQUIVALENT (FTE) (Employee Measure):** A unit used to quantify staffing. One FTE (1.0) is a full-year, 40-hour-per-week position.

**FULL-TIME EQUIVALENT (FTE) (Student Measure):** In the Community College System, FTE is used as a standard way of measuring students. One FTE represents 16 student membership hours per week for 16 weeks or 256 student membership hours for each semester enrolled.

**GENERAL FUND:** The main source of operating funds for the State. This is the fund to which revenues are deposited that are not designated for special purposes and are therefore available to support the general operations of the State government.

**LAPSED SALARY:** Surplus funds that accrue because a position is vacant due to delays in hiring, resignations, terminations, or retirements. Lapsed salary surpluses are *one-time* funds that accumulate only while a position vacancy exists.

**LOCAL EDUCATION AGENCY (LEA):** One of several terms used to denote a local school system, along with local school administrative unit and school district. North Carolina has 115 LEAs.

**NEGATIVE RESERVE:** A method by which a budget reduction is imposed without detailing the specific lines of expenditure to be decreased.

**NET GENERAL FUND APPROPRIATION:** The appropriation of the General Fund's general purpose revenue. For a specific budget or program, the net general fund appropriation equals total requirements (or expenditures) minus receipts.

**NON-RECURRING:** Term used to denote one-time revenues, expenditures, or reductions.

**RECURRING:** Term used to denote revenues, expenditures, or reductions that will be continuing.

**REQUIREMENTS:** The total amount of funds budgeted to fund a program or budget line. For any given program or budget line, requirements minus receipts equal the net appropriated amount.

**REVERSIONS:** The unexpended, unencumbered balance of an appropriation at fiscal year-end that reverts, as required by law, to the fund from which the appropriation was made.

**SALARY RESERVE:** Unobligated or surplus funds generated by a position being filled at a salary less than the budgeted salary authorized by the General Assembly.

**SPECIAL PROVISIONS:** Language contained in the Appropriation Bill pertaining to State fiscal matters, the management, evaluation, and oversight of State government programs or policy, and the expenditure of appropriations contained in the Bill.

**SPECIAL FUNDS:** Accounts to which revenues are deposited that are designated for a specific purpose and remain in the account until expended for that purpose. Special Funds do not have General Funds directly appropriated to them. By definition, money in a special fund does not revert at the end of the fiscal year.

**TRUST FUNDS:** Accounts consisting of resources received and held by the State as trusted to be expended or invested in accordance with the conditions of the trust. In other words, Trust Funds are accounts where the State acts as a trustee. The State can only execute the terms of the trust; it cannot change the purpose for which the trust was created.



**House Committee on Education - K-12  
Tuesday, March 3, 2015 at 10:00 AM  
Room 643 of the Legislative Office Building**

**MINUTES**

The House Committee on Education - K-12 met at 10:00 AM on March 3, 2015 in Room 643 of the Legislative Office Building. Representatives Elmore, Horn, Johnson, Ager, Bryan, Cleveland, Dixon, Farmer-Butterfield, Fisher, Glazier, C. Graham, Hardister, Hurley, Iler, Lambeth, Langdon, Malone, Meyer, Pittman, Richardson, Riddell and R. Turner attended. A Visitor Registration list is attached and made part of these minutes.

Representative Jeffrey Elmore, Chair, presided. He introduced the Pages and Sergeant at Arms staff. Chairman Elmore recognized Chairman Johnson and Representative Langdon to give an announcement.

Chairwoman Johnson and Rep. Horn recognized longtime North Carolina General Assembly staff member, Patsy Pierce, on her retirement.

The following bills were considered:

**HB 18 Planning Year for CIHSs. (Representatives S. Martin, Horn, Shepard, Hanes)**

**HB 35 Education Innovation Task Force. (Representatives Elmore, S. Martin, Horn, Cotham)**

Chairman Elmore stated that there was a proposed committee substitute for HB 18 before the Committee. Representative Cleveland asked for a motion to hear the PCS and the Committee approved.

Research staff was recognized to explain the PCS for HB 18. Chairman Horn was presenting the PCS for HB 18 to the Committee and answered any questions from Members regarding the bill. Representative Cleveland made the motion for the PCS for HB 18 to be voted as favorable and for the serial referral to the House Appropriations Committee to be removed. The Committee voted the PCS for HB 18 as favorable.

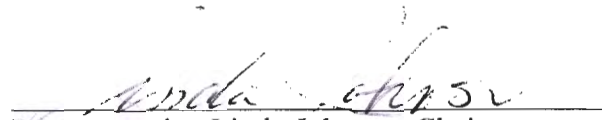
The Chairs and Members of the Committee introduced themselves and told why they are interested in being a member of the Education K-12 Committee.

Chairman Horn recognized Chairman Elmore to explain HB 35 to the Committee. Members asked Chairman Elmore questions pertaining to HB 35. Representative Glazier moved that the Committee give a favorable report to HB 35. HB 35 received a favorable report.





The meeting adjourned at 10:30AM.

  
Representative Linda Johnson, Chair

  
Joanna Hogg, Committee Clerk

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**Joanna Hogg (Rep. Linda Johnson)**

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**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Wednesday, February 25, 2015 01:40 PM  
**To:** Rep. Craig Horn; Rep. Phil Shepard; Rep. Susan Martin; Rep. Edward Hanes; Rep. Tricia Cotham; Rep. Jeffrey Elmore  
**Cc:** Pamela Pate (Rep. Phil Shepard); Lynn Taylor (Rep. Susan Martin); Carol Erichsen (Rep. Tricia Cotham); Linda Stevenson (Rep. Jeffrey Elmore)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Tuesday, March 03, 2015 at 10:00 AM  
**Attachments:** Add Meeting to Calendar\_LINC\_.ics

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Tuesday, March 3, 2015  
**TIME:** 10:00 AM  
**LOCATION:** 643 LOB  
**COMMENTS:** Chairman Elmore will preside.

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 18	Planning Year for CIHSs.	Representative S. Martin Representative Horn Representative Shepard Representative Hanes
HB 35	Education Innovation Task Force.	Representative Elmore Representative S. Martin Representative Horn Representative Cotham



**House Committee on Education - K-12  
Tuesday, February 24, 2015, 10:00 AM  
643 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks**

**Introduction of Pages**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 18	Planning Year for CIHSs.	Representative S. Martin Representative Horn Representative Shepard Representative Hanes
HB 35	Education Innovation Task Force.	Representative Elmore Representative S. Martin Representative Horn Representative Cotham

**Adjournment**



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair**

**FAVORABLE**

**HB 35**

Education Innovation Task Force.

Draft Number: None  
Serial Referral: None  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: Horn

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED**

**HB 18**

Planning Year for CIHSs.

Draft Number: H18-PCS20048-TB-1  
**Serial Referral:** **APPROPRIATIONS**  
Recommended Referral: None  
Long Title Amended: Yes  
Floor Manager: S. Martin

**TOTAL REPORTED: 2**



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 18

Short Title: Planning Year for CIHSs.

(Public)

Sponsors: Representatives S. Martin, Horn, Shepard, and Hanes (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12, if favorable, Appropriations.

January 29, 2015

A BILL TO BE ENTITLED  
AN ACT TO PROVIDE FOR A PLANNING YEAR FOR ESTABLISHMENT OF  
COOPERATIVE INNOVATIVE HIGH SCHOOLS, AS RECOMMENDED BY THE  
HOUSE STUDY COMMITTEE ON EDUCATION INNOVATION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-238.51A reads as rewritten:

**"§ 115C-238.51A. Approval process.**

(a) Joint Advisory Committee. – The State Board of Education and the applicable governing Board of the local board of trustees shall appoint a joint advisory committee to review the applications and to recommend approval for those applications that meet the requirements of this Part and achieve purposes set out in G.S. 115C-238.50. The recommendation shall indicate whether additional funds were requested in the application.

(b) No Additional Funds. – For applications which have not requested additional funds, the State Board of Education and the applicable governing Board may approve cooperative innovative high schools. In granting approval, consideration shall be given to the proposed budget and demonstration of sources of sustainable funding for the operation of the cooperative innovative high school. Approvals shall be made by June 30 of each year. No additional State funds, position allotments, earning of budget full-time equivalent students, or payments of tuition shall be provided to cooperative innovative high schools approved under this subsection. A cooperative innovative high school approved as provided in this subsection may open at the beginning of the school year following approval or may open after a planning year.

(c) Additional Funds. – For applications which have requested additional funds, the State Board of Education and the applicable governing Board may approve cooperative innovative high schools contingent upon appropriation of (i) the additional funds or (ii) funding for a planning year by the General Assembly. Contingent approval shall be made by April 1 of each year. The contingent approval shall expire if no appropriation is made by the General Assembly for the additional funds or planning year funding within one calendar year. No cooperative innovative high school shall open prior to the appropriation by the General Assembly of (i) the full amount of the additional funds as requested in the application for that school under G.S. 115C-238.51 for the upcoming fiscal year or fiscal biennium, biennium or (ii) planning year funding, as appropriate. A cooperative innovative high school that is appropriated planning year funding as provided in this subsection shall open after a planning year. If no appropriation is made by the General Assembly, a revised application may be submitted under subsection (b) of this section."



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1           **SECTION 2.** There is appropriated from the General Fund to the Department of  
2 Public Instruction the sum of seven hundred fifty thousand dollars (\$750,000) for the  
3 2015-2016 fiscal year to be allocated for planning year funding in the amount of seventy-five  
4 thousand (\$75,000) per approved cooperative innovative high school.

5           **SECTION 3.** This act becomes effective July 1, 2015.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

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HOUSE BILL 18  
PROPOSED COMMITTEE SUBSTITUTE H18-CSTB-1 [v.4]

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Short Title: Planning Year for CIHSs.

(Public)

Sponsors:

Referred to:

January 29, 2015

A BILL TO BE ENTITLED  
AN ACT TO PROVIDE FOR A PLANNING YEAR FOR ESTABLISHMENT OF  
COOPERATIVE INNOVATIVE HIGH SCHOOLS.

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(b) No Additional Funds. – For applications which have not requested additional funds, the State Board of Education and the applicable governing Board may approve cooperative innovative high schools. In granting approval, consideration shall be given to the proposed budget and demonstration of sources of sustainable funding for the operation of the cooperative innovative high school. Approvals shall be made by June 30 of each year. No additional State funds, position allotments, earning of budget full-time equivalent students, or payments of tuition shall be provided to cooperative innovative high schools approved under this subsection. A cooperative innovative high school approved as provided in this subsection may open at the beginning of the school year following approval or may open after a planning year.

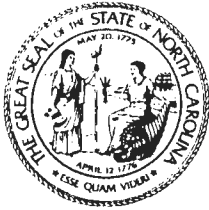
(c) Additional Funds. – For applications which have requested additional funds, the State Board of Education and the applicable governing Board may approve cooperative innovative high schools contingent upon appropriation of (i) the additional funds or (ii) funding for a planning year by the General Assembly. Contingent approval shall be made by April 1 of each year. The contingent approval shall expire if no appropriation is made by the General Assembly for the additional funds or planning year funding within one calendar year. No cooperative innovative high school shall open prior to the appropriation by the General Assembly of (i) the full amount of the additional funds as requested in the application for that school under G.S. 115C-238.51 for the upcoming fiscal year or fiscal ~~biennium~~ biennium or (ii) planning year funding, as appropriate. A cooperative innovative high school that is appropriated planning year funding as provided in this subsection shall open after a planning year. If no appropriation is made by the General Assembly, a revised application may be submitted under subsection (b) of this section."

SECTION 2. This act becomes effective July 1, 2015, and applies to applications submitted for approval in the 2014-2015 school year and each subsequent school year.



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## HOUSE BILL 18: Planning Year for CIHSs

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12, if favorable, Appropriations	<b>Date:</b>	February 24, 2015
<b>Introduced by:</b>	Reps. S. Martin, Horn, Shepard, Hanes	<b>Prepared by:</b>	Denise Adams
<b>Analysis of:</b>	PCS to First Edition H18-CSTB-1		Legislative Analyst

**SUMMARY:** *House Bill 18 would provide applicants seeking Cooperative Innovative High School (CIHS) status with the option to have a planning year prior to opening the CIHS. House Bill 18 would appropriate \$750,000 for the 2015-2016 fiscal year to be allocated for planning year funding in the amount of \$75,000 per approved CIHS. As introduced, HB 18 was a recommendation of the House Study Committee on Education Innovation.*

*The Proposed Committee Substitute (PCS) for HB 18 would make the following changes: (i) Remove the appropriation in Section 2, and renumber the remaining section accordingly, (ii) clarify the effective date applies to schools that submitted an application in the 2014-2015 school year and subsequent years, and (iii) make a conforming change to the long title.*

**CURRENT LAW:** Part 9 of Article 16 of Chapter 115C of the North Carolina General Statutes provides the process by which CIHSs are established.

Status as a CIHS is a two-part process. First, the SBE and the appropriate Board(s) of the institute of higher education (IHE) provide a programmatic review of applications and a Joint Advisory Committee makes a recommendation for which CIHSs should be approved. Applications should include (i) a statement of purpose, (ii) how the CIHS will relate to the Economic Vision Plan adopted for the economic development region in which the CIHS is to be located, (iii) a description of student academic and vocational achievement goals, (iv) how the CIHS will be operated, and (v) the process by which students will be selected and admitted. Applications should also include a description of the funds that will be used and a proposed budget for the first five years of the implementation of the CIHS. This description should identify how the average daily membership (ADM) and full-time equivalent (FTE) students are counted. If additional funds are requested, applications must include how those funds will be used. Additional funds may include the CIHS allotment and tuition payments.

Secondly, action from the General Assembly may be required, depending whether the CIHS applicant requests additional funds from the State. For applicants who have not requested additional funds, the SBE and the Board(s) of the partnering IHE may award final approval by June 30 of each year, and those schools can open without further action from the General Assembly. For applicants who have requested additional funds, the SBE and the appropriate Board(s) of the IHE may approve a CIHS contingent upon appropriation of the additional funds by the General Assembly. Contingent approvals are made by April 1 of each year. Applicants requesting additional funds may not open prior to the appropriation by the General Assembly of the full amount requested in the application.

**BILL ANALYSIS:** The PCS for HB 18 provides a CIHS the option to have a planning year prior to opening the school. For applicants that do not request additional funds and are approved, the school





# House Bill 18

Page 2

would have the option of opening at the beginning of the school year following approval or after a planning year. For applicants that do request additional funds, the SBE and the Board(s) of the partnering IHE may approve a CIHS contingent upon appropriation of additional funds or funding for a planning year. A CIHS that is appropriated planning year funding must open after a planning year.

**EFFECTIVE DATE:** The PCS for HB 18 would become effective July 1, 2015, and applies to applications submitted for approval in the 2014-2015 school year and each subsequent school year.

**BACKGROUND:** Current law authorizes local boards of education to jointly establish with one or more local boards of trustees a cooperative innovative program for high school students that target students either (i) at risk of not graduating, (ii) with parents who did not continue education beyond high school, or (iii) who would benefit from accelerated academic instruction. A local board of trustees may be the trustees of a community college, constituent institution of UNC, or a private college located in North Carolina.

A CIHS is a high school approved by the State Board of Education (SBE) and the applicable governing Board of the partnering institution of higher education (IHE) that meets the following criteria:

1. It has no more than 100 students per grade level.
2. Partners with an IHE to enable students to concurrently obtain a high school diploma and begin or complete an associate degree program, master a certificate or vocational program, or earn up to two years of college credit within five years.
3. Located on the campus of the partner IHE, unless granted a waiver.

In the 2014-2015 application period, ten schools applied for a programmatic review and approval. In December of 2014, the SBE voted unanimously to approve eight of the ten CIHS applications, which are:

- The Academy at High Point (Guilford County Schools)
- The Academy at Smith (Guilford County Schools)
- The STEM Early College at NC A&T (Guilford County Schools)
- The Middle College at UNC Greensboro (Guilford County Schools)
- Pitt County Early College High School (Pitt County Schools)
- Vernon Malone College and Career Academy (Wake County Schools)
- Watauga Career Academy (Watauga Career Academy)
- Wilson Academy of Applied Technology (Wilson County Schools)



**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015**

**H**

**1**

**HOUSE BILL 35**

Short Title: Education Innovation Task Force. (Public)

Sponsors: Representatives Elmore, S. Martin, Horn, and Cotham (Primary Sponsors).  
*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

February 3, 2015

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH THE LEGISLATIVE TASK FORCE ON EDUCATION  
INNOVATION, AS RECOMMENDED BY THE HOUSE STUDY COMMITTEE ON  
EDUCATION INNOVATION.

The General Assembly of North Carolina enacts:

**SECTION 1.** There is created the Legislative Task Force on Education Innovation.

**SECTION 2.** The Task Force shall consist of 19 members as follows:

(1) Nine members appointed by the President Pro Tempore of the Senate as follows:

- a. Five persons who are members of the Senate at the time of appointment.
- b. A school system superintendent.
- c. A school system principal.
- d. A public school teacher.
- e. A parent of a student who is enrolled in a public school.

(2) Nine members appointed by the Speaker of the House of Representatives as follows:

- a. Five persons who are members of the House of Representatives at the time of appointment.
- b. A school system superintendent.
- c. A school system principal.
- d. A public school teacher.
- e. A parent of a student who is enrolled in a public school.

(3) The 2015 North Carolina Teacher of the Year.

**SECTION 3.** The Speaker of the House of Representatives shall designate one Representative as cochair, and the President Pro Tempore of the Senate shall designate one Senator as cochair. Vacancies on the Task Force shall be filled by the same appointing authority that made the initial appointment. A quorum of the Task Force shall be a majority of its members.

**SECTION 4.** The Task Force shall study the need to create a permanent entity dedicated to examining innovative practices in education designed to improve student achievement throughout the State. As part of this study, the Task Force shall do the following:

(1) Examine whether a permanent entity to study education innovation is the appropriate platform for the consideration of emerging innovations in education and for providing recommendations to the General Assembly on





the incorporation of innovative practices in the public schools and higher education, including the use of State funds to advance this purpose.

(2) Examine the appropriate structure for a permanent entity to study education innovation, including membership of the entity, housing of the entity in an agency or in the legislative branch, stakeholder participation in the membership and duties of the entity, and staffing of the entity.

(3) Gather information from stakeholders in the areas of public schools and higher education on the establishment of a permanent entity to study education innovation.

(4) Study any other issues the Task Force considers relevant.

**SECTION 5.** The Task Force, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Task Force may meet at any time upon the joint call of the cochairs. The Task Force may meet in the Legislative Building or the Legislative Office Building.

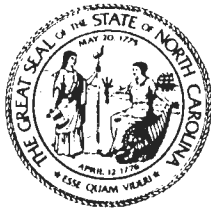
With approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional staff to assist the Task Force in its work. The House of Representatives' and the Senate's Directors of Legislative Assistants shall assign clerical staff to the Task Force, and the expenses relating to the clerical employees shall be borne by the Task Force. The Task Force may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. If the Task Force hires a consultant, the consultant shall not be a State employee or a person currently under contract with the State to provide services.

All State departments and agencies and local governments and their subdivisions shall furnish the Task Force with any information in their possession or available to them.

**SECTION 6.** The Task Force shall submit a final report of the results of its study and its recommendations, including any proposed legislation, to the 2017 General Assembly. The Task Force shall terminate on December 31, 2016, or upon the filing of its final report, whichever occurs first.

**SECTION 7.** This act is effective when it becomes law.





## HOUSE BILL 35: Education Innovation Task Force

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Elmore, S. Martin, Horn, Cotham  
**Analysis of:** First Edition

**Date:** February 24, 2015  
**Prepared by:** Drupti Chauhan  
Committee Counsel

**SUMMARY:** *House Bill 35 would establish the Legislative Task Force on Education Innovation. It is recommendation of the House Study Committee Education Innovation.*

**BILL ANALYSIS:** House Bill 35 would create a Legislative Task Force on Education Innovation (Task Force) consisting of 19 members which would include legislators, school superintendents, principals, teachers and parents of students enrolled in public schools.

The Task Force would be charged with studying the need for establishing a permanent entity to examine innovative practices in education designed to improve student achievement throughout the State. As a part of the study, the Task Force would be required to do the following:

- Examine whether a permanent entity to study innovative education practices is the appropriate platform for considering emerging education innovations and making recommendations to the General Assembly to incorporate these practices in the State's public schools and higher education institutions, including the use of State funds to advance these ideas.
- Examine the appropriate structure for a permanent entity to study innovative education practices, including the membership of the entity, where it should be placed in State government, extent of stakeholder membership, the duties of the entity, and the staffing for the entity.
- Gather information from stakeholders on the establishment of a permanent entity to study education innovation.
- Study other issues the Task Force considers relevant.

The Task Force would submit a final report with recommendations to the 2017 General Assembly. The Task Force would terminate on December 31, 2016 or upon the filing of its final report, whichever occurs first.

**EFFECTIVE DATE:** The bill would become effective when it becomes law.

**BACKGROUND:** The House Study Committee on Innovation was established in 2013 and was charged with studying innovative practices in education designed to improve student achievement leading to college and career readiness, including strategies that incorporated public-private partnerships, alternative learning environments, high-quality professional development for teachers and other school personnel, and community and parent involvement. The Committee terminated in 2014 and submitted a final report which can be found at the following web address:

<http://www.ncleg.net/gascripts/DocumentSites/browseDocSite.asp?nID=243>







## Education K-12 Committee

[illegible]





[illegible]



Committee Sergeants at Arms

NAME OF COMMITTEE House Comm. on Educat. K-12

DATE: 03/03/15 Room: 643

House Sgt-At Arms:

1. Name: Young Bae

2. Name: Bill Morris

3. Name: Jim Moran

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_

Senate Sgt-At Arms:

1. Name: \_\_\_\_\_

2. Name: \_\_\_\_\_

3. Name: \_\_\_\_\_

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_



**Tuesday, March 3**  
EDUCATION K-12

**Room**  
643

**Time**  
10:00 am

<b>Name</b>	<b>County</b>	<b>Sponsor</b>
Jordan Trivette	Bladen	William D. Brisson



## VISITOR REGISTRATION SHEET

House Comm. on Educat. K-12

03/03/15

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

<i>Eugene Helms</i>	NC SBA
<i>Adam Pridmore</i>	NCASA
<i>Don G. Hawn</i>	XISSWA
<i>Cheryl Posner-Cahill</i>	NC School Bych Assoc
<i>Edna Wallace</i>	NCNS
<i>DEL MAYNARD</i>	BEGINNINGS
<i>Richard Thompson</i>	NCCAT
<i>Elizabeth Mrovenstie</i>	The Hunt Institute
<i>Nick Goettsch</i>	OSBM
<i>Erin Gray</i>	GOV'S OFFICE
<i>Helena Garland</i>	DPI





## VISITOR REGISTRATION SHEET

House Comm. on Educat. K-12

03/03/15

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Chas. Caldwell w/ Patsy Pierce.

JULIE KOWAL

BEST NC

Judy Peterson

CBS



## VISITOR REGISTRATION SHEET

House Comm. on Educat. K-12

03/03/15

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

ANDY WALSH	SA
Philip Barefoot	McBure Woods
Whitney Christensen	Ward & Smith, P.A.
Angie Harris	Ward and Smith PA
Megan Keltz	UA
Michelle Brooks	ECU
Jon Willis	UNC-CH
Jonathan Kappeler	UNC GIA
Matt Ellsworth	NCSC
Alex Krupp	PENC
Jacob Francis	CS



## VISITOR REGISTRATION SHEET

House Comm. on Educat. K-12

03/03/15

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

MaA Gray	NCR
Jennifer Mahan	ASNC
Kris Caudle	State Board
Rachel Beaulieu	DPI
Zane Stilwell	NC SBE
Wendy Keel	Focus - Carolina
Kristen Laster	SSGNC





**House Education K-12 Committee  
Tuesday, March 17, 2015 at 10:00 AM  
Room 643 of the Legislative Office Building**

**MINUTES**

The House Education K-12 Committee met at 10:00 am on March 17, 2015 in Room 643 of the Legislative Office Building. Representatives Elmore, Horn, Johnson, Ager, Bryan, Cleveland, Cotham, Dixon, Farmer-Butterfield, Fisher, Glazier, Hanes, Hardister, Hurley, Iler, Langdon, Luebke, Meyer, Pittman, Richardson, Riddell, Stam, Turner, and Whitmire were in attendance. Research Department staff were Drupti Chauhan, Kara McCraw and Denise Huntley-Adams. Visitor registration sheets are provided. (Attachment 1)

Representative Craig Horn, Chair, presided. He called the meeting to order and introduced the House Sergeant at Arms and the visiting pages. Representative Horn announced that House Bill 13, House Bill 29, and House Bill 138 would be before the committee today.

Representative John Torbett presented HB13, Amend School Health Assessment Requirement. Staff explained that any child entering school is required to have a physical examination. Rep. Cotham expressed concerns that a child would be suspended without compliance and that poor children might not be able to afford or be able to get an appointment to get a physical. Tracy Weeks from DPI attempted to answer member's questions. Rep. Luebke asked how students were getting health assessments now. Staff reported that the local Health Department provided these physicals. Rep. Glazier said it is a good bill for policy, but needs a change in the language. Rep. Hurley made a motion for a favorable report, unfavorable to the original bill. The ayes prevailed.

Representative Bryan Holloway presented HB29, Technical Changes to Courses of Study Statute. Representative Stam submitted a perfecting amendment and Representative Susan Fisher moved for a favorable report unfavorable to the original bill. It passed unanimously.

Representative Becky Carney presented HB138, Arts Education Requirement. She explained that the bill would integrate arts into the curriculum between grades 6-12. Representative Stam redrafted an amendment that met with the approval of the bill sponsor and Representative Susan Fisher moved for a favorable report as amended. It passed unanimously.

There being no further business, Chairman Horn called the meeting adjourned at 10:55 AM.

Handwritten signature of Representative Craig Horn in blue ink.

Representative Craig Horn, Chair Presiding

Handwritten signature of Pattie Fleming in blue ink.

Pattie Fleming, Committee Clerk

الأول من شهر رجب



**Pattie Fleming (Rep. Craig Horn)**

---

**From:** Pattie Fleming (Rep. Craig Horn)  
**Sent:** Wednesday, March 11, 2015 10:47 AM  
**To:** Rep. John Torbett; Rep. Linda Johnson; Rep. Rick Glazier; Rep. Bryan Holloway; Rep. Craig Horn; Rep. Becky Carney; Rep. Jeffrey Elmore  
**Cc:** Viddia Torbett (Rep. John Torbett); Joanna Hogg (Rep. Linda Johnson); Megan Lewis (Rep. Rick Glazier); Emma Shelby (Rep. Bryan Holloway); Beth LeGrande (Rep. Becky Carney); Linda Stevenson (Rep. Jeffrey Elmore)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Tuesday, March 17, 2015 at 10:00 AM  
**Attachments:** Add Meeting to Calendar\_LINC\_.ics

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Tuesday, March 17, 2015  
**TIME:** 10:00 AM  
**LOCATION:** 643 LOB  
**COMMENTS:** Representative Horn will be presiding.

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 13	Amend School Health Assessment Requirement.	Representative Torbett
HB 29	Technical Changes to Courses of Study Statute.	Representative L. Johnson Representative Glazier Representative Holloway Representative Horn
HB 138	Arts Education Requirement.	Representative Carney Representative L. Johnson Representative Elmore Representative Glazier



Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:46 AM on Wednesday, March 11, 2015.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Pattie Fleming (Committee Assistant)



**House Committee on Education - K-12  
Tuesday, March 17, 2015, 10:00 AM  
643 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks**

**Introduction of Pages**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 13	Amend School Health Assessment Requirement.	Representative Torbett
HB 29	Technical Changes to Courses of Study Statute.	Representative L. Johnson Representative Glazier Representative Holloway Representative Horn
HB 138	Arts Education Requirement.	Representative Carney Representative L. Johnson Representative Elmore Representative Glazier

**Presentations**

**Other Business**

**Adjournment**



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair**

**Representative D. Craig Horn, Co-Chair**

**Representative Linda P. Johnson, Co-Chair**

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL**

HB 13	Amend School Health Assessment Requirement.
	Draft Number: H13-PCS10114-TB-6
	Serial Referral: None
	Recommended Referral: None
	Long Title Amended: Yes
	Floor Manager: Torbett
HB 29	Technical Changes to Courses of Study Statute.
	Draft Number: H29-PCS20097-TC-2
	Serial Referral: None
	Recommended Referral: None
	Long Title Amended: No
	Floor Manager: L. Johnson
HB 138	Arts Education Requirement.
	Draft Number: H138-PCS10112-TW-2
	Serial Referral: None
	Recommended Referral: None
	Long Title Amended: No
	Floor Manager: Carney

TOTAL REPORTED: 3



\* C M R 4 9 - V - 1 \*





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 13

Short Title: Amend School Health Assessment Requirement.

(Public)

Sponsors: Representative Torbett (Primary Sponsor).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Health, if favorable, Education - K-12.

January 29, 2015

A BILL TO BE ENTITLED

AN ACT REQUIRING EACH CHILD PRESENTED FOR ADMISSION INTO THE PUBLIC SCHOOLS FOR THE FIRST TIME TO SUBMIT PROOF OF A RECENT HEALTH ASSESSMENT AND REQUIRING THE HEALTH ASSESSMENT TRANSMITTAL FORM TO BE PERMANENTLY MAINTAINED IN THE CHILD'S OFFICIAL SCHOOL RECORD.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 130A-440 reads as rewritten:

**"§ 130A-440. Health assessment required.**

(a) Every parent, guardian, or person in loco parentis shall submit proof of a health assessment for each child in this State entering kindergarten in who is presented for admission into kindergarten or a higher grade in the public schools shall receive a health assessment for the first time. The health assessment shall be made no more than 12 months prior to the date of school entry. initial entry into the public schools. No child shall attend kindergarten is eligible for initial entry into kindergarten or a higher grade in the public schools unless a health assessment transmittal form, developed pursuant to G.S. 130A-441, indicating that the child has received the health assessment required by this section, is presented to the school principal. The medical provider, or the parent, guardian, or person in loco parentis, must present a completed health assessment transmittal form to the principal of the school on or before the child's first day of attendance. If a health assessment transmittal form is not presented on or before the child's first day of attendance, the principal shall present a notice of deficiency to the parent, guardian, or responsible person. The parent, guardian, or responsible person shall have 30 calendar days from the first day of attendance to present the required health assessment transmittal form for the child. Upon termination of 30 calendar days, the principal shall not permit the child to attend the school until the required health assessment transmittal form has been presented. The health assessment transmittal form shall be permanently maintained in the child's official school record.

(b) A health assessment shall include a medical history and physical examination with screening for vision and hearing and, if appropriate, testing for anemia and tuberculosis. Vision screening shall be conducted in accordance with G.S. 130A-440.1. The health assessment may also include dental screening and developmental screening for cognition, language, and motor function. The developmental screening of cognition and language abilities may be conducted in accordance with G.S. 115C-83.5(a).

(c) The health assessment shall be conducted by a physician licensed to practice medicine, a physician's assistant as defined in G.S. 90-18.1(a), a certified nurse practitioner, or



1 a public health nurse meeting the Department's Standards for Early Periodic Screening,  
2 Diagnosis, and Treatment Screening.

3 (d) This Article shall not apply to children entering kindergarten in private church  
4 schools, schools of religious charter, or qualified nonpublic schools, regulated by Article 39 of  
5 Chapter 115C of the General Statutes."

6 **SECTION 2.** G.S. 115C-402(b) reads as rewritten:

7 "(b) The official record shall contain, ~~as at~~ a minimum, adequate identification data  
8 including date of birth, attendance data, grading and promotion ~~data, data; a health assessment~~  
9 transmittal form as required by G.S. 130A-440; and such other factual information as may be  
10 deemed appropriate by the local board of education having jurisdiction over the school wherein  
11 the record is maintained. Each student's official record also shall include notice of any  
12 long-term suspension or expulsion imposed pursuant to G.S. 115C-390.7 through  
13 G.S. 115C-390.11 and the conduct for which the student was suspended or expelled. The  
14 superintendent or the superintendent's designee shall expunge from the record the notice of  
15 suspension or expulsion if the following criteria are met:

16 (1) One of the following persons makes a request for expungement:

17 a. The student's parent, legal guardian, or custodian.

18 b. The student, if the student is at least 16 years old or is emancipated.

19 (2) The student either graduates from high school or is not expelled or  
20 suspended again during the two-year period commencing on the date of the  
21 student's return to school after the expulsion or suspension.

22 (3) The superintendent or the superintendent's designee determines that the  
23 maintenance of the record is no longer needed to maintain safe and orderly  
24 schools.

25 (4) The superintendent or the superintendent's designee determines that the  
26 maintenance of the record is no longer needed to adequately serve the child."

27 **SECTION 3.** This act is effective when it becomes law and applies to children  
28 enrolling in the public schools for the first time beginning with the 2015-2016 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 13  
PROPOSED COMMITTEE SUBSTITUTE H13-CSTB-6 [v.3]

3/16/2015 4:25:13 PM

Short Title: Amend School Health Assessment Requirement.

(Public)

Sponsors:

Referred to:

January 29, 2015

A BILL TO BE ENTITLED  
AN ACT REQUIRING EACH CHILD PRESENTED FOR ADMISSION INTO THE PUBLIC  
SCHOOLS FOR THE FIRST TIME TO SUBMIT PROOF OF A HEALTH  
ASSESSMENT AND REQUIRING THE HEALTH ASSESSMENT TRANSMITTAL  
FORM TO BE PERMANENTLY MAINTAINED IN THE CHILD'S OFFICIAL SCHOOL  
RECORD.

The General Assembly of North Carolina enacts:

**SECTION 1.** The title of Article 18 of Chapter 130A of the General Statutes reads  
as rewritten:

"ARTICLE 18.  
HEALTH ASSESSMENTS FOR KINDERGARTEN  
CHILDREN IN THE PUBLIC SCHOOLS."

**SECTION 2.** G.S. 130A-440 reads as rewritten:

**"§ 130A-440. Health assessment required.**

(a) Every parent, guardian, or person in loco parentis shall submit proof of a health  
assessment for each child in this State entering kindergarten in who is presented for admission  
into kindergarten or a higher grade in the public schools shall receive a health assessment for  
the first time. The health assessment shall be made no more than 12 months prior to the date of  
school entry; the child would have first been eligible for initial entry into the public schools. No  
child shall attend kindergarten is eligible for initial entry into kindergarten or a higher grade in  
the public schools unless a health assessment transmittal form, developed pursuant to  
G.S. 130A-441, indicating that the child has received the health assessment required by this  
section, is presented to the school principal. The medical provider, or the parent, guardian, or  
person in loco parentis, must present a completed health assessment transmittal form to the  
principal of the school on or before the child's first day of attendance. If a health assessment  
transmittal form is not presented on or before the child's first day, day of attendance, the  
principal shall present a notice of deficiency to the parent, guardian, or responsible person. The  
parent, guardian, or responsible person shall have 30 calendar days from the first day of  
attendance to present the required health assessment transmittal form for the child. Upon  
termination of 30 calendar days, the principal shall not permit the child to attend the school  
until the required health assessment transmittal form has been presented. The health assessment  
transmittal form shall be permanently maintained in the child's official school record.

(b) A health assessment shall include a medical history and physical examination with  
screening for vision and hearing and, if appropriate, testing for anemia and tuberculosis. Vision  
screening shall be conducted in accordance with G.S. 130A-440.1. The health assessment may



\* H 1 3 - C S T B - 6 - V - 3 \*



also include dental screening and developmental screening for cognition, language, and motor function. The developmental screening of cognition and language abilities may be conducted in accordance with G.S. 115C-83.5(a).

(c) The health assessment shall be conducted by a physician licensed to practice medicine, a physician's assistant as defined in G.S. 90-18.1(a), a certified nurse practitioner, or a public health nurse meeting the Department's Standards for Early Periodic Screening, Diagnosis, and Treatment Screening.

(d) This Article shall not apply to children entering ~~kindergarten in~~ private church schools, schools of religious charter, or qualified nonpublic schools, regulated by Article 39 of Chapter 115C of the General Statutes."

**SECTION 3.** G.S. 130A-441 reads as rewritten:

**"§ 130A-441. Reporting.**

(a) Health assessment results shall be submitted to the school principal by the medical provider on health assessment transmittal forms developed by the Department and the Department of Public Instruction.

(b) ~~Each school having a kindergarten shall maintain on file the health assessment results. The health assessment transmittal form shall be permanently maintained in the student's official school record. The health assessment transmittal form files shall be open to inspection by the Department, the Department of Public Instruction, or their authorized representatives and persons inspecting the files shall maintain the confidentiality of the files. Upon transfer of a child to another kindergarten, a copy of the health assessment results shall be provided upon request and without charge to the new kindergarten.~~

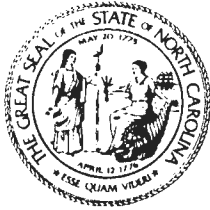
(c) Within 60 calendar days after the commencement of a new school year, the principal shall file a health assessment status report with the Department on forms developed by the Department and the Department of Public Instruction. The report shall document the number of newly enrolled children in compliance and not in compliance with G.S. 130A-440(a)."

**SECTION 4.** G.S. 115C-402(b) reads as rewritten:

"(b) The official record shall contain, ~~as~~ at a minimum, adequate identification data including date of birth, attendance data, grading and promotion ~~data, data;~~ a health assessment transmittal form as required by G.S. 130A-440; and such other factual information as may be deemed appropriate by the local board of education having jurisdiction over the school wherein the record is maintained. Each student's official record also shall include notice of any long-term suspension or expulsion imposed pursuant to G.S. 115C-390.7 through G.S. 115C-390.11 and the conduct for which the student was suspended or expelled. The superintendent or the superintendent's designee shall expunge from the record the notice of suspension or expulsion if the following criteria are met:

- (1) One of the following persons makes a request for expungement:
  - a. The student's parent, legal guardian, or custodian.
  - b. The student, if the student is at least 16 years old or is emancipated.
- (2) The student either graduates from high school or is not expelled or suspended again during the two-year period commencing on the date of the student's return to school after the expulsion or suspension.
- (3) The superintendent or the superintendent's designee determines that the maintenance of the record is no longer needed to maintain safe and orderly schools.
- (4) The superintendent or the superintendent's designee determines that the maintenance of the record is no longer needed to adequately serve the child."

**SECTION 5.** This act is effective when it becomes law and applies to children enrolling in the public schools for the first time beginning with the 2015-2016 school year.



# HOUSE BILL 13: Amend School Health Assessment Requirement

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Rep. Torbett  
**Analysis of:** PCS to First Edition  
H13-CSTB-6

**Date:** March 17, 2015  
**Prepared by:** Denise Adams  
Legislative Analyst

**SUMMARY:** *House bill 13 would require submission of a form indicating the completion of a recent health assessment prior to the first admission of a child into public schools. House bill 13 would also require the health assessment transmittal form to be permanently maintained as part of the child's official school record.*

*The Proposed Committee Substitute (PCS) for House Bill 13 makes several conforming changes and provides that the health assessment must be made no more than 12 months prior to the date the child would have first been eligible for entry into the public schools.*

**CURRENT LAW:** Health assessments for children in the public schools are regulated under Article 18 of Chapter 130A of the General Statutes. Currently, no child is able to enter kindergarten in the North Carolina public schools without the completion of a health assessment. The health assessment must be made not more than 12 months prior to entry. The required health assessment includes a medical history and physical examination with a screening for vision and hearing, as well as testing for anemia and tuberculosis, if appropriate. It may also include dental screening and developmental screening. The health assessment results must be submitted to the school principal on forms developed by the Department of Health and Human Services and the Department of Public Instruction.

**BILL ANALYSIS:** **Section 1** of the PCS would make a conforming change to the title of Article 18 of Chapter 130A of the General Statutes.

**Section 2** of the PCS would amend G.S.130A-440 by requiring a health assessment for students before entering into kindergarten *or a higher grade in public school*. The requirement is limited to the student's initial entry into the public schools. Section 1 of the PCS would also make clarifying changes that specify that a parent, guardian, or person in loco parentis is responsible for submitting the health assessment to the school principal on or before the student's first day of attendance. The health assessment must be made not more than 12 months prior to the date the child *would have first been eligible for initial entry into public schools*. Section 1 of the PCS would also require the health assessment form be permanently maintained in the student's official school record.

**Section 3** of the PCS would make several conforming changes to G.S. 130A-441 to comply with the new requirement that the health assessment transmittal forms be permanently maintained in the student's official record.

**Section 4** of the PCS would make a conforming change to G.S. 115C-402(b) by adding the health assessment transmittal form to the items required to be maintained in an official school record.

**EFFECTIVE DATE:** The bill is effective when it becomes law and applies to children entering in the public schools for the first time beginning with the 2015-2016 school year.

*Amy Jo Johnson, Counsel to the House Health Committee, substantially contributed to this summary.*

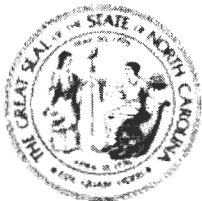
O. Walker Reagan  
Director



Research Division  
(919) 733-2578

\* H 1 3 - S M T B - 1 1 C S T B - 6 - V 3 \*





## HOUSE BILL 13: Amend School Health Assessment Requirement

2015-2016 General Assembly

<b>Committee:</b>	House Health, if favorable, Education - K-12	<b>Date:</b>	March 4, 2015
<b>Introduced by:</b>	Rep. Torbett	<b>Prepared by:</b>	Amy Jo Johnson
<b>Analysis of:</b>	First Edition		Committee Counsel

**SUMMARY:** *House bill 13 would require submission of a form indicating the completion of a recent health assessment prior to the first admission of a child into public schools. House bill 13 would also require the health assessment to be permanently maintained as part of the child's official school record.*

**CURRENT LAW:** Health assessments for children in the public schools are regulated under Article 18 of Chapter 130A of the General Statutes. Currently, no child is able to enter kindergarten in the North Carolina public schools without the completion of a health assessment. The health assessment must be made not more than 12 months prior to entry. The required health assessment includes a medical history and physical examination with a screening for vision and hearing, as well as testing for anemia and tuberculosis. It may also include dental screening and development screening. The health assessment results must be submitted to the school principal on forms developed by the Department of Health and Human Services and the Department of Instruction.

**BILL ANALYSIS:** House Bill 13 would amend G.S.130A-440 by requiring a health assessment for students before entering into kindergarten *or a higher grade in public school*. The requirement is limited to the student's initial entry into the public schools.

**Section 1** of the bill also makes clarifying changes that specify that a parent, guardian, or person in loco parentis is responsible for submitting the health assessment to the school principal on or before the student's first day of attendance. The health assessment must be made not more than 12 months prior entry. **Section 1** also requires the health assessment form be permanently maintained in the student's official school record.

**Section 2** of the bill makes a conforming change to G.S. 115C-402(b) by adding the health assessment to the items required to be maintained in an official school record.

**EFFECTIVE DATE:** The bill is effective when it comes law and applies to children entering in the public schools for the first time beginning with the 2015-2016 school year.

O. Walker Reagan  
Director



Research Division  
(919) 733-2578







NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 29

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

Page 1 of 1

H29-ATC-8 [v.3]

Comm. Sub. [YES]  
Amends Title [NO]  
First Edition

Date \_\_\_\_\_, 2015

Representative Stam

1 moves to amend the bill on and on page 1, line 12, by rewriting that line to read:

2  
3 "(a) All children can learn. It is the intent of the";

4  
5 and of page 7, line 29, by rewriting that line to read:

6  
7 "i. Individual rights as set forth in the Bill of Rights and the North Carolina  
8 Declaration of Rights of 1776.".  
9

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



\* H 2 9 - A T C - 8 - V - 3 \*





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 29

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

H29-ATC-9 [v.2]

Page 1 of 1

Comm. Sub. [YES]  
Amends Title [NO]  
First Edition

Date \_\_\_\_\_, 2015

Representative Glazier

- 1 moves to amend the bill on page 1, line 16, by inserting the following sentence after the word  
2 "State.":  
3  
4 "It is the intent of the General Assembly that the focus of State educational funding shall be to  
5 ensure that each student receive a sound basic education."

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



\* H 2 9 - A T C - 9 - V - 2 \*





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 29

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

H29-ATC-9 [v.1]

Page 1 of 1

Comm. Sub. [YES]  
Amends Title [NO]  
First Edition

Date \_\_\_\_\_, 2015

Representative Glazier

- 1 moves to amend the bill on page 1, line 16, by inserting the following sentence after the word  
2 "State.":  
3  
4 "It is the intent of the General Assembly that the focus of State educational funding shall be to  
5 ensure that all students receive a sound basic education.".

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



\* H 2 9 - A T C - 9 - V - 1 \*





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 29

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

H29-ATC-9 [v.2]

Page 1 of 1

Comm. Sub. [YES]  
Amends Title [NO]  
First Edition

Date March 17th, 2015

Representative Glazier

- 1 moves to amend the bill on page 1, line 16, by inserting the following sentence after the word  
2 "State.":  
3  
4 "It is the intent of the General Assembly that the focus of State educational funding shall be to  
5 ensure that each student receive a sound basic education.".

SIGNED [Signature] Amendment Sponsor

SIGNED [Signature] Committee Chair if Senate Committee Amendment

ADOPTED [Red Checkmark] FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



\* H 2 9 - A T C - 9 - V - 2 \*







NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 29

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

H29-ATC-8 [v.3]

Page 1 of 1

Comm. Sub. [YES]  
Amends Title [NO]  
First Edition

Date \_\_\_\_\_, 2015

Representative Stam

1 moves to amend the bill on and on page 1, line 12, by rewriting that line to read:  
2

3 "(a) All children can learn. It is the intent of the;" PS  
4

5 ~~and of page 7, line 29, by rewriting that line to read:~~  
6

7 ~~"i. Individual rights as set forth in the Bill of Rights and the North Carolina~~  
8 ~~Declaration of Rights of 1776."~~  
9

SIGNED \_\_\_\_\_

Stam  
Amendment Sponsor

SIGNED \_\_\_\_\_

Craig Han  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_

FAILED \_\_\_\_\_

TABLED \_\_\_\_\_



\* H 2 9 - A T C - 8 - V - 3 \*

May 19

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

II

D

HOUSE BILL 138  
PROPOSED COMMITTEE SUBSTITUTE H138-CSTW-2 [v.3]

3/13/2015 11:51:57 AM

Short Title: Arts Education Requirement.

(Public)

Sponsors:

Referred to:

March 4, 2015

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO REQUIRE ONE ARTS  
EDUCATION CREDIT PRIOR TO GRADUATION FROM HIGH SCHOOL.

The General Assembly of North Carolina enacts:

**SECTION 1.** The State Board of Education shall modify the State graduation requirements to include one required credit in arts education to be completed by each student at any time in grades six through 12.

The State Board of Education shall implement this arts education graduation requirement beginning with students entering the sixth grade in 2018.

**SECTION 2.** The State Board of Education shall:

- (1) Establish procedures and a time line for a phased-in implementation of the arts education graduation requirement.
- (2) Establish the minimum criteria to meet the arts education graduation requirement.
- (3) By December 15, 2018, report to the Joint Legislative Education Oversight Committee on the following:
  - a. The statewide implementation of the three interdependent components of comprehensive arts education (arts education, arts integration, and arts exposure).
  - b. The graduation requirement set forth in this act.

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



\* H 1 3 8 - C S T W - 2 - V - 3 \*





# HOUSE BILL 138: Arts Education Requirement

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12	<b>Date:</b>	March 11, 2015
<b>Introduced by:</b>	Reps. Carney, L. Johnson, Elmore, Glazier	<b>Prepared by:</b>	James Ritter*
<b>Analysis of:</b>	PCS to First Edition H138-CSTW		Legislative Analyst

**SUMMARY:** *HB 138 would direct the State Board of Education to require one arts education credit for graduation from high school beginning with students entering the sixth grade in 2018.*

*The Proposed Committee Substitute would make the following changes: (i) clarify that the State Board of Education is to modify the graduation requirements and, (ii) clarify that the report to the Joint Legislative Education Committee on comprehensive arts education include information on arts education, arts integration, and arts exposure in the public schools.*

## CURRENT LAW:

### Future-Ready Core Course of Study:

Under G.S. 115C-12(9c), the State Board of Education has the authority to develop and mandate the standard course of study and exit standards. The Future-Ready Core Course of Study was implemented beginning with the freshman class of 2009-10 and required 21 credits for graduation plus any local requirements added by the local school administrative units. Beginning with the freshman class of 2012-13, the Future Read-ready Core Course of Study (2012 Core Course of Study) requires 22 units for graduation with the addition of another social studies credit. Local school administrative units may add additional requirements.

A chart of the 2012 Core Course of Study is included in the Background section below.

Currently, the following local school administrative units have an arts education requirement for high school graduation: Burke County Schools, Columbus County Schools, Newton Conover Schools, Pitt County Schools, and Rowan-Salisbury Schools.

Arts Education: G.S. 115C-81(a1) sets forth the Basic Education Program (BEP) which has been implemented as funding allows. It includes the arts as an area of instruction that must be offered in the public schools and an arts education standard course of study has been adopted by the State Board of Education. To the extent funds are available, the State Board recommended in the BEP that arts education must be required of all students through grade 5. For grades 6-8, all four disciplines of arts education (theatre, music, visual arts, and dance) must be available with students required to take at least one each year. For the high school level, the arts are to be available as electives.

The arts are considered as one of the core academic subjects in the federal No Child Left Behind Act. In North Carolina, licensure is available for all four disciplines of arts education and teachers in these areas must meet NC licensure requirements. In 2012, the General Assembly directed the State Board of Education, in consultation with the Board of Governors of The University of North Carolina, to ensure that students preparing to teach in elementary schools in the State are prepared to integrate arts education across the curriculum. G.S. 115C-296(b).





# House Bill 138

Page 2

## BILL ANALYSIS:

The PCS for House Bill 138 would direct the State Board of Education to modify the State graduation requirements to include one credit in arts education to be completed by each student at any time in grades six through 12. It also provides for the implementation of comprehensive arts education to include the three interdependent components of arts education, arts integration, and arts exposure as noted in S.L. 2010-34, SB 66, Comprehensive Arts Education Plan.

## EFFECTIVE DATE:

The bill would become effective when it becomes law.

## BACKGROUND:

Both the 2008 Joint Select Committee on Arts Education and the 2012 Arts Education Commission recommended to the General Assembly that the State Board of Education be directed to require one arts education credit for graduation from high school. According to the Department of Public Instruction, the percentage of students participating in arts education classes state-wide in all grades in 2014-2015 is 139.37%. For middle and high school students this disaggregates as follows:

Arts Education	Middle School	High School
Dance	4.68%	3.33%
Music	53.17%	44.31%
Theatre Arts	8.22%	8.16%
Visual Arts	42.16%	24.01%

## Future Ready Core Course of Study (For Students Entering Ninth Grade in 2012-2013 and later)

Content Area	FUTURE-READY CORE Course of Study Requirements
Mathematics	<b>4 Credits</b> · Algebra I, Geometry, Algebra II <b>OR</b> · Integrated Math I, II, III · 4th Math Course to be aligned with the student's post high school plans  <i>A student, in rare instances, may be able to take an alternative math course sequence as outlined under State Board of Education policy. Please see the school counselor for more details.</i>
English	<b>4 Credits</b> I, II, III, IV <b>OR</b> a designated combination of 4 courses
Social Studies	<b>4 Credits</b>

# House Bill 138

Page 3

	<ul style="list-style-type: none"><li>· Civics and Economics</li><li>· World History</li><li>· American History I: Founding Principles and American History II or AP US History</li><li>· Additional social studies course</li></ul>
<b>Science</b>	<b>3 Credits</b> A physical science course, Biology, Environmental Science
<b>World Languages</b>	Not required for high school graduation. A 2-credit minimum is required for admission to a UNC constituent institution.
<b>Health and Physical Education</b>	<b>1 Credit</b> Health/Physical Education
<b>Electives or other requirements</b>	<b>6 Credits required</b> <b>2 elective credits of any combination from either:</b> <ul style="list-style-type: none"><li>– Career and Technical Education (CTE)</li><li>– Arts Education</li><li>– World Languages</li></ul> <b>4 elective credits strongly recommended (four course concentration) from one of the following:</b> <ul style="list-style-type: none"><li>– Career and Technical Education (CTE)</li><li>– JROTC</li><li>– Arts Education (e.g. dance, music, theater arts, visual arts)</li><li>– Any other subject area (e.g. social studies, science, mathematics, English)</li></ul>
<b>Career/Technical</b>	(see electives)
<b>Arts Education (Dance, Music, Theatre Arts, Visual Arts)</b>	(see electives)
<b>Total</b>	<b>22 Credits plus any local requirements</b>

*\*Patsy Pierce, Legislative Analyst, contributed substantially to this summary.*





## Pattie Fleming (Rep. Craig Horn)

---

**From:** Rachel Beaulieu <Rachel.Beaulieu@dpi.nc.gov>  
**Sent:** Tuesday, March 17, 2015 10:29 AM  
**To:** Rep. John Torbett; Rep. Linda Johnson; Joanna Hogg (Rep. Linda Johnson); Rep. Craig Horn; Pattie Fleming (Rep. Craig Horn); Aaron Fleming (Policy Advisor, Speaker Moore's Office); Rep. Tricia Cotham  
**Cc:** Drupti Chauhan (Research); Kara McCraw (Research); Tracy Weeks  
**Subject:** H 13 Answer on Suspension v. Unlawful Absence  
**Importance:** High

Unlawful Absence:

Please see language below from student accounting manual - prior to 2010 it was coded as a suspension. Since July 1, 2010 it is coded as an unlawful absence

1. When students are not permitted to attend school because they lack proper immunization. Code **2B** in PowerSchool is suggested for immunization absence tracking.

**(G. S. 130A-155 - Description:** The 2009-10 School Attendance and Student Account Manual policy for students who do not have the proper immunizations states that their absences, when not allowed to attend school for lack of immunizations are to be coded as suspensions. In discussions with the North Carolina Attorney General's Office, we have determined that a policy change is required to code the absence, due to a student's lack of immunizations as an unlawful absence instead of suspensions beginning July 1, 2010.)

Rachel E. Beaulieu  
NC Department of Public Instruction  
Legislative & Community Relations Director  
919-807-4035

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## Rep. Craig Horn

---

**From:** Denise Huntley Adams (Research)  
**Sent:** Tuesday, March 17, 2015 03:01 PM  
**To:** 'Rachel Beaulieu'; Rep. John Torbett; Rep. Tricia Cotham; Rep. Craig Horn; Tracy Weeks  
**Cc:** Kara McCraw (Research); Drupti Chauhan (Research); Sholar, Adam; Zane Stilwell  
**Subject:** RE: H13 - preliminary numbers on "unlawful absences" from PowerSchool/DPI

If this is more than just the required health assessment, what else does the 2B code cover?

---

**From:** Rachel Beaulieu [<mailto:Rachel.Beaulieu@dpi.nc.gov>]  
**Sent:** Tuesday, March 17, 2015 2:35 PM  
**To:** Rep. John Torbett; Rep. Tricia Cotham; Rep. Craig Horn; Tracy Weeks  
**Cc:** Denise Huntley Adams (Research); Kara McCraw (Research); Drupti Chauhan (Research); Sholar, Adam; Zane Stilwell  
**Subject:** H13 - preliminary numbers on "unlawful absences" from PowerSchool/DPI

These numbers may include more than the required health assessments numbers at issue; we just pulled data on the proper code for "unlawful absences." I anticipate that the Division of Public Health/DHHS will have more exact numbers for the inquiry involved, and I have courtesy copied Adam Sholar toward that end.

We queried all districts (including Charters) to get the numbers. We had 1 district last year to mis-code 5 students and we have 1 Charter School that has mis-coded 16 students.

School Year	Number of Students	Code
2013-14	12,393	2B - unlawful absence
2014-15	8,926	2B - unlawful absence

I hope this helps -

Yours,

Rachel E. Beaulieu  
NC Department of Public Instruction  
Legislative & Community Relations Director  
919-807-4035

Visit us on the web at [www.ncpublicschools.org](http://www.ncpublicschools.org). All e-mail correspondence to and from this address is subject





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 138

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)

Page 1 of 1

H138-ATW-4 [v.2]

Comm. Sub. [YES]

Amends Title [NO]

H138-CSTW-2

Date March 17, 2015

Representative Stam

1 moves to amend the bill on page 1, line 9 by inserting the following after "2018":  
2  
3

4 "The State Board shall include an exemption from the arts education graduation requirement  
5 for students transferring into a North Carolina public school beginning in the ninth grade or  
6 later if such requirement would prevent a student from graduating during the prescribed  
7 semester".  
8  
9

SIGNED *Stam*  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



\* H 1 3 8 - A T W - 4 - V - 2 \*





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 138

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

H138-ATC-10 [v.1]

Page 1 of 1

Comm. Sub. [YES]  
Amends Title [NO]  
H138-CSTW-2

Date \_\_\_\_\_ March 17, 2015

Representative Stam

1 moves to amend the bill on page 1, line 9 by inserting the following after "2018."  
2  
3

4 "The State Board shall include an exemption from the arts education graduation requirement  
5 for students transferring into a North Carolina public school beginning in the ninth grade or  
6 later if such requirement would prevent a student from graduating with the graduation cohort to  
7 which the student was assigned when transferring."

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED ☒ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



\* H 1 3 8 - A T C - 1 0 - V - 1 \*







NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 138

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

Page 1 of 1

HH38-ATW-4 [v.2]

Comm. Sub. [YES]

Amends Title [NO]

HH38-CSTW-2

Date \_\_\_\_\_ March 17, 2015

Representative Stam

1 moves to amend the bill on page 1, line 9 by inserting the following after "2018.":

2  
3  
4 "The State Board shall include an exemption from the arts education graduation requirement  
5 for students transferring into a North Carolina public school beginning in the ninth grade or  
6 later if such requirement would prevent a student from graduating during the prescribed  
7 semester".  
8  
9

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



\* H 1 3 8 - A T W - 4 - V - 2 \*





# HOUSE BILL 138: Arts Education Requirement

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12	<b>Date:</b>	March 11, 2015
<b>Introduced by:</b>	Reps. Carney, L. Johnson, Elmore, Glazier	<b>Prepared by:</b>	James Ritter*
<b>Analysis of:</b>	PCS to First Edition H138-CSTW		Legislative Analyst

**SUMMARY:** *HB 138 would direct the State Board of Education to require one arts education credit for graduation from high school beginning with students entering the sixth grade in 2018.*

*The Proposed Committee Substitute would make the following changes: (i) clarify that the State Board of Education is to modify the graduation requirements and, (ii) clarify that the report to the Joint Legislative Education Committee on comprehensive arts education include information on arts education, arts integration, and arts exposure in the public schools.*

## CURRENT LAW:

### Future-Ready Core Course of Study:

Under G.S. 115C-12(9c), the State Board of Education has the authority to develop and mandate the standard course of study and exit standards. The Future-Ready Core Course of Study was implemented beginning with the freshman class of 2009-10 and required 21 credits for graduation plus any local requirements added by the local school administrative units. Beginning with the freshman class of 2012-13, the Future Read-ready Core Course of Study (2012 Core Course of Study) requires 22 units for graduation with the addition of another social studies credit. Local school administrative units may add additional requirements.

A chart of the 2012 Core Course of Study is included in the Background section below.

Currently, the following local school administrative units have an arts education requirement for high school graduation: Burke County Schools, Columbus County Schools, Newton Conover Schools, Pitt County Schools, and Rowan-Salisbury Schools.

Arts Education: G.S. 115C-81(a1) sets forth the Basic Education Program (BEP) which has been implemented as funding allows. It includes the arts as an area of instruction that must be offered in the public schools and an arts education standard course of study has been adopted by the State Board of Education. To the extent funds are available, the State Board recommended in the BEP that arts education must be required of all students through grade 5. For grades 6-8, all four disciplines of arts education (theatre, music, visual arts, and dance) must be available with students required to take at least one each year. For the high school level, the arts are to be available as electives.

The arts are considered as one of the core academic subjects in the federal No Child Left Behind Act. In North Carolina, licensure is available for all four disciplines of arts education and teachers in these areas must meet NC licensure requirements. In 2012, the General Assembly directed the State Board of Education, in consultation with the Board of Governors of The University of North Carolina, to ensure that students preparing to teach in elementary schools in the State are prepared to integrate arts education across the curriculum. G.S. 115C-296(b).



# House Bill 138

Page 2

## BILL ANALYSIS:

The PCS for House Bill 138 would direct the State Board of Education to modify the State graduation requirements to include one credit in arts education to be completed by each student at any time in grades six through 12. It also provides for the implementation of comprehensive arts education to include the three interdependent components of arts education, arts integration, and arts exposure as noted in S.L. 2010-34, SB 66, Comprehensive Arts Education Plan.

## EFFECTIVE DATE:

The bill would become effective when it becomes law.

## BACKGROUND:

Both the 2008 Joint Select Committee on Arts Education and the 2012 Arts Education Commission recommended to the General Assembly that the State Board of Education be directed to require one arts education credit for graduation from high school. According to the Department of Public Instruction, the percentage of students participating in arts education classes state-wide in all grades in 2014-2015 is 139.37%. For middle and high school students this disaggregates as follows:

Arts Education	Middle School	High School
Dance	4.68%	3.33%
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Theatre Arts	8.22%	8.16%
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## Future Ready Core Course of Study (For Students Entering Ninth Grade in 2012-2013 and later)

Content Area	FUTURE-READY CORE Course of Study Requirements
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English	<b>4 Credits</b> I, II, III, IV <b>OR</b> a designated combination of 4 courses
Social Studies	<b>4 Credits</b>



# House Bill 138

Page 3

	<ul style="list-style-type: none"><li>· Civics and Economics</li><li>· World History</li><li>· American History I: Founding Principles and American History II or AP US History</li><li>· Additional social studies course</li></ul>
<b>Science</b>	<b>3 Credits</b> A physical science course, Biology, Environmental Science
<b>World Languages</b>	Not required for high school graduation. A 2-credit minimum is required for admission to a UNC constituent institution.
<b>Health and Physical Education</b>	<b>1 Credit</b> Health/Physical Education
<b>Electives or other requirements</b>	<b>6 Credits required</b> <b>2 elective credits of any combination from either:</b> <ul style="list-style-type: none"><li>– Career and Technical Education (CTE)</li><li>– Arts Education</li><li>– World Languages</li></ul> <b>4 elective credits strongly recommended (four course concentration) from one of the following:</b> <ul style="list-style-type: none"><li>– Career and Technical Education (CTE)</li><li>– JROTC</li><li>– Arts Education (e.g. dance, music, theater arts, visual arts)</li><li>– Any other subject area (e.g. social studies, science, mathematics, English)</li></ul>
<b>Career/Technical</b>	(see electives)
<b>Arts Education (Dance, Music, Theatre Arts, Visual Arts)</b>	(see electives)
<b>Total</b>	<b>22 Credits plus any local requirements</b>

*\*Patsy Pierce, Legislative Analyst, contributed substantially to this summary.*



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 138  
PROPOSED COMMITTEE SUBSTITUTE H138-CSTW-2 [v.3]

3/13/2015 11:51:57 AM

Short Title: Arts Education Requirement.

(Public)

Sponsors:

Referred to:

March 4, 2015

A BILL TO BE ENTITLED  
AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO REQUIRE ONE ARTS  
EDUCATION CREDIT PRIOR TO GRADUATION FROM HIGH SCHOOL.

The General Assembly of North Carolina enacts:

**SECTION 1.** The State Board of Education shall modify the State graduation requirements to include one required credit in arts education to be completed by each student at any time in grades six through 12.

The State Board of Education shall implement this arts education graduation requirement beginning with students entering the sixth grade in 2018.

**SECTION 2.** The State Board of Education shall:

- (1) Establish procedures and a time line for a phased-in implementation of the arts education graduation requirement.
- (2) Establish the minimum criteria to meet the arts education graduation requirement.
- (3) By December 15, 2018, report to the Joint Legislative Education Oversight Committee on the following:
  - a. The statewide implementation of the three interdependent components of comprehensive arts education (arts education, arts integration, and arts exposure).
  - b. The graduation requirement set forth in this act.

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



\* H 1 3 8 - C S T W - 2 - V - 3 \*





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 138  
PROPOSED COMMITTEE SUBSTITUTE H138-CSTW-2 [v.2]

3/11/2015 2:56:39 PM

Short Title: Arts Education Requirement.

(Public)

Sponsors:

Referred to:

March 4, 2015

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO REQUIRE ONE ARTS  
3 EDUCATION CREDIT PRIOR TO GRADUATION FROM HIGH SCHOOL.  
4 The General Assembly of North Carolina enacts:  
5 **SECTION 1.** The State Board of Education shall modify the State graduation  
6 requirements to include one required credit in arts education to be completed by each student at  
7 any time in grades six through 12.  
8 The State Board of Education shall implement this arts education graduation  
9 requirement beginning with students entering the sixth grade in 2018.  
10 **SECTION 2.** The State Board of Education shall:  
11 (1) Establish procedures and a time line for a phased-in implementation of the  
12 arts education graduation requirement.  
13 (2) Establish the minimum criteria to meet the arts education graduation  
14 requirement.  
15 (3) By December 15, 2018, report to the Joint Legislative Education Oversight  
16 Committee on the statewide implementation of the 3-tier inter-dependent  
17 comprehensive arts education components of arts education, arts integration,  
18 and arts exposure, as well as the graduation requirement set forth in this act.  
19 **SECTION 3.** This act is effective when it becomes law.



\* H 1 3 8 - C S T W - 2 - V - 2 \*



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 138  
PROPOSED COMMITTEE SUBSTITUTE H138-CSTW-2 [v.3]

3/13/2015 11:51:57 AM

Short Title: Arts Education Requirement.

(Public)

Sponsors:

Referred to:

March 4, 2015

A BILL TO BE ENTITLED

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**SECTION 2.** The State Board of Education shall:

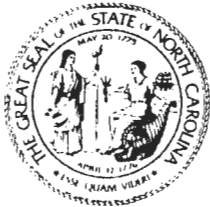
- (1) Establish procedures and a time line for a phased-in implementation of the arts education graduation requirement.
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- (3) By December 15, 2018, report to the Joint Legislative Education Oversight Committee on the following:
  - a. The statewide implementation of the three interdependent components of comprehensive arts education (arts education, arts integration, and arts exposure).
  - b. The graduation requirement set forth in this act.

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



\* H 1 3 8 - C S T W - 2 - V - 3 \*





# HOUSE BILL 138: Arts Education Requirement

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12	<b>Date:</b>	March 11, 2015
<b>Introduced by:</b>	Reps. Carney, L. Johnson, Elmore, Glazier	<b>Prepared by:</b>	James Ritter*
<b>Analysis of:</b>	PCS to First Edition H138-CSTW		Legislative Analyst

**SUMMARY:** *HB 138 would direct the State Board of Education to require one arts education credit for graduation from high school beginning with students entering the sixth grade in 2018.*

*The Proposed Committee Substitute would make the following changes: (i) clarify that the State Board of Education is to modify the graduation requirements and, (ii) clarify that the report to the Joint Legislative Education Committee on comprehensive arts education include information on arts education, arts integration, and arts exposure in the public schools.*

## CURRENT LAW:

### Future-Ready Core Course of Study:

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A chart of the 2012 Core Course of Study is included in the Background section below.

Currently, the following local school administrative units have an arts education requirement for high school graduation: Burke County Schools, Columbus County Schools, Newton Conover Schools, Pitt County Schools, and Rowan-Salisbury Schools.

Arts Education: G.S. 115C-81(a1) sets forth the Basic Education Program (BEP) which has been implemented as funding allows. It includes the arts as an area of instruction that must be offered in the public schools and an arts education standard course of study has been adopted by the State Board of Education. To the extent funds are available, the State Board recommended in the BEP that arts education must be required of all students through grade 5. For grades 6-8, all four disciplines of arts education (theatre, music, visual arts, and dance) must be available with students required to take at least one each year. For the high school level, the arts are to be available as electives.

The arts are considered as one of the core academic subjects in the federal No Child Left Behind Act. In North Carolina, licensure is available for all four disciplines of arts education and teachers in these areas must meet NC licensure requirements. In 2012, the General Assembly directed the State Board of Education, in consultation with the Board of Governors of The University of North Carolina, to ensure that students preparing to teach in elementary schools in the State are prepared to integrate arts education across the curriculum. G.S. 115C-296(b).



# House Bill 138

Page 2

## BILL ANALYSIS:

The PCS for House Bill 138 would direct the State Board of Education to modify the State graduation requirements to include one credit in arts education to be completed by each student at any time in grades six through 12. It also provides for the implementation of comprehensive arts education to include the three interdependent components of arts education, arts integration, and arts exposure as noted in S.L. 2010-34, SB 66, Comprehensive Arts Education Plan.

## EFFECTIVE DATE:

The bill would become effective when it becomes law.

## BACKGROUND:

Both the 2008 Joint Select Committee on Arts Education and the 2012 Arts Education Commission recommended to the General Assembly that the State Board of Education be directed to require one arts education credit for graduation from high school. According to the Department of Public Instruction, the percentage of students participating in arts education classes state-wide in all grades in 2014-2015 is 139.37%. For middle and high school students this disaggregates as follows:

Arts Education	Middle School	High School
Dance	4.68%	3.33%
Music	53.17%	44.31%
Theatre Arts	8.22%	8.16%
Visual Arts	42.16%	24.01%

## Future Ready Core Course of Study (For Students Entering Ninth Grade in 2012-2013 and later)

Content Area	FUTURE-READY CORE Course of Study Requirements
Mathematics	<b>4 Credits</b> · Algebra I, Geometry, Algebra II <b>OR</b> · Integrated Math I, II, III · 4th Math Course to be aligned with the student's post high school plans  <i>A student, in rare instances, may be able to take an alternative math course sequence as outlined under State Board of Education policy. Please see the school counselor for more details.</i>
English	<b>4 Credits</b> I, II, III, IV <b>OR</b> a designated combination of 4 courses
Social Studies	<b>4 Credits</b>



# House Bill 138

Page 3

	<ul style="list-style-type: none"><li>· Civics and Economics</li><li>· World History</li><li>· American History I: Founding Principles and American History II or AP US History</li><li>· Additional social studies course</li></ul>
<b>Science</b>	<b>3 Credits</b> A physical science course, Biology, Environmental Science
<b>World Languages</b>	Not required for high school graduation. A 2-credit minimum is required for admission to a UNC constituent institution.
<b>Health and Physical Education</b>	<b>1 Credit</b> Health/Physical Education
<b>Electives or other requirements</b>	<b>6 Credits required</b> <b>2 elective credits of any combination from either:</b> <ul style="list-style-type: none"><li>– Career and Technical Education (CTE)</li><li>– Arts Education</li><li>– World Languages</li></ul> <b>4 elective credits strongly recommended (four course concentration) from one of the following:</b> <ul style="list-style-type: none"><li>– Career and Technical Education (CTE)</li><li>– JROTC</li><li>– Arts Education (e.g. dance, music, theater arts, visual arts)</li><li>– Any other subject area (e.g. social studies, science, mathematics, English)</li></ul>
<b>Career/Technical</b>	(see electives)
<b>Arts Education (Dance, Music, Theatre Arts, Visual Arts)</b>	(see electives)
<b>Total</b>	<b>22 Credits plus any local requirements</b>

*\*Patsy Pierce, Legislative Analyst, contributed substantially to this summary.*





## Education K-12 Committee

(Name of Committee)

[illegible]



Rep. Whitmire

✓

Rep. Hubke

✓



# VISITOR REGISTRATION SHEET

Education K-12

Name of Committee

03/17/2015

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Tony Srithai	Chapel Hill-Carrboro City Schools
John Petersen	Capistrano
Gene Royall	NC Family Policy Council
Alex Bowen	CCS
Karen Wells	Arts NC
Ann McConkey	NC Beverage
Butch Gurnelle	
Charles Jeffers	Watauga County Sri. Tar Heel Legislature
Sheria Reid	Institute of Gov.



# VISITOR REGISTRATION SHEET

Education

K-12

03/17/2015

Name of Committee

Date

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

**NAME**

**FIRM OR AGENCY AND ADDRESS**

<u>Patricia A. Gance</u>	<u>APPCWC</u>
<u>Julie Adams Schumacher</u>	<u>ARC NCART ASAC MARC</u>
<u>Andy Chase</u>	<u>KMA</u>
<u>Jennifer Mahan</u>	<u>ISAC</u>
<u>Douglas Fellers</u>	<u>USBA</u>
<u>Bruce Mildner</u>	<u>NC SBA</u>
<u>Erin M. McNamee</u>	<u>EHOR</u>
<u>Julia Garland</u>	<u>DPI</u>
<u>Tracy Shuck</u>	<u>DPI</u>
<u>Elizabeth Brown</u>	<u>Hunt Institute</u>
<u>Cory Dunn</u>	<u>DRNC</u>





# VISITOR REGISTRATION SHEET

Education K-12

Name of Committee

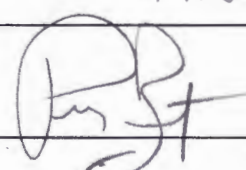
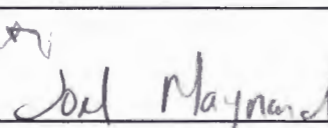
03/17/2015

Date

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME

FIRM OR AGENCY AND ADDRESS

Slater Mapp	North Carolina Department of Public Instruction
Christie Lynch Ebert	NC Dept. of Public Instruction
Janoc Bracy Copeland	Onslow Co. Schools - DPI Guest
Tom VITAGLIONE	NC CHILD
	MWC
Vanessa Diller	NCBA
Flint Benson	SEANC
David Collins	SEANC
KEVIN LECOUNT	SEANC
	GRM : Assoc
Chaz Okenburg	DPI



# VISITOR REGISTRATION SHEET

Education K-12

Name of Committee

03/17/2015

Date

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME

FIRM OR AGENCY AND ADDRESS

Zane Stilwell	NC SBE
Rachel Beaulieu	NC DPI
Richard Thompson	NC CAT
Jim Aron	Ed Consultant
Adam Pridemore	NCASA
Matthew Christensen	W&S Smith
Chris HARRIS	DHHS - DPIA



**House Committee on Education - K-12  
Tuesday, March 24, 2015 at 10:00 AM  
Room 643 of the Legislative Office Building**

**MINUTES**

The House Committee on Education - K-12 met at 10:00 AM on March 24, 2015 in Room 643 of the Legislative Office Building. Representatives Ager, Bryan, Cleveland, Cotham, Dixon, Elmore, Farmer-Butterfield, Fisher, Glazier, C. Graham, Hanes, Hardister, Horn, Iler, L. Johnson, Jones, Lambeth, Langdon, Luebke, Malone, Meyer, Pittman, Richardson, Riddell, Stam, R. Turner, and Whitmire attended.

Representative Linda P. Johnson, Chair, presided. Chairman Johnson started the meeting at 10:00AM and introduced the Pages and Sargent at Arms.

The following bills were considered:

**HB 216 Great Leaders for Great Schools/Study. (Representatives Cotham, Horn, Brockman)**

**HB 133 Modify Special Education Scholarships. (Representatives Jordan, Jones, Brockman, Stam)**

Representative Cotham was recognized to explain HB 216. (HB 216 attached) Representative Fisher made a motion for a favorable report to the bill. HB 216 was voted as favorable by the Committee.

Representative Jordan was recognized to explain HB 133. (HB 133 attached)

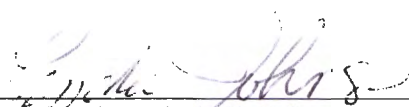
Rep. Meyer presented to the Committee an amendment. (Amendment attached) Representative Stam explained that the co-sponsors of the bill had some concerns with the amendment. Members asked questions about Representative Meyer's proposed amendment. Rep. Johnson put the Committee at ease while Representatives Meyer, Glazier, Jordan and Stam discussed a solution for a new amendment to be proposed.

Representative Meyer withdrew his proposed amendment. Representative Stam introduced a new proposed amendment. (Amendment attached) Representative Stam's amendment was voted as favorable by the Committee.

Members asked questions about HB 133 to the Sponsors of the bill. Rep. Bryan made a motion for a favorable report to HB 133 as amended and Members voted it favorable.

The meeting adjourned at 11:00AM.





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Representative Linda P. Johnson, Chair  
Presiding



---

Joanna Hogg, Committee Clerk





**Joanna Hogg (Rep. Linda Johnson)**

---

**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Monday, March 23, 2015 03:16 PM  
**To:** Rep. Tricia Cotham; Rep. Craig Horn; Rep. Cecil Brockman; Rep. Paul Stam; Rep. Bert Jones; Rep. Jonathan Jordan  
**Cc:** Carol Erichsen (Rep. Tricia Cotham); Grady O'Brien (Rep. Cecil Brockman); Anne Murtha (Rep. Paul Stam); Brenda Olls (Rep. Bert Jones); Kevin King (Rep. Jonathan Jordan); Rep. Becky Carney  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Tuesday, March 24, 2015 at 10:00 AM - CORRECTED #1  
**Attachments:** Add Meeting to Calendar\_LINC\_ics

**Corrected #1: HB 162 has been removed.**

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Tuesday, March 24, 2015  
**TIME:** 10:00 AM  
**LOCATION:** 643 LOB  
**COMMENTS:** Rep. Johnson will preside.

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 216	Great Leaders for Great Schools/Study.	Representative Cotham Representative Horn Representative Brockman
HB 133	Modify Special Education Scholarships.	Representative Jordan Representative Jones Representative Brockman Representative Stam



Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 3:15 PM on Monday, March 23, 2015.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)



**House Committee on Education - K-12  
Tuesday, March 24, 2015, 10:00 AM  
643 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks**

**Introduction of Pages**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 216	Great Leaders for Great Schools/Study.	Representative Cotham Representative Horn Representative Brockman
HB 133	Modify Special Education Scholarships.	Representative Jordan Representative Jones Representative Brockman Representative Stam

**Adjournment**



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair**

**FAVORABLE**

**HB 216**

Great Leaders for Great Schools/Study.

Draft Number: None  
Serial Referral: None  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: Cotham

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED**

**HB 133**

Modify Special Education Scholarships.

Draft Number: H133-PCS10144-RQ-4  
**Serial Referral: APPROPRIATIONS**  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: Jordan

**TOTAL REPORTED: 2**



★ C M R 7 0 - V - 1 ★





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 216

Short Title: Great Leaders for Great Schools/Study. (Public)

Sponsors: Representatives Cotham, Horn, and Brockman (Primary Sponsors).  
*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

March 12, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT  
3 COMMITTEE TO STUDY STRATEGIES FOR PROVIDING NORTH CAROLINA  
4 WITH GREAT LEADERS FOR GREAT SCHOOLS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** The Joint Legislative Education Oversight Committee shall study  
7 strategies for providing North Carolina with great leaders for great schools. The committee  
8 shall study and make recommendations on implementation of the following initiatives:

- 9 (1) Recruitment of the highest performing leaders for the school leadership  
10 administrator role.
- 11 (2) Greater flexibility and autonomy for principals over school-based decisions,  
12 including personnel decisions.
- 13 (3) A compensation plan that will attract and retain principals and assistant  
14 principals to the lowest-achieving schools and will reward outstanding  
15 leadership at those schools.
- 16 (4) Specialized State professional development for principals and assistant  
17 principals that is focused exclusively on turning around the lowest-achieving  
18 schools.
- 19 (5) Strategies for assisting less than proficient principals and assistant principals  
20 in improving their work performance and, if necessary, removing them from  
21 their positions.

22 **SECTION 2.** In the course of the study, the Committee shall consider, at a  
23 minimum, the following:

- 24 (1) Principal preparation programs.
- 25 (2) Principal professional development programs.
- 26 (3) Licensure and certification of principals and assistant principals.
- 27 (4) Recruitment of principals.
- 28 (5) Statewide leadership standards for school leadership.
- 29 (6) Principal mentoring.
- 30 (7) Data use and evaluation by school leaders.
- 31 (8) Analysis of State policies to promote effective talent management.
- 32 (9) Areas of high priority.
- 33 (10) Support options for principals in need of assistance with job performance.



1           **SECTION 3.** The Committee shall report its findings, together with any  
2 recommended legislation, to the 2016 Regular Session of the 2015 General Assembly, upon its  
3 convening.

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



# HOUSE BILL 216: Great Leaders for Great Schools/Study

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Cotham, Horn, Brockman  
**Analysis of:** First Edition

**Date:** March 4, 2015  
**Prepared by:** James Ritter  
Legislative Analyst

**SUMMARY:** *HB 216 would require the Joint Legislative Education Oversight Committee to study and make recommendations for initiatives for improving school leaders and report its findings, together with any recommended legislation, to the 2016 Regular Session of the 2015 General Assembly.*

## BILL ANALYSIS:

### Sec. 1. Study and Recommendations

This bill would require the Joint Legislative Education Oversight Committee to study committee issues related to providing North Carolina with great school leaders. The Committee would study the following:

- The recruitment of the highest performing leaders for the school administrator role.
- Greater flexibility and autonomy for principals over school-based decisions, including personnel decisions.
- A compensation plan that will attract and retain principals and assistant principals to the lowest achieving schools and reward outstanding leadership at those schools.
- Specialized State professional development for principals and assistant principals that is focused exclusively on turning around the lowest-achieving schools.
- Strategies for assisting less than proficient principals and assistant principals in improving job performance and removing them from their positions, if necessary.

### Sec. 2. Minimum Considerations for the Study

This bill would require considerations for the following, as a minimum, during the course of the study:

- 1) Principal preparation programs.
- 2) Principal professional development programs.
- 3) Licensure and certification of principals and assistant principals.
- 4) Recruitment of principals.
- 5) Statewide leadership standards for principals.
- 6) Principal mentoring.
- 7) Data use and evaluation by school leaders.
- 8) Analysis of State policies to promote effective talent management.
- 9) Areas of high priority.
- 10) Support options for principals in need of assistance with job performance.

**EFFECTIVE DATE:** This bill is effective when it becomes law.

O. Walker Reagan  
Director



Research Division  
(919) 733-2578



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 133

Short Title: Modify Special Education Scholarships.

(Public)

Sponsors: Representatives Jordan, Jones, Brockman, and Stam (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12, if favorable, Appropriations.

March 4, 2015

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE AMOUNT OF THE SCHOLARSHIP FUNDS AVAILABLE  
TO STUDENTS WITH DISABILITIES PER SEMESTER AND TO MODIFY THE  
METHOD OF PAYMENT OF TUITION FOR THOSE STUDENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-112.6 reads as rewritten:

"§ 115C-112.6. Scholarships.

(a) Scholarship Applications. – The Authority shall make available no later than May 1 annually applications to eligible students for the award of scholarships. Information about scholarships and the application process shall be made available on the Authority's Web site. The Authority shall give priority in awarding scholarships to eligible students who received a scholarship during the previous semester. Except as otherwise provided by the Authority for prior scholarship recipients, scholarships shall be awarded to eligible students in the order in which the applications are received.

(a1) Web Site Availability. – Information about scholarships and the application process shall be made available on the Authority's Web site. The Authority shall also include information on the Web site notifying parents that federal regulations adopted under IDEA provide that no parentally placed private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.

(b) Scholarship Awards. – Scholarships awarded to eligible students shall be for amounts of not more than ~~three~~four thousand dollars (~~\$3,000~~)(\$4,000) per semester per eligible student. Eligible students awarded scholarships may not be enrolled in a public school to which that student has been assigned as provided in G.S. 115C-366. Scholarships shall be awarded only for tuition and for the reimbursement of tuition, special education, related services, and educational technology, as provided in subsection (b1) of this section. The Authority shall notify parents in writing of their eligibility to receive scholarships for costs that will be incurred during the spring semester of the following year by December 1 and for costs incurred during the fall semester of that year by July 1.

(b1) Disbursement of Scholarship Funds. – The Authority shall disburse scholarship funds for tuition and for the reimbursement of costs incurred by the parent of an eligible student as follows:

(1) Scholarship endorsement for tuition. – The Authority shall remit, at least two times each school year, scholarship funds awarded to eligible students for endorsement by at least one of the student's parents or guardians for tuition





to attend (i) a North Carolina public school other than the public school to which that student has been assigned as provided in G.S. 115C-366 or (ii) a nonpublic school that meets the requirements of Part 1 or Part 2 of Article 39 of this Chapter as identified by the Department of Administration, Division of Nonpublic Education. Scholarship funds shall not be provided for tuition for home-schooled students. If the student is attending a nonpublic school, the school must be deemed eligible by the Division of Nonpublic Education, pursuant to G.S. 115C-562.4, and the school shall be subject to the requirements of G.S. 115C-562.5. The parent or guardian shall restrictively endorse the scholarship funds awarded to the eligible student to the school for deposit into the account of the school. The parent or guardian shall not designate any entity or individual associated with the school as the parent's attorney-in-fact to endorse the scholarship funds but shall endorse the scholarship funds in person at the site of the school. A parent's or guardian's failure to comply with this section shall result in forfeiture of the scholarship funds. A scholarship forfeited for failure to comply with this section shall be returned to the Authority to be awarded to another student.

(2) ~~Scholarship Reimbursements~~ reimbursements for costs. – Scholarship reimbursement for costs incurred shall be provided as follows:

(1)~~a.~~ Preapproval process. – Prior to the start of each school semester, the parent of an eligible student may submit documentation of the ~~tuition~~, special education, related services, or educational technology the parent anticipates incurring costs on in that semester for preapproval by the Authority.

(2)~~b.~~ Reimbursement submissions. – Following the conclusion of each school semester, the parent of an eligible student shall submit to the Authority any receipts or other documentation approved by the Authority to demonstrate the costs incurred during the semester. In addition, parents shall provide documentation of the following to seek reimbursement:

~~a.~~ Tuition reimbursement. – Parents may only receive reimbursement for tuition if the parent provides documentation that the student was enrolled in nonpublic school or public school for which payment of tuition is required for no less than 75 days of the semester for which the parent seeks reimbursement. Tuition reimbursement shall not be provided for home-schooled students.

~~b.1.~~ Special education reimbursement. – Parents may only receive reimbursement for special education if the parent provides documentation that the student received special education for no less than 75 days of the semester for which the parent seeks reimbursement. Special education reimbursement shall not be provided for special education instruction provided to a home schooled student by a member of the household of a home school, as defined in G.S. 115C-563(a).

~~e.2.~~ Related services reimbursement. – Parents may only receive reimbursement for related services if the parent provides documentation that the student also received special education for no less than 75 days of the semester for which the parent seeks reimbursement for the related services. Related services reimbursement shall not be provided for

1 related services provided to a home schooled student by a  
2 member of the household of a home school, as defined in  
3 G.S. 115C-563(a).

4 ~~d.3.~~ Educational technology reimbursement. – Parents may only  
5 receive reimbursement for educational technology if the  
6 parent provides documentation that the student used the  
7 educational technology for no less than 75 days of the  
8 semester for which the parent seeks reimbursement.

9 ~~(2)c.~~ Scholarship award. – The Authority shall award a scholarship in the  
10 amount of costs demonstrated by the parent up to the maximum  
11 amount. If the costs incurred by the parent do not meet the maximum  
12 amount, the Authority shall use the remainder of those funds for the  
13 award of scholarships to eligible students for the following semester.  
14 The Authority shall award scholarships to the parents of eligible  
15 students at least semiannually.

16 (c) Student Reevaluation. – After an eligible student's initial receipt of a scholarship,  
17 the Authority shall ensure that the student is reevaluated at least every three years by the local  
18 educational agency in order to verify that the student continues to be a child with a disability.

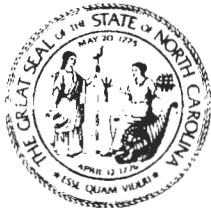
19 (d) Rule Making. – The Authority shall establish rules and regulations for the  
20 administration and awarding of scholarships. The Authority shall annually develop a list of  
21 educational technology for which scholarships may be used and shall provide scholarship  
22 recipients with information about the list.

23 (e) Public Records Exception. – Scholarship applications and personally identifiable  
24 information related to eligible students receiving scholarships shall not be a public record under  
25 Chapter 132 of the General Statutes. For the purposes of this section, personally identifiable  
26 information means any information directly related to a student or members of a student's  
27 household, including the name, birthdate, address, Social Security number, telephone number,  
28 e-mail address, financial information, or any other information or identification number that  
29 would provide information about a specific student or members of a specific student's  
30 household."

31 **SECTION 2.** This act is effective when it becomes law and applies to scholarships  
32 awarded for the 2015-2016 school year.







# HOUSE BILL 133: Modify Special Education Scholarships

2015-2016 General Assembly

**Committee:** House Education - K-12, if favorable,  
Appropriations

**Date:** March 24, 2015

**Introduced by:** Reps. Jordan, Jones, Brockman, Stam

**Prepared by:** Drupti Chauhan

**Analysis of:** First Edition

Committee Counsel

**SUMMARY:** *House Bill 133 would increase the amount of the special education scholarship grants for students with disabilities from \$3,000 to \$4,000 per semester and would change the method of disbursement for the scholarship grants for tuition purposes from reimbursements at the end of the semester to remittance twice during the school year.*

**CURRENT LAW:** In 2013, the General Assembly repealed the tax credit for children with disabilities and the related Fund for Special Education and Related Services and created a new program entitled the Special Education Scholarship Grants for Children with Disabilities (disability scholarships) that provides up to \$3,000 per semester to eligible students for reimbursement of tuition, special education, related services, and educational technology. The disability scholarship reimbursements are provided as follows:

- Prior to the start of each school semester, the parent may submit documentation of the tuition, special education, related services, or educational technology the parent anticipates incurring costs on in that semester for preapproval by the State Education Assistance Authority (SEAA).
- Following the conclusion of the semester, the parent must submit to the SEAA any receipts or other documentation approved by the SEAA to demonstrate the costs incurred during the semester. The parent must provide documentation of the following to be reimbursed:
  - For tuition reimbursement, the parent must show that the student was enrolled for no less than 75 days of the semester for which the parent seeks reimbursement in nonpublic schools or public school for which payment of tuition is required.
  - For special education, the parent must show that the student received special education for no less than 75 days of the semester for which the parent seeks reimbursement.
  - For related services reimbursement, the parent must show that the student received special education for no less than 75 days of the semester for which the parent seeks reimbursement for the related services.
  - For educational technology reimbursement, the parent must show that the student used the educational technology for no less than 75 days of the semester for which the parent seeks reimbursement.

The disability scholarship can be in the amount of costs shown by the parent up to the maximum amount of \$3,000 per semester per eligible student. Tuition reimbursement cannot be provided for home schooled students. Special education reimbursement and related services reimbursement cannot be

O. Walker Reagan  
Director



Research Division  
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# House Bill 133

Page 2

provided if the special education instruction or related services were given by a member of the household of the home school.

**BILL ANALYSIS:** House Bill 133 would increase the maximum amount of the disability scholarships from \$3,000 per semester to \$4,000 per semester. The bill would also change the method for disbursement of the disability scholarships for tuition from reimbursements at the end of the semester to the following:

- The SEAA would remit funds for the disability scholarships at least twice each school year for endorsement by at least one of the student's parents or guardians for payment of tuition to an eligible North Carolina nonpublic school or a public school for which payment of tuition is required.
- The parent or guardian must restrictively endorse the disability scholarship funds in person at the site of the school to the school for deposit into the school's account. No entity or individual associated with the school can be designated as an attorney-in-fact for the parent or guardian to endorse the funds. Failure to comply with this requirement would result in the forfeiture of the disability scholarship. A disability scholarship forfeited in this manner would be returned to the SEAA to be awarded to another student.

Reimbursements for special education, related services, and educational technology would continue as provided under current law with the same documentation requirements.

**EFFECTIVE DATE:** The bill would become effective when it becomes law and would apply with disability scholarships awarded for the 2015-2016 school year.



**NORTH CAROLINA GENERAL ASSEMBLY**  
**AMENDMENT**  
House Bill 133

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

Page 1 of 1

HH133-ARQ-3 [v.2]

Comm. Sub. [NO]  
Amends Title [YES]  
First Edition

Date \_\_\_\_\_, 2015

Representative Meyer

1 moves to amend the bill on page 1, lines 3-4 by rewriting the lines to read:

2  
3 "TO STUDENTS WITH DISABILITIES PER SEMESTER.";

4  
5 And on page 1, line 6 through page 3, line 30 by rewriting those lines to read:

6  
7 "SECTION 1. G.S. 115C-112.6(b) reads as rewritten:

8 "(b) Scholarship Awards. – Scholarships awarded to eligible students shall be for  
9 amounts of not more than ~~three~~four thousand dollars (~~\$3,000~~)(\$4,000) per semester per eligible  
10 student. Eligible students awarded scholarships may not be enrolled in a public school to which  
11 that student has been assigned as provided in G.S. 115C-366. Scholarships shall be awarded  
12 only for the reimbursement of tuition, special education, related services, and educational  
13 technology, as provided in subsection (b1) of this section. The Authority shall notify parents in  
14 writing of their eligibility to receive scholarships for costs that will be incurred during the  
15 spring semester of the following year by December 1 and for costs incurred during the fall  
16 semester of that year by July 1.""

17  
18  
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21  
SIGNED \_\_\_\_\_  
Amendment Sponsor

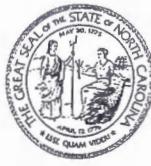
SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



\* H 1 3 3 - A R Q - 3 - V - 2 \*





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 133

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)

H133-ATC-14 [v.1]

Page 1 of 1

Comm. Sub. [NO]  
Amends Title [NO]  
First Edition

Date 3 - 24 2015

Representative Stam

1 moves to amend the bill on page 3, line 20, by rewriting that line to read:

2  
3 "administration and awarding of scholarships. The Authority shall adopt rules providing for  
4 pro rata return of funds if a student withdraws prior to the end of the semester from a school to  
5 which scholarship funds have been remitted. The Authority shall annually develop a list of";

6  
7 and on page 3, line 32, by rewriting that line to read:

8  
9 "awarded for the 2015-2016 school year. The Authority shall adopt rules within sixty days of  
10 the effective date of this act providing for pro rata return of funds if a student withdraws prior  
11 to the end of the semester from a school to which scholarship funds have been remitted."  
12  
13  
14  
15

SIGNED

S. Stam  
Amendment Sponsor

SIGNED

\_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED

CHECKED OUT





## Opportunity Scholarship Program Return of Funds Policy

### Scope

The Opportunity Scholarship Program provides Opportunity Scholarships to assist students with the cost of tuition and required fees on the assumption that the students will attend the school for the entire semester for which the funds are awarded. When a student withdraws before the end of the semester, the school must determine how much, if any, of the Opportunity Scholarship must be returned to the Authority according to this policy. The amount of funds a school must return depends on when the student withdraws.

Under G.S. § 115C-562.2(3), the Authority shall permit a student to transfer to another school during the year and receive a pro rata share of any unexpended portion of the Opportunity Scholarship Program for required tuition and fees at the school to which the student transfers. Timely collection of Opportunity Scholarship refunds is necessary for the Authority to comply with this statutory requirement.

Under this policy, enrollment for a "week" is defined as attendance or submission of classwork on any weekday (Monday-Friday) portion of a week. "Semester" means one of two semesters; the spring semester is January 1 through June 30 and the fall semester is July 1 through December 31. This policy is applicable to both semesters.

This policy applies to all Opportunity Scholarship funds regardless of any other school refund policies.

**Effective Date:** This policy is effective July 1, 2014.

Schedule for Return of Opportunity Scholarship Funds	
If the student attends 2 weeks or less of the semester:	Return 100% of the Scholarship funds for the semester
If the student only attends 3 weeks of the semester:	Return 90% of the Scholarship funds for the semester
If the student only attends 4 weeks of the semester:	Return 80% of the Scholarship funds for the semester
If the student only attends 5 weeks of the semester:	Return 70% of the Scholarship funds for the semester
If the student only attends 6 weeks of the semester:	Return 60% of the Scholarship funds for the semester
If the student only attends 7 weeks of the semester:	Return 50% of the Scholarship funds for the semester
If the student attends more than 7 weeks of the semester:	The school is not responsible for returning any Scholarship funds for the semester

### How is the withdrawal date determined?

The withdrawal date is the last day the student attended classes or submitted work to his or her teacher at the nonpublic school.

### What is the deadline to return the Opportunity Scholarship Program funds to the Authority?

Opportunity Scholarship Program refunds are due to the Authority within 30 days of the date the student withdraws. Future disbursements may be suspended for any school that is delinquent returning funds.

**What are the consequences of failure to comply with this policy?**

Any school that fails to comply with this policy may lose eligibility to participate in the Opportunity Scholarship Program for all students. The Authority will use all available State resources to recover any funds that a school owes to the Opportunity Scholarship Program, including referral to the North Carolina Attorney General's Office for collection and referral to external collection agencies.

**Can a school transfer funds from a withdrawn student to another student?**

No. Funds must be returned to SEAA within 30 days of the withdrawal of a student.

**What is the process to return Opportunity Scholarship Program funds to the Authority?**

1. Complete an Opportunity Scholarship Program Return of Funds form for each student
2. Include a copy of the student's attendance record
3. Mail the form and check to:  
State Education Assistance Authority  
Opportunity Scholarship Program- ROF  
P.O. Box 13663  
Research Triangle Park, NC 27709

**What if I have more questions about the Opportunity Scholarship Program return of funds policy?**

Contact the Opportunity Scholarship Program staff

You can call toll-free: 1-855-330-3955

You can send an email to [OpportunityScholarships@ncesaa.edu](mailto:OpportunityScholarships@ncesaa.edu)



## Education K-12 Committee

[illegible]



[illegible]



Committee Sergeants at Arms

NAME OF COMMITTEE House Comm. on Education K-12

DATE: 03/24/15 Room: 643

House Sgt-At Arms:

1. Name: Young Bae

2. Name: Bill Morris

3. Name: Jim Moran

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_

Senate Sgt-At Arms:

1. Name: \_\_\_\_\_

2. Name: \_\_\_\_\_

3. Name: \_\_\_\_\_

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_



**Tuesday, March 24**  
EDUCATION K-12

**Room**  
643

**Time**  
10:00 am

<b>Name</b>	<b>County</b>	<b>Sponsor</b>
Dion Hodge	Wake	Yvonne Lewis Holley
Nia Judkins	Wake	Yvonne Lewis Holley
Evan King	Wake	Darren G. Jackson
David Kostenberger	Wake	Chris Malone





## VISITOR REGISTRATION SHEET

House Comm. on Education K-12

03/24/15

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Anna Lisa Dripz	DL
Mike Freeman	NCAE
Faie Stilwell	NC SBE
Douglas Lelbroad	NC SBA
Bruce Mldworf	NC SBA
Sherry Thomas	NC DPI
Rick Zechin	LCM
Joe Bygall	NC FPC



## VISITOR REGISTRATION SHEET

House Comm. on Education K-12

03/24/15

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Penny Buff	School of Gov
Joe Haas	NCCSA
Tom West	NCILU
Cheryl Posner-Gabert	NC School Psych Assoc
Don Haas	NCSSTA
Adam Pridemore	NCAIA
Vicki Dyer	self
Bob Maynard	Beginning
Greg Schenbeck	Council for Children's Rights
John Peter	Capitol
Austin Pruitt	Perkinson



## VISITOR REGISTRATION SHEET

House Comm. on Education K-12

03/24/15

Name of Committee

Date \_\_\_\_\_

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME \_\_\_\_\_

FIRM OR AGENCY AND ADDRESS

[illegible]





## VISITOR REGISTRATION SHEET

House Comm. on Education K-12 03/24/15

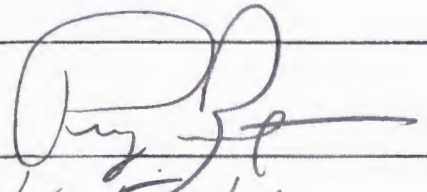

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

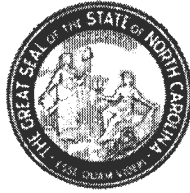
NAME

FIRM OR AGENCY AND ADDRESS

	muc
Kati Hagen	Best NC
Jennifer Mahan	ASNC
Andy Chase	KMA
Julia Adams Schewich	Arc, NCARF, MARC, ASNC
Frank Hym	Ed Consultant
Richard Thompson	NCCAT
Jill Scott	CCS
Allison Stewart	Cardinal Innovations
Nick Goettsch	OSBM
	OSBM







**House Education K-12 Committee  
Tuesday, March 31, 2015 at 10:00 AM  
Room 643 of the Legislative Office Building**

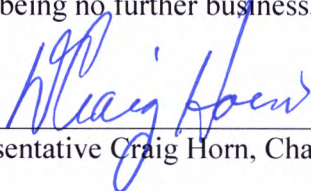
**MINUTES**


The House Education K-12 Committee met at 10:00 AM on March 31, 2015 in Room 643 of the Legislative Office Building. Representatives Elmore, Horn, Johnson, Ager, Cleveland, Dixon, Farmer-Butterfield, Fisher, Glazier, Graham, Hanes, Hardister, Hurley, Iler, Langdon, Pittman, Stam, and Turner were in attendance. Research Department staff are Drupti Chauhan, Kara McCraw and Denise Huntley-Adams. Visitor registration sheets are provided. (Attachment 1)

Representative Craig Horn, Chair, presided. He called the meeting to order and introduced the House Sergeant at Arms and the visiting pages. (Attachment 2). Representative Horn announced that House Bill 358 would be before the committee today.

Representative Jeffrey Elmore presented HB358, School Performance Grade Scale. He explained the need for extending the use of the fifteen-point scale for assignment of school performance grades for the 2014-2-15 school year and the 2015-2016 school years only. Rep. Linda Johnson spoke supporting the bill. Rep. Glazier offered support for the bill. Rep. Cleveland made a motion for a favorable report and Rep. Iler seconded it. The ayes prevailed and it passed unanimously.

There being no further business, Chairman Horn adjourned the meeting at 10:15 AM.

  
\_\_\_\_\_  
Representative Craig Horn, Chair Presiding

  
\_\_\_\_\_  
Pattie Fleming, Committee Clerk



**Pattie Fleming (Rep. Craig Horn)**

---

**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Thursday, March 26, 2015 04:21 PM  
**To:** Rep. Rick Glazier; Rep. Bryan Holloway; Rep. Jeffrey Elmore; Rep. Linda Johnson; Rep. Craig Horn  
**Cc:** Megan Lewis (Rep. Rick Glazier); Emma Shelby (Rep. Bryan Holloway); Linda Stevenson (Rep. Jeffrey Elmore); Joanna Hogg (Rep. Linda Johnson)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Tuesday, March 31, 2015 at 10:00 AM  
**Attachments:** Add Meeting to Calendar\_LINC\_.ics

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Tuesday, March 31, 2015  
**TIME:** 10:00 AM  
**LOCATION:** 643 LOB

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 238	Duty-Free Time/Lunch for Teachers.	Representative Elmore Representative Holloway Representative Glazier
HB 358	School Performance Grade Scale.	Representative L. Johnson Representative Horn Representative Holloway Representative Elmore



Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 4:20 PM on Thursday, March 26, 2015.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)



**Pattie Fleming (Rep. Craig Horn)**

---

**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Monday, March 30, 2015 05:18 PM  
**To:** Rep. Linda Johnson; Rep. Bryan Holloway; Rep. Craig Horn; Rep. Jeffrey Elmore  
**Cc:** Joanna Hogg (Rep. Linda Johnson); Emma Shelby (Rep. Bryan Holloway); Linda Stevenson (Rep. Jeffrey Elmore)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Tuesday, March 31, 2015 at 10:00 AM - CORRECTED #1  
**Attachments:** Add Meeting to Calendar\_LINC\_.ics

**Corrected #1: HB 238 HAS BEEN REMOVED!**

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Tuesday, March 31, 2015  
**TIME:** 10:00 AM  
**LOCATION:** 643 LOB

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 358	School Performance Grade Scale.	Representative L. Johnson Representative Horn Representative Holloway Representative Elmore





Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 5:16 PM on Monday, March 30, 2015.

\_\_\_ Principal Clerk  
\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair**

**Representative D. Craig Horn, Co-Chair**

**Representative Linda P. Johnson, Co-Chair**

**FAVORABLE**

**HB 358**

School Performance Grade Scale.

Draft Number: None

Serial Referral: None

Recommended Referral: None

Long Title Amended: No

Floor Manager: L. Johnson

TOTAL REPORTED: 1



★ C M R 9 1 - V - 1 ★



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 358

Short Title: School Performance Grade Scale. (Public)

Sponsors: Representatives L. Johnson, Horn, Holloway, and Elmore (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

March 26, 2015

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO EXTEND THE USE OF THE FIFTEEN-POINT SCALE FOR ASSIGNMENT  
3 OF SCHOOL PERFORMANCE GRADES FOR THE 2014-2015 AND 2015-2016  
4 SCHOOL YEARS ONLY.  
5 The General Assembly of North Carolina enacts:  
6 **SECTION 1.** Notwithstanding G.S. 115C-83.15(d), for the 2014-2015 school year  
7 and the 2015-2016 school year only, for all schools the total school performance score shall be  
8 converted to a 100-point scale and used to determine a school performance grade based on the  
9 following scale:  
10 (1) A school performance score of at least 85 is equivalent to an overall school  
11 performance grade of A.  
12 (2) A school performance score of at least 70 is equivalent to an overall school  
13 performance grade of B.  
14 (3) A school performance score of at least 55 is equivalent to an overall school  
15 performance grade of C.  
16 (4) A school performance score of at least 40 is equivalent to an overall school  
17 performance grade of D.  
18 (5) A school performance score of less than 40 is equivalent to an overall school  
19 performance grade of F.  
20 **SECTION 2.** This act is effective when it becomes law.



★ H 3 5 8 - V - 1 ★





## HOUSE BILL 358: School Performance Grade Scale

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12	<b>Date:</b>	March 31, 2015
<b>Introduced by:</b>	Reps. L. Johnson, Horn, Holloway, Elmore	<b>Prepared by:</b>	Denise Adams
<b>Analysis of:</b>	First Edition		Legislative Analyst

**SUMMARY:** House Bill 358 would extend the use of the 15-point scale for assignment of A-F school performance grades for the 2014-2015 and 2015-2016 school years.

[As introduced, this bill was identical to S450, as introduced by Sens. Tillman, Soucek, McInnis, which is currently in Rules and Operations of the Senate.]

**CURRENT LAW:** In general, school performance scores are calculated by adding the school achievement score and the school growth score and then converting the score to a 100-point scale. A-F school performance grades are assigned a corresponding letter grade based on a ten-point grading scale, as follows:

- A school performance score of at least 90 is a school performance grade of A.
- A school performance score of at least 80 is a school performance grade of B.
- A school performance score of at least 70 is a school performance grade of C.
- A school performance score of at least 60 is a school performance grade of D.
- A school performance score of less than 60 is a school performance grade of F.

S.L. 2014-5 changed the scale for calculating A-F school performance grades from a ten-point scale to a 15-point scale for the 2013-2014 school year, as follows:

- A school performance score of at least 85 is a school performance grade of A.
- A school performance score of at least 70 is a school performance grade of B.
- A school performance score of at least 55 is a school performance grade of C.
- A school performance score of at least 40 is a school performance grade of D.
- A school performance score of less than 40 is a school performance grade of F.

**BILL ANALYSIS:** House Bill 358 would extend the use of the 15-point scale for assignment of A-F school performance grades for the 2014-2015 and 2015-2016 school years.

**EFFECTIVE DATE:** This bill would become effective when it becomes law.

O. Walker Reagan  
Director



Research Division  
(919) 733-2578

# House Bill 358

*Page 2*

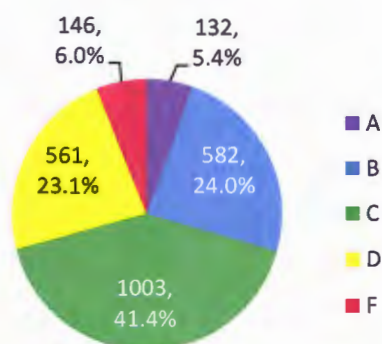
**BACKGROUND:** Under current law, the State Board of Education (SBE) must award school achievement, growth, and performance scores and an associated A-F performance grade for every school.

- School achievement scores are calculated to reflect student performance on annual indicators, including subject-specific assessments, college and workplace readiness measures, and graduation rates.
- School growth scores are calculated by weighing student growth, using EVAAS, on achievement indicators to see which schools have met, exceeded, or not met expected growth.
- School performance scores are calculated by adding the school achievement score and the school growth score earned by a school. The school achievement score accounts for 80% and the school growth score accounts for 20% of the total sum. If a school has met expected growth and the inclusion of the school's growth score would reduce the school's performance score, a school may choose to use the school achievement score as the sole measure to calculate the performance score. The performance score is converted to a 100-point scale and assigned a corresponding letter grade of A-F based on 10-point grading scale.

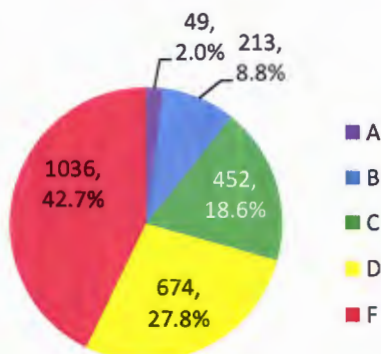


# All Schools (Public and Public Charters) School Performance Grades Summary Analysis

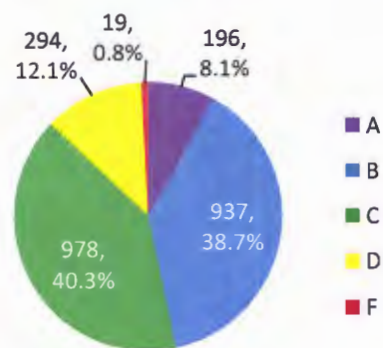
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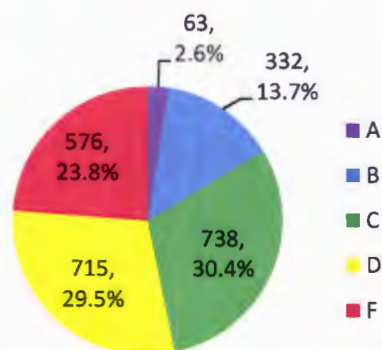
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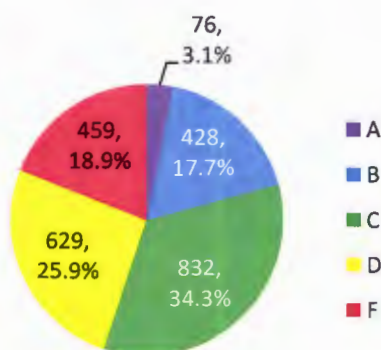
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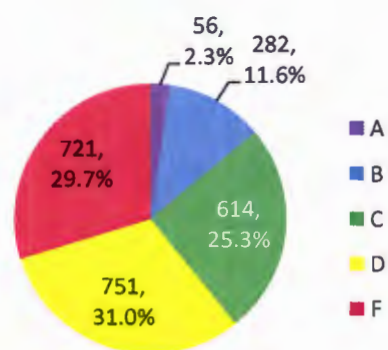
**50/50 10Pt**



**40/60 10Pt**



**60/40 10Pt**

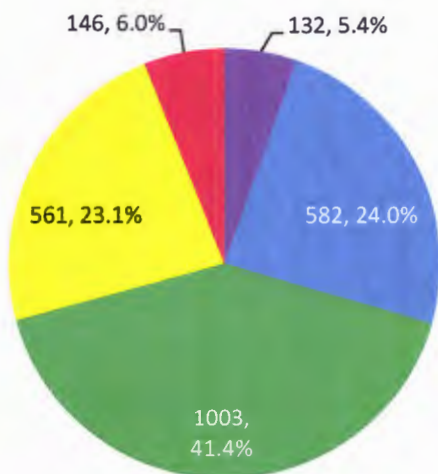




# All Schools (Public and Public Charters) using 80% Achievement/20% Growth--15 Point Scale

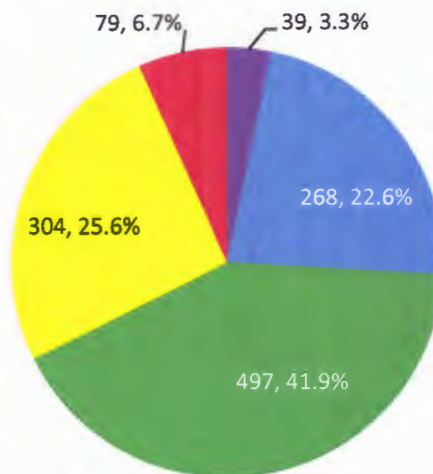
(Current Legislation 2013-14 Official Results)

## Total (2,424)



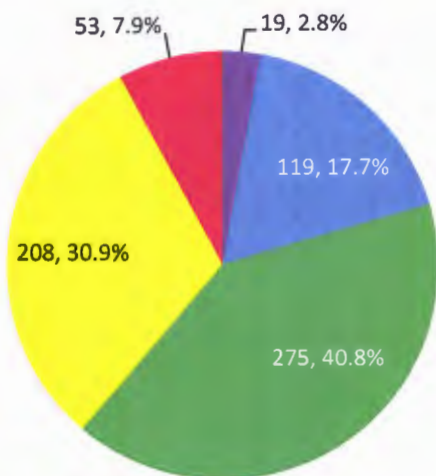
■ A  
■ B  
■ C  
■ D  
■ F

## Elementary (1,187)



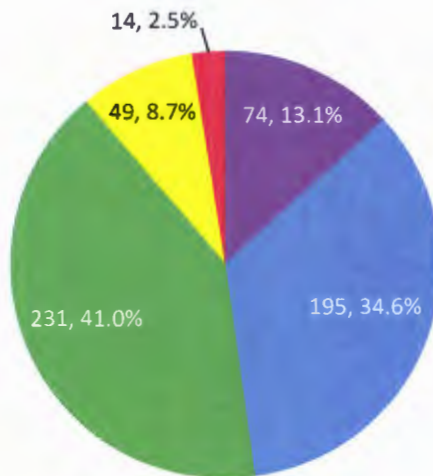
■ A  
■ B  
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■ D  
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## Middle (674)



■ A  
■ B  
■ C  
■ D  
■ F

## High (563)



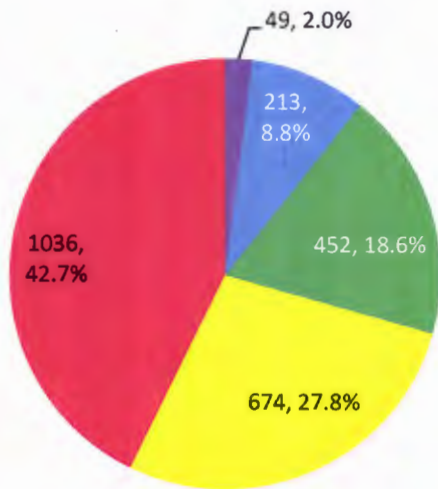
■ A  
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# All Schools (Public and Public Charters) using 80% Achievement/20% Growth--10 Point Scale

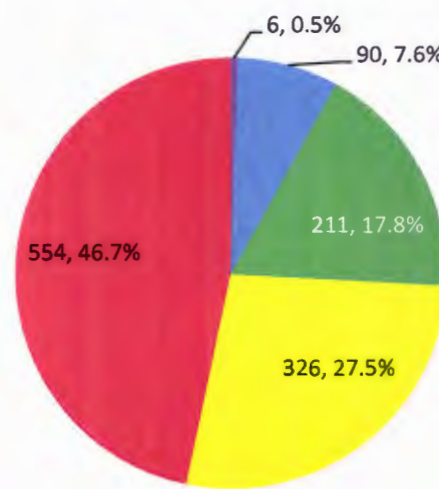
(Current Legislation 2014-15 Estimation)

## Total (2,424)



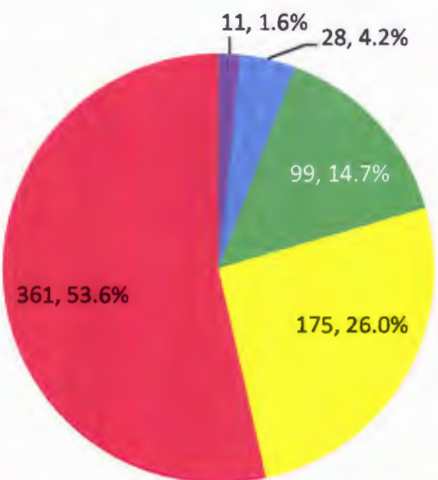
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## Elementary (1,187)



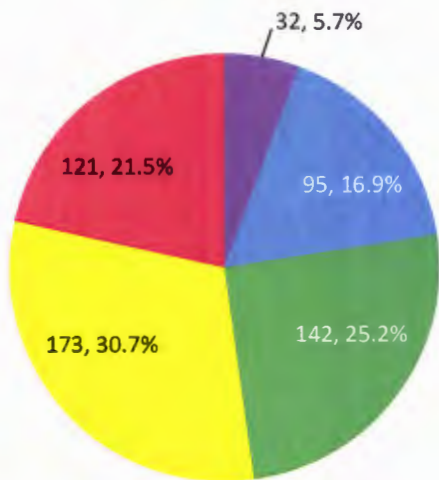
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## Middle (674)



A  
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F

## High (563)



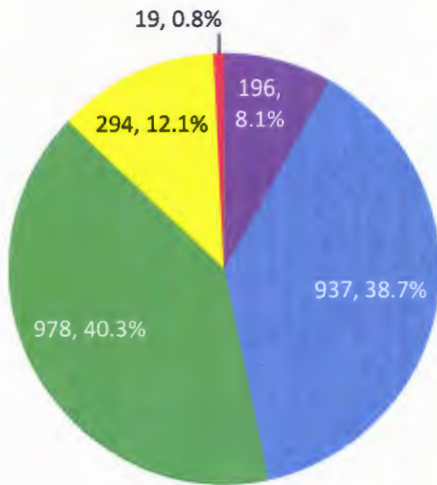
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# All Schools (Public and Public Charters) using 50% Achievement/50% Growth—15 Point Scale

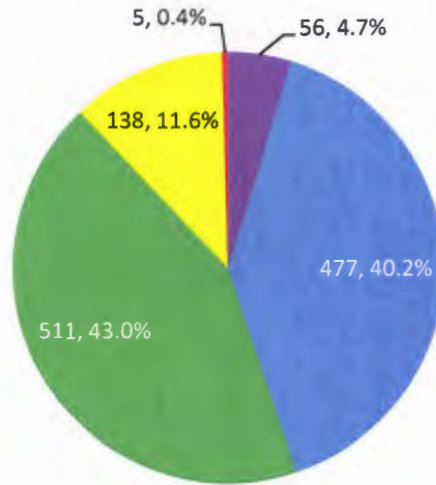
(Different Weight/2013-14 Grade Scale Estimation)

**Total (2,424)**



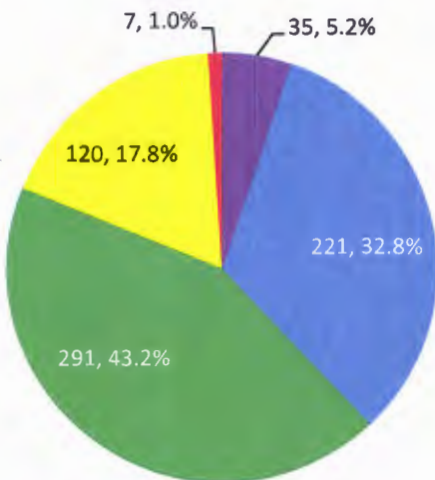
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**Elementary (1,187)**



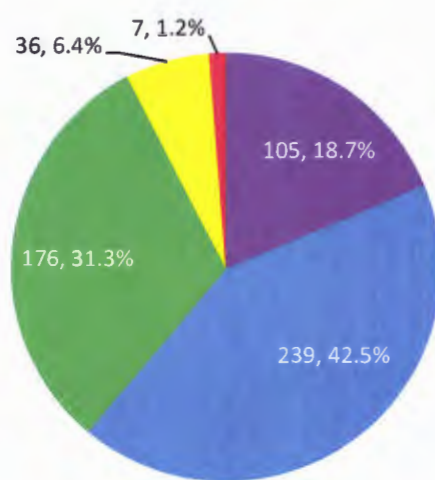
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**Middle (674)**



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F

**High (563)**



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C  
D  
F

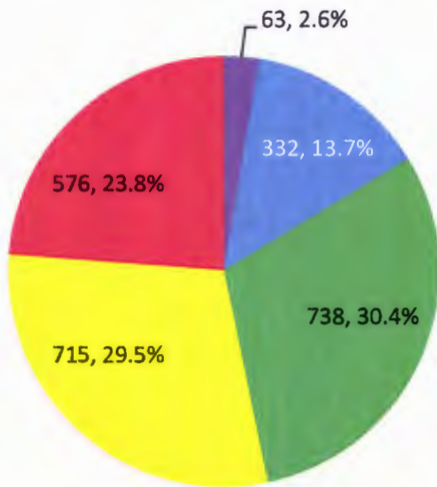




# All Schools (Public and Public Charters) using 50% Achievement/50% Growth—10 Point Scale

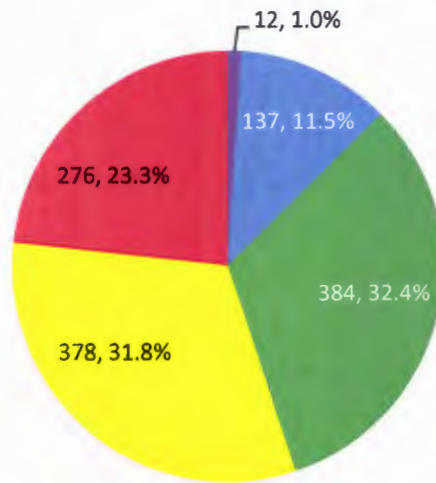
(Different Weight/2014-15 Grade Scale Estimation)

**Total (2,424)**



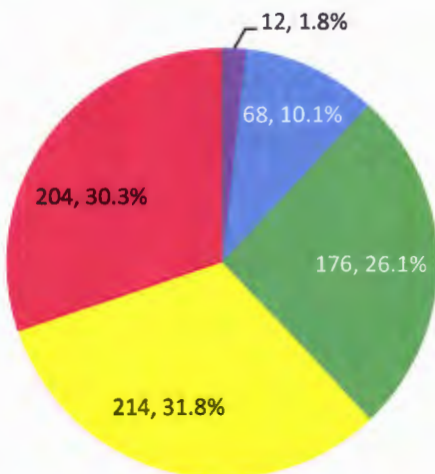
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**Elementary (1,187)**



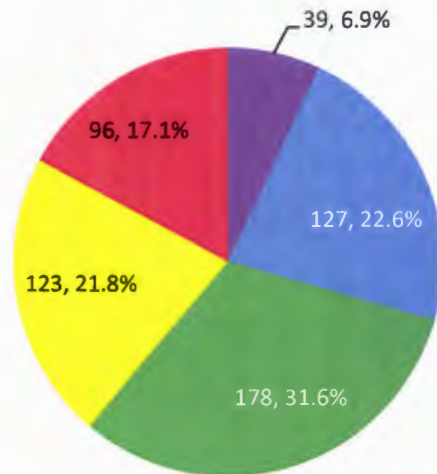
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**Middle (674)**



A  
B  
C  
D  
F

**High (563)**



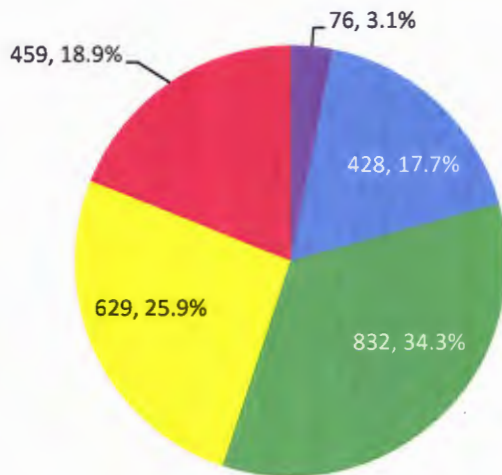
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# All Schools (Public and Public Charters) using 40% Achievement/60% Growth—10 Point Scale

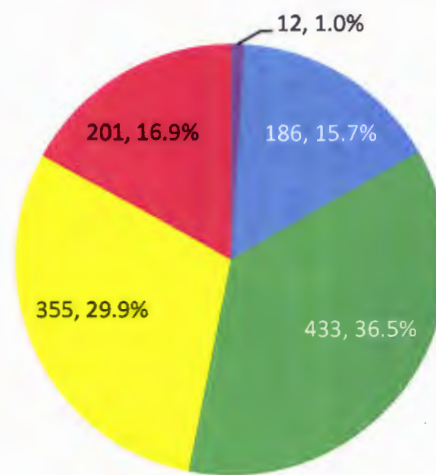
(Proposed Senate Bill 30--2015 Long Session)

## Total (2,424)



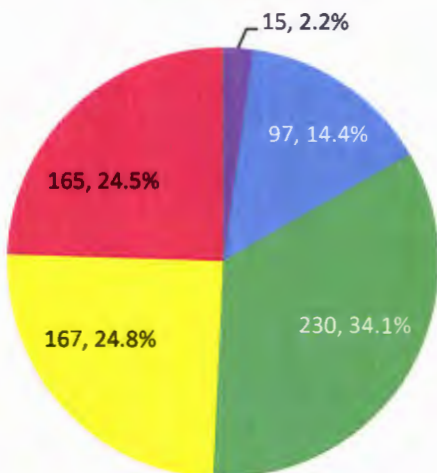
A  
B  
C  
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## Elementary (1,187)



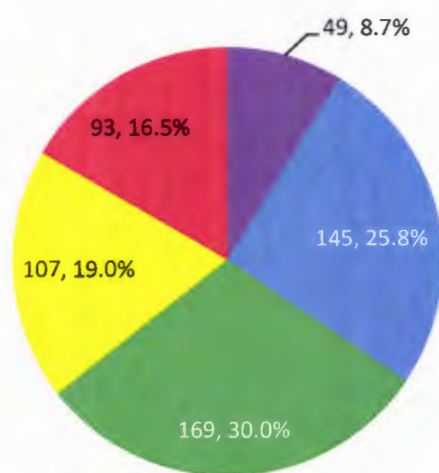
A  
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## Middle (674)



A  
B  
C  
D  
F

## High (563)



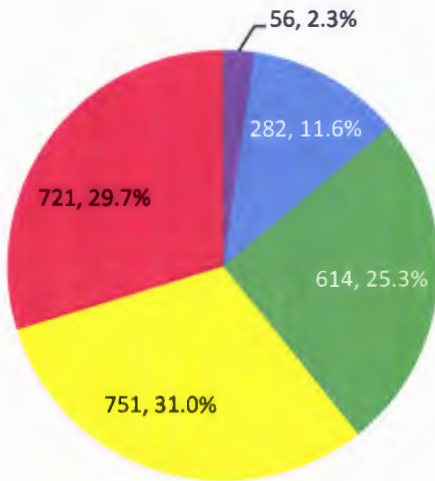
A  
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# All Schools (Public and Public Charters) using 60% Achievement/40% Growth—10 Point Scale

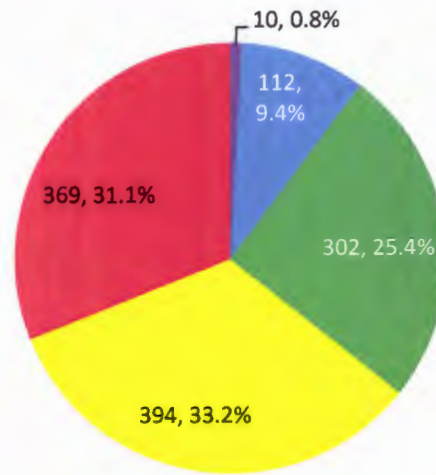
(Different Weight/2014-15 Grade Scale Estimation)

**Total (2,424)**



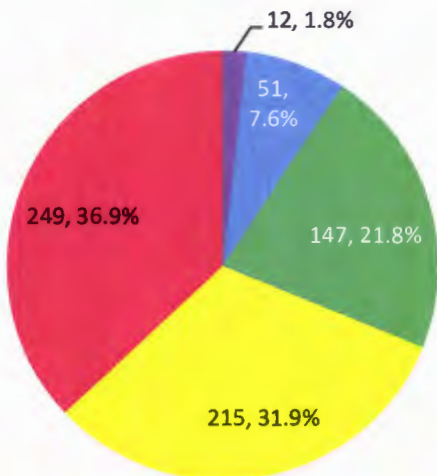
A  
B  
C  
D  
F

**Elementary (1,187)**



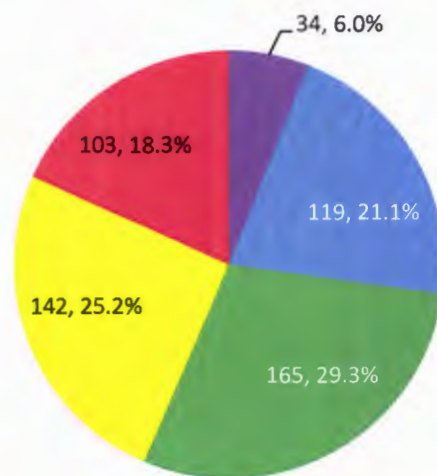
A  
B  
C  
D  
F

**Middle (674)**



A  
B  
C  
D  
F

**High (563)**



A  
B  
C  
D  
F



## Education K-12 Committee

[illegible]





[illegible]



## VISITOR REGISTRATION SHEET

Education K-12

3/31/15

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Evelyn MacMone

ETOR

LeKisha Jordan

Governor's Office

DeBorja

MWC

Neyla Kelly

LA

Allison Stewart

3rd Grade teacher in CHCS

Ashley Perlman

Perlman Law

Curtis Sommeran

NC DPI

Rachel E. Bialer

"

Martez Hill

NC SBE

Zane Stilwell

NC SBE

Julia Adams-Schmuck

SRC, NCARF, ASNC, MARC



## VISITOR REGISTRATION SHEET

Education K-12

Name of Committee

3/31/15

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Carol Reid Erickson

Rep. Tricia Cotham

J F Dukes

JFB

Jal Haymond

Gm ; Assoc.

Isabel Villanueva

NCAR

Adam Prodenice

NCASA

Emily Dwyll

NLPAPA

Susan Adams

TKSSWA

Cheryl Posner-Catill

NC School Bych Assoc

Leanne Wmice

NCSBA

Douglas Holbrook

NCSBA

Bruce Mildner

NCSBA



## VISITOR REGISTRATION SHEET

Name of Committee

Date \_\_\_\_\_

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NAME \_\_\_\_\_

FIRM OR AGENCY AND ADDRESS

Alayc Freeman

NCAE

Bo Harts

McGuire Wood

Frank Ayres

Ed Commitment





## VISITOR REGISTRATION SHEET

Name of Committee

Date \_\_\_\_\_

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NAME \_\_\_\_\_

FIRM OR AGENCY AND ADDRESS

[illegible]





**House Education K-12 Committee  
Tuesday, April 14, 2015 at 10:00 AM  
Room 643 of the Legislative Office Building**

**MINUTES**

The House Education K-12 Committee met at 10:00 am on April 14, 2015 in Room 643 of the Legislative Office Building. Representatives Elmore, Horn, Johnson, Ager, Bryan, Cleveland, Cotham, Dixon, Farmer-Butterfield, Glazier, Graham, Hanes, Hardister, Hurley, Iler, Jones, Lambeth, Luebke, Malone, Meyer, Richardson, Riddell, Stam, Turner, and Whitmire were in attendance. Research Department staff were Drupti Chauhan, Kara McCraw, Denise Huntley-Adams and James Ritter. Visitor registration sheets are provided. (Attachment 1)

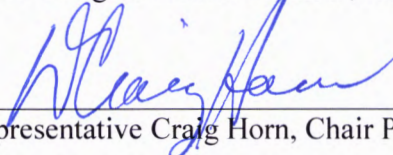
Representative Craig Horn, Chair, presided. He called the meeting to order at 10:06 and introduced the House Sergeant at Arms and the visiting pages. (Attachment 2) He also recognized the Public School Forum's Education Policy Fellowship Program (EPFP) members who were in the audience today.

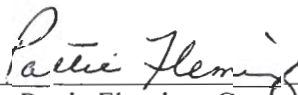
Representative Horn announced that House Bill 237 would be before the committee today and called on Representative Jeffrey Elmore to present the Proposed Committee Substitute for HB 237, Repeal Personal Ed Plans/Trans Teams & Plans. He explained that teachers can still use Personal Education Plans for their students, but it would be optional as needed. The PEPs are time consuming and have not been successful. Rep. Cotham objected and stated that PEPs were useful tools and kept students from falling through the cracks. Following discussion from Committee members there was a unanimous call to commend the bill.

Hearing no further discussion from the Committee Rep. Horn asked if there were questions or comments from those in the audience. Ms. Carol Vandenberg, Executive Director of Professional Educators of NC, stated that teachers have asked for this bill for years. Matt Ellinwood from the NC Justice Center thanked the Committee for working with them and that their concern was the at risk student.

Rep. Horn recognized Rep. Cleveland who moved for a favorable report to the PCS, unfavorable to the original bill. It passed unanimously.

There being no further business, Chairman Horn called the meeting adjourned at 10:35 AM.

  
Representative Craig Horn, Chair Presiding

  
Pattie Fleming, Committee Clerk



**Pattie Fleming (Rep. Craig Horn)**

---

**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Monday, April 13, 2015 01:37 PM  
**To:** Rep. Rick Glazier; Rep. Bryan Holloway; Rep. Jeffrey Elmore  
**Cc:** Megan Lewis (Rep. Rick Glazier); Emma Shelby (Rep. Bryan Holloway); Linda Stevenson (Rep. Jeffrey Elmore)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Tuesday, April 14, 2015 at 10:00 AM - CORRECTED #2  
**Attachments:** Add Meeting to Calendar\_LINC\_.ics

**Corrected #2: HB 380 Removed**

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Tuesday, April 14, 2015  
**TIME:** 10:00 AM  
**LOCATION:** 643 LOB

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 237	Repeal Personal Ed Plans/Trans Teams & Plans.	Representative Elmore Representative Holloway Representative Glazier



Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 1:35 PM on Monday, April 13, 2015.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)





**House Education - K-12**  
Notes for Agenda Items  
April 14, 2015, 10:00 a.m.  
Rep. Elmore, Chair

**HB 237 Repeal Personal Education Plans/Transition Teams & Plans.**

Representatives Elmore, Holloway, Glazier

- James is handling this bill.
- There is a PCS.

*If there are no amendments to the PCS,*

**THE MOTION (IF FAVORABLE) SHOULD BE: FAVORABLE TO THE PROPOSED COMMITTEE SUBSTITUTE AND AN UNFAVORABLE REPORT TO THE ORIGINAL BILL.**

*If there are amendments to the PCS,*

**THE MOTION (IF FAVORABLE) SHOULD BE: FAVORABLE TO THE PROPOSED COMMITTEE SUBSTITUTE AS AMENDED, ROLLED INTO A NEW PROPOSED COMMITTEE SUBSTITUTE, WITH A FAVORABLE REPORT TO THE NEW COMMITTEE SUBSTITUTE AND AN UNFAVORABLE REPORT TO THE ORIGINAL BILL.**



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair**

**Representative D. Craig Horn, Co-Chair**

**Representative Linda P. Johnson, Co-Chair**

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL**

**HB 237**

**Repeal Personal Ed Plans/Trans Teams & Plans.**

Draft Number: H237-PCS20281-TW-6

Serial Referral: None

Recommended Referral: None

Long Title Amended: Yes

Floor Manager: Elmore

**TOTAL REPORTED: 1**



\* C M R 1 3 6 - V - 1 \*



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 237

Short Title: Repeal Personal Ed Plans/Trans Teams & Plans. (Public)

Sponsors: Representatives Elmore, Holloway, and Glazier (Primary Sponsors).  
*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

March 17, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO REPEAL PERSONAL EDUCATION PLANS AND TRANSITION TEAMS  
3 AND PLANS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-105.41 is repealed.

6 **SECTION 2.** G.S. 115C-83.7(c) reads as rewritten:

7 "(c) The superintendent shall determine whether a student may be exempt from  
8 mandatory retention on the basis of a good cause exemption. The following steps shall be taken  
9 in making the determination:

10 (1) The teacher of a student eligible for a good cause exemption shall submit  
11 documentation of the relevant exemption and evidence that promotion of the  
12 student is appropriate based on the student's academic record to the  
13 principal. Such evidence shall be limited to the student's ~~personal education~~  
14 ~~plan~~, individual education program, if applicable, alternative assessment, or  
15 student reading portfolio.

16 (2) The principal shall review the documentation and make an initial  
17 determination whether the student should be promoted. If the principal  
18 determines the student should be promoted, the principal shall make a  
19 written recommendation of promotion to the superintendent for final  
20 determination. The superintendent's acceptance or rejection of the  
21 recommendation shall be in writing."

22 **SECTION 3.** G.S. 115C-83.9(a) reads as rewritten:

23 "(a) Parents or guardians shall be notified in writing, and in a timely manner, that the  
24 student shall be retained, unless he or she is exempt from mandatory retention for good cause,  
25 if the student is not demonstrating reading proficiency by the end of third grade. Parents or  
26 guardians shall receive this notice when a kindergarten, first, second, or third grade student (i)  
27 is demonstrating difficulty with reading development; or (ii) is not reading at grade ~~level~~; ~~or~~  
28 ~~(iii) has a personal education plan under G.S. 115C-105.41.~~ level."

29 **SECTION 4.** This act is effective when it becomes law and applies beginning with  
30 the 2015-2016 school year.





Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 1:35 PM on Monday, April 13, 2015.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)





GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

H

D

HOUSE BILL 237

PROPOSED COMMITTEE SUBSTITUTE H237-CSTW-6 [v.13]

4/13/2015 6:25:21 PM

Short Title: Repeal Personal Ed Plans/Modify Trans Plans.

(Public)

Sponsors:

Referred to:

March 17, 2015

A BILL TO BE ENTITLED

AN ACT TO REPEAL PERSONAL EDUCATION PLANS AND MODIFY TRANSITION PLANS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-105.41 reads as rewritten:

§ 115C-105.41. ~~Students who have been placed at risk of academic failure; personal education plans; transition teams failure and transition plans.~~

(a) In order to implement Part 1A of Article 8 of this Chapter, local school administrative units shall identify students who are at risk for academic failure and who are not successfully progressing toward grade promotion and graduation, beginning in kindergarten. Identification shall occur as early as can reasonably be done and can be based on grades, observations, diagnostic and formative assessments, State assessments, and other factors, including reading on grade level, that impact student performance that teachers and administrators consider appropriate, without having to await the results of end-of-grade or end-of-course tests. ~~No later than the end of the first quarter, or after a teacher has had up to nine weeks of instructional time with a student, a personal education plan for academic improvement with focused intervention and performance benchmarks shall be developed or updated for any student at risk of academic failure who is not performing at least at grade level, as identified by the State end-of-grade test and other factors noted above. Focused instructional supports and services, reading interventions, and accelerated activities should include evidence-based practices that meet the needs of students and may include coaching, mentoring, tutoring, summer school, Saturday school, and extended days. Local school administrative units shall provide these activities free of charge to students. Local school administrative units shall also provide transportation free of charge to all students for whom transportation is necessary for participation in these activities.~~

~~Local school administrative units shall give notice of the personal education plan and a copy of the personal education plan to the student's parent or guardian. Parents should be included in the implementation and ongoing review of personal education plans. If a student's school report card provides all the information required in a personal education plan, then no further personal education plan is mandated for the student.~~

~~No cause of action for monetary damages shall arise from the failure to provide or implement a personal education plan under this section.~~

(b) Local boards of education shall adopt and implement rules that direct school improvement teams to consider plans for the creation of transition teams and transition plans for students at risk, as defined by the State Board of Education, Education. These transition plans



\* H 2 3 7 - C S T W - 6 - V - 1 3 \*

1 are to assist ~~at risk students them~~ in making a successful transition between the elementary  
2 school and middle school years and between the middle school and high school years.

3 **SECTION 2.** G.S. 115C-83.7(c) reads as rewritten:

4 "(c) The superintendent shall determine whether a student may be exempt from  
5 mandatory retention on the basis of a good cause exemption. The following steps shall be taken  
6 in making the determination:

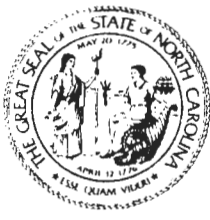
7 (1) The teacher of a student eligible for a good cause exemption shall submit  
8 documentation of the relevant exemption and evidence that promotion of the  
9 student is appropriate based on the student's academic record to the  
10 principal. Such evidence shall be limited to the student's ~~personal education~~  
11 ~~plan~~, individual education program, if applicable, alternative assessment, or  
12 student reading portfolio.

13 (2) The principal shall review the documentation and make an initial  
14 determination whether the student should be promoted. If the principal  
15 determines the student should be promoted, the principal shall make a  
16 written recommendation of promotion to the superintendent for final  
17 determination. The superintendent's acceptance or rejection of the  
18 recommendation shall be in writing."

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20 "(a) Parents or guardians shall be notified in writing, and in a timely manner, that the  
21 student shall be retained, unless he or she is exempt from mandatory retention for good cause,  
22 if the student is not demonstrating reading proficiency by the end of third grade. Parents or  
23 guardians shall receive this notice when a kindergarten, first, second, or third grade student (i)  
24 is demonstrating difficulty with reading development; or (ii) is not reading at grade level; ~~or~~  
25 (iii) has a ~~personal education plan under G.S. 115C-105.41.~~ "level."

26 **SECTION 4.** This act is effective when it becomes law and applies beginning with  
27 the 2015-2016 school year.



# HOUSE BILL 237: Repeal Personal Ed Plans/Trans Teams

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Elmore, Holloway, Glazier  
**Analysis of:** PCS to First Edition  
H237-CSTW-6

**Date:** April 14, 2015  
**Prepared by:** James Ritter\*  
Legislative Analyst

**SUMMARY:** *House Bill 237 repeals personal education plans and transition teams and plans for at risk students. The bill makes conforming changes that delete references to personal education plans in other statutes.*

*The Proposed Committee Substitute (PCS) for House Bill 237 repeals personal education plans and transition teams. The PCS requires local boards of education to adopt and implement rules that direct school improvement teams to consider transition plans for at risk student.*

**CURRENT LAW:** G.S. 115C-105.41 requires local school administrative units (LEAs) to identify students who have been placed at risk for academic failure. This identification must occur as early as can be reasonably done and is based on grades, observations, State assessments and other factors impacting student performance. A personal education plan for academic improvement must be developed at the beginning of the school year for any student not performing at grade level as identified by the State end-of-grade test, and other factors. The personal education plan must contain focused intervention and performance benchmarks. Focused intervention and accelerated activities must include research based practices that may include coaching, mentoring, tutoring, summer school, Saturday school, and extended days. These activities must be free of charge, and the transportation to the activities must be free of charge if a student needs transportation to participate in the activities. LEAs are required to give notice of the personal education plan and a copy of the plan to parents or guardians.

LEAs are required to adopt and implement the creation of transition teams and plans for at risk students to assist them with making the transition between elementary and middle school and between middle and high school.

Parents or guardians are to be included in the implementation and ongoing review of personal education plans.

## BILL ANALYSIS:

### Sec. 1. Repeal of Personal Education Plans and Modification of Transition Plans

The PCS for House Bill 237 repeals personal education plans and transition teams. The PCS requires local boards of education to adopt and implement rules directing school improvement teams to consider transition plans for students at risk. These transition plans are designed to help at risk students make the transition between the elementary and middle school years and between the middle and high school years.

### Sec. 2. and 3. Conforming Changes

The PCS would make conforming changes in other statutes deleting references to personal education plans.

**EFFECTIVE DATE:** This act is effective when it becomes law and applies beginning with the 2015-2016 school year.



# House Bill 237

Page 2

**BACKGROUND:** G.S. 115C-105.41 is a part of the School-Based Management and Accountability Program. The State Board of Education has adopted policy TCP-C-018 that states that during any year in which an LEA receives funds from the Disadvantaged Student Supplemental Fund, the superintendent of the LEA must require principals to assign an effective teacher with at least one year of teaching experience to provide the focused interventions described in the personal education plans for students in grades K-8.

*\*Drupti Chauhan, Staff Attorney, contributed substantially to this summary.*

A copy of the State Board of Education policy is below.

## **NORTH CAROLINA STATE BOARD OF EDUCATION Policy Manual**

### **Policy Identification**

**Priority:** Twenty-first Century Professionals

**Category:** Qualifications and Evaluations

**Policy ID Number:** TCP-C-018

**Policy Title:** Policy on Teacher Assignment in Local School Administrative Units Receiving Disadvantaged Student Supplemental Funding

**Current Policy Date:** 07/01/2005

**Other Historical Information:** Approved by the Board on September 2, 2004 for July 1, 2005 implementation

### **Statutory Reference:**

### **Administrative Procedures Act (APA) Reference Number and Category:**

During any year in which a local school administrative unit receives funds from the Disadvantaged Student Supplemental Funding program, the superintendent shall require principals to assign an effective teacher with at least one year of teaching experience and a clear initial or continuing license to provide the focused interventions described in a personal education plan required under N.C. Gen. Stat. § 115C-105.41 for any student enrolled in grades kindergarten through eight. For purposes of this policy, an effective teacher is one, who on his or her most recent performance evaluation: (1) received a rating of "At Standard" on all performance functions on the Teacher Performance Appraisal Instrument-Revised; or (2) received comparable ratings on another validated evaluation instrument.



## EDUCATION

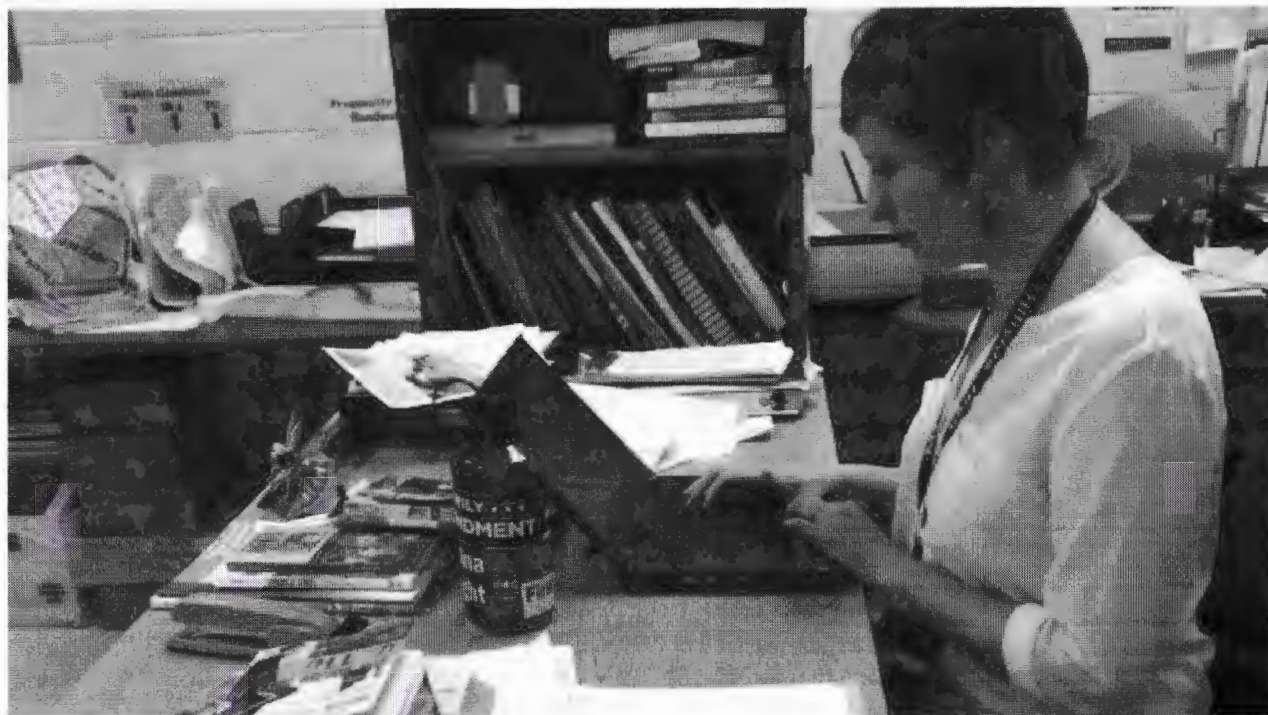
# Teachers ask lawmakers for relief from paperwork

Posted March 31

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g+ Share 0

**By Reema Khrais / WUNC**

Some North Carolina lawmakers are trying to pass a bill they say will help ease the burdensome paperwork teachers face. They want to get rid of "personal education plans," documents teachers are required to fill out to help students who are at risk of failing.

Many teachers and advocates see them as inefficient, raising questions about how to adequately support struggling students.



Holly Jordan, an English teacher at Hillside High School in Durham, currently has about six personal education plans from her classes, which are largely for advanced students. In the past, up to half of her students required PEPs.

She says the process of filling out online documents that list the academic weaknesses of her students and what interventions are needed can feel redundant.

"Do I think it's important for teachers to be accountable for making sure all students are succeeding? Absolutely," Jordan said. "I just don't think PEPs are an effective way to do it."

When she pulled up the PEP of one of her students, it noted that she contacted the student's parents. But the section for strategies and interventions was empty.

"To be perfectly honest, the parts of the PEP I knew they were looking for was the contact log and the initial targeted skills," she said.

The reality, she explained, is that every week she pulls this student aside to talk about her schedule, academics and what she can do differently.

"That in of itself is an intervention. So I'm doing those interventions, I just didn't click the button," Jordan said.

## 'Not asking for an elimination of services'

Personal education plans were created in the early 2000s to make sure all students stay on track. It's important to note that these are separate from Individualized Education Plans, which are for students with disabilities and are federally mandated.

Carol Vandenberg, executive director of Professional Educators of North Carolina, said her group requested the bill to repeal PEPs.

"We're asking for elimination of redundant paperwork. We're not asking for an elimination of services for students. We're not asking for an elimination of limited accountability," she said.

Vandenberg's group conducted a survey that showed more than 80 percent of teachers expressing support for eliminating or replacing PEPs to reduce paperwork. She said teachers already spend time evaluating students and figuring out ways to help them.





"For instance, (the teacher) may write these things in a lesson plan; she may write these things down in a report card," Vandenberg explained.

Teachers have become more critical of PEPs in the last few years as more education reforms have been introduced, she noted. Between Race to the Top, new teacher evaluation instruments, new computer systems, Common Core, Read To Achieve, teachers "were dealing with a lot. It was a policy whiplash for them really," she said.

## Ensuring students are helped via law

Lissa Harris, who heads the group "Parents Supporting Parents" in Guilford County, said she "couldn't believe it" when she first heard about the bills to eliminate PEPs. "I had to take a second glance, as if I read something wrong."

Her daughter had personal education plans when she was younger. Harris said they're important because they require parents to be involved in their student's development.

"If there's nothing documenting it, we don't know what plans work," she said. "We don't know what interventions, best strategies work. If we don't document it, it doesn't allow a level of accountability."

Harris and others argue the state should have something in law to ensure teachers are helping struggling students and that they have the resources to do it.

"What are we going to do for at-risk students? If it's not going to be PEPs, it has to be something," said Matt Ellinwood, an attorney with the advocacy group North Carolina Justice Center.

According to Ellinwood, the state should provide funding to accompany PEPs or any other system that supports individualized help. Low-wealth school districts have more difficulty offering interventions to help students, he said.

"There is the idealized system of supports that should exist then there's the reality," he noted. "Every teacher would love to give a PEP that gave tutoring, mentoring and extra supports, but if it's not available what do you do?"

That difficult question is one Jordan faces. The high school teacher said public schools need money for more counselors, nurses and social workers.



"We need people because we need smaller class sizes," she said. "If I have a class where half of my students have PEPs, that means nine have PEPs, rather than 15 or 16. That makes a significant difference."

The House and Senate bills to repeal the requirement of personal education plans do not touch on the topic of money. But they do have the backing of both Republicans and Democrats. It's a kind of bipartisan support that can be rare with state education issues.

*This report first appeared on WUNC/North Carolina Public Radio as part of their education coverage. Reema Khrais is the 2014 Fletcher Fellow focused on Education Policy Reporting. The Fletcher Fellowship is a partnership between WUNC and UNC's School of Journalism and Mass Communication funded in part by the Fletcher Foundation.*

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## Education K-12 Committee

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## VISITOR REGISTRATION SHEET

House Comm. on Education-K-12

4/14/2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Marge Forman	NCHÉ
Jessica Stancic	LCS
Rachel Benton	NCDPI
Sharon Thomas	NCEPI
Rouglas Helms	NCSBM
Brian Milderburg	NC SBA
Tom Goffe	NC GA
Adam Ridemore	NCAST
Kaitlyn Oakley	Common Cause, NC
John Maynard	ERM/ESSAC
Harry Lytle	MWC



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4/14/2015

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Date

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NAME

FIRM OR AGENCY AND ADDRESS

Cheryl Posner-Cahill

NC School Psych Assoc

Katherine Joyce

NC Assoc of School Administrators

Susan Harrison

NCDISEA

Dmitry Ely

Bunny

Josh Ehrlich

JFA

Jill Ayres

Ed Consultant

Dee Zimm

NCSBN

Nick Gortch

OSBN

[Signature]

Seth

Andy Chase

KMA

Austin Pruitt

Trixie Low



## House Comm. on Education-K-12

Name of Committee

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

FIRM OR AGENCY AND ADDRESS

Vicki Baze

self



## VISITOR REGISTRATION SHEET

House Comm. on Education-K-12

4/14/2015

Name of Committee

Date

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NAME

FIRM OR AGENCY AND ADDRESS

LeKisha Jordan	Governor's office
Julie Kowal	BEST NC
Amy Rickard	EPFP
Diane Blackman	EPFP
Katrina Madden	EPFP
Michael Allen	EPFP
Jonathan Bennett	EPFP
Ann Marie Gunter	EPFP
Janita Allen	EPFP
Tracy A Riddle	EPFP
Lisa Hibler	EPFP





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NAME

FIRM OR AGENCY AND ADDRESS

Catherine Browning

EPFP

Sarah Preston

ACLU-NC

James Ford

EPFP

Tracy Greggs

EPFP

Lauren Hales

EPFP / Public School Forum

Joe Ableidinger

EPFP / Public School Forum

Brian White

EPFP

Carol Vandenberg

PENC

Emelgn Hawthorne

PENC

Phil Emer

NCSU



Committee Sergeants at Arms

NAME OF COMMITTEE House Education K-12

DATE: 4-14-15 Room: 643

House Sgt-At Arms:

1. Name: MARK CONE
2. Name: RAE COOKE
3. Name: DEAN MARSHBURN
4. Name: Bill Morris
5. Name: Jim Moran

Senate Sgt-At Arms:

1. Name: \_\_\_\_\_
2. Name: \_\_\_\_\_
3. Name: \_\_\_\_\_
4. Name: \_\_\_\_\_
5. Name: \_\_\_\_\_



**Tuesday, April 14**  
EDUCATION –K-12

**Room**  
643

**Time**  
10:00 am

<b>Name</b>	<b>County</b>	<b>Sponsor</b>
Ben Smith	Johnston	N. Leo Daughtry
Roman Bilan	Pitt	Brian Brown





**House Education K-12 Committee  
Tuesday, April 21, 2015 at 10:00 AM  
Room 643 of the Legislative Office Building**

**MINUTES**

The House Education K-12 Committee met at 10:00 am on March 17, 2015 in Room 643 of the Legislative Office Building. Representatives Elmore, Horn, Johnson, Ager, Bryan, Cleveland, Cotham, Dixon, Farmer-Butterfield, Fisher, Glazier, C. Graham, Hanes, Hardister, Hurley, Iler, Jones, Langdon, Luebke, Malone, Meyer, Pittman, Richardson, Riddell, Stam, Turner, and Whitmire were in attendance. Research Department staff were Drupti Chauhan, Kara McCraw and Denise Huntley-Adams. Visitor registration sheets are provided. (Attachment 1)

Representative Linda Johnson, Chair, presided. She called the meeting to order and introduced the House Sergeant at Arms and the visiting pages. (Attachment 2). Representative Johnson announced that the Committee has a full agenda with HB162, HB334, HB380, HB439, HB474, HB539, HB581, HB878 and HB559 before it this morning.

Representative Carney presented HB162, Sudden Cardiac Arrest Preventive Students. Chairman Johnson recognized Rep. Turner to bring the PCS for HB162 before the committee. With approval Rep. Carney explained HB162 as an "awareness bill" that is long overdue. It directs DPI to develop a plan of recognition for cardiac symptoms and requires coaches to complete CPI training. Following brief discussion Rep. Iler moved for a favorable report, unfavorable to the original bill, but favorable to the Committee Substitute. The Ayes had it and the bill passed.

Chairman Johnson recognized Rep. Jeter to present HB334, Charter School Extracurricular Activity Fees. Rep. Turner moved for a favorable vote for the PCS. Rep. Jeter explained that many LEAs had asked for this bill. It allows fees for sports if more that 40% of Charter students live in an LEA district that currently allows the fee. Following brief discussion Rep. Hardister made a motion for a favorable report, unfavorable to the original bill. The Ayes had it and the bill passed.

Rep Holloway was called on to present HB 380, Statewide School Safety Management. Rep. Hardister made a motion to have the PCS before the Committee. Rep. Holloway said that the bill came from DPI and is an adjustment to the current law. It proposes a TIP line, crisis kit in every school, and suitable apps for school purposes. Rep. Iler moved for a favorable report. Unfavorable to the original bill, but favorable to the PCS. Chairman Johnson called for the Ayes and Nays. The Ayes prevailed and the bill passed.

House Bill 439, Competency Based Assessment, was presented by Rep. Susan Martin. She explained that this bill shifts from too much testing to an assessment of the student's progress recognizing that all students do not learn at the same pace. Following discussion Rep. Hardister moved for a favorable report. The ayes prevailed and HB 439 passed.





HB 474, Healthy Out-of-School Recognition Program, was brought before the committee by Rep. Dobson. Rep. Whitmire explained that there was a technical, typo amendment, page 1, line 50. The amendment was voted on and Rep. Dobson explained that the bill encourages healthy eating by HEPA Standards for students in Track Out School. Students bring their meals and parents are encouraged to send healthy foods. Rep. Glazier moved for a favorable report on HB474 as amended. The Ayes prevailed and the bill passed.

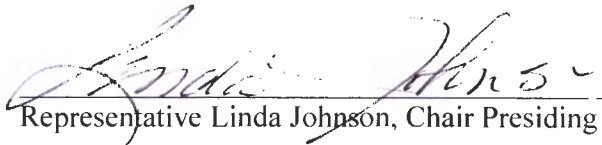
House Bill 539 was presented to the Committee by Rep. Bryan. The bill will allow School Grounds to be Available to the Public. The bill mirrors existing law regarding no liability for the schools. Following discussion Rep. Elmore called for a favorable report. The Ayes prevailed and the bill passed.


House Bill 581 Computer Course Elective was pulled from the calendar by Rep. Cotham.

Chairman Johnson called on Rep. Jordan for HB 878, Expand Board of Trustees/School of Science and Math. The Chancellor, Todd Roberts, and student body president were recognized. They thanked the Committee for considering the bill. Rep. Leubke called for a favorable report and the vote was unanimous.

The final bill was HB559, Testing Feedback for Students/Teachers. Rep Cotham called for the PCS to be put before the Committee. Rep. Whitmire explained the bill and with no opposition Rep. Elmore called for a favorable report. The ayes prevailed and the bill passed.

There being no further business, Chairman Johnson called the meeting adjourned at 11:00 AM.

  
Representative Linda Johnson, Chair Presiding

  
Pattie Fleming, Committee Clerk



**Joanna Hogg (Rep. Linda Johnson)**

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**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Friday, April 17, 2015 11:06 AM  
**To:** Rep. Rick Glazier; Rep. Becky Carney; Rep. Craig Horn; Rep. Chuck McGrady; Rep. Bob Steinburg; Rep. Charles Jeter; Rep. Bryan Holloway; Rep. Hugh Blackwell; Rep. John Faircloth; Rep. Susan Martin; Rep. Rob Bryan; Rep. Jon Hardister; Rep. Chris Whitmire; Rep. Josh Dobson; Rep. Brian Turner; Rep. Brian Brown; Rep. John Szoka; Rep. John Bradford; Rep. Tricia Cotham; Rep. Jason Saine; Rep. Jonathan Jordan; Rep. Marvin Lucas; Rep. Jeffrey Elmore; Rep. Dennis Riddell  
**Cc:** Megan Lewis (Rep. Rick Glazier); Beth LeGrande (Rep. Becky Carney); Laura Bone (Rep. Chuck McGrady); Bethany Hudson (Rep. Bob Steinburg); Brittany Eller (Rep. Charles Jeter); Emma Shelby (Rep. Bryan Holloway); Dixie Riehm (Rep. Hugh Blackwell); Becky Bauerband (Rep. John Faircloth); Lynn R Taylor (Rep. Susan Martin); Kevin Wilkinson (Rep. Rob Bryan); Jayne Nelson (Rep. Jon Hardister); Janet Crain (Rep. Chris Whitmire); Megan Kluttz (Rep. Chris Whitmire); Julie Ryan (Rep. Josh Dobson); Andy Miller (Rep. Brian Turner); Theresa Lopez (Rep. Brian Brown); Beverly Slagle (Rep. John Szoka); Anita Spence (Rep. John Bradford); Carol Erichsen (Rep. Tricia Cotham); Laura Puryear (Rep. Jason Saine); Kevin King (Rep. Jonathan Jordan); Thelma Utley (Rep. Marvin Lucas); Linda Stevenson (Rep. Jeffrey Elmore); Polly Riddell (Rep. Dennis Riddell)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Tuesday, April 21, 2015 at 10:00 AM  
**Attachments:** Add Meeting to Calendar\_LINC\_ics

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Tuesday, April 21, 2015  
**TIME:** 10:00 AM  
**LOCATION:** 643 LOB  
**COMMENTS:** Rep. Elmore will be presiding

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 162	Sudden Cardiac Arrest Prevention/Students.	Representative Carney Representative Horn Representative McGrady Representative Glazier Representative Jeter
HB 334	Charter School Extracurricular Activity	



HB 380	Fees. Statewide School Safety Management.	Representative Steinburg Representative Holloway Representative Glazier Representative Blackwell Representative Faircloth
HB 439	Competency-Based Assessments.	Representative S. Martin Representative Horn Representative Bryan
HB 474	Healthy Out-of-School Recognition Program.	Representative Dobson Representative Whitmire Representative Hardister Representative B. Turner
HB 539	School Playgrounds Available to Public.	Representative Bryan Representative Bradford Representative B. Brown Representative Szoka
HB 581	Computer Coding Course Elective.	Representative Cotham Representative Saine
HB 878	Expand Bd. of Trustees/Sch. of Science & Math.	Representative Jordan Representative Blackwell
HB 559	Testing Feedback for Students/Teachers.	Representative Whitmire Representative Lucas Representative Riddell Representative Elmore

Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 11:03 AM on Friday, April 17, 2015.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)



**House Committee on Education - K-12**  
**Tuesday, April 21, 2015, 10:00 AM**  
**643 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks**

**Introduction of Pages**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 162	Sudden Cardiac Arrest Prevention/Students.	Representative Carney Representative Horn Representative McGrady Representative Glazier
HB 334	Charter School Extracurricular Activity Fees.	Representative Jeter Representative Steinburg
HB 380	Statewide School Safety Management.	Representative Holloway Representative Glazier Representative Blackwell Representative Faircloth
HB 439	Competency-Based Assessments.	Representative S. Martin Representative Horn Representative Bryan
HB 474	Healthy Out-of-School Recognition Program.	Representative Dobson Representative Whitmire Representative Hardister Representative B. Turner
HB 539	School Playgrounds Available to Public.	Representative Bryan Representative Bradford Representative B. Brown Representative Szoka
HB 581	Computer Coding Course Elective.	Representative Cotham Representative Saine
HB 878	Expand Bd. of Trustees/Sch. of Science & Math.	Representative Jordan Representative Blackwell
HB 559	Testing Feedback for Students/Teachers.	Representative Whitmire Representative Lucas Representative Riddell Representative Elmore

**Adjournment**





**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair**  
**Representative D. Craig Horn, Co-Chair**  
**Representative Linda P. Johnson, Co-Chair**

**FAVORABLE**

**HB 439**

Competency-Based Assessments.

Draft Number: None  
Serial Referral: None  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: S. Martin

**HB 539**

School Playgrounds Available to Public.

Draft Number: None  
Serial Referral: None  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: Bryan

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL**

**HB 334**

Charter School Extracurricular Activity Fees.

Draft Number: H334-PCS40418-TC-19  
Serial Referral: None  
Recommended Referral: None  
Long Title Amended: Yes  
Floor Manager: Jeter

**HB 559**

Testing Feedback for Students/Teachers.

Draft Number: H559-PCS20317-TW-10  
Serial Referral: None  
Recommended Referral: None  
Long Title Amended: Yes  
Floor Manager: Whitmire

**HB 878**

Expand Bd. of Trustees/Sch. of Science & Math.

Draft Number: H878-PCS30334-RQ-8  
Serial Referral: None  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: Jordan



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## FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED

HB 162

Sudden Cardiac Arrest Prevention/Students.

Draft Number: H162-PCS40417-TB-13

**Serial Referral:** HEALTH

Recommended Referral: None

Long Title Amended: Yes

Floor Manager: Carney

HB 380

Statewide School Safety Management.

Draft Number: H380-PCS10349-TB-12

**Serial Referral:** APPROPRIATIONS

Recommended Referral: None

Long Title Amended: Yes

Floor Manager: Holloway

TOTAL REPORTED: 7



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**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair**

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL**

**HB 474**

Healthy Out-of-School Recognition Program.

Draft Number: H474-PCS30335-RQ-11

Serial Referral: None

Recommended Referral: None

Long Title Amended: No

Floor Manager: Dobson

TOTAL REPORTED: 1



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 162

Short Title: Sudden Cardiac Arrest Prevention/Students. (Public)

Sponsors: Representatives Carney, Horn, McGrady, and Glazier (Primary Sponsors).  
*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12, if favorable, Health.

March 9, 2015

A BILL TO BE ENTITLED  
AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION AND LOCAL BOARDS  
OF EDUCATION TO ADDRESS SUDDEN CARDIAC ARREST PREVENTION IN  
STUDENT ATHLETES AND TO RECODIFY THE STATUTORY PROVISIONS ON  
CONCUSSION SAFETY AND EMERGENCY ACTION PLANS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 115C of the General Statutes is amended by adding a new  
Article to read:

"Article 29E.

"Student Safety in Athletics.

**"§ 115C-407.40. Definitions.**

The following definitions apply in this Article:

(1) Athletic activity. – An activity offered to students in any of the following  
circumstances:

a. Interscholastic athletics.

b. An athletic contest or competition, other than interscholastic  
athletics, that is sponsored by a school, including cheerleading, or  
any other sports activities provided by a club or school-affiliated  
organization that is school-sponsored.

c. Practices, interschool practices, and scrimmages for all of the  
activities listed under this subdivision.

(2) Concussion. – A traumatic brain injury caused by a direct or indirect impact  
to the head that results in disruption of normal brain function, which may or  
may not result in loss of consciousness.

(3) Sudden cardiac arrest. – The sudden, unexpected loss of heart function,  
breathing, and consciousness.

**"§ 115C-407.41. Sudden cardiac arrest prevention.**

(a) The State Board of Education shall adopt guidelines and educational materials to be  
used by local boards of education to inform students who participate in athletic activities and  
those students' parents and coaches on (i) the nature and warning signs of sudden cardiac arrest  
and (ii) the risks associated with continuing to play or practice after experiencing one or more  
symptoms of sudden cardiac arrest, including fainting, difficulty breathing, chest pains,  
dizziness, and abnormal racing heart rate. In developing these guidelines and materials, the  
State Board may utilize existing materials developed by heart health awareness organizations,  
including Parent Heart Watch and Sudden Arrhythmia Death Syndromes. The State Board shall



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1 also publish a list of approved providers of sudden cardiac arrest training courses to be offered  
2 to coaches of athletic activities.

3 (b) Each school year, prior to participation by a student in an athletic activity, the  
4 student's parent or guardian shall sign and return to the student's school an acknowledgment of  
5 receipt and review of a sudden cardiac arrest symptoms and warning signs information sheet  
6 developed in accordance with materials provided by the State Board of Education under  
7 subsection (a) of this section.

8 (c) A school may hold an informational meeting prior to the start of each athletic season  
9 for all ages of competitors regarding the symptoms and warning signs of sudden cardiac arrest.  
10 A school is encouraged to have physicians, pediatric cardiologists, and athletic trainers attend  
11 the meeting to provide information to students, parents, coaches, and other school officials.

12 (d) A student who exhibits, or is known to have exhibited, signs or symptoms of sudden  
13 cardiac arrest, as determined by a game official, coach from the student's team, certified athletic  
14 trainer, licensed healthcare professional, or other official designated by the school under the  
15 venue-specific emergency action plan, at any time prior to, during, or following an athletic  
16 activity shall be removed by the coach from participation in an athletic activity. A student  
17 removed or prevented from participating in an athletic activity in accordance with this  
18 subsection shall not return to participation until the student is evaluated and cleared for return  
19 to participation in writing by (i) a physician licensed under Article 1 of Chapter 90 of the  
20 General Statutes, including a cardiologist, (ii) a physician assistant, consistent with the  
21 limitations of G.S. 90-18.1, or (iii) a nurse practitioner, consistent with the limitations of  
22 G.S. 90-18.2.

23 (e) Once each school year, each local school administrative unit shall require coaches  
24 of athletic activities to complete a sudden cardiac arrest training course offered by a provider  
25 approved by the State Board of Education under subsection (a) of this section. A coach shall  
26 not be eligible to coach an athletic activity until such time the coach completes the training  
27 course.

28 (f) Other sponsors of youth athletic activities are encouraged to adopt guidelines to  
29 address sudden cardiac arrest for students participating in athletics that are consistent with this  
30 section.

31 **"§ 115C-407.42. Concussion safety.**

32 The State Board of Education shall adopt rules governing interscholastic athletic activities  
33 with regard to concussion safety for student athletes in middle schools and high schools that  
34 provide for the following:

35 (1) All coaches, school nurses, athletic directors, first responders, volunteers,  
36 students who participate in interscholastic athletic activities, and the parents  
37 of those students shall receive, on an annual basis, a concussion and head  
38 injury information sheet. School employees, first responders, volunteers, and  
39 students must sign the sheet and return it to the coach before they can  
40 participate in interscholastic athletic activities, including tryouts, practices,  
41 or competition. Parents must sign the sheet and return it to the coach before  
42 their children can participate in any such interscholastic athletic activities.  
43 The signed sheets shall be maintained in accordance with subdivision (3) of  
44 this subsection.

45 (2) If a student participating in an interscholastic athletic activity exhibits signs  
46 or symptoms consistent with concussion, the student shall be removed from  
47 the activity at that time and shall not be allowed to return to play or practice  
48 that day. The student shall not return to play or practice on a subsequent day  
49 until the student is evaluated by and receives written clearance for such  
50 participation from (i) a physician licensed under Article 1 of Chapter 90 of  
51 the General Statutes with training in concussion management, (ii) a



neuropsychologist licensed under Article 18A of Chapter 90 of the General Statutes with training in concussion management and working in consultation with a physician licensed under Article 1 of Chapter 90 of the General Statutes, (iii) an athletic trainer licensed under Article 34 of Chapter 90 of the General Statutes, (iv) a physician assistant, consistent with the limitations of G.S. 90-18.1, or (v) a nurse practitioner, consistent with the limitations of G.S. 90-18.2.

- (3) Each school shall maintain complete and accurate records of its compliance with the requirements of this section pertaining to head injuries.

**"§ 115C-407.43. Venue-specific emergency action plans.**

A local board of education shall require each middle school and high school to develop a venue-specific emergency action plan to deal with serious injuries and acute medical conditions in which the condition of the patient may deteriorate rapidly. The plan shall include a delineation of roles, methods of communication, available emergency equipment, and access to and plan for emergency transport. This plan must be (i) in writing, (ii) reviewed by an athletic trainer licensed in North Carolina, (iii) approved by the principal of the school, (iv) distributed to all appropriate personnel, (v) posted conspicuously at all venues, and (vi) reviewed and rehearsed annually by all licensed athletic trainers, first responders, coaches, school nurses, athletic directors, and volunteers for interscholastic athletic activities."

**SECTION 2.** G.S. 115C-12(23) reads as rewritten:

- "(23) Power to Adopt Eligibility Rules for Interscholastic Athletic Competition. – The State Board of Education shall adopt rules governing interscholastic athletic activities conducted by local boards of education, including (i) eligibility for student participation and (ii) student safety in accordance with Article 29E of this Chapter. ~~With regard to middle schools and high schools, the rules shall provide for the following:~~

- a. ~~All coaches, school nurses, athletic directors, first responders, volunteers, students who participate in interscholastic athletic activities, and the parents of those students shall receive, on an annual basis, a concussion and head injury information sheet. School employees, first responders, volunteers, and students must sign the sheet and return it to the coach before they can participate in interscholastic athletic activities, including tryouts, practices, or competition. Parents must sign the sheet and return it to the coach before their children can participate in any such interscholastic athletic activities. The signed sheets shall be maintained in accordance with sub-subdivision d. of this subdivision.~~

~~For the purpose of this subdivision, a concussion is a traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function, which may or may not result in loss of consciousness.~~

- b. ~~If a student participating in an interscholastic athletic activity exhibits signs or symptoms consistent with concussion, the student shall be removed from the activity at that time and shall not be allowed to return to play or practice that day. The student shall not return to play or practice on a subsequent day until the student is evaluated by and receives written clearance for such participation from (i) a physician licensed under Article 1 of Chapter 90 of the General Statutes with training in concussion management, (ii) a neuropsychologist licensed under Article 18A of Chapter 90 of the General Statutes with training in concussion management and~~

1 working in consultation with a physician licensed under Article 1 of  
2 Chapter 90 of the General Statutes, (iii) an athletic trainer licensed  
3 under Article 34 of Chapter 90 of the General Statutes, (iv) a  
4 physician assistant, consistent with the limitations of G.S. 90-18.1, or  
5 (v) a nurse practitioner, consistent with the limitations of  
6 G.S. 90-18.2.

7 e. Each school shall develop a venue specific emergency action plan to  
8 deal with serious injuries and acute medical conditions in which the  
9 condition of the patient may deteriorate rapidly. The plan shall  
10 include a delineation of roles, methods of communication, available  
11 emergency equipment, and access to and plan for emergency  
12 transport. This plan must be (i) in writing, (ii) reviewed by an athletic  
13 trainer licensed in North Carolina, (iii) approved by the principal of  
14 the school, (iv) distributed to all appropriate personnel, (v) posted  
15 conspicuously at all venues, and (vi) reviewed and rehearsed  
16 annually by all licensed athletic trainers, first responders, coaches,  
17 school nurses, athletic directors, and volunteers for interscholastic  
18 athletic activities.

19 d. Each school shall maintain complete and accurate records of its  
20 compliance with the requirements of this subdivision pertaining to  
21 head injuries.

22 The State Board of Education may authorize a designated organization to  
23 apply and enforce the Board's rules governing participation in interscholastic  
24 athletic activities at the high school level."

25 **SECTION 3.** This act is effective when it becomes law and applies beginning with  
26 the 2015-2016 school year.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 162  
PROPOSED COMMITTEE SUBSTITUTE H162-CSTB-13 [v.8]

4/20/2015 11:44:02 AM

Short Title: Sudden Cardiac Arrest Education/Students.

(Public)

Sponsors:

Referred to:

March 9, 2015

A BILL TO BE ENTITLED  
AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION AND LOCAL BOARDS  
OF EDUCATION TO EDUCATE THOSE INVOLVED IN SCHOOL ATHLETIC  
ACTIVITIES ON SUDDEN CARDIAC ARREST AND TO RECODIFY THE  
STATUTORY PROVISIONS ON CONCUSSION SAFETY AND EMERGENCY  
ACTION PLANS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 115C of the General Statutes is amended by adding a new  
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"Article 29E.

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**"§ 115C-407.40. Definitions.**

The following definitions apply in this Article:

(1) Athletic activity. – An activity offered to students in any of the following  
circumstances:

a. Interscholastic athletics.

b. An athletic contest or competition, other than interscholastic  
athletics, that is sponsored by a school, including cheerleading, or  
any other sports activities provided by a club or school-affiliated  
organization that is school-sponsored.

c. Practices, interschool practices, and scrimmages for all of the  
activities listed under this subdivision.

(2) Concussion. – A traumatic brain injury caused by a direct or indirect impact  
to the head that results in disruption of normal brain function, which may or  
may not result in loss of consciousness.

(3) Sudden cardiac arrest. – The sudden, unexpected loss of heart function,  
breathing, and consciousness.

**"§ 115C-407.41. Sudden cardiac arrest education.**

(a) The State Board of Education shall develop guidelines and educational materials to  
be used by local boards of education to inform students who participate in athletic activities and  
those students' parents and coaches on the awareness, recognition, and management of sudden  
cardiac arrest. In developing these guidelines and materials, the State Board may utilize  
existing materials developed by heart health awareness organizations, including the American  
Heart Association, Parent Heart Watch, and the Sudden Arrhythmia Death Syndromes  
Foundation. The State Board shall also publish a list of approved providers of CPR Instruction  
training courses to be offered to coaches of athletic activities.



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(b) Each school year, prior to participation by a student in an athletic activity, the student's parent or guardian shall sign and return to the student's school an acknowledgment of receipt and review of a sudden cardiac arrest awareness information sheet developed in accordance with materials provided by the State Board of Education under subsection (a) of this section.

(c) Each school year, prior to participation by a student in an athletic activity, the student shall complete a heart history questionnaire as part of the pre-participation physical examination developed in accordance with materials provided by the State Board of Education under subsection (a) of this section.

(d) Each local school administrative unit shall require coaches of athletic activities to complete and maintain CPR certification offered by a provider approved by the State Board of Education under subsection (a) of this section. A coach shall not be eligible to coach an athletic activity until such time the coach completes the training course.

(e) A school may hold an informational meeting prior to the start of each athletic season for all ages of competitors regarding sudden cardiac arrest awareness. A school is encouraged to have physicians, pediatric cardiologists, and athletic trainers attend the meeting to provide information to students, parents, coaches, and other school officials.

(f) Other sponsors of youth athletic activities are encouraged to adopt guidelines to address sudden cardiac arrest for students participating in athletics that are consistent with this section.

**"§ 115C-407.42. Concussion safety.**

The State Board of Education shall adopt rules governing interscholastic athletic activities with regard to concussion safety for student athletes in middle schools and high schools that provide for the following:

(1) All coaches, school nurses, athletic directors, first responders, volunteers, students who participate in interscholastic athletic activities, and the parents of those students shall receive, on an annual basis, a concussion and head injury information sheet. School employees, first responders, volunteers, and students must sign the sheet and return it to the coach before they can participate in interscholastic athletic activities, including tryouts, practices, or competition. Parents must sign the sheet and return it to the coach before their children can participate in any such interscholastic athletic activities. The signed sheets shall be maintained in accordance with subdivision (3) of this subsection.

(2) If a student participating in an interscholastic athletic activity exhibits signs or symptoms consistent with concussion, the student shall be removed from the activity at that time and shall not be allowed to return to play or practice that day. The student shall not return to play or practice on a subsequent day until the student is evaluated by and receives written clearance for such participation from (i) a physician licensed under Article 1 of Chapter 90 of the General Statutes with training in concussion management, (ii) a neuropsychologist licensed under Article 18A of Chapter 90 of the General Statutes with training in concussion management and working in consultation with a physician licensed under Article 1 of Chapter 90 of the General Statutes, (iii) an athletic trainer licensed under Article 34 of Chapter 90 of the General Statutes, (iv) a physician assistant, consistent with the limitations of G.S. 90-18.1, or (v) a nurse practitioner, consistent with the limitations of G.S. 90-18.2.

(3) Each school shall maintain complete and accurate records of its compliance with the requirements of this section pertaining to head injuries.

**"§ 115C-407.43. Venue-specific emergency action plans.**



A local board of education shall require each middle school and high school to develop a venue-specific emergency action plan to deal with serious injuries and acute medical conditions in which the condition of the patient may deteriorate rapidly. The plan shall include a delineation of roles, methods of communication, available emergency equipment, and access to and plan for emergency transport. This plan must be (i) in writing, (ii) reviewed by an athletic trainer licensed in North Carolina, (iii) approved by the principal of the school, (iv) distributed to all appropriate personnel, (v) posted conspicuously at all venues, and (vi) reviewed and rehearsed annually by all licensed athletic trainers, first responders, coaches, school nurses, athletic directors, and volunteers for interscholastic athletic activities."

**SECTION 2.** G.S. 115C-12(23) reads as rewritten:

"(23) Power to Adopt Eligibility Rules for Interscholastic Athletic Competition. – The State Board of Education shall adopt rules governing interscholastic athletic activities conducted by local boards of education, including (i) eligibility for student participation and (ii) student safety in accordance with Article 29E of this Chapter. With regard to middle schools and high schools, the rules shall provide for the following:

a. ~~All coaches, school nurses, athletic directors, first responders, volunteers, students who participate in interscholastic athletic activities, and the parents of those students shall receive, on an annual basis, a concussion and head injury information sheet. School employees, first responders, volunteers, and students must sign the sheet and return it to the coach before they can participate in interscholastic athletic activities, including tryouts, practices, or competition. Parents must sign the sheet and return it to the coach before their children can participate in any such interscholastic athletic activities. The signed sheets shall be maintained in accordance with sub-subdivision d. of this subdivision.~~

For the purpose of this subdivision, a concussion is a traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function, which may or may not result in loss of consciousness.

b. ~~If a student participating in an interscholastic athletic activity exhibits signs or symptoms consistent with concussion, the student shall be removed from the activity at that time and shall not be allowed to return to play or practice that day. The student shall not return to play or practice on a subsequent day until the student is evaluated by and receives written clearance for such participation from (i) a physician licensed under Article 1 of Chapter 90 of the General Statutes with training in concussion management, (ii) a neuropsychologist licensed under Article 18A of Chapter 90 of the General Statutes with training in concussion management and working in consultation with a physician licensed under Article 1 of Chapter 90 of the General Statutes, (iii) an athletic trainer licensed under Article 34 of Chapter 90 of the General Statutes, (iv) a physician assistant, consistent with the limitations of G.S. 90-18.1, or (v) a nurse practitioner, consistent with the limitations of G.S. 90-18.2.~~

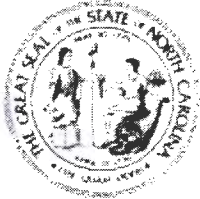
e. ~~Each school shall develop a venue specific emergency action plan to deal with serious injuries and acute medical conditions in which the condition of the patient may deteriorate rapidly. The plan shall include a delineation of roles, methods of communication, available~~

~~emergency equipment, and access to and plan for emergency transport. This plan must be (i) in writing, (ii) reviewed by an athletic trainer licensed in North Carolina, (iii) approved by the principal of the school, (iv) distributed to all appropriate personnel, (v) posted conspicuously at all venues, and (vi) reviewed and rehearsed annually by all licensed athletic trainers, first responders, coaches, school nurses, athletic directors, and volunteers for interscholastic athletic activities.~~

- ~~d. Each school shall maintain complete and accurate records of its compliance with the requirements of this subdivision pertaining to head injuries.~~

The State Board of Education may authorize a designated organization to apply and enforce the Board's rules governing participation in interscholastic athletic activities at the high school level."

**SECTION 3.** This act is effective when it becomes law and applies beginning with the 2016-2017 school year.



## HOUSE BILL 162: Sudden Cardiac Arrest Education/Students

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12, if favorable, Health	<b>Date:</b>	April 21, 2015
<b>Introduced by:</b>	Reps. Carney, Horn, McGrady, Glazier	<b>Prepared by:</b>	Denise Adams
<b>Analysis of:</b>	PCS to First Edition H162-CSTB-13		Legislative Analyst

**SUMMARY:** *House Bill 162 would (i) define certain terms related to student safety in athletics, (ii) require the State Board of Education (SBE) and local boards of education (local boards) to address sudden cardiac arrest prevention in student athletes, and (iii) recodify the statutory provisions on concussion safety and emergency action plans.*

*The PCS to House Bill 162 would make the above changes and (i) clarify the SBE and local boards must educate those involved in school athletic activities on sudden cardiac arrest awareness rather than prevention (ii) require certain educational materials, questionnaires, and training be provided to parents, student athletes, and coaches, and (iii) change the effective date.*

**CURRENT LAW:** Under current law, the SBE is required to adopt rules governing interscholastic athletic activities conducted by local boards, including rules regarding concussion safety for student athletes and venue specific emergency action plans. Cardiac arrest awareness and education is not addressed in current law.

**BILL ANALYSIS:** The PCS to HB 162 would create a new article in Chapter 115C of the General Statutes entitled "Student Safety in Athletics". The new Article 29E would define the following terms: "athletic activity," "concussion," and "sudden cardiac arrest," and would direct the SBE to develop guidelines and educational materials to be used by local boards to inform students, coaches, and parents on the awareness, recognition, and management of sudden cardiac arrest. In developing these materials and guidelines, the SBE may utilize existing materials developed by heart health awareness organizations. The SBE must publish a list of approved providers of CPR training to be offered to coaches of athletic activities. Other new safety measures related to sudden cardiac arrest would include:

- The receipt and review of a sudden cardiac arrest information sheet, signed by the parent of a student athlete prior to the student's participation in an athletic activity.
- Completion of a heart history questionnaire as part of the pre-participation physical examination.
- All coaches of athletic activities to complete and maintain CPR certification.

The PCS would also recodify the current statutory provisions on concussion safety and emergency action plans into the new Article 29E.

**EFFECTIVE DATE:** The PCS would become effective when it becomes law and applies beginning with the 2016-2017 school year.

H162-SMTB-20(CSTB-13) v2

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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 334

Short Title: Charter School Extracurricular Activity Fees.

(Public)

Sponsors: Representatives Jeter and Steinburg (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

March 25, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW A CHARTER SCHOOL TO ESTABLISH FEES FOR  
3 EXTRACURRICULAR ACTIVITIES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-218.50 reads as rewritten:

6 "**§ 115C-218.50. Charter school ~~nonsectarian~~ nonsectarian; fees.**

7 (a) A charter school shall be nonsectarian in its programs, admission policies,  
8 employment practices, and all other ~~operations and shall not charge tuition or fees, except that a~~  
9 ~~charter school may charge any fees that are charged by the local school administrative unit in~~  
10 ~~which the charter school is located.~~ operations. A charter school shall not be affiliated with a  
11 nonpublic sectarian school or a religious institution.

12 (b) A charter school shall not charge tuition or fees except as follows:

13 (1) A charter school may charge any fees that are charged by the local school  
14 administrative unit in which the charter school is located.

15 (2) A charter school, upon approval by the board of directors of the charter  
16 school, may establish fees for extracurricular activities, except those fees  
17 shall not exceed the fees for the same extracurricular activities charged by a  
18 local school administrative unit in which ten percent (10%) or more of the  
19 students enrolled in the charter school reside."

20 SECTION 2. This act is effective when it becomes law and applies beginning with  
21 the 2015-2016 school year.





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 334  
PROPOSED COMMITTEE SUBSTITUTE H334-CSTC-19 [v.3]

4/20/2015 7:21:53 PM

Short Title: Charter School Extracurricular Activity Fees.

(Public)

Sponsors:

Referred to:

March 25, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO ENHANCE THE CHARTER SCHOOL APPLICATION PROCESS AND TO  
3 ALLOW A CHARTER SCHOOL TO ESTABLISH FEES FOR EXTRACURRICULAR  
4 ACTIVITIES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 115C-218.1 is amended by adding a new subsection to read:

7 "(d) As part of the application review process, the State Board of Education and the  
8 North Carolina Charter Schools Advisory Board shall evaluate charter school applications for  
9 approval or rejection based upon the content and substance of the applications to determine  
10 whether boards of directors and charter schools may exhibit a higher likelihood of meeting the  
11 requirements set forth in G.S. 115C-218.5(a). Format issues with an application shall not  
12 impact the substantive review of the content of an application. The State Board of Education  
13 and the Advisory Board shall provide timely notification to an applicant of any format issues or  
14 incomplete information regarding the application and provide the applicant at least five  
15 business days to correct those issues in the application. The Advisory Board shall permit an  
16 applicant to address the Advisory Board regarding the application for at least 10 minutes  
17 immediately prior to any final vote on an application."

18 SECTION 2. G.S. 115C-218.5(a)(3) reads as rewritten:

19 "(3) Granting the application would achieve one or more of the purposes set out  
20 in G.S. ~~115C-269.1~~ G.S. 115C-218."

21 SECTION 3. G.S. 115C-218.50 reads as rewritten:

22 "**§ 115C-218.50. Charter school ~~nonsectarian~~ nonsectarian; fees.**

23 (a) A charter school shall be nonsectarian in its programs, admission policies,  
24 employment practices, and all other operations and ~~shall not charge tuition or fees, except that a~~  
25 ~~charter school may charge any fees that are charged by the local school administrative unit in~~  
26 ~~which the charter school is located.~~ operations. A charter school shall not be affiliated with a  
27 nonpublic sectarian school or a religious institution.

28 (b) A charter school shall not charge tuition or fees except as follows:

29 (1) A charter school may charge any fees that are charged by the local school  
30 administrative unit in which the charter school is located.

31 (2) A charter school, upon approval by the board of directors of the charter  
32 school, may establish fees for extracurricular activities, except those fees  
33 shall not exceed the fees for the same extracurricular activities charged by a  
34 local school administrative unit in which forty percent (40%) or more of the  
35 students enrolled in the charter school reside."



1           **SECTION 4.** Section 1 of this act is effective when it becomes law and applies to  
2 initial applications for and the renewal of a charter on or after that date. The remainder of this  
3 act is effective when it becomes law and applies beginning with the 2015-2016 school year.





# HOUSE BILL 334: Charter School Extracurricular Activity Fees

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Jeter, Steinburg  
**Analysis of:** PCS to First Edition  
H334-CSTC-19

**Date:** April 21, 2015  
**Prepared by:** Kara McCraw  
Committee Counsel

**SUMMARY:** *House 334 would allow charter schools to establish fees meeting certain requirements for extracurricular activities.*

*The PCS for HB 334 would make the following changes:*

- *Add a section requiring review of charter school applications to be based on content and substance, to provide applicants notice and opportunity to correct formatting errors and incomplete information, and to allow applicants 10 minutes to address the Advisory Board before final votes on applications.*
- *Make a technical correction to an incorrect statutory cross-reference.*
- *Change the percentage of students enrolled in a charter school from a certain county which limits the amount that may be charged for an extracurricular fee from 10% to 40%.*

**CURRENT LAW:** G.S. 115C-218 requires the North Carolina Charter Advisory Board to make recommendations and the State Board of Education to adopt rules regarding criteria for acceptance and approval of charter school applications. G.S. 115C-218.1 establishes the application requirements for charter school applicants. G.S. 115C-218.5 provides the process for final approval of charter school applications, and requires, in subsection (a) of that section, that the following be shown:

- (1) The application meets the statutory requirements and other requirements as may be adopted by the State Board of Education.
- (2) The applicant has the ability to operate the school and would be likely to operate the school in an educationally and economically sound manner.
- (3) Granting the application would achieve one or more of the statutory purposes for charter schools.

The State Board is encouraged to give preference to applications that demonstrate the capability to provide comprehensive learning experiences to students identified by the applicants as at risk of academic failure.

G.S. 115C-218 allows a charter school to charge any fees that are charged by the local school administrative unit in which the charter school is located.

**BILL ANALYSIS:** The PCS for HB 334 would make the following changes:

**Section 1:** Require the charter school applications to be based on content and substance, to provide applicants notice and opportunity to correct formatting errors and incomplete information, and to allow applicants 10 minutes to address the Advisory Board before final votes on applications.

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Director



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# House Bill 334

*Page 2*

**Section 2:** Correct an incorrect statutory reference.

**Section 3:** Allow a charter school, upon approval by its board of directors, to establish fees for extracurricular activities. Those fees would not be permitted to exceed the fees for the same extracurricular activities charged by a local school administrative unit in which 40% or more of the students enrolled in the charter school reside.

**EFFECTIVE DATE:** Section 1 of HB 334 would become effective when it becomes law and apply to initial applications for and the renewal of a charter on or after that date. The remainder of HB 334 would become effective when it becomes law and would apply beginning with the 2015-2016 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 380

Short Title:   Statewide School Safety Management.

(Public)

Sponsors:   Representatives   Holloway,   Glazier,   Blackwell,   and   Faircloth   (Primary  
Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to:   Education - K-12, if favorable, Appropriations.

March 30, 2015

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT  
A STATEWIDE SCHOOL RISK AND RESPONSE MANAGEMENT STRATEGY,  
MAKE CONFORMING CHANGES TO OTHER SCHOOL SAFETY REQUIREMENTS  
AND TO PROVIDE FOR GRANTS FOR ADDITIONAL SCHOOL COUNSELORS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-105.49 reads as rewritten:

**"§ 115C-105.49. School safety exercises.**

(a) ~~At least every two years, once annually, each local school administrative unit is encouraged to principal and other applicable school officials shall hold a full systemwide school safety and school lockdown exercise with the school-wide tabletop exercise or drill based on the procedures documented in its School Risk Management Plan (SRMP). Each school is encouraged to hold a tabletop exercise and drill for multiple hazards included in its SRMP, including a school lockdown due to an intruder on school grounds. Schools are strongly encouraged to include local law enforcement agencies that are part of the local board of education's emergency response plan, and emergency management agencies in its tabletop exercises and drills. The purpose of the exercise tabletop exercises and drills shall be to permit participants to (i) discuss simulated emergency situations in a low-stress environment, (ii) clarify their roles and responsibilities and the overall logistics of dealing with an emergency, and (iii) identify areas in which the emergency response plan SRMP needs to be modified.~~

(b) ~~As part of a local board of education's emergency response plan, at least once a year, each school is encouraged to hold a full schoolwide school safety and lockdown exercise with local law enforcement agencies. For the purposes of this section, a tabletop exercise is an exercise involving key personnel conducting simulated scenarios related to emergency planning.~~

**SECTION 2.** Article 8C of Chapter 115C of the General Statutes is amended by adding a new section to read:

**"§ 115C-105.49A. School Risk and Response Management System.**

(a) The Department of Public Safety, Division of Emergency Management, and the Center for Safer Schools, shall construct and maintain a statewide School Risk and Response Management System (SRRMS). The system shall fully integrate and leverage existing data and applications that support school risk planning and exercise, monitoring, and emergency response via 911 dispatch.





(b) In constructing the SRRMS, the Division of Emergency Management and the Center for Safer Schools shall leverage the existing enterprise risk management database, School Risk Management Planning (SRMP) tool, and School Emergency Response Application (SERA) managed by the Division. The Division shall also leverage the local school administrative unit schematic diagrams of school facilities. Where technically feasible, the system shall integrate any anonymous tip line established pursuant to G.S. 115C-105.51 and any 911-initiated panic alarm systems authorized as part of an emergency response plan pursuant to G.S. 115C-47(40). The Division and Center for Safer Schools shall collaborate with the Department of Public Instruction and the North Carolina 911 Board in the design, implementation, and maintenance of the SRRMS.

(c) All data and information acquired and stored in the SRRMS as provided in subsections (a) and (b) of this section are not considered public records as the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6."

SECTION 3. G.S. 115C-105.51 reads as rewritten:

**"§ 115C-105.51. ~~Anonymous tip lines.~~Monitoring and response applications.**

(a) ~~Each local school administrative unit is encouraged to develop and operate an anonymous tip line, in coordination with local law enforcement and social services agencies, to receive anonymous information on internal or external risks to school buildings and school-related activities.~~

(b) The Department of Public Safety, Division of Emergency Management, and the Center for Safer Schools, in collaboration with the Department of Public Instruction, shall implement and maintain an anonymous safety tip line application for purposes of receiving anonymous student information on internal or external risks to school buildings and school-related activities. The Department of Public Instruction, Safety, in consultation with the Department of Public Safety, Instruction, may develop standards and guidelines for the development, operation, and staffing of tip lines.

(c) ~~The Department of Public Instruction may provide information to local school administrative units on federal, State, local, and private grants available for this purpose. The Department of Public Safety, Division of Emergency Management, and the Center for Safer Schools, in collaboration with the Department of Public Instruction and the North Carolina 911 Board, shall implement and maintain a statewide panic alarm system for the purposes of displaying anonymous student information on internal or external risks to school buildings and school-related activities.~~

(d) The Department of Public Safety shall ensure that the anonymous safety tip line application is integrated with and supports the statewide School Risk and Response Management System (SRRMS) as provided in G.S. 115C-105.49A. Where technically feasible and cost efficient, the Department of Public Safety is encouraged to implement a single solution supporting both the anonymous safety tip application and panic alarm application."

SECTION 4. G.S. 166A-19.12 is amended by adding a new subdivision to read:

"(22) Serving as the lead State agency for the implementation and maintenance of the Statewide School Risk and Response Management System (SRRMS) under G.S. 115C-105.49A."

SECTION 5. By December 1, 2015, the Department of Public Safety, Division of Emergency Management, and the Center for Safer Schools, shall provide a report to the Joint Legislative Commission on Governmental Operations on (i) the status of the School Risk and Response Management System (SRRMS) implementation under G.S. 115C-105.49A, as enacted by this act, and (ii) the anticipated annual cost to operate and maintain the system.

SECTION 6. Notwithstanding G.S. 115C-105.51, as amended by this act, by July 1, 2016, the Department of Public Safety shall have implemented an anonymous safety tip line application and a statewide panic alarm system pursuant to G.S. 115C-105.51.



1           **SECTION 7.** Subject to the availability of funds, it is the intent of the General  
2 Assembly to provide funds during the 2015-2017 fiscal biennium to provide grants to local  
3 school administrative units, regional schools, and charter schools for additional school  
4 psychologists, guidance counselors, and social workers. These funds shall be matched on the  
5 basis of one dollar (\$1.00) in State funds for every one dollar (\$1.00) in local funds and shall be  
6 used to supplement and not to supplant State, local, and federal funds expended for school  
7 psychologists, guidance counselors, and social workers.

8           The State Board of Education shall include need-based considerations in its criteria  
9 for awarding these grants to local school administrative units. The State Board shall give lower  
10 priority to local school administrative units that have received a grant for school resource  
11 officers pursuant to Section 8.36 of S.L. 2013-360.

12           **SECTION 8.** This act is effective when it becomes law. Section 1 of this act  
13 applies beginning with the 2015-2016 school year.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 380  
PROPOSED COMMITTEE SUBSTITUTE H380-CSTB-12 [v.8]

4/20/2015 7:51:04 PM

Short Title: Statewide School Safety Management.

(Public)

Sponsors:

Referred to:

March 30, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT  
3 A STATEWIDE SCHOOL RISK AND RESPONSE MANAGEMENT SYSTEM, MAKE  
4 CONFORMING CHANGES TO OTHER SCHOOL SAFETY REQUIREMENTS, AND  
5 TO PROVIDE FOR GRANTS FOR ADDITIONAL SCHOOL COUNSELORS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** G.S. 115C-47(40) reads as rewritten:

8 "(40) To adopt ~~emergency response plans~~ School Risk Management Plans. -  
9 ~~Local boards~~ Each local board of education shall, in coordination with local  
10 law enforcement and emergency management agencies, adopt ~~emergency~~  
11 ~~response plans~~ a School Risk Management Plan (SRMP) relating to  
12 incidents of school ~~violence~~ violence for each school in its jurisdiction. In  
13 constructing and maintaining these plans, local boards of education and local  
14 school administrative units shall utilize the School Risk and Response  
15 Management System (SRRMS) established pursuant to G.S. 115C-105.49A.  
16 These plans are not a public record as the term "public record" is defined  
17 under G.S. 132-1 and shall not be subject to inspection and examination  
18 under G.S. 132-6."

19 **SECTION 1.(b)** Local boards of education shall adopt a School Risk Management  
20 Plan as required by this section by March 1, 2017.

21 **SECTION 2.** G.S. 115C-105.49 reads as rewritten:

22 **"§ 115C-105.49. School safety exercises.**

23 (a) At least ~~every two years, once annually~~, each local school administrative unit is  
24 ~~encouraged to~~ shall require each school under its control to hold a full ~~systemwide school~~  
25 ~~safety and school lockdown exercise with the school-wide tabletop exercise and drill based on~~  
26 ~~the procedures documented in its School Risk Management Plan (SRMP).~~ The drill shall  
27 include a practice school lockdown due to an intruder on school grounds. Each school is  
28 encouraged to hold a tabletop exercise and drill for multiple hazards included in its SRMP.  
29 Schools are strongly encouraged to include local law enforcement agencies ~~that are part of the~~  
30 ~~local board of education's emergency response plan and emergency management agencies in~~  
31 ~~its tabletop exercises and drills.~~ The purpose of the ~~exercise tabletop exercises and drills~~ shall  
32 be to permit participants to (i) discuss simulated emergency situations in a low-stress  
33 environment, (ii) clarify their roles and responsibilities and the overall logistics of dealing with  
34 an emergency, and (iii) identify areas in which the ~~emergency response plan~~ SRMP needs to be  
35 modified.



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(b) ~~As part of a local board of education's emergency response plan, at least once a year, each school is encouraged to hold a full schoolwide school safety and lockdown exercise with local law enforcement agencies.~~ For the purposes of this section, a tabletop exercise is an exercise involving key personnel conducting simulated scenarios related to emergency planning.

(c) For the purposes of this section, a drill is a school-wide practice exercise in which simulated scenarios related to emergency planning are conducted.

(d) The Department of Public Safety, Division of Emergency Management, and the Center for Safer Schools shall provide guidance and recommendations to local school administrative units on the types of multiple hazards to plan and respond to, including intruders on school grounds."

**SECTION 3.** Article 8C of Chapter 115C of the General Statutes is amended by adding a new section to read:

**"§ 115C-105.49A. School Risk and Response Management System.**

(a) The Department of Public Safety, Division of Emergency Management, and the Center for Safer Schools, shall construct and maintain a statewide School Risk and Response Management System (SRRMS). The system shall fully integrate and leverage existing data and applications that support school risk planning and exercise, monitoring, and emergency response via 911 dispatch.

(b) In constructing the SRRMS, the Division of Emergency Management and the Center for Safer Schools shall leverage the existing enterprise risk management database, School Risk Management Planning tool managed by the Division. The Division shall also leverage the local school administrative unit schematic diagrams of school facilities. Where technically feasible, the system shall integrate any anonymous tip lines established pursuant to G.S. 115C-105.51 and any 911-initiated panic alarm systems authorized as part of an SRMP pursuant to G.S. 115C-47(40). The Division and Center for Safer Schools shall collaborate with the Department of Public Instruction and the North Carolina 911 Board in the design, implementation, and maintenance of the SRRMS.

(c) All data and information acquired and stored in the SRRMS as provided in subsections (a) and (b) of this section are not considered public records as the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6."

**SECTION 4.(a)** G.S. 115C-105.51 reads as rewritten:

**"§ 115C-105.51. Anonymous tip lines, lines and monitoring and response applications.**

(a) Each local school administrative unit is encouraged to develop and operate an anonymous tip line, in coordination with local law enforcement and social services agencies, to receive anonymous information on internal or external risks to the school population, school buildings—buildings, and school-related activities. The Department of Public Safety, in consultation with the Department of Public Instruction, may develop standards and guidelines for the development, operation, and staffing of tip lines.

(b) The Department of Public Instruction, in consultation with the Department of Public Safety, may develop standards and guidelines for the development, operation, and staffing of tip lines.—The Department of Public Safety, Division of Emergency Management, and the Center for Safer Schools, in collaboration with the Department of Public Instruction, shall implement and maintain an anonymous safety tip line application for purposes of receiving anonymous student information on internal or external risks to the school population, school buildings, and school-related activities.

(c) The Department of Public Instruction may provide information to local school administrative units on federal, State, local, and private grants available for this purpose. The Department of Public Safety, Division of Emergency Management, and the Center for Safer Schools, in collaboration with the Department of Public Instruction and the North Carolina 911



1 Board, shall implement and maintain a statewide panic alarm system for the purposes of  
2 launching real-time 911 messaging to Public Safety Answer Points of internal and external  
3 risks to the school population, school buildings, and school-related activities. The Department  
4 of Public Safety, in consultation with the Department of Public Instruction, and the North  
5 Carolina 911 Board, may develop standards and guidelines for the operations and use of the  
6 panic alarm tool.

7 (d) The Department of Public Safety shall ensure that the anonymous safety tip line  
8 application is integrated with and supports the statewide School Risk and Response  
9 Management System (SRRMS) as provided in G.S. 115C-105.49A. Where technically feasible  
10 and cost efficient, the Department of Public Safety is encouraged to implement a single  
11 solution supporting both the anonymous safety tip application and panic alarm system.

12 (e) All data and information acquired and stored by the anonymous safety tip line  
13 application are not considered a public record as the term "pubic record" is defined under G.S.  
14 132-1 and shall not be subject to inspection and examination under G.S. 132-6.

15 (f) Notwithstanding subsection (e), the Division may collect the annual aggregate  
16 number and type of tips sent to the anonymous tip line. The collection of this aggregate data  
17 shall not have any identifying information on the reporter of the tip, including but not limited to  
18 the school where the incident was reported and the date the tip was reported."

19 **SECTION 4.(b)** The Department of Public Safety shall implement an anonymous  
20 safety tip line application and a statewide panic alarm system as required by this section by July  
21 1, 2016.

22 **SECTION 5.** G.S. 115C-105.52 reads as rewritten:

23 **"§ 115C-105.52. School crisis kits.**

24 The Department of Public Instruction, in consultation with the Department of Public Safety  
25 through the North Carolina Center for Safer Schools, may develop and adopt policies on the  
26 placement of school crisis kits in schools and on the contents of those kits. The kits should  
27 include, at a minimum, basic first-aid supplies, communications devices, and other items  
28 recommended by the International Association of Chiefs of Police.

29 The principal of each school, in coordination with the law enforcement agencies that  
30 are part of the local board of education's ~~emergency response plan, School Risk Management~~  
31 ~~Plan,~~ may place one or more crisis kits at appropriate locations in the school."

32 **SECTION 6.** G.S. 115C-105.53 reads as rewritten:

33 **"§ 115C-105.53. Schematic diagrams and emergency access to school buildings for local**  
34 **law enforcement agencies.**

35 (a) Each local school administrative unit shall provide the following to local law  
36 enforcement agencies: (i) schematic diagrams, including digital schematic diagrams, and (ii)  
37 either keys to the main entrance of all school buildings or emergency access to key storage  
38 devices such as KNOX® boxes for all school buildings. Local school administrative units shall  
39 provide updates of the schematic diagrams to local law enforcement agencies when substantial  
40 modifications such as new facilities or modifications to doors and windows are made to school  
41 buildings. Local school administrative units shall also be responsible for providing local law  
42 enforcement agencies with updated access to school ~~building key storage devices such as~~  
43 ~~KNOX® boxes when changes are made to these boxes or devices.~~ buildings when changes are  
44 made to the locks of the main entrances or to key storage devices such as KNOX® boxes.

45 (b) The Department of Public Instruction, in consultation with the Department of Public  
46 Safety, shall develop standards and guidelines for the preparation and content of schematic  
47 diagrams and necessary updates. Local school administrative units may use these standards and  
48 guidelines to assist in the preparation of their schematic diagrams.

49 (c) Schematic diagrams are not considered a public record as the term "public record" is  
50 defined under G.S. 132-1 and shall not be subject to inspection and examination under G.S.  
51 132-6."

SECTION 7. G.S. 115C-105.54 reads as rewritten:

**"§ 115C-105.54. Schematic diagrams and emergency response information provided to Division of Emergency Management.**

(a) Each local school administrative unit shall provide the following to the Division of Emergency Management (Division) at the Department of Public Safety: (i) schematic diagrams, including digital schematic diagrams, and (ii) emergency response information requested by the Division for the School Risk Management Plan (SRMP) ~~and the School Emergency Response Plan (SERP)~~. Local school administrative units shall also provide updated schematic diagrams and emergency response information to the Division when such updates are made. The Division shall ensure that the diagrams and emergency response information are securely stored and distributed as provided in the SRMP ~~and SERP~~ to first responders, emergency personnel, and school personnel and approved by the Department of Public Instruction.

(b) The schematic diagrams and emergency response information are not considered a public record as the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6."

SECTION 8.(a) G.S. 115C-218.75 reads as rewritten:

**"§ 115C-218.75. General operating requirements.**

(a) Health and Safety Standards. – A charter school shall meet the same health and safety requirements required of a local school administrative unit. The Department of Public Instruction shall ensure that charter schools provide parents and guardians with information about meningococcal meningitis and influenza and their vaccines at the beginning of every school year. This information shall include the causes, symptoms, and how meningococcal meningitis and influenza are spread and the places where parents and guardians may obtain additional information and vaccinations for their children.

The Department of Public Instruction shall also ensure that charter schools provide parents and guardians with information about cervical cancer, cervical dysplasia, human papillomavirus, and the vaccines available to prevent these diseases. This information shall be provided at the beginning of the school year to parents of children entering grades five through 12. This information shall include the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and the places where parents and guardians may obtain additional information and vaccinations for their children.

The Department of Public Instruction shall also ensure that charter schools provide students in grades seven through 12 with information annually on the preventable risks for preterm birth in subsequent pregnancies, including induced abortion, smoking, alcohol consumption, the use of illicit drugs, and inadequate prenatal care.

The Department of Public Instruction shall also ensure that charter schools provide students in grades nine through 12 with information annually on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

The Department of Public Instruction shall also ensure that the guidelines for individual diabetes care plans adopted by the State Board of Education under G.S. 115C-12(31) are implemented in charter schools in which students with diabetes are enrolled and that charter schools otherwise comply with the provisions of G.S. 115C-375.3.

The Department of Public Instruction shall ensure that charter schools comply with G.S. 115C-375.2A. The board of directors of a charter school shall provide the school with a supply of emergency epinephrine auto-injectors necessary to carry out the provisions of G.S. 115C-375.2A.

(b) ~~Emergency Response Plan, School Risk Management Plan.~~ – ~~A Each~~ charter school, in coordination with local law enforcement agencies, ~~and emergency management agencies,~~ is encouraged to adopt ~~an emergency response plan~~ a School Risk Management Plan (SRMP) relating to incidents of school violence. In constructing and maintaining these plans, charter



schools may utilize the School Risk and Response Management System (SRRMS) established pursuant to G.S. 115C-105.49A. These plans are not considered a public record as the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6.

Charter schools are encouraged to provide schematic diagrams and keys to the main entrance of school facilities to local law enforcement agencies, in addition to implementing the provisions in ~~G.S. 115C-105.49(b)~~ and G.S. 115C-105.52.

(c) Policy Against Bullying. – A charter school is encouraged to adopt a policy against bullying or harassing behavior, including cyber bullying, that is consistent with the provisions of Article 29C of this Chapter. If a charter school adopts a policy to prohibit bullying and harassing behavior, the charter school shall, at the beginning of each school year, provide the policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8).

(d) School Safety Exercises. – At least once a year, a charter school is encouraged to hold a full school-wide lockdown exercise with local law enforcement and emergency management agencies that are part of the charter school's SRMP.

(e) School Safety Information Provided to Division of Emergency Management. – A charter school is encouraged to provide the following: (i) schematic diagrams, including digital schematic diagrams, and (ii) emergency response information requested by the Division for the SRMP. The schematic diagrams and emergency response information are not considered a public record as the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6."

**SECTION 8.(b)** Each charter school is encouraged to adopt a School Risk Management Plan by March 1, 2017.

**SECTION 9.(a)** G.S. 115C-238.66 reads as rewritten:

**"§ 115C-238.66. Board of directors; powers and duties.**

The board of directors shall have the following powers and duties:

(1) Academic program. –

- a. The board of directors shall establish the standard course of study for the regional school. This course of study shall set forth the subjects to be taught in each grade and the texts and other educational materials on each subject to be used in each grade. The board of directors shall design its programs to meet at least the student performance standards adopted by the State Board of Education and the student performance standards contained in this Chapter.
- b. The board of directors shall conduct student assessments required by the State Board of Education.
- c. The board of directors shall provide the opportunity to earn or obtain credit toward degrees from a community college subject to Chapter 115D of the General Statutes or a constituent institution of The University of North Carolina.
- d. The board of directors shall adopt a school calendar consisting of a minimum of 185 days or 1,025 hours of instruction covering at least nine calendar months.

(2) Standards of performance and conduct. – The board of directors shall establish policies and standards for academic performance, attendance, and conduct for students of the regional school. The policies of the board of directors shall comply with Article 27 of this Chapter.

(3) School attendance. – Every parent, guardian, or other person in this State having charge or control of a child who is enrolled in the regional school and who is less than 16 years of age shall cause such child to attend school continuously for a period equal to the time that the regional school shall be

in session. No person shall encourage, entice, or counsel any child to be unlawfully absent from the regional school. Any person who aids or abets a student's unlawful absence from the regional school shall, upon conviction, be guilty of a Class 1 misdemeanor. The principal shall be responsible for implementing such additional policies concerning compulsory attendance as shall be adopted by the board of directors, including regulations concerning lawful and unlawful absences, permissible excuses for temporary absences, maintenance of attendance records, and attendance counseling.

(4) Reporting. – The board of directors shall comply with the reporting requirements established by the State Board of Education in the Uniform Education Reporting System.

(5) Assessment results. – The board of directors shall provide data to the participating unit in which a student is domiciled on the performance of that student on any testing required by the State Board of Education.

(6) Education of children with disabilities. – The board of directors shall require compliance with laws and policies relating to the education of children with disabilities.

(7) Health and safety. – The board of directors shall require that the regional school meet the same health and safety standards required of a local school administrative unit.

The Department of Public Instruction shall ensure that regional schools comply with G.S. 115C-375.2A. The board of directors of a regional school shall provide the school with a supply of emergency epinephrine auto-injectors necessary to carry out the provisions of G.S. 115C-375.2A.

(7a) ~~Emergency Response Plan. School Risk Management Plan. – A~~ Each regional school, in coordination with local law enforcement agencies, is encouraged to adopt ~~an emergency response plan~~ a School Risk Management Plan (SRMP) relating to incidents of school violence. In constructing and maintaining these plans, a regional school may utilize the School Risk and Response Management System (SRRMS) established pursuant to G.S. 115C-105.49A. These plans are not considered a public record as the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6.

(7b) Schematic Diagrams and School Crisis Kits. – Regional schools are encouraged to provide schematic diagrams and keys to the main entrance of school facilities to local law enforcement agencies, in addition to implementing the provisions in ~~G.S. 115C-105.49(b)~~ and G.S. 115C-105.52.

(7c) School Safety Exercises. – At least once a year, a regional school is encouraged to hold a full school-wide lockdown exercise with local law enforcement and emergency management agencies that are part of the regional school's SRMP.

(7d) Safety Information Provided to Division of Emergency Management. – A regional school is encouraged to provide the following: (i) schematic diagrams, including digital schematic diagrams, and (ii) emergency response information requested by the Division for the SRMP. The schematic diagrams and emergency response information are not considered a public record as the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6.

(8) Driving eligibility certificates. – The board of directors shall apply the rules and policies established by the State Board of Education for issuance of driving eligibility certificates.



- (9) Purchasing and contracts. – The board of directors shall comply with the purchasing and contract statutes and regulations applicable to local school administrative units.
- (10) Exemption from the Administrative Procedures Act. – The board of directors shall be exempt from Chapter 150B of the General Statutes, except final decisions of the board of directors in a contested case shall be subject to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes.
- (11) North Carolina School Report Cards. – A regional school shall ensure that the report card issued for it by the State Board of Education receives wide distribution to the local press or is otherwise provided to the public. A regional school shall ensure that the overall school performance score and grade earned by the regional school for the current and previous four school years is prominently displayed on the school Web site. If a regional school is awarded a grade of D or F, the regional school shall provide notice of the grade in writing to the parent or guardian of all students enrolled in that school.
- (12) Policy against bullying. – A regional school is encouraged to adopt a policy against bullying or harassing behavior, including cyber-bullying, that is consistent with the provisions of Article 29C of this Chapter. If a regional school adopts a policy to prohibit bullying and harassing behavior, the regional school shall, at the beginning of each school year, provide the policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8)."

**SECTION 9.(b)** Each regional school is encouraged to adopt a School Risk Management Plan by March 1, 2017.

**SECTION 10.** G.S. 166A-19.12 is amended by adding a new subdivision to read:

"(22) Serving as the lead State agency for the implementation and maintenance of the Statewide School Risk and Response Management System (SRRMS) under G.S. 115C-105.49A."

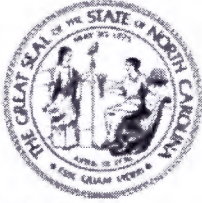
**SECTION 11.** By December 1, 2015, the Department of Public Safety, Division of Emergency Management, and the Center for Safer Schools, shall provide a report to the Joint Legislative Commission on Governmental Operations on (i) the status of the School Risk and Response Management System (SRRMS) implementation under G.S. 115C-105.49A, as enacted by this act, and (ii) the anticipated annual cost to operate and maintain the system.

**SECTION 12.** Subject to the availability of funds, it is the intent of the General Assembly to provide funds during the 2015-2017 fiscal biennium to provide grants to local school administrative units, regional schools, and charter schools for additional school psychologists, school counselors, and school social workers. These funds shall be matched on the basis of one dollar (\$1.00) in State funds for every one dollar (\$1.00) in local funds and shall be used to supplement and not to supplant State, local, and federal funds expended for school psychologists, school counselors, and school social workers.

The State Board of Education shall include need-based considerations in its criteria for awarding these grants to local school administrative units. The State Board shall give lower priority to local school administrative units that have received a grant for school resource officers pursuant to Section 8.36 of S.L. 2013-360.

**SECTION 13.** This act is effective when it becomes law. Sections 2, 3, 5, 6, and 7 of this act apply beginning with the 2015-2016 school year.





# HOUSE BILL 380: Statewide School Safety Management

2015-2016 General Assembly

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<b>Committee:</b>	House Education - K-12, if favorable, Appropriations	<b>Date:</b>	April 21, 2015
<b>Introduced by:</b>	Reps. Holloway, Glazier, Blackwell, Faircloth	<b>Prepared by:</b>	Denise Adams
<b>Analysis of:</b>	PCS to First Edition H380-CSTB-12		Legislative Analyst

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**SUMMARY:** *House Bill 380 would direct the Department of Public Safety (DPS) to implement a statewide School Risk and Response Management System (SRRMS), make conforming changes to other school safety requirements, and subject to additional funds, provide for grants for school counselors.*

*The PCS to HB 380 would make additional changes to a variety of school safety measures.*

## CURRENT LAW and BILL ANALYSIS:

**Section 1:** Under current law, local boards of education (local boards) are required, in coordination with local law enforcement, to adopt emergency response plans relating to incidents of school violence. Current law provides these plans are not a public record.

Section 1 of the PCS would replace the term and definition of "emergency response plans" with "School Risk Management Plans," (SRMP) and in the development of the plans, require local boards to (i) also coordinate with emergency management agencies and (ii) utilize the SRRMS. Local boards would have to adopt SRMPs by March 1, 2017.

**Section 2:** Under current law, each local school administrative unit (LEA) is encouraged to hold a full systemwide school safety and school lockdown exercise with local law enforcement agencies at least every two years. Each school is encouraged to hold a full school-wide school safety and lockdown exercise with local law enforcement agencies at least once a year.

Section 2 of the PCS would make change to school safety exercises, which include:

- Requiring DPS, the Division of School Management (Division), and the Center for Safer Schools (Center) to provide guidance and recommendations to LEAs on the hazards to plan and respond to, including intruders on school grounds.
- Directing LEAs to require each school under its control to hold a school-wide tabletop exercise and drill based on procedures documented in its SRMP, including a practice school lockdown due to an intruder on school grounds. Schools are also encouraged to hold additional exercises and drills for other hazards.
- Defining the terms "tabletop exercise" and "drill" in relation to school safety exercises.



# House Bill 380

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**Section 3:** Section 3 of the PCS creates a new Article in Chapter 115C of the General Statutes, entitled School Risk and Response Management System (SRRMS). DPS, the Division, and the Center would be directed to construct and maintain this statewide system which should fully integrate and leverage existing data and applications that support school risk planning and exercise, monitoring, and emergency response, including the School Risk Management Planning tool. Section 3 of the PCS provides that all data and information acquired and stored in the SRRMS are not considered public records.

**Section 4:** Under current law, LEAs are encouraged to develop and operate anonymous tip lines, in coordination with local law enforcement and social services agencies, to receive anonymous tips on risks to school buildings and school-related activities. The PCS to Section 4 would make a conforming change to include "school population" to this group and would make an additional conforming change.

Section 4 of the PCS would also direct DPS, the Division, and the Center to implement and maintain an anonymous safety tip line application for purposes of receiving anonymous student information on internal or external risks to the school population, school buildings, and school-related activities. Section 4 of the PCS would also direct DPS, the Division, and the Center to implement and maintain a statewide Panic Alarm system for the purposes of launching real-time 911 messaging to Public Safety Answer Points of internal and external risks to the school population, school buildings, and school-related activities. DPS would be charged with the responsibility to ensure that the anonymous safety tip line application is integrated with and supports the statewide SRRMS. The PCS would also provide that all data and information gathered anonymous safety tip line application are not considered a public record. The Division may collect the annual aggregate number and type of tip that are sent to the tip line application. DPS would be required to implement the anonymous tip line application and statewide panic alarm system by July 1, 2016.

**Section 5:** Section 5 of the PCS would make a conforming change to the school safety statute governing school crisis kits by replacing the term "emergency response plan" with "School Risk Management Plan".

**Section 6:** Under current law, each LEA is required to provide, and update as needed, the following to local law enforcement agencies: (i) schematic diagrams and (ii) emergency access to key storage devices for all school buildings.

Section 6 of the PCS would clarify that LEAs could provide, and update as needed, keys to the main entrance of all school buildings or access to key storage devices.

**Section 7:** Section 7 of the PCS would make a conforming change to the school safety statute governing what emergency response information must be shared with the Division by replacing the term "emergency response plan" with "School Risk Management Plan".

**Section 8:** Under current law, charter schools are encouraged to adopt emergency response plans, which, like those required by traditional public schools, are not considered a public record.

Section 8 of the PCS would make a conforming change by replacing the term and definition of "emergency response plans" with "School Risk Management Plans" in the statutes that govern the operating requirements for charter schools. Section 8 of the PCS would provide that in constructing and

# House Bill 380

Page 3

maintaining these plans, charter schools may utilize the SRRMS. Charter schools are encouraged to adopt SRMPs by March 1, 2017. Section 8 of the PCS also encourages charter schools to hold an annual school-wide lockdown exercise and provide schematic diagrams and emergency response information to the Division.

**Section 9:** Under current law, regional schools are encouraged to adopt emergency response plans, which, like those required by traditional public schools, are not considered a public record.

Section 9 of the PCS would make a conforming change by replacing the term and definition of "emergency response plans" with "School Risk Management Plans" in the statutes that govern the powers and duties of regional schools. Section 9 of the PCS would provide that in constructing and maintaining these plans, regional schools may utilize the SRRMS. Regional schools are encouraged to adopt SRMPs by March 1, 2017. Section 9 of the PCS also encourages regional schools to hold an annual school-wide lockdown exercise and provide schematic diagrams and emergency response information to the Division.

**Section 10:** Section 10 of the PCS would add to the powers and duties of the Division of Emergency Management the requirement to serve as the lead State agency for the implementation and maintenance of the SRRMS.

**Section 11:** Section 11 of the PCS would require DPS, the Division, and the Center to report to the Joint Legislative Oversight Commission on Governmental Operations on (i) the implementation of SRRMS and (ii) the anticipated annual cost to operate and maintain the system.

**Section 12:** Section 12 of the PCS would state that it is the intent of the General Assembly, subject to the availability of funds, to provide funds during the 2015-2017 fiscal biennium to provide grants to LEAs, regional schools, and charter schools for additional school psychologists, school counselors, and school social workers. These funds will be matched on the basis of \$1.00 in State funds for every \$1.00 in local funds. The State Board of Education must include need-based considerations in its criteria for awarding these grants and must give lower priority to those who received a grant for a school resource officer in the 2013 budget.

**EFFECTIVE DATE:** The PCS would become effective when it becomes law. Sections 2, 3, 5, 6, and 7 of the PCS would apply beginning with the 2015-2016 school year.





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 439\*

Short Title: Competency-Based Assessments. (Public)

Sponsors: Representatives S. Martin, Horn, and Bryan (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 2, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE INTENT OF THE GENERAL ASSEMBLY TO  
3 TRANSITION TO UTILIZING COMPETENCY-BASED LEARNING ASSESSMENTS  
4 FOR ALL ELEMENTARY AND SECONDARY STUDENTS IN NORTH CAROLINA.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** It is the intent of the General Assembly to transition to a system of  
7 testing and assessments applicable for all elementary and secondary students that utilizes  
8 competency-based learning assessments to measure student performance and student growth,  
9 whenever practicable. The competency-based student assessment system should provide that (i)  
10 students advance upon mastery, (ii) competencies are broken down into explicit and  
11 measurable learning objectives, (iii) assessment is meaningful for students, (iv) students receive  
12 differentiated support based on their learning needs, and (v) learning outcomes emphasize  
13 competencies that include the application and creation of knowledge.

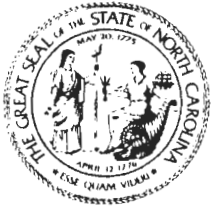
14 **SECTION 2.** In order to develop the use of competency-based assessments for all  
15 elementary and secondary students in North Carolina as stated in Section 1 of this act, the State  
16 Board of Education is encouraged to evaluate the feasibility of integrating competency-based  
17 assessments for use in local school administrative units and as part of the statewide testing  
18 system for measuring student performance and student growth. The State Board may examine  
19 competency-based assessments in other states, including potential benefits and obstacles to  
20 implementing similar systems in North Carolina, and the relationship between  
21 competency-based assessments and innovative teaching methods utilized in North Carolina  
22 schools, such as blended learning models and digital teaching tools.

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









# HOUSE BILL 439: Competency-Based Assessments

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. S. Martin, Horn, Bryan  
**Analysis of:** First Edition

**Date:** April 21, 2015  
**Prepared by:** Drupti Chauhan  
Committee Counsel

**SUMMARY:** *House Bill 439 would establish the intent of the General Assembly to transition to a system of testing that uses competency-based learning assessments for public schools students in the State.*

[As introduced, this bill was identical to S530, as introduced by Sen. Soucek, which is currently in Rules and Operations of the Senate.]

**BILL ANALYSIS:** Section 1 of House Bill 439 provides that it is the intent of the General Assembly that the State transition to a system of testing and assessments for all public school students that uses competency-based learning assessments to measure student performance and student growth when practicable. This competency-based student assessment system should provide that:

- Students advance upon mastery.
- Competencies are broken down into explicit and measurable learning objectives.
- Assessment is meaningful for students.
- Students receive differentiated support based on their learning needs.
- Learning outcomes emphasize competencies that include the application and creation of knowledge.

**Section 2** of the bill encourages the State Board of Education to evaluate the feasibility of integrating competency-based assessments for use in local school administrative units and as part of the statewide testing system for measuring student performance and student growth. The State Board may examine competency-based assessments in other states, including potential benefits and obstacles to implementing similar systems in North Carolina along with the relationship between competency-based assessments and innovative teaching methods used in the State's school such as blended learning models and digital teaching tools.

**EFFECTIVE DATE:** The bill would become effective when it becomes law.

O. Walker Reagan  
Director



Research Division  
(919) 733-2578



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 474

Short Title: Healthy Out-of-School Recognition Program. (Public)

Sponsors: Representatives Dobson, Whitmire, Hardister, and B. Turner (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 2, 2015

A BILL TO BE ENTITLED

AN ACT TO INCLUDE IN THE TYPES OF PROGRAMS THAT DO NOT CONSTITUTE THE PROVISION OF CHILD CARE TRACK OUT PROGRAMS FOR CHILDREN WHO ATTEND YEAR-ROUND SCHOOLS AND TO ESTABLISH THE HEALTHY OUT-OF-SCHOOL TIME (HOST) RECOGNITION PROGRAM.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 110-86(2) reads as rewritten:

**"§ 110-86. Definitions.**

Unless the context or subject matter otherwise requires, the terms or phrases used in this Article shall be defined as follows:

(2) Child care. – A program or arrangement where three or more children less than 13 years old, who do not reside where the care is provided, receive care on a regular basis of at least once per week for more than four hours but less than 24 hours per day from persons other than their guardians or full-time custodians, or from persons not related to them by birth, marriage, or adoption. Child care does not include the following:

- i. Cooperative arrangements among parents to provide care for their own children as a convenience rather than for employment; ~~and~~
- j. Any child care program or arrangement consisting of two or more separate components, each of which operates for four hours or less per day with different children attending each ~~component; component; and~~
- k. Track out programs provided to school-age children when they are out of school on a year-round school calendar."

**SECTION 2.(a)** The General Assembly makes the following findings relating to childhood obesity and physical health:

- (1) Childhood obesity poses a serious threat to the children of our State and to their future.
- (2) According to the North Carolina State Center for Health Statistics, one out of every three children ages 10 through 17 years is either overweight or obese, and one out of every three children ages two through four years who





- 1 participate in the Special Supplemental Nutrition Program for Women,  
2 Infants and Children (WIC) in North Carolina is overweight or obese.
- 3 (3) The medical and workforce consequences of childhood obesity also threaten  
4 the fiscal viability of our health care system and our economy if not  
5 addressed.
- 6 (4) In 2011, North Carolina costs attributable to individuals who were  
7 physically inactive, obese, or overweight were estimated at fifty-four billion  
8 dollars (\$54,000,000,000).
- 9 (5) The Healthy Out-of-School Time (HOST) provider community has the reach  
10 and opportunity to provide a healthy out-of-school time experience to nearly  
11 235,000 children in the out-of-school time period, with potential to reach  
12 more than 500,000 if out-of-school time resources were available to all who  
13 desired them.

14 **SECTION 2.(b)** Chapter 110 of the General Statutes is amended by adding a new  
15 Article to read:

16 "Article 7A.

17 "Healthy Out-of-School Time (HOST) Recognition Program.

18 **"§ 110-110.1. Short title; program established.**

19 (a) This program shall be known and may be cited as the "Healthy Out-of-School Time  
20 (HOST) Recognition Program."

21 (b) The Healthy Out-of-School Time (HOST) Recognition Program is hereby  
22 established, to be administered by the Department of Health and Human Services, Division of  
23 Child Development and Early Education.

24 **"§ 110-110.2. Definitions.**

25 For purposes of this Article, the following definitions shall apply:

- 26 (1) Department. – The Department of Health and Human Services, Division of  
27 Child Development and Early Education.
- 28 (2) HEPA Standards. – The National Out-of-School Time Healthy Eating and  
29 Physical Activity Standards.
- 30 (3) Out-of-school program. – Any nonlicensed program provided to children  
31 and youth ages 17 and under that is currently exempt from G.S. 110-91 or  
32 any other qualified out-of-school time programs that serve school-age  
33 children outside of regular school hours, including before school and on  
34 weekends.
- 35 (4) Program attendee. – A person enrolled in an exempt out-of-school time  
36 program.
- 37 (5) Screen time. – Time spent viewing or working on television, videos,  
38 computers, or handheld devices, with or without Internet access.

39 **"§ 110-110.3. Department to develop program.**

40 The Department shall develop a process, to be administered on its Internet Web site, for an  
41 out-of-school time program to be recognized as a program that meets the HEPA Standards as  
42 outlined in this Article. The Web site shall include all resources and links that an out-of-school  
43 time program may use to meet the requirements of this Article.

44 **"§ 110-110.4. Certificate.**

45 The process developed under G.S. 110-110.3 shall provide an out-of-school time program  
46 with the option to create a certificate, using a template designed by the Department, that  
47 includes a document, signed by the out-of-school time program director, demonstrating the  
48 manner in which the out-of-school time program meets each of the following:

- 49 (1) Training. – Ensuring each staff member of the out-of-school time program  
50 has received training on the HEPA Standards identified in this Article.  
51 Training shall be in accordance with the YMCA of the USA, the Center for



- 1 Collaborative Solutions, A World Fit For Kids!, the National Institute on  
2 Out-of-School Time, or other similar programs.
- 3 (2) Parent and caregiver education. – Engaging parents and caregivers using  
4 informational materials and activities focused on healthy eating and physical  
5 activity a minimum of once every three months at a minimum of three to  
6 four times each year.
- 7 (3) Physical activity. – Providing children with opportunities for moderate and  
8 vigorous physical activity for at least 60 minutes each day during a full-day  
9 program or 30 minutes each day for a half-day morning or afternoon  
10 program, which time can be broken into smaller increments. The physical  
11 activity shall include a mixture of moderate and vigorous activity. For  
12 purposes of this subdivision, vigorous activity means an activity that  
13 increases the heart rate and breathing rate, as well as bone- and  
14 muscle-strengthening activities. Staff shall take active play outdoors  
15 whenever possible and shall model active living by participating in physical  
16 activities with children.
- 17 (4) Screen time. – Eliminating screen time for children under two years of age  
18 and for children over two years of age, limiting screen time to less than 30  
19 minutes each day for children in half-day programs and to less than one hour  
20 each day for those in full-day programs. During screen time, the program  
21 shall seek to minimize children's exposure to commercials and ads marketing  
22 unhealthy foods.
- 23 (5) Food. – Having children serve themselves, family style, all food and  
24 beverages from common bowls and pitchers with limited help while staff is  
25 sitting with children during snacks and meals; providing fruits or vegetables,  
26 whether fresh, frozen, dried, or canned in their own juice, at every meal and  
27 snack; preventing the serving of any fried foods or foods containing trans  
28 fat; offering only whole grains, as determined by confirming that the first  
29 item listed in the ingredients contains the word "whole"; providing foods that  
30 do not list sugar as one of the first three ingredients or that contain no more  
31 than eight grams of added sugar per serving; and having staff model healthy  
32 eating behaviors at all times, including having staff consume the same foods  
33 and beverages as children during meals and snacks, if possible, and avoiding  
34 consumption of foods or beverages that are inconsistent with the HEPA  
35 standards during program time.
- 36 (6) Beverages. – Having water accessible and available to children at all times,  
37 including at the table during snacks and meals; providing only water and  
38 unflavored low-fat one percent (1%) or nonfat milk for children two or  
39 older, served family style.
- 40 (7) Fund-raising. – If the out-of-school time program is conducting a fund-raiser  
41 during out-of-school time program hours, having the fund-raiser meet each  
42 of the following requirements:
- 43 a. Items sold shall be in compliance with the requirements specified in  
44 subdivisions (5) and (6) of this section.
- 45 b. Sales shall not be scheduled during snack or meal service.
- 46 (8) Location. – If the out-of-school time program is located on a school site,  
47 having the out-of-school time program communicate with the school  
48 regarding nutrition education and physical activity, as appropriate, to  
49 provide the program attendees with a complete educational experience. All  
50 activities shall also adhere to the school district's wellness policy.

(9) Notice. – Having information about the implementation of the requirements listed in subdivisions (1) through (8) of this section available for review by a parent at both the physical location of the out-of-school time program and on the program's Internet Web site, if there is one; and having the out-of-school time program also maintain in its records a document signed by all parents acknowledging that they are aware of the HOST Recognition Program requirements and policies to institute and reinforce these specific healthy behaviors for all children served in the out-of-school time program.

**"§ 110-110.5. Length of validity of certificate.**

A certificate issued under this Article shall be valid for one calendar year. An out-of-school time program that wishes to create a new certificate for the subsequent year shall, by January 1 of the following year and thereafter, verify with the Department that the out-of-school time program continues to follow the HOST Recognition Program criteria established under G.S. 110-110.4.

**"§ 110-110.6. Department to maintain a list of programs.**

The Department shall maintain and update a list of out-of-school time programs that qualify under the provisions of this Article and shall post that list on its Internet Web site, including the date of qualification for each program."

**SECTION 2.(c)** The provisions of the Healthy Out-of-School Time (HOST) Recognition Program, enacted under this section, are subject to the availability of funds for that purpose.

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





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 474

H474-ARQ-6 [v.1]

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)

Page 1 of 1

Amends Title [NO]  
First Edition

Date April 21<sup>st</sup>, 2015

Representative Whitmire

1 moves to amend the bill on page 3, line 50, by deleting the phrase "school district's" and  
2 replacing it with "local school administrative unit's".  
3  
4

SIGNED

Chris Whitmire

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

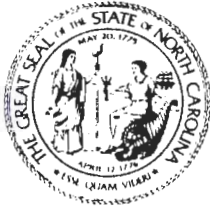
TABLED



\* H 4 7 4 - A R Q - 6 - V - 1 \*







# HOUSE BILL 474: Healthy Out-of-School Recognition Program

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12	<b>Date:</b>	April 21, 2015
<b>Introduced by:</b>	Reps. Dobson, Whitmire, Hardister, B. Turner	<b>Prepared by:</b>	Drupti Chauhan
<b>Analysis of:</b>	First Edition		Committee Counsel

**SUMMARY:** *House Bill 474 adds another program to the types of programs exempt from the definition of child care and establishes the Healthy Out-of-School Time Recognition Program.*

## SECTION 1

**CURRENT LAW:** G.S. 110-86 sets forth the definition of "child care" and specifies what is not included in that definition. Examples of the exemptions include recreational programs operated for less than four consecutive months in a year; specialized activities or instruction, or organized clubs; and drop-in or short-term care.

**BILL ANALYSIS:** Section 1 of House Bill 474 adds another exemption to the list of exemptions from the definition of child care. The bill provides that track out programs provided to school-age children when they are out of school on a year-round school calendar do not fall under the definition of "child care".

## SECTION 2

**BILL ANALYSIS:** Section 2 of the bill would create the Healthy Out-of-School-Time Recognition Program (HOST Program) to be administered by the Department of Health and Human Services, Division of Child Development and Early Education (Department).

The Department is directed to develop a process for an out-of-school time program to be able to gain recognition as a HOST Program that meets National Out-of-School Time Healthy Eating and Physical Activity Standards (HEPA Standards). This process must give an out-of-school time program the option to create a certificate that is signed by its program director that demonstrates the manner in which the out-of-school time program meets the following:

- Training—ensuring that each staff member has training in HEPA standards.
- Parent and caregiver education – engaging them at least every 3 months and 3 to 4 times a year with materials and activities on healthy eating and physical activity.
- Physical activity—providing children with opportunities for moderate to vigorous physical activity for 60 minutes during a full-day program or 30 minutes for a half-day program.
- Screen time—eliminating screen time for children under 2 and limiting screen time to less than 30 minutes for half-day programs and 1 hour for full-day programs for children over 2.
- Food—allowing children to serve themselves food and beverages; providing fruits and vegetables at every meal or snack as well as other healthy items; limiting sugar; and having staff model healthy eating behaviors.

O. Walker Reagan  
Director



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# House Bill 474

Page 2

- Beverages—having water accessible and available to children at all times and providing only water and unflavored 1% or nonfat milk for children 2 and older.
- Fund-raising—requiring fund-raising items to comply with the food and beverage standards set forth above and prohibiting sales from being scheduled during snacks or meals.
- Location—if the out-school time program is located on school site, then communicating with the school about nutrition education and physical activity.
- Notice—Providing parents with information about all of these items at the site of the program and on its Internet Website if there is one and having parents sign a document that they are aware of the HOST Program requirements.

The certificate issued for the HOST Program would be valid for 1 year and any HOST Program that wishes to create a new certificate for the next year must verify to the Department that it continues to follow all of the requirements.

The Department must maintain and update a list of out-of-time school programs that qualify under the HOST Program and post that list on its Website.

**EFFECTIVE DATE:** The bill would become effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 539

Short Title: School Playgrounds Available to Public.

(Public)

Sponsors: Representatives Bryan, Bradford, B. Brown, and Szoka (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Judiciary IV, if favorable, Education - K-12.

April 6, 2015

A BILL TO BE ENTITLED

AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO MAKE OUTDOOR  
SCHOOL PROPERTY AVAILABLE TO THE PUBLIC FOR RECREATIONAL  
PURPOSES AND TO MAKE OTHER CONFORMING CHANGES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-524 reads as rewritten:

**"§ 115C-524. Repair of school property; use of buildings for other than school purposes.**

(a) Repair of school buildings is subject to the provisions of G.S. 115C-521(c) and (d).

(b) It shall be the duty of local boards of education and tax-levying authorities, in order to safeguard the investment made in public schools, to keep all school buildings in good repair to the end that all public school property shall be taken care of and be at all times in proper condition for use. It shall be the duty of all principals, teachers, and janitors to report to their respective boards of education immediately any unsanitary condition, damage to school property, or needed repair. All principals, teachers, and janitors shall be held responsible for the safekeeping of the buildings during the school session and all breakage and damage shall be repaired by those responsible for same, and where any principal or teacher shall permit damage to the public school buildings by lack of proper discipline of pupils, such principal or teacher shall be held responsible for such damage: Provided, principals and teachers shall not be held responsible for damage that they could not have prevented by reasonable supervision in the performance of their duties.

(c) Notwithstanding the provisions of G.S. 115C-263 and 115C-264, local boards of education may adopt rules and regulations under which they may enter into agreements permitting non-school groups to use school real and personal property, except for school buses, for other than school purposes so long as such use is consistent with the proper preservation and care of the public school property. No liability shall attach to any board of ~~education, individually or collectively, education~~ or to any individual board member for personal injury suffered by reason of the use of such school property pursuant to such agreements.

(d) Local boards of education may make outdoor school property available to the public for recreational purposes, subject to any terms and conditions each board deems appropriate, (i) when not otherwise being used for school purposes and (ii) so long as such use is consistent with the proper preservation and care of the outdoor school property. No liability shall attach to any board of education or to any individual board member for personal injury suffered by reason of the use of such school property."

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







## HOUSE BILL 539: School Playgrounds Available to Public

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12	<b>Date:</b>	April 21, 2015
<b>Introduced by:</b>	Reps. Bryan, Bradford, B. Brown, Szoka	<b>Prepared by:</b>	Kara McCraw
<b>Analysis of:</b>	First Edition		Committee Counsel

**SUMMARY:** *House Bill 539 would authorize local boards of education to make outdoor school property available to the public for recreational purposes.*

**CURRENT LAW:** Under current law, local boards of education may adopt rules and regulations under which they may enter into agreements permitting non-school groups to use most school real and personal property for non-school purposes so long as such use is consistent with the proper preservation and care of the public school property. Current law provides that liability does not attach to any board of education, individually or collectively, for personal injury suffered by reason of the use of school property used under the agreement.

**BILL ANALYSIS:** House Bill 539 would authorize local boards of education to make outdoor school property available to the public for recreational purposes, subject to terms and conditions each board deems appropriate, (i) when not otherwise being used for school purposes and (ii) so long as such use is consistent with the proper preservation and care of the school property.

The bill would provide that liability does not attach to any board of education or any individual board member for personal injury suffered by reason of the use of school property.

The bill also makes a conforming change.

**EFFECTIVE DATE:** This act is effective when it becomes law.

*\*This summary was substantially contributed to by Denise Adams, Legislative Analyst.*

O. Walker Reagan  
Director



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 878

Short Title: Expand Bd. of Trustees/Sch. of Science & Math.

(Public)

Sponsors: Representatives Jordan and Blackwell (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 15, 2015

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE  
NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 116-233(a) reads as rewritten:

**"§ 116-233. Board of Trustees; appointment; terms of office.**

(a) Notwithstanding the provisions of G.S. 116-31(d), there shall be a Board of Trustees of the School, which shall consist of ~~27~~up to 30 members as follows:

- (1) Thirteen members who shall be appointed by the Board of Governors of The University of North Carolina, one from each congressional district.
- (2) Four members without regard to residency who shall be appointed by the Board of Governors of The University of North Carolina.
- (3) Three members, ex officio, who shall be the chief academic officers, respectively, of constituent institutions. The Board of Governors shall in 1985 and quadrennially thereafter designate the three constituent institutions whose chief academic officers shall so serve, such designations to expire on June 30, 1989, and quadrennially thereafter.
- (4) The chief academic officer of a college or university in North Carolina other than a constituent institution, ex officio. The Board of Governors shall designate in 1985 and quadrennially thereafter which college or university whose chief academic officer shall so serve, such designation to expire on June 30, 1989, and quadrennially thereafter.
- (5) Two members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121.
- (6) Two members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121.
- (7) Two members appointed by the Governor.
- (8) The president of the student government ex officio.
- (9) Up to two additional nonvoting members selected at the discretion of the chancellor and the Board of Trustees, with terms expiring June 30 of each year."

**SECTION 2.** This act becomes effective July 1, 2015.



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

II

D

HOUSE BILL 878  
PROPOSED COMMITTEE SUBSTITUTE H878-CSRQ-8 [v.2]

4/17/2015 4:17:52 PM

Short Title: Expand Bd. of Trustees/Sch. of Science & Math.

(Public)

Sponsors:

Referred to:

April 15, 2015

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE  
NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 116-233(a) reads as rewritten:

"(a) Notwithstanding the provisions of G.S. 116-31(d), there shall be a Board of Trustees of the School, which shall consist of 27 up to 30 members as follows:

- (1) Thirteen members who shall be appointed by the Board of Governors of The University of North Carolina, one from each congressional district.
- (2) Four members without regard to residency who shall be appointed by the Board of Governors of The University of North Carolina.
- (3) Three members, ex officio, who shall be the chief academic officers, respectively, of constituent institutions. The Board of Governors shall in 1985 and quadrennially thereafter designate the three constituent institutions whose chief academic officers shall so serve, such designations to expire on June 30, 1989, and quadrennially thereafter.
- (4) The chief academic officer of a college or university in North Carolina other than a constituent institution, ex officio. The Board of Governors shall designate in 1985 and quadrennially thereafter which college or university whose chief academic officer shall so serve, such designation to expire on June 30, 1989, and quadrennially thereafter.
- (5) Two members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121.
- (6) Two members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121.
- (7) Two members appointed by the Governor.
- (8) The president of the student government, ex officio, who shall be a nonvoting member.
- (9) Up to two additional nonvoting members selected at the discretion of the chancellor and the Board of Trustees, with terms expiring June 30 of each year."

**SECTION 2.** G.S. 116-234(d) reads as rewritten:

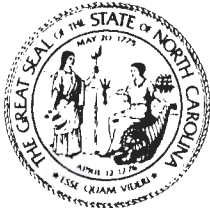
"(d) Members of the Board of Trustees, other than ex officio members under G.S. ~~116-233(a)(3),~~ 116-233(a)(3) and G.S. 116-233(a)(8), shall receive such per diem



\* H 8 7 8 - C S R Q - 8 - V - 2 \*

1 compensation and necessary travel and subsistence expenses while engaged in the discharge of  
2 their official duties as is provided by law for members of State boards and commissions. Ex  
3 officio members under G.S. 116-233(a)(3) and G.S. 116-233(a)(8) shall be reimbursed for  
4 travel expenses as provided by G.S. 138-6.

5       **SECTION 3.** This act becomes effective July 1, 2015.



# HOUSE BILL 878: Expand Bd. of Trustees/Sch. of Science & Math

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Jordan, Blackwell  
**Analysis of:** PCS to First Edition  
H878-CSRQ-8

**Date:** April 21, 2015  
**Prepared by:** Drupti Chauhan  
Committee Counsel

**SUMMARY:** House Bill 878 would expand the membership of the Board of Trustees of the North Carolina School of Science and Mathematics from 27 members to up to 30 members by adding the president of the student government and up to 2 additional nonvoting members selected at the discretion of the chancellor and the Board of Trustees.

*The Proposed Committee Substitute (PCS) for House Bill 878 would clarify that the president of the student government is a nonvoting member and make a conforming citation change.*

**CURRENT LAW:** The Board of Trustees of the North Carolina School of Science and Mathematics consists of 27 members appointed as follows:

- 13 members appointed by the Board of Governors of The University of North Carolina (BOG), one from each congressional district.
- 4 members appointed by the BOG without regard to residency.
- 3 members, ex officio, who are the chief academic officers of constituent institutions of The University of North Carolina. The BOG designates the 3 institutions whose chief academic officers serve for 4 year terms and quadrennially thereafter.
- 1 member, ex officio, who is the chief academic officer of an independent college or university in the State. The BOG designates the institution whose chief academic officer serves for 4 year terms and quadrennially thereafter.
- 2 members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate.
- 2 members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives.

**BILL ANALYSIS:** The PCS for House Bill 878 would expand the membership of the Board of Trustees of the North Carolina School of Science and Mathematics from 27 members to up to 30 members by adding the president of the student government as an ex officio nonvoting member and up to 2 additional nonvoting members selected at the discretion of the chancellor and the Board of Trustees.

The PCS would also make a conforming citation change.

**EFFECTIVE DATE:** The bill would become effective July 1, 2015.

O. Walker Reagan  
Director



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 559

Short Title: Testing Feedback for Students/Teachers.

(Public)

Sponsors: Representatives Whitmire, Lucas, Riddell, and Elmore (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 6, 2015

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE STATE BOARD OF EDUCATION AND THE DEPARTMENT OF PUBLIC INSTRUCTION TO PROVIDE SUMMATIVE FEEDBACK TO PARENTS, STUDENTS, AND TEACHERS ON THE RESULTS OF STATEWIDE TESTS AND ASSESSMENTS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-174.12 reads as rewritten:

**"§ 115C-174.12. Responsibilities of agencies.**

(a) The State Board of Education shall establish policies and guidelines necessary for minimizing the time students spend taking tests administered through State and local testing programs, for minimizing the frequency of field testing at any one school, and for otherwise carrying out the provisions of this Article. These policies and guidelines shall include the following:

- (1) Schools shall devote no more than two days of instructional time per year to the taking of practice tests that do not have the primary purpose of assessing current student ~~learning~~ learning.
- (2) Students in a school shall not be subject to field tests or national tests during the two-week period preceding the administration of end-of-grade tests, end-of-course tests, or the school's regularly scheduled final ~~exams~~ and exams.
- (3) No school shall participate in more than two field tests at any one grade level during a school ~~year~~ year.
- (4) All annual assessments of student achievement adopted by the State Board of Education pursuant to G.S. 115C-174.11(c)(1) and (3) and all final exams for courses shall be administered within the final 10 instructional days of the school year for year-long courses and within the final five instructional days of the semester for semester courses. Exceptions shall be permitted to accommodate a student's individualized education program and section 504 (29 U.S.C. § 794) plans and for the administration of final exams for courses with national or international curricula required to be held at designated times.

These policies shall reflect standard testing practices to insure reliability and validity of the sample testing. The results of the field tests shall be used in the final design of each test. The State Board of Education's policies regarding the testing of children with disabilities shall (i) provide broad accommodations and alternate methods of assessment that are consistent with a



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1 student's individualized education program and section 504 (29 U.S.C. § 794) plans, (ii)  
2 prohibit the use of statewide tests as the sole determinant of decisions about a student's  
3 graduation or promotion, and (iii) provide parents with information about the Statewide Testing  
4 Program and options for children with disabilities. The State Board shall report its proposed  
5 policies and proposed changes in policies to the Joint Legislative Education Oversight  
6 Committee prior to adoption.

7 The State Board of Education may appoint an Advisory Council on Testing to assist in  
8 carrying out its responsibilities under this Article.

9 (b) The Superintendent of Public Instruction shall be responsible, under policies  
10 adopted by the State Board of Education, for the statewide administration of the testing  
11 program provided by this Article.

12 (b1) The Superintendent shall notify local boards of education by October 1 of each year  
13 of any field tests that will be administered in their schools during the school year, the schools at  
14 which the field tests will be administered, and the specific field tests that will be administered  
15 at each school.

16 (b2) The State Board of Education shall develop a summative analysis of the statewide  
17 assessments and tests administered in accordance with this Article for dissemination to local  
18 school administrative units, teachers, parents, and students. The Department of Public  
19 Instruction shall utilize an applicable component of the Instructional Improvement System to  
20 provide instructional feedback to local school administrative units, teachers, parents, and  
21 students as required by this subsection. This summative analysis for individual assessments and  
22 tests shall be disseminated within five days of a student taking a test or assessment, if  
23 practicable, or within a reasonable amount of time for the protection and integrity of the  
24 administration of a statewide test, to students, parents, and teachers as follows:

25 (1) For a student, the student's parent, and the teacher of record for that student,  
26 the following information shall be disseminated on individual test items:

27 a. Identification of the test item.

28 b. The curriculum standard to which the test item is linked.

29 c. Indication of whether the student's response was correct or incorrect.

30 (2) For all students for which a teacher is the teacher of record, the teacher shall  
31 receive the percentage of students who responded correctly on a test item  
32 correlating with corresponding curriculum standards in order to assist the  
33 teacher in identifying specific areas in need of improvement for adjustments  
34 to instruction and future course lesson plans.

35 (c) Local boards of education shall cooperate with the State Board of Education in  
36 implementing the provisions of this Article, including the regulations and policies established  
37 by the State Board of Education. Local school administrative units shall use the annual tests to  
38 fulfill the purposes set out in this Article. Local school administrative units are encouraged to  
39 continue to develop local testing programs designed to diagnose student needs."

40 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
41 the 2015-2016 school year.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 559  
PROPOSED COMMITTEE SUBSTITUTE H559-CSTW-10 [v.5]

4/20/2015 9:13:28 AM

Short Title: Testing Feedback for Students/Teachers.

(Public)

Sponsors:

Referred to:

April 6, 2015

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO PROVIDE STUDENT PERFORMANCE DATA TO PARENTS, STUDENTS, AND TEACHERS ON THE RESULTS OF STATEWIDE TESTS AND ASSESSMENTS AND TO INCREASE BY 5 DAYS THE NUMBER OF DAYS ASSESSMENTS AND FINAL EXAMS CAN BE ADMINISTERED WITHIN THE FINAL INSTRUCTIONAL DAYS BEFORE THE END OF THE SEMESTER OR YEAR.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-174.12 reads as rewritten:

**"§ 115C-174.12. Responsibilities of agencies.**

(a) The State Board of Education shall establish policies and guidelines necessary for minimizing the time students spend taking tests administered through State and local testing programs, for minimizing the frequency of field testing at any one school, and for otherwise carrying out the provisions of this Article. These policies and guidelines shall include the following:

- (1) Schools shall devote no more than two days of instructional time per year to the taking of practice tests that do not have the primary purpose of assessing current student ~~learning~~ learning.
- (2) Students in a school shall not be subject to field tests or national tests during the two-week period preceding the administration of end-of-grade tests, end-of-course tests, or the school's regularly scheduled final ~~exams~~ and exams.
- (3) No school shall participate in more than two field tests at any one grade level during a school ~~year~~ year.
- (4) All annual assessments of student achievement adopted by the State Board of Education pursuant to G.S. 115C-174.11(c)(1) and (3) and all final exams for courses shall be administered within the final ~~15~~ 10 instructional days of the school year for year-long courses and within the final ~~10~~ five instructional days of the semester for semester courses. Exceptions shall be permitted to accommodate a student's individualized education program and section 504 (29 U.S.C. § 794) plans and for the administration of final exams for courses with national or international curricula required to be held at designated times.

These policies shall reflect standard testing practices to insure reliability and validity of the sample testing. The results of the field tests shall be used in the final design of each test. The State Board of Education's policies regarding the testing of children with disabilities shall (i)



1 provide broad accommodations and alternate methods of assessment that are consistent with a  
2 student's individualized education program and section 504 (29 U.S.C. § 794) plans, (ii)  
3 prohibit the use of statewide tests as the sole determinant of decisions about a student's  
4 graduation or promotion, and (iii) provide parents with information about the Statewide Testing  
5 Program and options for children with disabilities. The State Board shall report its proposed  
6 policies and proposed changes in policies to the Joint Legislative Education Oversight  
7 Committee prior to adoption.

8 The State Board of Education may appoint an Advisory Council on Testing to assist in  
9 carrying out its responsibilities under this Article.

10 (b) The Superintendent of Public Instruction shall be responsible, under policies  
11 adopted by the State Board of Education, for the statewide administration of the testing  
12 program provided by this Article.

13 (b1) The Superintendent shall notify local boards of education by October 1 of each year  
14 of any field tests that will be administered in their schools during the school year, the schools at  
15 which the field tests will be administered, and the specific field tests that will be administered  
16 at each school.

17 (b2) The State Board of Education shall provide student performance data on each  
18 statewide assessment and test administered in accordance with this Article for dissemination to  
19 local school administrative units, teachers, parents, and students. This data for each assessment  
20 and test shall be disseminated within five days of a student taking a test or assessment, if  
21 practicable, or within a reasonable amount of time for the protection and integrity of the  
22 administration of a statewide test, to students, parents, and teachers as follows:

23 (1) For a student, the student's parent, and the teacher of record for that student,  
24 the following information shall be disseminated:

25 a. The standard to which the test item is linked.

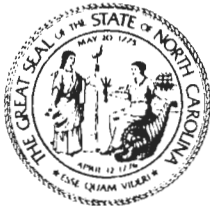
26 b. Indication of whether the student's response was correct or incorrect.

27 (2) For all students for which a teacher is the teacher of record, the teacher shall  
28 receive the percentage and number of students who responded correctly on a  
29 test item correlating with corresponding standards in order to assist the  
30 teacher in identifying specific areas in need of improvement for adjustments  
31 to instruction and future course lesson plans.

32 (c) Local boards of education shall cooperate with the State Board of Education in  
33 implementing the provisions of this Article, including the regulations and policies established  
34 by the State Board of Education. Local school administrative units shall use the annual tests to  
35 fulfill the purposes set out in this Article. Local school administrative units are encouraged to  
36 continue to develop local testing programs designed to diagnose student needs."

37 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
38 the 2015-2016 school year.





# HOUSE BILL 559: Testing Feedback for Students/Teachers

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12	<b>Date:</b>	April 21, 2015
<b>Introduced by:</b>	Reps. Whitmire, Lucas, Riddell, Elmore	<b>Prepared by:</b>	James Ritter
<b>Analysis of:</b>	PCS to First Edition H559-CSTW-10		Legislative Analyst

**SUMMARY:** *House Bill 559 directs the State Board of Education (SBE) and the Department of Public Instruction to provide summative feedback to parents, students, and teachers on the results of statewide tests and assessments.*

*The Proposed Committee Substitute (PCS) for House Bill 559 would also (i) increase the number of days before the end of the semester annual assessments or finals must be administered from five to ten (semester long courses), and ten to fifteen (year-long courses); (ii) clarify that student performance data is to be provided to local administrative units (LEAs), teachers, parents and students within the final five days of a student taking a test or assessment; and (iii) remove language referring to the dissemination of information regarding individual test items.*

**CURRENT LAW:** G.S. 115C-174.12 requires the State Board of Education to establish policies and guidelines necessary to minimize the time students spend taking tests administered through the State and local testing programs to minimize the testing frequency and field testing at any one school. The policies and guidelines include:

- Schools may not devote more than two days of instructional time per year to taking practice tests that do not have the primary purpose of assessing current student learning.
- Students in a school may not take field or national tests during the two weeks before end-of-grade tests, end-of-course tests, or a regularly scheduled final exam.
- Schools may not participate in more than two field tests at any one grade level during a school year.
- All annual assessments of student achievement and all final exams for courses must be administered within the final ten instructional days of the school years for year-long courses and within the final five instructional days of the semester for semester long courses. Exceptions are permitted to accommodate students with individualized education programs (IEPs) and section 504 plans and for administrations of final exams for courses with national or international curricula required to be held at designated times.

The policies adopted by the SBE are to reflect standard testing practices that insure the reliability and validity of those taking the tests. The results of the final tests are to be used in the final design of each test. The SBE's policies regarding the testing of students with disabilities shall:

- Provide accommodations and alternate assessments methods consistent with the student's IEP and section 504 plans.
- Prohibit statewide tests as the only determination of decisions about a student's graduation or promotion.

O. Walker Reagan  
Director



Research Division  
(919) 733-2578

# House Bill 559

Page 2

- Provide parents with information about the statewide testing program and options for students with disabilities.

The SBE shall report all proposed policies and changes in policy to the Joint Legislative Education Oversight Committee before adoption and may appoint an advisory council on testing to carry out its responsibilities. The Superintendent of Public Instruction is responsible for statewide administration of the testing program and shall notify local boards of education by October 1 of each year of any field tests to be administered during the school year, the schools where the tests will be administered, and specific field tests that will be administered at each school.

Local board of education are to cooperate with the SBE in implementing these responsibilities, including the regulations and policies established by the SBE. They are encouraged to use annual tests continue to develop local testing programs designed to diagnose student needs.

**BILL ANALYSIS:** The PCS for House Bill 559 would increase the number of days before the end of the semester or year in which annual assessments or final exams must be administered from five to ten for semester long courses, and from ten to fifteen for year-long courses.

The PCS would require the SBE to provide student performance data on annual assessments or final exams to local school administrative units, teachers, parents, and students. The data would be disseminated within five days of students taking the tests or assessments, if practicable, or within a reasonable amount of time to protect the integrity of statewide tests. For a student, the student's parent, and the teacher of record the following student performance data would include:

- The standard to which a test item is linked.
- Indication of whether the student's response to a test item was correct or incorrect.

A teacher of record would receive the percentage and number of students who responded correctly on a test item and the corresponding standard to assist the teacher with identifying specific areas in need of improvement and to adjust lesson plans and instruction.

**EFFECTIVE DATE:** The act is effective when it becomes law and applies beginning with the 2015-2016 school year.

**BACKGROUND:** The North Carolina End-of-Grade test (grades 3-8) and End-of-Course test (for middle and high school students) are used to sample a student's knowledge of subject-related concepts as specified in the North Carolina Standard Course of Study and to provide a global estimate of the student's mastery of the material in a particular content area.

## Education K-12 Committee

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House Staff

Committee: H CMTE ON EDUCATION K-12 Date: 21 APR 2015

Pages

1. Name Pira Apputhurai

County Mecklenburg Sponsor W<sup>m</sup> BRAWLEY

2. Name Alina Cardwell

County Alamance Sponsor Dennis Riddle

3. Name Alisha HARRISON

County WAKE Sponsor PAUL STAM

4. Name \_\_\_\_\_

County \_\_\_\_\_ Sponsor \_\_\_\_\_

5. Name \_\_\_\_\_

County \_\_\_\_\_ Sponsor \_\_\_\_\_

Sergeant-at-Arms

Barry Moore

BH Powell

David Linthicum



# VISITOR REGISTRATION SHEET

Name of Committee

Date

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Adam Prodymer	NCA3A
Marge Freeman	NCAE
Michelle Frazier	MFTS
Emily Shubert	EPOR
Harvey Kaplan	MWC
Johnny Tillet	MWC



# VISITOR REGISTRATION SHEET

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Jaaret Burr	NC DPS
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William Lazby	NC-DPS
Will Polk	NC-DPS
Scott Lester	SSGNC
RICHARD TAYLOR	NC 9/11 BOARD
Joel Melley	NC Dept of Public Instruction
Richard Thompson	NCCAT
Rachel Bealieu	NC DPI





# VISITOR REGISTRATION SHEET

Name of Committee

Date

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NAME

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John Peterson	Coastal
Cheryl Posner-Cahill	NC School Bych Assoc
Tom West	NCILU
Jason Harrison	NCSSWA
Kristen Latch	SSGNL
Julie Kowal	BEST NC
Tracy Wick	NC DPT
Ellen Essick	NC DPT
Burt Jenkins	NC DPT
D. Lee Ferguson	D.J.A. + Associates N.C.P.S



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Date

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Jonathan Koppler	UNC- GA
Nikki Baker	UNC- Greensboro
Paul S. W	P. W & Assoc
Shirley Garland	DPI
Nick Goetzsch	OSBM
Paul <sup>1</sup> Pearson	OSBM
Elizabeth Grovenstein	Hunt Institute
Tammy Howard	NC DPI
Hopewing	NC DPI
NICHOLE KARIM	NAMM NC



# VISITOR REGISTRATION SHEET

Name of Committee

Date

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Kali Smith	NCSSM
Komal Charamia	NCSSM
Katlyn Sealf	NCSSM
Abhi Kulgod	NCSSM
Vikram Aikat	NCSSM
<del>Brook Winters</del>	<del>NCSSM</del>
Cierra Hinton	NCSSM
<del>Jade Roberts</del>	<del>NCSSM</del>
Kristian Gaylord	NCSSM
Tyler Fox	NCSSM
Peter Ojo	NCSSM
SENITA PORTLOCK	The North Carolina School of Science and MATHEMATICS
Kimberly Andreassen	NCSSM





**House Education K-12 Committee  
Tuesday, April 23, 2015 at 3:10 PM  
Room 643 of the Legislative Office Building**

**MINUTES**

The House Education K-12 Committee met at 3:10 PM on April 23, 2015 in Room 643 of the Legislative Office Building. Representatives Elmore, Horn, Johnson, Ager, Bryan, Cleveland, Dixon, Fisher, C. Graham, Hanes, Hardister, Iler, Langdon, Malone, Meyer, Pittman, Richardson, Turner, and Whitmire were in attendance. Research Department staff were Drupti Chauhan, Kara McCraw and Denise Huntley-Adams. Visitor registration sheets are provided. (Attachment 1)

Representative Linda Johnson, Chair, presided. She called the meeting to order and introduced the House Sergeant at Arms and the visiting pages. (Attachment 2). Representative Johnson announced that the Committee would hear HB660, HB661, HB662 and HB902. All four bills are related and she recognized Rep. Horn for an explanation.

Rep. Horn provided the Committee with an overview of the bills. He explained how these bills will fundamentally change how we do education in North Carolina. We will move to the digital environment that we began three years ago. "Sit and get" education will change to a collaborative process. We have to recruit and retain quality teachers and teachers will not have to move to administration to advance. They will be able to move up the ladder within the classroom, but we must have high quality principals for it to work - thus great teachers, great students.

Representative Horn presented HB660, Transition to Personalized Digital Learning, and Chairman Johnson recognized Rep. Langdon to bring the PCS for HB660 before the committee. With approval Rep. Horn explained the bill. Rep. Cleveland moved for a favorable report, unfavorable to the original bill, but favorable to the Committee Substitute. Rep. Johnson called for a vote and the Ayes prevailed and House Bill 660 passed.

Chairman Johnson recognized Rep. Horn to present HB661, Teacher Recruitment and Scholarship, and Rep. Langdon asked that HB661 be brought before the Committee. With approval by the Committee Rep. Horn explained the bill. Following a brief discussion Rep. Hardister made a motion for a favorable report, unfavorable to the original bill. Chairman Johnson called for the Ayes and Nays and the Ayes prevailed. HB661 passed the Committee.

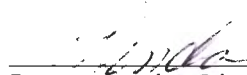

Rep. Horn was called on to present HB 662, NC Elevating Educators Act of 2015. Rep. Hardister made a motion to have the PCS before the Committee. With approval Rep. Horn explained the bill. Rep. Hardister moved for a favorable report unfavorable to the original bill, but favorable to the PCS. Chairman Johnson called for the Ayes and Nays. The Ayes prevailed and the bill passed.





Chairman Johnson called on Rep. Blackwell to present House Bill 902, Transforming Principal Preparation. Following Rep. Langdon's motion for the PCS HB 902 was brought before the Committee. Rep. Blackwell presented the bill. Following a brief discussion Rep. Dixon commended all the bill sponsors and staff for some great work and made a motion for a favorable report. The ayes prevailed and HB 902 passed unanimously.

There being no further business Chairman Johnson adjourned the meeting at 3:45pm.

   
Representative Linda Johnson, Chair Presiding

  
Pattie Fleming, Committee Clerk



**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Thursday, April 23, 2015  
**TIME:** 15 Minutes After Session  
**LOCATION:** 643 LOB  
**COMMENTS:** Rep. Johnson will be presiding.

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 660	Transition to Personalized Digital Learning.	Representative Horn Representative Saine Representative Jeter Representative Fraley
HB 661	Teacher Recruitment and Scholarships.	Representative Horn Representative Langdon Representative Elmore Representative Bryan
HB 662	NC Elevating Educators Act of 2015.	Representative Horn Representative Bryan Representative Langdon Representative Lucas
HB 902	Transforming Principal Preparation.	Representative Blackwell Representative Horn Representative Bryan Representative Hanes



Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 3:42 PM on Tuesday, April 28, 2015.

\_\_\_ Principal Clerk  
\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)





**House Committee on Education - K-12**  
**Thursday, April 23, 2015, 15 Minutes After Session**  
**643 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks**

**Introduction of Pages**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 660	Transition to Personalized Digital Learning.	Representative Horn Representative Saine Representative Jeter Representative Fraley
HB 661	Teacher Recruitment and Scholarships.	Representative Horn Representative Langdon Representative Elmore Representative Bryan
HB 662	NC Elevating Educators Act of 2015.	Representative Horn Representative Bryan Representative Langdon Representative Lucas
HB 902	Transforming Principal Preparation.	Representative Blackwell Representative Horn Representative Bryan Representative Hanes

**Adjournment**



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair**

**Representative D. Craig Horn, Co-Chair**

**Representative Linda P. Johnson, Co-Chair**

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL**

**HB 660**

Transition to Personalized Digital Learning.

Draft Number: H660-PCS40430-TC-29

Serial Referral: None

Recommended Referral: None

Long Title Amended: No

Floor Manager: Horn

TOTAL REPORTED: 1



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NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES

EDUCATION - K-12 COMMITTEE REPORT

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL

HB 662

NC Elevating Educators Act of 2015.

Draft Number: H662-PCS40432-RQ-13  
Serial Referral: None  
Recommended Referral: None  
Long Title Amended: Yes  
Floor Manager: Horn

FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED

HB 661

Teacher Recruitment and Scholarships.

Draft Number: H661-PCS10360-TC-25  
**Serial Referral: APPROPRIATIONS**  
**Recommended Referral: RULES, CALENDAR, AND**  
**OPERATIONS OF THE HOUSE**  
Long Title Amended: No  
Floor Manager: Horn

HB 902

Transforming Principal Preparation.

Draft Number: H902-PCS20333-TB-14  
**Serial Referral: APPROPRIATIONS**  
Recommended Referral: None  
Long Title Amended: No  
Floor Manager: Blackwell

TOTAL REPORTED: 3



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**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015**

**H**

**D**

**HOUSE BILL 660  
PROPOSED COMMITTEE SUBSTITUTE H660-CSTC-29 [v.1]**

4/22/2015 8:49:47 PM

Short Title: Transition to Personalized Digital Learning.

(Public)

Sponsors:

Referred to:

April 14, 2015

A BILL TO BE ENTITLED  
AN ACT TO FURTHER THE TRANSITION TO PERSONALIZED DIGITAL LEARNING  
IN ALL NORTH CAROLINA K-12 PUBLIC SCHOOLS; TO TRANSITION FROM  
TEXTBOOKS TO DIGITAL MATERIALS FOR ALL LEARNERS; AND TO REQUIRE  
THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT DIGITAL  
TEACHING AND LEARNING STANDARDS FOR TEACHERS AND SCHOOL  
ADMINISTRATORS.

Whereas, the State of North Carolina has contracted with the Friday Institute for Educational Innovation to develop a statewide K-12 Digital Learning Plan; and

Whereas, the analyses of relevant data, input from many stakeholders, and information obtained through visits to selected local school administrative units have led to the findings that contribute to this act; and

Whereas, digital learning innovations are driven at the local school administrative unit level and will take different forms and proceed at different speeds across units so that different units will need varying levels of guidance and support from the State and regional organizations; and

Whereas, the roles of the State include, but are not limited to, (i) providing statewide infrastructure and resources, (ii) leveraging federal E-Rate funding and economies of scale through statewide procurement, and (iii) providing models, guidance, and capacity-building programs to local school administrative units and regional organizations; and

Whereas, digital learning requires that all teachers and students have ready access to digital devices and reliable wireless connectivity; and

Whereas, the State's role is critical in putting into place the networking infrastructure required to provide equitable connectivity to all K-12 public schools; and

Whereas, North Carolina educators require tools to expand the use of digital education resources, to further collaboration and sharing of curriculum resources across schools and local school administrative units, and to allow for statewide coordination of teacher preparation and professional development programs; and

Whereas, the transition to digital learning requires that the State's K-12 education workforce update their knowledge and skills to lead, plan, manage, teach, evaluate, and communicate with digital awareness; and

Whereas, less than thirty percent (30%) of teachers in most local school administrative units report that they are sufficiently trained to fully utilize instructional technology; and

Whereas, investments in infrastructure, digital content, and educator capacity development will be required and will yield long-term returns on investments in terms of



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educational outcomes, increased graduation rates, and college and career readiness; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.** Intent. – The intent of this act is to create programs that advance and accelerate the statewide transition to and effective implementation of digital learning by supporting statewide technology infrastructure, exemplary implementation models, ancillary services and programs, and leadership capacity in all K-12 public schools in the State. The transition to using digital tools in the education system to fully harness the power of modern technology will impact all aspects of education, including course content, teaching methods, where and when learning takes place, what resources are required, and how success is defined and measured.

**SECTION 2.** Expand School Connectivity Initiative. – The State Board of Education shall expand the School Connectivity Initiative to support internal wired and wireless infrastructure and ancillary services and programs in all K-12 public school buildings.

**SECTION 3.** Establish Collaborative Procurement. – The State Board of Education shall establish a collaborative procurement service. This service shall function to coordinate acquisition of technology infrastructure, devices, content, and professional services in order to capitalize on economies of scale and reduce burdens on individual local school administrative units while complying with E-Rate regulations of the Federal Communications Commission.

**SECTION 4.** Expand Access to Digital Learning Resources. – The State Board of Education shall provide access to digital learning resources for all K-12 public schools to enable them to meet the requirements set forth in S.L. 2013-12 regarding the use of digital resources as primary curriculum materials by 2017. This access shall include open education resources developed in North Carolina and elsewhere, the provision of banks of formative and benchmarked test items aligned to State curriculum standards, and other resources to meet the needs of students and teachers.

**SECTION 5.** Provide Professional Development for Education Leaders. – The State Board of Education shall support professional learning for education leaders in each local school administrative unit, including superintendents, principals, and others responsible for leading digital learning initiatives and providing coaching and support for teachers as they transition to digital learning practices in the classroom.

**SECTION 6.** Support Model Digital Learning Innovations. – The State Board of Education shall establish a grant program to support the development and dissemination of innovative local school administrative unit digital learning models. This program shall provide grants to local school administrative units for the development of innovative initiatives that incorporate technological elements into the learning model, including competency-based learning, personalized learning, anytime and anywhere learning opportunities, and assessments integrated into learning activities, along with innovative models of professional development, strategic staffing, equity of access, and other approaches to digital learning. Each grant agreement shall have a provision encouraging recipients to collaborate across local school administrative units and collaborate with charter schools, community colleges, universities, and other partners. The State Board shall provide for flexibility waivers for grant recipients to address potential barriers to planned innovations. Each grant agreement shall have a provision requiring recipients to do each of the following:

- (1) To evaluate, document, and disseminate chosen approaches and results.
- (2) To host visits by teams from other local school administrative units.
- (3) To support partner local school administrative units in planning and implementing digital learning.
- (4) To share what they have learned during regional or State summits on digital learning.



**SECTION 7.(a)** Establish the North Carolina Digital Learning Initiative. – The State Board of Education shall contract with the Friday Institute for Educational Innovation, as part of North Carolina State University, to establish the North Carolina Digital Learning Initiative (NCDLI) to support the implementation of the activities required by this act and other activities related to furthering the use of digital learning in K-12 public schools and public charter schools in the State. NCDLI shall have a director, appropriate staff, and an advisory board comprised of representatives of organizations and stakeholders involved in K-12 digital learning. NCDLI shall be responsible for, and shall be charged with, engaging selected organizations and educators from throughout North Carolina to contribute to fulfilling, all of the following functions:

- (1) Leveraging the capacities and expertise of the North Carolina Center for the Advancement of Teaching, MCNC, North Carolina New Schools, State agencies, local school administrative units, public charter schools, colleges, universities, regional education service agencies, professional organizations, nonprofit organizations, private sector organizations, and other appropriate entities to further the effective use of digital learning in K-12 public schools and public charter schools in all regions of the State.
- (2) Working with relevant State agencies to implement the collaborative procurement system required by Section 3 of this act.
- (3) Coordinating teams of educators and other stakeholders to establish standards and review procedures and to conduct the review, evaluation, development, and organization processes for the selection of digital education content.
- (4) Developing the request for proposals, defining the criteria, selecting the reviewers, organizing the review process, and monitoring recipients' progress for the grant initiatives.
- (5) Providing professional development programs for school and local school administrative unit leaders, instructional technology facilitators, library media specialists, lead teachers, information technology staff, and others involved in planning and implementing K-12 digital learning initiatives.
- (6) Furthering the development of capacities and providing resources to support K-12 digital learning in all regions of the State.
- (7) Directing the Department of Public Instruction in management and disbursement of funds made available to NCDLI, including State funds or funds from other sources, for supporting the purposes set forth in this act.

**SECTION 7.(b)** Reporting. - By January 1, 2016, and annually thereafter, NCDLI shall report to the State Board of Education, including the Special Committee on Digital Learning, on the activities set forth in this section.

**SECTION 8.** The provisions of this act are subject to the availability of funds for these purposes.

**SECTION 9.** This act is effective when it becomes law.





# HOUSE BILL 660: Transition to Personalized Digital Learning

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Horn, Saine, Jeter, Fraley  
**Analysis of:** PCS to First Edition  
H660-CSTC-29

**Date:** April 22, 2015  
**Prepared by:** Kara McCraw  
Committee Counsel

**SUMMARY:** *HB 660 would establish requirements for the State Board of Education to continue the transition to digital learning in North Carolina public schools, including the establishment of the North Carolina Digital Learning Initiative (NCDLI)*

*The PCS adds North Carolina New Schools as an entity the NCDLI should leverage the expertise and capacity of in furthering effective digital learning, and clarifies that the NCDLI shall direct the Department of Public Instruction in disbursement of funds related to digital learning.*

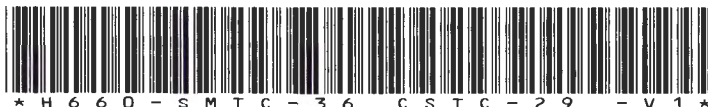
**CURRENT LAW:** S.L. 2013-12 stated the intent of the General Assembly to transition from funding for textbooks, both traditional and digital, to funding for digital materials, including textbooks and instructional resources, to provide educational resources that remain current, aligned with curriculum, and effective for all learners by 2017.

In 2013 and 2014, the General Assembly appropriated funds to develop a plan for this transition, and required the Department of Public Instruction to report on the implementation of this plan development to the Joint Legislative Education Oversight Committee and the Fiscal Research Division in January and August of 2015.

**BILL ANALYSIS:** The PCS for HB 660 would do the following:

- Further establish the intent to create programs that advance and accelerate the statewide transition to and effective implementation of digital learning through requiring the State Board of Education to do the following:
  - Expand the School Connectivity Initiative to support internal wired and wireless infrastructure and ancillary services and programs in all K-12 public school buildings.
  - Establish a collaborative procurement service to coordinate acquisition of technology infrastructure, devices, content, and professional services to capitalize on economies of scale and reduce burdens on individual local school administrative units (LEAs) in complying with E-Rate regulations.
  - Expand access to digital learning resources to all K-12 public schools, including open education resources, banks of formative and benchmarked test items aligned to State curriculum standards, and other resources.
  - Provide professional development for education leaders by supporting professional learning for education leaders in each LEA, including those responsible for leading digital learning initiatives, and coaching and support for teachers transitioning to digital learning practices in the classroom.
  - Support model digital learning innovations through a grant program to support the development and dissemination of innovative local school administrative unit digital learning models. Grants

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Director



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# House Bill 660

Page 2

would support LEAs in development of innovative initiatives that incorporate technological elements into the learning model, as well as models of professional development, strategic staffing, equity of access, and other approaches to digital learning. Grants would encourage collaboration and provide for flexibility waivers for grant recipients to address potential barriers to planned innovations.

- Establish the North Carolina Digital Learning Initiative (NCDLI) by contracting with the Friday Institute for Educational Innovation, as part of North Carolina State University, to support the implementation of the other requirements and other activities furthering the use of digital learning in K-12 public schools and public charter schools in the State.
- The NCDLI would be responsible for engaging selected organizations and educators from throughout North Carolina for the following purposes:
  - Leveraging the capacities and expertise of the North Carolina Center for the Advancement of Teaching, MCNC, North Carolina New Schools, State agencies, local school administrative units, public charter schools, colleges, universities, regional education service agencies, professional organizations, nonprofit organizations, private sector organizations, and other appropriate entities to further the effective use of digital learning.
  - Working with relevant State agencies to implement the collaborative procurement system.
  - Coordinating teams of educators and other stakeholders to establish standards and conduct reviews of processes for selection of digital education content.
  - Developing request for proposals, defining criteria, selecting reviewers, organizing the review process, and monitoring recipients' progress for the grant initiatives.
  - Providing professional development programs for school and LEA staff, and others involved in planning and implementing K-12 digital learning initiatives.
  - Furthering the development of capacities and providing resources to support K-12 digital learning in all regions of the State.
  - Directing the Department of Public Instruction in management and disbursement of funds for NCDLI, to support these purposes.

NCDLI must annually report, beginning January 1, 2016, to the State Board of Education, including the Special Committee on Digital Learning, on these activities.

The provisions of HB 660 are subject to the availability of funds for these purposes.

**EFFECTIVE DATE:** HB 660 would become effective when it becomes law.



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 660

Short Title: Transition to Personalized Digital Learning. (Public)

Sponsors: Representatives Horn, Saine, Jeter, and Fraley (Primary Sponsors).  
*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 14, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO FURTHER THE TRANSITION TO PERSONALIZED DIGITAL LEARNING  
3 IN ALL NORTH CAROLINA K-12 PUBLIC SCHOOLS; TO TRANSITION FROM  
4 TEXTBOOKS TO DIGITAL MATERIALS FOR ALL LEARNERS; AND TO REQUIRE  
5 THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT DIGITAL  
6 TEACHING AND LEARNING STANDARDS FOR TEACHERS AND SCHOOL  
7 ADMINISTRATORS.

8 Whereas, the State of North Carolina has contracted with the Friday Institute for  
9 Educational Innovation to develop a statewide K-12 Digital Learning Plan; and

10 Whereas, the analyses of relevant data, input from many stakeholders, and  
11 information obtained through visits to selected local school administrative units have led to the  
12 findings that contribute to this act; and

13 Whereas, digital learning innovations are driven at the local school administrative  
14 unit level and will take different forms and proceed at different speeds across units so that  
15 different units will need varying levels of guidance and support from the State and regional  
16 organizations; and

17 Whereas, the roles of the State include, but are not limited to, (i) providing  
18 statewide infrastructure and resources, (ii) leveraging federal E-Rate funding and economies of  
19 scale through statewide procurement, and (iii) providing models, guidance, and  
20 capacity-building programs to local school administrative units and regional organizations; and

21 Whereas, digital learning requires that all teachers and students have ready access to  
22 digital devices and reliable wireless connectivity; and

23 Whereas, the State's role is critical in putting into place the networking  
24 infrastructure required to provide equitable connectivity to all K-12 public schools; and

25 Whereas, North Carolina educators require tools to expand the use of digital  
26 education resources, to further collaboration and sharing of curriculum resources across schools  
27 and local school administrative units, and to allow for statewide coordination of teacher  
28 preparation and professional development programs; and

29 Whereas, the transition to digital learning requires that the State's K-12 education  
30 workforce update their knowledge and skills to lead, plan, manage, teach, evaluate, and  
31 communicate with digital awareness; and

32 Whereas, less than thirty percent (30%) of teachers in most local school  
33 administrative units report that they are sufficiently trained to fully utilize instructional  
34 technology; and



Whereas, investments in infrastructure, digital content, and educator capacity development will be required and will yield long-term returns on investments in terms of educational outcomes, increased graduation rates, and college and career readiness; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.** Intent. – The intent of this act is to create programs that advance and accelerate the statewide transition to and effective implementation of digital learning by supporting statewide technology infrastructure, exemplary implementation models, ancillary services and programs, and leadership capacity in all K-12 public schools in the State. The transition to using digital tools in the education system to fully harness the power of modern technology will impact all aspects of education, including course content, teaching methods, where and when learning takes place, what resources are required, and how success is defined and measured.

**SECTION 2.** Expand School Connectivity Initiative. – The State Board of Education shall expand the School Connectivity Initiative to support internal wired and wireless infrastructure and ancillary services and programs in all K-12 public school buildings.

**SECTION 3.** Establish Collaborative Procurement. – The State Board of Education shall establish a collaborative procurement service. This service shall function to coordinate acquisition of technology infrastructure, devices, content, and professional services in order to capitalize on economies of scale and reduce burdens on individual local school administrative units while complying with E-Rate regulations of the Federal Communications Commission.

**SECTION 4.** Expand Access to Digital Learning Resources. – The State Board of Education shall provide access to digital learning resources for all K-12 public schools to enable them to meet the requirements set forth in S.L. 2013-12 regarding the use of digital resources as primary curriculum materials by 2017. This access shall include open education resources developed in North Carolina and elsewhere, the provision of banks of formative and benchmarked test items aligned to State curriculum standards, and other resources to meet the needs of students and teachers.

**SECTION 5.** Provide Professional Development for Education Leaders. – The State Board of Education shall support professional learning for education leaders in each local school administrative unit, including superintendents, principals, and others responsible for leading digital learning initiatives and providing coaching and support for teachers as they transition to digital learning practices in the classroom.

**SECTION 6.** Support Model Digital Learning Innovations. – The State Board of Education shall establish a grant program to support the development and dissemination of innovative local school administrative unit digital learning models. This program shall provide grants to local school administrative units for the development of innovative initiatives that incorporate technological elements into the learning model, including competency-based learning, personalized learning, anytime and anywhere learning opportunities, and assessments integrated into learning activities, along with innovative models of professional development, strategic staffing, equity of access, and other approaches to digital learning. Each grant agreement shall have a provision encouraging recipients to collaborate across local school administrative units and collaborate with charter schools, community colleges, universities, and other partners. The State Board shall provide for flexibility waivers for grant recipients to address potential barriers to planned innovations. Each grant agreement shall have a provision requiring recipients to do each of the following:

- (1) To evaluate, document, and disseminate chosen approaches and results.
- (2) To host visits by teams from other local school administrative units.
- (3) To support partner local school administrative units in planning and implementing digital learning.



- 1 (4) To share what they have learned during regional or State summits on digital  
2 learning.

3 **SECTION 7.(a)** Establish the North Carolina Digital Learning Initiative. – The  
4 State Board of Education shall contract with the Friday Institute for Educational Innovation, as  
5 part of North Carolina State University, to establish the North Carolina Digital Learning  
6 Initiative (NCDLI) to support the implementation of the activities required by this act and other  
7 activities related to furthering the use of digital learning in K-12 public schools and public  
8 charter schools in the State. NCDLI shall have a director, appropriate staff, and an advisory  
9 board comprised of representatives of organizations and stakeholders involved in K-12 digital  
10 learning. NCDLI shall be responsible for, and shall be charged with, engaging selected  
11 organizations and educators from throughout North Carolina to contribute to fulfilling, all of  
12 the following functions:

- 13 (1) Leveraging the capacities and expertise of the North Carolina Center for the  
14 Advancement of Teaching, MCNC, State agencies, local school  
15 administrative units, public charter schools, colleges, universities, regional  
16 education service agencies, professional organizations, nonprofit  
17 organizations, private sector organizations, and other appropriate entities to  
18 further the effective use of digital learning in K-12 public schools and public  
19 charter schools in all regions of the State.  
20 (2) Working with relevant State agencies to implement the collaborative  
21 procurement system required by Section 3 of this act.  
22 (3) Coordinating teams of educators and other stakeholders to establish  
23 standards and review procedures and to conduct the review, evaluation,  
24 development, and organization processes for the selection of digital  
25 education content.  
26 (4) Developing the request for proposals, defining the criteria, selecting the  
27 reviewers, organizing the review process, and monitoring recipients'  
28 progress for the grant initiatives.  
29 (5) Providing professional development programs for school and local school  
30 administrative unit leaders, instructional technology facilitators, library  
31 media specialists, lead teachers, information technology staff, and others  
32 involved in planning and implementing K-12 digital learning initiatives.  
33 (6) Furthering the development of capacities and providing resources to support  
34 K-12 digital learning in all regions of the State.  
35 (7) Managing any funds made available to NCDLI, including State funds or  
36 funds from other sources, for supporting the purposes set forth in this act.

37 **SECTION 7.(b)** Reporting. - By January 1, 2016, and annually thereafter, NCDLI  
38 shall report to the State Board of Education, Special Committee on Digital Learning, on the  
39 activities set forth in this section.

40 **SECTION 8.** The provisions of this act are subject to the availability of funds for  
41 these purposes.

42 **SECTION 9.** This act is effective when it becomes law.



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 661  
PROPOSED COMMITTEE SUBSTITUTE H661-CSTC-25 [v.4]

4/22/2015 8:43:07 PM

Short Title: Teacher Recruitment and Scholarships.

(Public)

Sponsors:

Referred to:

April 14, 2015

A BILL TO BE ENTITLED  
AN ACT TO TRANSFORM EDUCATOR PREPARATION IN THIS STATE.

Whereas, the purpose of this act is to create a positive transformational force for the quality of education that students receive in North Carolina public schools by recruiting, preparing, and supporting at least 1,000 extraordinary teachers every year for the State's hardest to staff schools and classrooms; and

Whereas, based upon research demonstrating the pivotal importance of highly effective teachers in preparing every North Carolina student for success in college and careers, the General Assembly recognizes that enrollment in the State's traditional and nontraditional teacher preparation programs has declined significantly in recent years, and that local school administrative units struggle in particular schools and subject areas to recruit the top talent students need, particularly in low wealth areas and in science, math, and special education; and

Whereas, a crucial piece of providing an excellent educator for every student is a program dedicated to aggressive recruitment of top educator candidates, rigorous preparation, and incentives for teachers to serve in hard to staff schools and positions; and

Whereas, the General Assembly firmly believes that one of the best ways to elevate educators and make the teaching profession more attractive to highly talented individuals is to significantly raise the bar on qualifications, including cognitive and noncognitive traits, required to enter educator preparation programs; and

Whereas, the General Assembly supports the commitment by the Board of Governors of The University of North Carolina to improve the quality of Schools of Education within its constituent institutions, and is committed to furthering that work by targeting the State's financial support to top performing programs; and

Whereas, to support these commitments, this act provides funds and guidelines to establish a recruitment and scholarship program for talented North Carolina high school students, college students, and working professionals to pursue rigorous training for service as teacher leaders in high need positions and schools in North Carolina; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** Article 23 of Chapter 116 of the General Statutes is amended by adding a new Part to read:

"Part 3.

"North Carolina Competitive Teaching Scholarship Loan Program.

**"§ 116-209-60. Definitions.**

The following definitions apply in this Part:



\* H 6 6 1 - C S T C - 2 5 - V - 4 \*





- (1) Commission. – The North Carolina Competitive Teaching Scholarship Loan Commission.
- (2) Director. – The Director of the North Carolina Competitive Teaching Scholarship Loan Program.
- (3) Fund. – The North Carolina Competitive Teaching Scholarship Loan Fund.
- (4) Program. – The North Carolina Competitive Teaching Scholarship Loan Program.
- (5) Scholarship loan. – A forgivable scholarship loan made under the Program.
- "§ 116-209.61. North Carolina Competitive Teaching Scholarship Loan Commission established; membership.**
- (a) Commission established. – There is established the North Carolina Competitive Teaching Scholarship Loan Commission. The Director of the North Carolina Competitive Teaching Scholarship Loan Program shall staff the Commission. The Authority shall be responsible for implementing scholarship loan agreements, monitoring, cancelling through service, collecting and otherwise enforcing the agreements for the Program scholarship loans established in accordance with this Part.
- (b) Membership. – The Commission shall consist of 11 members appointed or shall serve ex officio as follows:
- (1) One dean of an approved school of education at a postsecondary constituent institution of The University of North Carolina, appointed by the President of The University of North Carolina.
- (2) One dean of an approved school of education at a private postsecondary institution operating in the State, appointed by the President of the North Carolina Independent Colleges and Universities, Inc.
- (3) The North Carolina Teacher of the Year, ex officio.
- (4) A teacher who graduated from an approved teacher preparation program located in the State within three years of appointment to serve on the Commission, appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives.
- (5) The North Carolina Principal of the Year, ex officio.
- (6) A principal, appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate.
- (7) The North Carolina Superintendent of the Year, ex officio.
- (8) One member to represent business and industry appointed by the Governor.
- (9) One local school board member appointed by the chair of the State Board of Education.
- (10) The chairperson of the Board of the State Education Assistance Authority, ex officio.
- (11) The director of the North Carolina Competitive Teaching Scholarship Loan Program, ex officio. The director shall chair the Commission.
- (c) Terms of Office. – Appointments to the Commission shall be for two year term, expiring on July 1 in odd-numbered years. Members serving ex officio, other than the chairperson of the Board of the State Education Assistance Authority and director of the North Carolina Competitive Teaching Scholarship Program, who have otherwise completed their term of service shall continue to serve on the Commission until July 1, annually.
- (d) Vacancies. – Except as otherwise provided, if a vacancy occurs in the membership, the appointing authority shall appoint another person to serve for the balance of the unexpired term.
- (e) Expenses. – Commission members shall receive per diem, subsistence, and travel allowances in accordance with G.S. 138-5 or G.S. 138-6, as appropriate.





(f) Meetings. – The Commission shall meet regularly, at times and places deemed necessary by the chair.

**"§ 116-209.62. North Carolina Competitive Teaching Scholarship Program established; administration.**

(a) Program. – There is established the North Carolina Competitive Teaching Scholarship Loan Program to be administered by the Authority in collaboration with the Commission. The purpose of the Program is to recruit, prepare and support North Carolina residents for preparation as highly effective teachers serving in hard to staff licensure areas and hard to staff schools. The Program shall be used to provide a scholarship loan to individuals interested in preparing to teach in the public schools of the State in hard to staff licensure areas and hard to staff schools.

(b) Fund. – There is established the North Carolina Competitive Teaching Scholarship Program Fund to be administered by the Authority. The purpose of the Fund is to provide financial assistance to qualified students for completion of teacher education and licensure programs to fill hard to staff licensure areas and hard to staff schools in the State. All funds appropriated to or otherwise received by the Authority to provide loans through the Program, all funds received as repayment of loans, and all interest earned on these funds shall be placed in the Fund. The Fund shall be used only for loans made pursuant to this section and for administrative costs of the Authority.

(c) Director. – The board of directors of the Authority shall appoint a Director of the Program. The Director shall chair and staff the Commission, and shall be responsible for recruitment and coordination of the Program including proactive, aggressive and strategic recruitment of potential recipients, active engagement with educators, business leaders, experts in human resources, elected official, and other community leaders throughout the State, and attracting candidates in hard to staff licensure areas. The Authority shall provide office space and clerical support staff for the Program.

(d) Student Selection Criteria. – The Commission shall determine selection criteria, methods of selection, and shall select recipients to receive scholarship loans. The Commission shall adopt stringent standards for awarding these scholarship loans based on multiple measures to ensure that only the strongest applicants receive them, including, but not limited to the following:

- (1) Grade point averages.
- (2) Performance on relevant career and college readiness assessments.
- (3) Experience, accomplishments, and other criteria demonstrating qualities positively correlated with highly effective teachers.
- (4) Stated commitments to either serving in a hard to staff school or licensure in a hard to staff licensure area for a minimum of four years.

(e) Program Selection Criteria. – The Authority shall administer the program in cooperation with selected institutions of higher education with educator preparation programs selected by the Commission, including North Carolina community colleges, postsecondary constituent institutions of The University of North Carolina, and private postsecondary institution operating in the State. The Commission shall adopt stringent standards for selection of only the most effective educator preparation, including, but not limited to, the following:

- (1) Measures of program quality based on objective criteria developed by third parties.
- (2) Measurable impact of prior graduates on student learning, including impact of graduates teaching in hard to staff schools, and graduates teaching in hard to staff licensure areas.
- (3) Demonstration of appropriate program accreditation and program approval by the State Board of Education.





(4) Measurable success of the program's clinical component based on student outcomes on a nationally normed and valid pedagogy assessment to determine clinical practice performance.

(f) Awards. – The Program shall provide scholarship loans to selected students to be used at selected institutions for completion of a program leading to teacher licensure as follows:

(1) North Carolina high school seniors. – Scholarship loans of up to eight thousand dollars (\$8,500) per year for up to four years.

(2) Community college students applying for transfer to an educator preparation program at an institution of higher education. – Scholarship loans of up to eight thousand dollars (\$8,500) per year for up to two years.

(3) Individuals currently holding a bachelor's degree seeking preparation for teacher licensure. – Scholarship loans of up to eight thousand dollars (\$8,500) per year for up to two years.

Scholarship loans may be used for tuition, fees, and the cost of books.

(g) Identification of hard to staff licensure areas and hard to staff schools. – The State Board of Education shall annually identify and provide to the Commission and the Authority a list of hard to staff areas of licensure, and a list of hard to staff schools by local school administrative unit using, at a minimum, the following criteria to identify those lists:

(1) Hard to staff licensure areas. – The number of available positions in a licensure area relative to the number of current and anticipated teachers in that area of licensure.

(2) Hard to staff school. – Annual teacher turnover rates, number and percentage of teaching positions unfilled for more than half of the school year, number and percentage of teachers with entry professional educator licenses intended for teachers with 2 or less years of teaching experience, percentage of students at school failing to meet expected growth, percentage of students at school scoring below grade level on standardized assessments, and school performance grade on the annual school report card.

The Commission shall make the list readily available to applicants. A student awarded a scholarship loan who enrolls in a program leading to a hard to staff licensure area shall continue to receive the scholarship and be permitted to fulfill the requirements of the scholarship loan even if that licensure area does not remain on the list following the student's year of enrollment. A student awarded a scholarship loan who, upon graduation, is employed by a local board of education to teach in a hard to staff school shall be permitted to fulfill the requirements of the scholarship loan even if that school does not remain on the list following the student's year of initial employment.

(h) Upon the naming of recipients of the scholarship loans by the Commission, the Commission shall transfer to the Authority its decisions. The Authority, in coordination with the Director, shall perform all of the administrative functions necessary to implement this Article, which functions shall include: rule making, dissemination of information, disbursement, receipt, liaison with participating educational institutions, determination of the acceptability of service repayment agreements, and all other functions necessary for the execution, payment, and enforcement of promissory notes required under this Article.

(i) Annual Report. – The Commission, in coordination with the Authority, shall report no later than January 1, 2017, and annually thereafter to the Joint Legislative Education Oversight Committee regarding the following:

(1) Loans awarded from the Fund, including the following:

a. Demographic information regarding recipients.

b. Number of recipients by institution of higher education and program.

c. Information on number of recipients by anticipated program licensure area.





- (2) Placement and repayment rates, including the following:
- a. Number of graduates who have been employed in a hard to staff school and number of graduates who have been employed in a hard to staff area within two years of program completion.
  - b. Number of graduates who have begun loan repayment, including years of service, if any, prior to beginning loan repayment, including information as to whether the person was designated as hard to staff area or hard to staff subject loan.
  - c. Number of graduates who have fulfilled service requirements through employment in a hard to staff school and number of graduates who have fulfilled service requirements through employment hard to staff area.
  - d. Number of graduates employed in a hard to staff school or hard to staff area who have received an overall rating of at least accomplished and of meeting expected growth on applicable standards of the teacher evaluation instrument.
  - e. Aggregate information on student growth and proficiency in courses taught by graduates who have fulfilled service requirements through employment in a hard to staff school and in a hard to staff area.
- (3) Selected school outcomes, by program, including the following:
- a. Turnover rate for scholarship loan graduates.
  - b. Aggregate information on student growth and proficiency in courses taught by scholarship loan graduates.
  - c. Fulfillment rate of scholarship loan graduates.

**"§ 116-209.63. Terms of loans; receipt and disbursement of funds.**

(a) Notes. – All scholarship loans shall be evidenced by notes made payable to the Authority that bear interest at a rate not to exceed ten percent (10%) per year as set by the Authority and beginning 90 days after completion of the program leading to teacher licensure, or 90 days after termination of the scholarship loan, whichever is earlier. The scholarship loan may be terminated upon the recipient's withdrawal from school or by the recipient's failure to meet the standards set by the Commission.

(b) Forgiveness. – The Authority shall forgive the loan and any interest accrued on the loan if, within seven years after graduation from a program leading to teacher licensure, exclusive of any authorized deferment for extenuating circumstances, the recipient serves for four years as a teacher at a North Carolina public school identified as hard to staff or at a North Carolina public school in an identified hard to staff area of licensure, as provided in G.S. 116-209.61(d). The Authority shall also forgive the loan if it finds that it is impossible for the recipient to work for four years, within seven years after completion of the program leading to teacher licensure at a North Carolina public school because of the death or permanent disability of the recipient. If the recipient repays the scholarship loan by cash payments, all indebtedness shall be repaid within 8 years after completion of the program leading to teacher licensure supported by the scholarship loan. If the recipient completes program leading to teacher licensure, payment of principal and interest shall begin no later than 27 months after the completion of the program. Should a recipient present extenuating circumstances, the Authority may extend the period to repay the loan in cash to no more than a total of 12 years.

(c) Purposes of Fund. – All funds appropriated to, or otherwise received by, the Program for scholarships, all funds received as repayment of scholarship loans, and all interest earned on these funds, shall be placed in the Fund. The Fund may be used only for scholarship loans granted under the Program and administrative costs associated with Program, including recruitment and recovery of funds advanced under the program."



1           **SECTION 1.(b)** Notwithstanding the requirements established in G.S. 116-209.61,  
2 as enacted by this section, initial appointments to the Commission shall be made no later than  
3 August 15, 2015. Initial appointment to the Commission shall expire July 1, 2017.

4           **SECTION 1.(c)** The Commission shall establish initial selection criteria for  
5 recipients and institutions of higher education no later than November 15, 2015, and shall make  
6 available applications to prospective students no later than December 31, 2015.

7           **SECTION 1.(d)** The State Board of Education shall establish criteria and identify  
8 hard to staff areas of licensure and hard to staff schools by local school administrative units and  
9 provide that information to the Commission and Authority no later than November 1, 2015.

10          **SECTION 1.(e)** The Commission shall select recipients and award the initial  
11 scholarship loans for the 2016-2017 school year no later than April 1, 2016.

12          **SECTION 1.(f)** There is appropriated from the General Fund to the North Carolina  
13 State Education Assistance Authority (Authority) the sum of two hundred thousand dollars  
14 (\$200,000) for the 2015-2016 fiscal year for establishment of the Program and the sum of one  
15 million dollars (\$1,000,000) for the 2016-2017 fiscal year in recurring funds to implement the  
16 requirements of this section. Beginning in 2016-2017, the Authority may retain up to two  
17 hundred thousand dollars (\$200,000) of the appropriated funds for the salary of the Director of  
18 the Program and other administrative costs. Any unexpended funds for this purpose shall not  
19 revert at the end of each fiscal year but shall remain available to award scholarship grants to  
20 eligible students.

21          **SECTION 2.** This act becomes effective July 1, 2015.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 661

Short Title: Teacher Recruitment and Scholarships.

(Public)

Sponsors: Representatives Horn, Langdon, Elmore, and Bryan (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12, if favorable, Appropriations.

April 14, 2015

A BILL TO BE ENTITLED  
AN ACT TO TRANSFORM EDUCATOR PREPARATION IN THIS STATE.

The General Assembly of North Carolina enacts:

**SECTION 1.** Purpose. – The purpose of this act is to create a positive transformational force for the quality of education that students receive in North Carolina public schools by recruiting, preparing, and supporting at least 1,000 extraordinary teachers every year for the State's hardest-to-staff schools and classrooms. Based upon research demonstrating the pivotal importance of highly effective teachers in preparing every North Carolina student for success in college and careers, the General Assembly recognizes that enrollment in the State's traditional and nontraditional teacher preparation programs has declined significantly in recent years, and that local school administrative units struggle in particular schools and subject areas to recruit the top talent students need, particularly in low-wealth areas and in science, math, and special education. A crucial piece of providing an excellent educator for every student is a program dedicated to aggressive recruitment of top educator candidates, rigorous preparation, and incentives for teachers to serve in hard-to-staff schools and positions. The General Assembly firmly believes that one of the best ways to elevate educators and make the teaching profession more attractive to highly talented individuals is to significantly raise the bar on qualifications, including cognitive and noncognitive traits, required to enter educator preparation programs.

Further, the General Assembly supports the commitment by the Board of Governors of The University of North Carolina to improve the quality of Schools of Education within its constituent institutions, and is committed to furthering that work by targeting the State's financial support to top-performing programs. To support these commitments, this act provides funds and guidelines to establish a recruitment and scholarship program for talented North Carolina high school students, college students, and working professionals to pursue rigorous training for service as teacher leaders in high-need positions and schools in North Carolina.

**SECTION 2.** Definitions. – For the purposes of this act, the following definitions apply:

- (1) Approved preparation program. – An educator preparation program at a community college as defined in G.S. 115D-2(2), a constituent institution as defined in G.S. 116-4, or an independent nonprofit educator preparation program that meets eligibility criteria developed by the State Education Assistance Authority (Authority), including evidence of success in preparing highly effective teachers for hard-to-staff schools and positions in North Carolina.





(2) Eligible individual. – A senior enrolled in a North Carolina high school; a second-year student enrolled in a community college as defined in G.S. 115D-2(2) or a constituent institution as defined in G.S. 116-4; or a working professional who is committed to teaching in North Carolina public schools.

(3) Hard-to-staff school. – A public school, including a charter school, in North Carolina that appears on the State Board of Education's list of "hard-to-staff" schools developed in accordance with Section 5 of this act.

(4) Hard-to-staff position. – Any grade level or subject area in North Carolina public schools that appears on the State Board of Education's list of "hard-to-staff" positions developed in accordance with Section 5 of this act.

**SECTION 3.** Program Authorized. – The State Education Assistance Authority (Authority) shall recruit and award scholarship loans to eligible individuals who wish to enroll in an approved preparation program for demanding preparation to teach in a hard-to-staff school or position in a North Carolina public school. The program shall provide for multiple routes to enter teaching in North Carolina, such as traditional four-year educator preparation programs, Masters of Arts in Teaching program, and alternative fast-track preparation programs with a record of success in preparing highly effective teachers. Graduates of approved preparation programs under this act shall be eligible for North Carolina teaching licenses, alternative or traditional, pursuant to G.S. 115C-296. The Authority shall focus on the following groups of individuals in recruiting participants for the program:

(1) North Carolina high school seniors who wish to enroll in a traditional educator preparation program.

(2) Students enrolled in a community college, as defined in G.S. 115D-2(2), or a constituent institution, as defined in G.S. 116-4, who are pursuing a degree in a hard-to-staff field.

(3) Working professionals with expertise in hard-to-staff subject areas in North Carolina.

**SECTION 4.** Eligibility Criteria. – The Authority shall establish eligibility criteria for the program as follows:

(1) For eligible individuals. – Rigorous standards for awarding scholarship loans to eligible individuals within each group described in subdivisions (1) through (3) of Section 3 of this act, including scores on relevant career- and college-readiness assessments, course Grade Point Averages (GPAs), experience, and accomplishments, as well as individual mindset, beliefs, and competencies positively correlated with future success helping all students succeed academically.

(2) For approved preparation programs. – Rigorous standards for approved preparation programs to enroll scholarship recipients, including, but not limited to, the program's rating on the UNC Teacher Quality Dashboard, the impact that graduates of each teacher preparation program have on Pre-K and K-12 student learning, measures associated with national accreditation such as the Council for the Accreditation of Educator Preparation (CAEP), the strength of the program's residency component, and the program's prior success in preparing highly effective teachers for hard-to-staff schools and positions.

**SECTION 5.** State Board of Education Identification of "Hard-to-Staff" Schools and Positions. – The State Board of Education shall on an annual basis identify "hard-to-staff schools" and "hard-to-staff positions" that shall govern eligible courses of study and placements for all scholarship recipients. In making those determinations, the State Board shall consider the following:

(1) For "hard-to-staff schools," considerations shall include, at a minimum, the school's letter grade or grades on the North Carolina School Report Card, including the percentage of students at the school scoring below grade level on State standardized assessments and the percentage of students failing to meet expected academic growth; annual rates of teacher turnover; and the percentage of teachers at the school with provisional or temporary licenses.

(2) For "hard-to-staff positions," considerations shall include, at a minimum, the number of available positions in a grade or subject relative to the number of anticipated teachers licensed in that grade or subject.

**SECTION 6.** Application Process and List of Approved Preparation Programs. –

The Authority shall establish an application process for scholarship loans no later than December 31, 2015, and shall determine the schedule for applications and scholarship awards on at least an annual basis thereafter. The Authority shall establish an initial list of approved preparation programs no later than December 31, 2015, and shall update the list on an annual basis thereafter.

**SECTION 7.** There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of one million dollars (\$1,000,000) for the 2015-2016 fiscal year and the sum of one million dollars (\$1,000,000) for the 2016-2017 fiscal year to allocate to the Authority to implement the provisions of this act. The Authority may supplement State funds appropriated under this act with donations from foundations, corporations, individuals, or other sources. All funds appropriated to or otherwise received by the Authority for scholarships from sources other than State funds, all funds received as repayment of scholarship loans, and all interest earned on these funds, shall be deposited in the North Carolina Education Endowment Fund established pursuant to G.S. 115C-472.16. Of the funds allocated to the Authority under this act, the Authority shall prioritize the use of funds as follows:

(1) Recruitment. – The Authority shall develop and implement a proactive, aggressive and strategic recruitment plan for talented high school students, students enrolled in institutions of higher education, and working professionals across North Carolina that includes the following:

a. Active engagement of educators, business leaders, senior human resources experts from North Carolina businesses, elected officials, and other community leaders in multiple regions of the State in the recruitment and selection process.

b. Focus on attracting candidates who are working or pursuing a degree in a hard-to-staff field, such as science, technology, engineering and math, as well as candidates from minority backgrounds.

(2) Scholarship loans. – The Authority shall award scholarship loans in the amount of eight thousand five hundred dollars (\$8,500) per year for each year the recipient is enrolled in an approved preparation program.

(3) Administration of the program. – The Authority may use up to two hundred thousand dollars (\$200,000) each fiscal year for administration of the program.

**SECTION 8.** Loan Forgiveness. – The Authority shall forgive a scholarship loan if, within seven years after graduation, the recipient enters the teaching profession in a hard-to-staff school or position in North Carolina and remains in a hard-to-staff school or position for at least four years. However, the Authority shall not recall the loan if the hard-to-staff school or position no longer appears on the State Board of Education's list of "hard-to-staff" schools or "hard-to-staff" positions as provided for by Section 5 of this act after the recipient accepts that position. The Authority shall also forgive the loan if it finds that it is

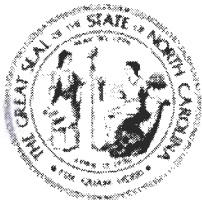


1 impossible for the recipient to teach for four years, within seven years after graduation, at a  
2 North Carolina public school because of the death or permanent disability of the recipient.

3 **SECTION 9.** Reporting Requirements. – By August 1, 2016, and annually  
4 thereafter, the Authority shall submit a report to the General Assembly regarding the results of  
5 the scholarship program. In preparation of its report, the Authority shall work with scholarship  
6 recipients and eligible preparation programs as needed to enable the collection, analysis, and  
7 evaluation of at least the following relevant data, within necessary privacy constraints:

- 8 (1) The percentage of scholarship recipients who are placed as teachers in  
9 hard-to-staff schools and positions in the State within two years.
- 10 (2) The percentage of scholarship recipients who receive a rating of effective or  
11 above on the North Carolina Teacher Evaluation instrument.
- 12 (3) Teacher turnover in general and in hard-to-staff positions and schools among  
13 scholarship recipients, by preparation program.
- 14 (4) Student achievement growth and proficiency in classrooms taught by  
15 scholarship recipients.

16 **SECTION 10.** This act becomes effective July 1, 2015.



## HOUSE BILL 661: Teacher Recruitment and Scholarships

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12, if favorable, Appropriations	<b>Date:</b>	April 23, 2015
<b>Introduced by:</b>	Reps. Horn, Langdon, Elmore, Bryan	<b>Prepared by:</b>	Kara McCraw Committee Counsel
<b>Analysis of:</b>	PCS to First Edition H661-CSTC-25		

**SUMMARY:** *HB 661 creates a scholarship program for preparation of teachers in hard to staff licensure areas and for hard to staff schools.*

*The PCS for HB 661 codifies the scholarship programs and creates a Commission to establish selection criteria for scholarships and schools.*

**BILL ANALYSIS:** The PCS for HB 661 would establish the North Carolina Competitive Teaching Scholarship Loan Program (Program) as follows:

- **Purpose:** The Program must recruit, prepare, and support North Carolina residents for preparation as highly effective teachers to serve in hard to staff licensure areas and hard to staff schools by providing a scholarship loan to those individuals to attend selected highly effective educator preparation programs.
- **Administration:** The Program is administered by the North Carolina State Education Assistance Authority (Authority) in collaboration with the North Carolina Competitive Teaching Scholarship Loan Commission (Commission). The Director of the Commission is responsible for recruitment and coordination of the program, including recruiting students and engaging with the community.
- **Commission:** The Commission is established to develop criteria and select students and programs for participation in the Program. The 11 member Commission includes the following:
  - A dean of a UNC institution School of Education, appointed by the President of The University of North Carolina.
  - A dean of a School of Education at a private college or university in the State, appointed by the President of the North Carolina Independent Colleges and Universities.
  - The North Carolina Teacher of the Year.
  - A teacher who graduated from a teacher education program in the State within the last 3 years, appointed by the General Assembly, upon the recommendation of the Speaker of the House of Representatives.
  - The North Carolina Principal of the Year.
  - A principal, appointed by the General Assembly, upon the recommendation of the President Pro Tempore of the Senate.
  - The North Carolina Superintendent of the Year.
  - A member representing business and industry, appointed by the Governor.
  - A local board of education member appointed by the State Board of Education.
  - The chair of the Board of the Authority.

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Director



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# House Bill 661

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- The director of the Program, who shall serve as chair.
- **Commission Responsibilities.** – The Commission is responsible for determining stringent selection standards for the following:
  - Scholarships and selection of student recipients. – Standards must be based on multiple measures, including GPA, performance on relevant assessment, experience, accomplishments and other criteria demonstrating qualities correlated with highly effective teaching.
  - Educator Preparation Program where selected students may attend. – Standards must be based on multiple measures, including objective measures of program quality, measurable impact of graduates on student learning, program accreditation, and measurable success of the program's clinical component.
- **Awards.** – Scholarships of up to \$8,500 per year are awarded to students to attended selected educator preparation programs for completion of a program leading to teacher licensure as follows:
  - High school seniors – Up to 4 years.
  - Community college students applying for transfers to an educator preparation program: Up to 2 years.
  - Individuals with bachelor's degrees seeking preparation: Up to 2 years.
- **Scholarship terms.** – Recipients must commit to teaching 4 years in a hard to staff school or hard to staff licensure area in North Carolina. A recipient who fails to fulfill the 4 year commitment within 7 years of graduation must repay the loan. The Authority may forgive a loan under certain extenuating circumstances.
- **Determination of hard to staff schools and licensure areas.** - The State Board of Education (SBE) must annually develop a list of hard to staff schools and licensure areas based on at least the following criteria:
  - Hard to staff schools: Annual teacher turnover rates, teaching positions unfilled for more than half of the school year, teachers with entry professional educator licenses, percentage of students failing to meet expected growth, percentage of students scoring below grade level on standardized assessments, and school performance grade on the annual school report card.
  - Hard to staff licensure areas: Number of available positions in a licensure area relative to the number of current and anticipated teachers in that area of licensure.
- **Reporting.** – The Commission and Authority must annually report to the Joint Legislative Education Oversight Committee on information about the Program, including loans awarded, placement and repayment rates, and selected school outcomes, by program.
- **Initial Awards.** – Scholarship applications would be available by December 31, 2015, and initial scholarships would be awarded by April 1, 2016.
- **Appropriation.** – For the 2015-2016 fiscal year, \$200,000 is appropriated to establish the Program. For the 2016-2017 fiscal year, \$1 million in recurring funds is appropriated, with \$200,000 available for administrative costs. Funds may be supplemented from donations.

**EFFECTIVE DATE:** HB 661 would become effective July 1, 2015.



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 662

Short Title: NC Elevating Educators Act of 2015. (Public)

Sponsors: Representatives Horn, Bryan, Langdon, and Lucas (Primary Sponsors).  
*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 14, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A MULTI-YEAR PROGRAM TO PROVIDE FOR EXCELLENT  
3 TEACHERS AND HIGH-QUALITY DIGITAL INSTRUCTION; AND TO PROVIDE  
4 FOR FINANCIALLY STABLE ADVANCED TEACHING ROLES FOR K-12  
5 CLASSROOM TEACHERS.

6 Whereas, it is the goal of the General Assembly to provide all students in the State  
7 of North Carolina with an excellent, high-quality public education; and

8 Whereas, the General Assembly recognizes the importance of attracting and  
9 retaining the nation's best teachers by supporting local school administrative units in  
10 transitioning to locally designed, financially sustainable organizational structures, including  
11 professional compensation models for teachers; and

12 Whereas, the General Assembly finds it necessary to allocate essential resources  
13 into the classroom and to allow classroom teachers freedom and flexibility while promoting  
14 innovation; and

15 Whereas, it is the desire of the General Assembly to provide universal access to  
16 excellent teaching and high-quality digital instruction by granting students, educators, and  
17 parents increased access to high-quality digital instructional tools to propel 21st century  
18 learning; and

19 Whereas, the General Assembly wishes to provide well-paid, financially sustainable  
20 advanced teaching roles for teachers in North Carolina within existing budget constraints while  
21 offering models and best practices in order to establish a statewide scale-up of professional  
22 compensation models that reach students in every North Carolina public school by 2020; Now,  
23 therefore,

24 The General Assembly of North Carolina enacts:

25 **SECTION 1.(a)** Purpose. – The General Assembly shall establish a multi-year  
26 program to support local school administrative units in transitioning to universal access for  
27 students to excellent teaching and high-quality digital instruction and to provide for well-paid,  
28 financially sustainable advanced teaching roles for K-12 classroom teachers. The purpose of  
29 the program shall be to do at least the following:

- 30 (1) Enable local school administrative units to prototype advanced teaching  
31 roles and pay systems for classroom teachers, in addition to base salary and  
32 other applicable local supplements, based on a classroom teacher's  
33 demonstrated effectiveness and additional responsibilities in reaching more  
34 students.



(2) Establish advanced teaching roles in order to leverage excellent classroom teachers to impact at least seventy-five percent (75%) of students in core subjects by becoming a leader for peers in positions formally accountable for students within their purview and by implementing age-appropriate blended learning and other new staffing models. Advanced teaching roles shall focus on rewarding excellent teaching with more pay while staying within regular budgetary restraints.

(3) Utilize prototypes developed in accordance with the program to form the basis for public schools statewide to provide advanced teaching roles that are sustainable and within the recurring budgets of local school administrative units.

**SECTION 1.(b) Definition.** – For the purposes of this act, a classroom teacher is a teacher who works in the classroom providing instruction and who is not instructional support personnel.

**SECTION 2. Contract for Administration of the Program.** – The State Board of Education shall contract with a North Carolina private, nonprofit corporation (nonprofit corporation), by August 1, 2015, to administer the provisions of this act. Any nonprofit corporation that the State Board of Education contracts with to administer the provisions of this act shall adhere to the following governance provisions related to its governing board and reporting requirements:

(1) The board shall be composed of 11 voting members as follows: two members appointed by the chairman of the State Board of Education, one member of the eLearning Commission, three public school educators, three members of the business community, one member appointed by the Speaker of the House of Representatives, and one member appointed by the President Pro Tempore of the Senate.

(2) By December 15, 2016, and annually thereafter, until the conclusion of all prototype development efforts, including a second cohort as described in Section 5 of this act, the nonprofit corporation shall report on all aspects of the implementation and evaluation of the advanced teaching roles prototype plans in accordance with this act to the offices of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Senate Appropriations/Base Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Fiscal Research Division, the Joint Legislative Education Oversight Committee, the Governor, the Lieutenant Governor, the State Superintendent of Public Instruction and the State Board of Education. The nonprofit corporation shall also submit quarterly updates to the offices of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Chairs of the Senate Appropriations/Base Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Subcommittee on Education, and the Fiscal Research Division on financial accounting of how the State funds appropriated to the nonprofit corporation to administer this act were expended in the previous year, including at least the following information:

- a. Funds expended as grants to local school administrative units.
- b. Details on program costs, including operational and administrative costs.



**SECTION 3.(a)** Request for Proposal. – By October 1, 2015, the nonprofit corporation contracting with the State Board of Education shall issue a Request for Proposal (RFP) for local boards of education to develop advanced teaching role prototypes. The RFP is to contain minimum requirements for advanced roles for classroom teachers consistent with this section. The criteria is to focus on the leadership capacity and commitment of the local school administrative unit to develop advanced teaching roles that meet the requirements of this section and that will be widely applicable across the State as demonstrated by prior efforts to advance teaching excellence, on-the-job development for classroom teachers, classroom teacher leadership or innovation in school design, and by indication of willingness to reallocate funds to pay at least the minimum supplements set forth in this section. A local board of education shall submit a letter of intent in response to the RFP to implement an advanced teaching role plan that addresses the following criteria:

- (1) Describe advanced teaching role classroom teacher eligibility and duties.
- (2) Enable eligible classroom teachers to progress within their careers by assuming advanced roles that do at least one of the following:
  - a. Include accountability for student growth as the teacher of record for all students served by a team of teachers.
  - b. Include accountability for student growth as the teacher of record for more students.
- (3) Provide information in a form readily accessible to both classroom teachers and the public on the criteria and procedures for the selection of classroom teachers for advanced roles.
- (4) Require a classroom teacher to be rated as "highly effective" on the North Carolina Teacher Evaluation instrument through the North Carolina Educator Evaluation System or the equivalent on an out-of-state teacher's state or district instrument to be eligible to assume an advanced teaching role. For the purposes of this act, a highly effective classroom teacher is a classroom teacher who receives a rating of at least "accomplished" on each of the teacher evaluation standards on the North Carolina Teacher Evaluation instrument and who exceeds expected student growth based on three years of teacher evaluation data as calculated by the State Board of Education or equivalent on an out-of-state teacher's state or district evaluation system. The nonprofit corporation shall encourage local school administrative units to include roles and pay supplements for effective classroom teachers, school leaders, and other staff as well.
- (5) Increase the amount of time during the school day for advanced role classroom teachers and teacher teaching teams, if applicable, to plan, collaborate and participate in on-the-job development or leadership of others.
- (6) Establish equally stringent eligibility requirements for a classroom teacher to remain in an advanced role as those required to initially attain that role.
- (7) Establish a procedure for determining whether an advanced role classroom teacher is successfully performing the additional duties associated with the advanced role.
- (8) Ensure that advanced role classroom teachers may opt out of the plan by voluntarily relinquishing additional duties associated with the advanced role. Voluntary relinquishment of duties associated with the advanced role shall not be considered a demotion under Part 3 or Part 3A of Article 22 of Chapter 115C of the General Statutes.
- (9) Pay advanced role salary supplements of at least between three percent (3%) and thirty percent (30%) of the statewide average salary level of classroom

teachers on the State teacher salary schedule to highly effective classroom teachers of at least the following:

- a. An additional ten percent (10%) for those who assume advanced roles in which they take responsibility for at least thirty-three percent (33%) more students than the typical student-teacher ratio of comparable classroom teachers in the local school administrative unit.
- b. An additional twenty-five percent (25%) for those who lead teams of two or more other teachers and who are the teachers of record for all students served by the teaching team.
- c. An additional three percent (3%) for those classroom teachers that join teams led by teachers in the advanced roles described in this act. A local board of education may also provide a salary supplement under this sub-subdivision to a classroom teacher rated as "effective" on the North Carolina Teacher Evaluation instrument through the North Carolina Educator Evaluation System or the equivalent on an out-of-state teacher's state or district instrument. For the purposes of this sub-subdivision, an effective classroom teacher is a classroom teacher who is rated at least "proficient" on each of the teacher evaluation standards on the North Carolina Teacher Evaluation instrument and who meets expected student growth based on three years of teacher evaluation data as calculated by the State Board of Education or equivalent on an out-of-state teacher's state or district evaluation system.

- (10) Require the salary supplements to be paid as a supplement to the classroom teacher's regular salary and not be included in the average salary calculation used for budgeting State allotments.

**SECTION 3.(b)** Selection of the First Cohort. – By December 1, 2015, the nonprofit corporation shall review the letters of intent submitted by local boards of education in accordance with subsection (a) of this section and shall select for the first cohort of the prototype development program up to 10 local school administrative units in accordance with the following:

- (1) Size. – Selection of local school administrative units with the following average daily membership (ADM):
  - a. Two to three local school administrative units, each with an ADM of up to 4,000.
  - b. Two to three local school administrative units, each with an ADM of 4,001-10,000.
  - c. Two to three local school administrative units, each with an ADM of 10,001-30,000.
  - d. Two to three local school administrative units, each with an ADM of 30,001 or more.
- (2) Priority in Selection. – Priority shall be given to local school administrative units that demonstrate one or more of the following:
  - a. Because digital instruction tools alone have not necessarily transformed outcomes for students who are the most in need of learning advancement, while access to excellent classroom teachers has proven effective for those students, the combination of both highly effective classroom teachers and improvements in digital instruction shall warrant priority in selection to local school administrative units that will add digital infrastructure and tools

pursuant to the North Carolina Digital Learning Plan or under other appropriations providing funding for such infrastructure and tools. A local school administrative unit that is determined to not require additional digital investment to implement the staffing models in the advanced teaching role plan shall be otherwise eligible for funding and not denied solely on that basis.

- b. Robust and meaningful proposal to grant students, educators, and parents increased access to high-quality digital learning opportunities to achieve the goals of the program.
- c. Capacity and commitment to sharing lessons learned to streamline design and implementation in other schools and local school administrative units to implement similar models.

- (3) Diversity. – Selection of local school administrative units shall, to the extent possible, represent a mix of school and local school administrative unit size, region, and demographics within the overall group of applicants with the aim of creating diverse models within each cohort that are consistent with the goals of this act and support lessons learned and replicability across the State.

**SECTION 3.(c)** Use of Funds. – Funding made available to the nonprofit corporation administering this act shall be used as follows:

- (1) Allocation of grants. – Grants shall be made to selected local school administrative units based on a schedule determined by the nonprofit corporation with grant amounts varying in part based on the size of the local school administrative unit in accordance with the ADM categories in subdivision (b)(1) of this section. Local school administrative units shall use these funds to support the development of the advanced teaching role plans, changes required at the unit level to implement the new staffing models, and for transition costs associated with designing and implementing the new staffing models in schools within the unit. Transition costs may include employing staff members or contractors approved by the nonprofit corporation to assist with design and implementation of the staffing plan. Local school administrative units may use additional funds obtained from sources to pay for the costs of providing participating schools with access to high-speed Internet connections, software, hardware, and any other improvements needed to enable full use of digital learning resources. Grant funds used for this purpose should help local school administrative units maximize the instructional value of infrastructure improvements funded through the North Carolina Digital Learning Plan.

- (2) Administrative and operating funds. – The nonprofit corporation may use any remaining funds made available to it under this act for the following purposes:

- a. Technical assistance and technical providers for participating local school administrative units.
- b. Selection, training, and oversight of technical assistance providers.
- c. Review of local school administrative plans and implementation fidelity to the goals and requirements of the program.
- d. Evaluation of the impact of the program on (i) teacher recruitment, retention, and satisfaction; (ii) student access to excellent and effective classroom teachers; (iii) student outcomes; and (iv) other measures of success identified by the nonprofit corporation.



- e. Design of statewide career advancement and digital instruction models for scale-up.
  - f. Policy collaboration with legislative and executive leadership to complete the transition of State policies to further promote access to excellent teaching and high-quality digital instruction.
  - g. Raising and managing funds to support the activities of the nonprofit corporation.
  - h. Communicating progress toward achievement of the nonprofit corporation's goals.
  - i. Other uses in pursuit of the purposes of this act.
- (3) Sustainability of funding. – Plans implemented by the local school administrative units must achieve financial sustainability for salary supplements as provided in subsection (a) of this section by reallocating recurring sources of funds, including local, State, or federal funds. Funds allocated in accordance with this act shall not be used by local school administrative units to pay salary supplements. This act shall not be construed to prohibit additions to the State salary schedule or other State or local supplements to classroom teacher pay.
- (4) Requirements related to receipt of grants. – Local school administrative units participating in the program shall commit to achieve the following in implementing the advanced teaching role plans:
- a. Full implementation of the advanced teaching role plan in at least five schools or twenty-five percent (25%) of the schools within the local school administrative unit, whichever is lesser, by the 2017-2018 school year. For the purposes of this act, "full implementation" is defined as a minimum of seventy-five percent (75%) of students in the local school administrative unit having highly effective classroom teachers as their teacher of record under the North Carolina Educator Evaluation System in at least English Language Arts, math, social studies, and science.
  - b. Full implementation in at least fifty percent (50%) of schools within the local school administrative unit by the 2018-2019 school year.
  - c. Submission of a plan to the nonprofit corporation by June 1, 2016, showing the schedule for full implementation in at least ninety percent (90%) of schools by the 2019-2020 school year.

**SECTION 4.(a) Phase I Prototype Design.** – The local school administrative units selected for prototype development shall design their advanced teaching role plans in accordance with the requirements of Section 3 of this act and submit these plans to the nonprofit corporation no later than January 1, 2016. Plans must include the local school administrative units' approach to achieving full sustainability as provided in subdivision (3) of Section 3(c) of this act. This financial sustainability plan must include specific staffing level changes or other funding reallocations that generate sustainable funds to pay at least the minimum supplements and meet the minimum percentage of students with highly effective classroom teachers of record in subdivision (4) of Section 3(c) of this act. The nonprofit corporation shall approve a local school administrative unit's plan or provide written guidance on changes needed to meet the requirements of this act as soon as practicable, but no later than February 15, 2016. Local school administrative units must submit revised plans in response to feedback. The nonprofit corporation shall aim to approve all plans that meet the requirements of this act by March 1, 2016. Local school administrative units not receiving approval by this date may continue to submit revisions and the nonprofit corporation may approve plans at any time once they meet the requirements of this act.

1           **SECTION 4.(b)** Phase I Prototype Implementation. – Participating local school  
2 administrative units shall begin implementing their approved advanced teaching role plans in  
3 the 2016-2017 school year, achieving full implementation in participating schools by the  
4 2017-2018 school year.

5           **SECTION 4.(c)** Phase I Prototype Reports. – The local boards of education for  
6 each approved local school administrative unit shall report annually, no later than August 15  
7 following each school year, through 2017-2018 school year. The nonprofit corporation shall  
8 provide forms to minimize the burden of reporting on schools and local school administrative  
9 units and shall publish a dashboard displaying data on the progress of implementation in  
10 participating schools and units where possible, comparing progress with activity in schools  
11 nationally pursuing similar approaches. The local school administrative units shall include at  
12 least the following in the report:

- 13           (1) The extent to which the advanced teaching roles plan and implementation  
14 meets each requirement of Section 3 of this act. If the nonprofit corporation  
15 determines that a local school administrative unit's plan does not meet the  
16 requirements of Section 3 of this act, it shall require the unit to make needed  
17 changes in return for continued participation in the program and receipt of  
18 transition funds provided pursuant to subdivision (1) of Section 3(c) of this  
19 act.
- 20           (2) The percentage of students with a highly effective classroom teacher as their  
21 teacher of record for English Language Arts, math, social studies and  
22 science.
- 23           (3) The educator effectiveness ratings of each classroom teacher in advanced  
24 roles and the educator effectiveness ratings of each member of teams led by  
25 teachers in advanced roles.
- 26           (4) The extent to which the advanced teaching roles program has increased the  
27 attractiveness of the teaching profession in the local school administrative  
28 unit as measured by the number of applicants per advanced role job posting  
29 compared with the typical number of applicants per teaching job posting in  
30 the unit and the retention rates of advanced role classroom teachers and  
31 members of advanced roles teachers' teams compared with typical retention  
32 rates in the local school administrative unit.
- 33           (5) Other measures deemed relevant by the nonprofit corporation to the  
34 purposes of this act and to assessing the benefit to the State.

35           **SECTION 5.** Phase II Support for First and Second Cohorts. – It is the intent of the  
36 General Assembly, subject to availability of funds, that the nonprofit corporation shall do the  
37 following:

- 38           (1) Support local school administrative units in the first cohort of up to  
39 10 advanced teaching role prototypes to scale their prototypes fully  
40 across their local school administrative units.
- 41           (2) Support a second cohort of up to 50 local school administrative units  
42 using the process and requirements set forth in this act to begin  
43 developing advanced teaching roles prototypes in the 2017-2018  
44 school year and to scale their prototypes across the local school  
45 administrative unit. This second cohort shall follow the same  
46 selection process and meet the same requirements as the first cohort  
47 but with all applicable dates adjusted forward by two years.

48           **SECTION 6.** Evaluation and Recommendation for Advanced Teaching Roles. –  
49 The nonprofit corporation shall evaluate implementation of the advanced teaching role  
50 prototype and identify successful, reliable elements to develop recommendations to the General  
51 Assembly for advanced teaching roles plans that could be adopted or adapted by local boards of

education. Such recommendations may include the development of default advanced teaching role plans designed for specific local school administrative unit contexts. The nonprofit corporation shall also make recommendations to the General Assembly on the policies needed to complete scaling of successful advanced teaching roles programs statewide. These recommendations shall be submitted no later than December 15, 2020, to the offices of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Senate Appropriations/Base Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Fiscal Research Division, the Joint Legislative Education Oversight Committee, the Governor, the Lieutenant Governor, the State Superintendent of Public Instruction and the State Board of Education.

**SECTION 7.** Future Cohorts. – It is the intent of the General Assembly that as soon as practicable and subject to the availability of funds, the nonprofit corporation shall do the following:

- (1) Provide support for any local school administrative unit that did not participate in the first and second cohorts and seeks to establish and implement an advanced teaching role plan.
- (2) Provide support to any local school that has implemented advanced teaching roles and seeks to do the following:
  - a. Maintain digital learning infrastructure to support advanced teaching roles.
  - b. Enhance the financially sustainable pay supplements offered to advanced role classroom teachers, either by establishing a schedule that aligns with prototype roles in the first and second cohorts or by offering lump sums to local school administrative units that must be paid in proportion to the number of students reached by advanced role classroom teachers and student outcomes achieved by these students.

**SECTION 8.** Flexibility for Local School Administrative Units. – The State Board of Education shall increase flexibility for any local school administrative units that implement advanced teaching roles in accordance with this act. This flexibility shall be available to any local school administrative unit that is participating in the first or second cohort of this program upon their selection into the cohort or, beginning in the 2017-2018 school year, to any unit that implements advanced teaching roles that meet the requirements of Section 3 of this act. The flexibility provided by the State Board shall include the following:

- (1) Notwithstanding G.S. 115C-105.25(b)(5b), the ability to convert positions allocated for classroom teachers and instructional support personnel, as well as other positions within a school or local school administrative unit, to dollar equivalents for the purpose of creating positions and paying supplements in accordance with Section 3 of this act. These positions shall be converted at the statewide average salary level for teachers, provided that no local school administrative unit's overall funding allocation shall rise as a result of making such conversions.
- (2) Notwithstanding G.S. 115C-301, the ability to exceed class size maximums, provided that a highly effective classroom teacher assuming an advanced teaching role, as defined in Section 3 of this act, is the teacher of record for all students in affected classrooms. It is the intent of the General Assembly that increases in the number of students learning with classroom teachers at any given time will not typically be needed.

**SECTION 9.** The provisions of this act are subject to the availability of funds for this purpose.

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**SECTION 10.** This act becomes effective July 1, 2015.





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## HOUSE BILL 662: NC Elevating Educators Act of 2015

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Horn, Bryan, Langdon, Lucas  
**Analysis of:** PCS to First Edition  
H662-CSRQ-13

**Date:** April 23, 2015  
**Prepared by:** Drupti Chauhan  
Committee Counsel

**SUMMARY:** *House Bill 662 would create a program to support local school administrative units (LEAs) to use advanced teaching roles and pay systems for classroom teachers based on a classroom teacher's demonstrated effectiveness and additional responsibilities in reaching more students.*

*The Proposed Committee Substitute (PCS) would clarify that the private nonprofit corporation can subcontract for technical assistance; require that teachers be included in designing the advanced teaching role prototype; delete a requirement that the nonprofit corporation approve contractors and staff members assisting with the staffing plan; change that LEAs must have implementation of their plan in 75% of their schools by 2019-2020 rather than 90%; and adds that local boards of education may transfer State funds into an allotment category to provide supplemental salaries and differential pay for school personnel.*

### BILL ANALYSIS:

**Section 1—Purpose of Program**—The PCS provides that the purpose of the program is to support LEAs in providing students with excellent teachers and high-quality digital instruction and providing financially sustainable advanced teaching roles for teachers. The program would help LEAs create advanced teaching roles and pay systems that would be in addition to base salaries and local supplements based on demonstrated effectiveness and additional responsibilities in reaching more students. The focus would be on rewarding advanced teaching roles with more pay while staying within regular budgetary restraints.

**Section 2—Contract for Program Administration**—The State Board of Education (SBE) would contract with a North Carolina private nonprofit corporation (nonprofit corporation) by August 1, 2015 to administer the program. The nonprofit would be able to subcontract with other entities to provide technical assistance to LEAs. The nonprofit must agree to: (i) have a governing of 11 members including appointments by the chair of the SBE and the Speaker of the House and the President Pro Tempore; and (ii) reports on the implementation and evaluation of the advanced teaching role plans and financial accounting of how State funds appropriated to the nonprofit corporation to administer the program were expended.

**Section 3—Request for Proposal by Nonprofit Corporation; Selection of LEA Plans; and Use of Funds**—By October 1, 2015, the nonprofit corporation must issue a request for proposal (RFP) for local boards of education to develop advanced teaching role prototypes that can be applied across the State and as demonstrated by prior efforts to advance teaching excellent, teacher leadership or innovation in school design, as well as a willingness to reallocate funds to pay advanced role salary supplements of between 3% and 30% of the statewide average salary for teachers.

The local board of education's letter of intent in response to the RFP must contain a plan that addresses specific items including a description of advanced teaching role teacher eligibility and duties and how teachers will participate in the design of the advanced teaching role prototype; how teachers would be selected for the advanced roles; how time would be increased during the school day for advanced role teachers and teams to plan and collaborate in on-the-job development or leadership of others; how the advanced role teachers can opt out of their advanced role; and how the LEA will pay for various salary supplements depending on the additional roles and

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# House Bill 662

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duties an advanced teacher takes as well as supplements for regular teachers who join the advanced teachers' teams.

By December 1, 2015, the nonprofit corporation must select the first cohort of the program that will consist of up to 10 diverse LEAs of differing sizes with priority given to LEAs that will add digital infrastructure and tools to implement their plan.

Funds appropriated to the nonprofit corporation must be used as follows: LEAs would be given grants from a schedule determined by the nonprofit corporation based on the size of the LEA. LEAs would be able to use the funds to support the development of the advanced teaching role plans, changes required at the LEA level to implement new staffing models, and for transition costs associated with designing and implementing the new staffing models. Transition costs can also include employing staff members or contractors to assist with the design and implementation of the staffing plan. The nonprofit corporation can use remaining funds for various items including technical assistance to LEAs including training and oversight of technical assistance providers; review of the LEA plans; evaluation of the program; policy collaboration; raising and managing funds to support the activities of the nonprofit corporation.

The LEA plans must be financially sustainable for salary supplements by reallocating recurring sources of funds. Funds appropriated for the program cannot be used to pay salary supplements.

LEAs must commit to full implementation of the advanced teaching roles in 5 schools or 25% of the schools within the LEAs (whichever is lesser) by the 2017-2018 school year; 50% of the schools in an LEA by the 2018-2019 school year; and 75% by the 2019-2020 school year.

**Section 4—Phase I Design, Implementation, and Reports**—Selected LEAs must submit their plans by January 1, 2016. The nonprofit corporation must approve the LEA plan or provide written guidance on changes needed by February 15, 2016 with an aim to have all plans approved by March 1, 2016 however revisions would be allowed past that date so that the plans meet the requirements of the program. The LEAs must implement plans beginning with the 2016-2017 school year. Annual reports are to be submitted by the LEAs that contains data on various items including the implementation and numbers of student impacted and educator effectiveness ratings of the participating teachers.

**Section 5—Phase II Support for First and Second Cohorts**—Subject to the availability of funds, the nonprofit corporation would support the first cohort of up to 10 LEAs to scale the advanced teaching role prototypes fully across the LEA and support a second cohort of up to 50 LEAs in the 2017-2018 school year.

**Section 6—Evaluation and Recommendations**—The nonprofit corporation must evaluate the implementation of the advanced teaching role prototype and program and make recommendations to the General Assembly by December 15, 2020.

**Section 7—Future Cohorts**—If funds are available, the nonprofit must provide support for LEAs who are not participating in the program and support participating LEAs in maintaining digital learning infrastructure and enhance sustainable pay supplements.

**Section 8—Flexibility for LEAs**—The SBE must increase flexibility LEAs that participate in this program including salary flexibility and class size limitations.

**Section 8.5—LEA Flexibility for Supplemental Pay**—The SBE must permit local boards of education to transfer any available State funds into an allotment category to provide supplemental salaries and differential pay for school personnel.

**Section 9—Availability of Funds**—Sections 1-8 of the PCS are subject to the availability of funds for the program.

**EFFECTIVE DATE:** The bill becomes effective July 1, 2015.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 662  
PROPOSED COMMITTEE SUBSTITUTE H662-CSRQ-13 [v.2]

4/22/2015 8:26:42 PM

Short Title: NC Elevating Educators Act of 2015.

(Public)

Sponsors:

Referred to:

April 14, 2015

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A MULTI-YEAR PROGRAM TO PROVIDE FOR EXCELLENT  
TEACHERS AND HIGH-QUALITY DIGITAL INSTRUCTION; AND TO PROVIDE  
FOR FINANCIALLY STABLE ADVANCED TEACHING ROLES FOR K-12  
CLASSROOM TEACHERS AND TO ALLOW LOCAL BOARDS OF EDUCATION TO  
USE STATE FUNDS FOR SUPPLEMENTAL SALARIES AND DIFFERENTIAL PAY  
FOR SCHOOL PERSONNEL.

Whereas, it is the goal of the General Assembly to provide all students in the State  
of North Carolina with an excellent, high-quality public education; and

Whereas, the General Assembly wishes to create pathways in the public schools that  
contribute to improved student outcomes and retain highly effective teachers; and

Whereas, the General Assembly recognizes the importance of attracting and  
retaining the nation's best teachers by supporting local school administrative units in  
transitioning to locally designed, financially sustainable organizational structures, including  
professional compensation models for teachers; and

Whereas, the General Assembly finds it necessary to allocate essential resources  
into the classroom and to allow classroom teachers freedom and flexibility while promoting  
innovation; and

Whereas, it is the desire of the General Assembly to provide universal access to  
excellent teaching and high-quality digital instruction by granting students, educators, and  
parents increased access to high-quality digital instructional tools to propel 21st century  
learning; and

Whereas, the General Assembly wishes to provide well-paid, financially sustainable  
advanced teaching roles for teachers in North Carolina within existing budget constraints while  
offering models and best practices in order to establish a statewide scale-up of professional  
compensation models that reach students in every North Carolina public school by 2020; Now,  
therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** Purpose. – The General Assembly shall establish a multi-year  
program to support local school administrative units in transitioning to universal access for  
students to excellent teaching and high-quality digital instruction and to provide for well-paid,  
financially sustainable advanced teaching roles for K-12 classroom teachers. The purpose of  
the program shall be to do at least the following:

- (1) Enable local school administrative units to prototype advanced teaching  
roles and pay systems for classroom teachers, in addition to base salary and  
other applicable local supplements, based on a classroom teacher's



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demonstrated effectiveness and additional responsibilities in reaching more students.

- (2) Establish advanced teaching roles in order to leverage excellent classroom teachers to impact at least seventy-five percent (75%) of students in core subjects by becoming a leader for peers in positions formally accountable for students within their purview and by implementing age-appropriate blended learning and other new staffing models. Advanced teaching roles shall focus on rewarding excellent teaching with more pay while staying within regular budgetary restraints.

- (3) Utilize prototypes developed in accordance with the program to form the basis for public schools statewide to provide advanced teaching roles that are sustainable and within the recurring budgets of local school administrative units.

**SECTION 1.(b) Definition.** – For the purposes of this act, a classroom teacher is a teacher who works in the classroom providing instruction and who is not instructional support personnel.

**SECTION 2. Contract for Administration of the Program.** – The State Board of Education shall contract with a North Carolina private, nonprofit corporation (nonprofit corporation), by August 1, 2015, to administer the provisions of this act. The nonprofit corporation is authorized to subcontract with other entities to provide technical assistance to local school administrative units. Any nonprofit corporation that the State Board of Education contracts with to administer the provisions of this act shall adhere to the following governance provisions related to its governing board and reporting requirements:

- (1) The board shall be composed of 11 voting members as follows: two members appointed by the chairman of the State Board of Education, one member of the eLearning Commission, three public school educators, three members of the business community, one member appointed by the Speaker of the House of Representatives, and one member appointed by the President Pro Tempore of the Senate.

- (2) By December 15, 2016, and annually thereafter, until the conclusion of all prototype development efforts, including a second cohort as described in Section 5 of this act, the nonprofit corporation shall report on all aspects of the implementation and evaluation of the advanced teaching roles prototype plans in accordance with this act to the offices of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Senate Appropriations/Base Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Fiscal Research Division, the Joint Legislative Education Oversight Committee, the Governor, the Lieutenant Governor, the State Superintendent of Public Instruction and the State Board of Education. The nonprofit corporation shall also submit quarterly updates to the offices of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Chairs of the Senate Appropriations/Base Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Subcommittee on Education, and the Fiscal Research Division on financial accounting of how the State funds appropriated to the nonprofit corporation to administer this act were expended in the previous year, including at least the following information:

- a. Funds expended as grants to local school administrative units.



- b. Details on program costs, including operational and administrative costs.

**SECTION 3.(a)** Request for Proposal. – By October 1, 2015, the nonprofit corporation contracting with the State Board of Education shall issue a Request for Proposal (RFP) for local boards of education to develop advanced teaching role prototypes. The RFP is to contain minimum requirements for advanced roles for classroom teachers consistent with this section. The criteria is to focus on the leadership capacity and commitment of the local school administrative unit to develop advanced teaching roles that meet the requirements of this section and that will be widely applicable across the State as demonstrated by prior efforts to advance teaching excellence, on-the-job development for classroom teachers, classroom teacher leadership or innovation in school design, and by indication of willingness to reallocate funds to pay at least the minimum supplements set forth in this section. A local board of education shall submit a letter of intent in response to the RFP to implement an advanced teaching role plan that addresses the following criteria:

- (1) Describe advanced teaching role classroom teacher eligibility and duties and how teachers will participate in the design of the advanced teaching role prototype.
- (2) Enable eligible classroom teachers to progress within their careers by assuming advanced roles that do at least one of the following:
  - a. Include accountability for student growth as the teacher of record for all students served by a team of teachers.
  - b. Include accountability for student growth as the teacher of record for more students.
- (3) Provide information in a form readily accessible to both classroom teachers and the public on the criteria and procedures for the selection of classroom teachers for advanced roles.
- (4) Require a classroom teacher to be rated as "highly effective" on the North Carolina Teacher Evaluation instrument through the North Carolina Educator Evaluation System or the equivalent on an out-of-state teacher's state or district instrument to be eligible to assume an advanced teaching role. For the purposes of this act, a highly effective classroom teacher is a classroom teacher who receives a rating of at least "accomplished" on each of the teacher evaluation standards on the North Carolina Teacher Evaluation instrument and who exceeds expected student growth based on three years of teacher evaluation data as calculated by the State Board of Education or equivalent on an out-of-state teacher's state or district evaluation system. The nonprofit corporation shall encourage local school administrative units to include roles and pay supplements for effective classroom teachers, school leaders, and other staff as well.
- (5) Increase the amount of time during the school day for advanced role classroom teachers and teacher teaching teams, if applicable, to plan, collaborate and participate in on-the-job development or leadership of others.
- (6) Establish equally stringent eligibility requirements for a classroom teacher to remain in an advanced role as those required to initially attain that role.
- (7) Establish a procedure for determining whether an advanced role classroom teacher is successfully performing the additional duties associated with the advanced role.
- (8) Ensure that advanced role classroom teachers may opt out of the plan by voluntarily relinquishing additional duties associated with the advanced role. Voluntary relinquishment of duties associated with the advanced role shall



- not be considered a demotion under Part 3 or Part 3A of Article 22 of Chapter 115C of the General Statutes.
- (9) Pay advanced role salary supplements of at least between three percent (3%) and thirty percent (30%) of the statewide average salary level of classroom teachers on the State teacher salary schedule to highly effective classroom teachers of at least the following:
- a. An additional ten percent (10%) for those who assume advanced roles in which they take responsibility for at least thirty-three percent (33%) more students than the typical student-teacher ratio of comparable classroom teachers in the local school administrative unit.
  - b. An additional twenty-five percent (25%) for those who lead teams of two or more other teachers and who are the teachers of record for all students served by the teaching team.
  - c. An additional three percent (3%) for those classroom teachers that join teams led by teachers in the advanced roles described in this act. A local board of education may also provide a salary supplement under this sub-subdivision to a classroom teacher rated as "effective" on the North Carolina Teacher Evaluation instrument through the North Carolina Educator Evaluation System or the equivalent on an out-of-state teacher's state or district instrument. For the purposes of this sub-subdivision, an effective classroom teacher is a classroom teacher who is rated at least "proficient" on each of the teacher evaluation standards on the North Carolina Teacher Evaluation instrument and who meets expected student growth based on three years of teacher evaluation data as calculated by the State Board of Education or equivalent on an out-of-state teacher's state or district evaluation system.
- (10) Require the salary supplements to be paid as a supplement to the classroom teacher's regular salary and not be included in the average salary calculation used for budgeting State allotments.

**SECTION 3.(b)** Selection of the First Cohort. – By December 1, 2015, the nonprofit corporation shall review the letters of intent submitted by local boards of education in accordance with subsection (a) of this section and shall select for the first cohort of the prototype development program up to 10 local school administrative units in accordance with the following:

- (1) Size. – Selection of local school administrative units with the following average daily membership (ADM):
  - a. Two to three local school administrative units, each with an ADM of up to 4,000.
  - b. Two to three local school administrative units, each with an ADM of 4,001-10,000.
  - c. Two to three local school administrative units, each with an ADM of 10,001-30,000.
  - d. Two to three local school administrative units, each with an ADM of 30,001 or more.
- (2) Priority in Selection. – Priority shall be given to local school administrative units that demonstrate one or more of the following:
  - a. Because digital instruction tools alone have not necessarily transformed outcomes for students who are the most in need of learning advancement, while access to excellent classroom teachers





has proven effective for those students, the combination of both highly effective classroom teachers and improvements in digital instruction shall warrant priority in selection to local school administrative units that will add digital infrastructure and tools pursuant to the North Carolina Digital Learning Plan or under other appropriations providing funding for such infrastructure and tools. A local school administrative unit that is determined to not require additional digital investment to implement the staffing models in the advanced teaching role plan shall be otherwise eligible for funding and not denied solely on that basis.

b. Robust and meaningful proposal to grant students, educators, and parents increased access to high-quality digital learning opportunities to achieve the goals of the program.

c. Capacity and commitment to sharing lessons learned to streamline design and implementation in other schools and local school administrative units to implement similar models.

(3) Diversity. – Selection of local school administrative units shall, to the extent possible, represent a mix of school and local school administrative unit size, region, and demographics within the overall group of applicants with the aim of creating diverse models within each cohort that are consistent with the goals of this act and support lessons learned and replicability across the State.

**SECTION 3.(c)** Use of Funds. – Funding made available to the nonprofit corporation administering this act shall be used as follows:

(1) Allocation of grants. – Grants shall be made to selected local school administrative units based on a schedule determined by the nonprofit corporation with grant amounts varying in part based on the size of the local school administrative unit in accordance with the ADM categories in subdivision (b)(1) of this section. Local school administrative units shall use these funds to support the development of the advanced teaching role plans, changes required at the unit level to implement the new staffing models, and for transition costs associated with designing and implementing the new staffing models in schools within the unit. Transition costs may include employing staff members or contractors to assist with design and implementation of the staffing plan. Local school administrative units may use additional funds obtained from sources to pay for the costs of providing participating schools with access to high-speed Internet connections, software, hardware, and any other improvements needed to enable full use of digital learning resources. Grant funds used for this purpose should help local school administrative units maximize the instructional value of infrastructure improvements funded through the North Carolina Digital Learning Plan.

(2) Administrative and operating funds. – The nonprofit corporation may use any remaining funds made available to it under this act for the following purposes:

a. Technical assistance and technical providers for participating local school administrative units.

b. Selection, training, and oversight of technical assistance providers.

c. Review of local school administrative plans and implementation fidelity to the goals and requirements of the program.





- d. Evaluation of the impact of the program on (i) teacher recruitment, retention, and satisfaction; (ii) student access to excellent and effective classroom teachers; (iii) student outcomes; and (iv) other measures of success identified by the nonprofit corporation.
  - e. Design of statewide career advancement and digital instruction models for scale-up.
  - f. Policy collaboration with legislative and executive leadership to complete the transition of State policies to further promote access to excellent teaching and high-quality digital instruction.
  - g. Raising and managing funds to support the activities of the nonprofit corporation.
  - h. Communicating progress toward achievement of the nonprofit corporation's goals.
  - i. Other uses in pursuit of the purposes of this act.
- (3) Sustainability of funding. – Plans implemented by the local school administrative units must achieve financial sustainability for salary supplements as provided in subsection (a) of this section by reallocating recurring sources of funds, including local, State, or federal funds. Funds allocated in accordance with this act shall not be used by local school administrative units to pay salary supplements. This act shall not be construed to prohibit additions to the State salary schedule or other State or local supplements to classroom teacher pay.
- (4) Requirements related to receipt of grants. – Local school administrative units participating in the program shall commit to achieve the following in implementing the advanced teaching role plans:
- a. Full implementation of the advanced teaching role plan in at least five schools or twenty-five percent (25%) of the schools within the local school administrative unit, whichever is lesser, by the 2017-2018 school year. For the purposes of this act, "full implementation" is defined as a minimum of seventy-five percent (75%) of students in the local school administrative unit having highly effective classroom teachers as their teacher of record under the North Carolina Educator Evaluation System in at least English Language Arts, math, social studies, and science.
  - b. Full implementation in at least fifty percent (50%) of schools within the local school administrative unit by the 2018-2019 school year.
  - c. Submission of a plan to the nonprofit corporation by June 1, 2016, showing the schedule for full implementation in at least seventy-five percent (75%) of schools by the 2019-2020 school year.

**SECTION 4.(a)** Phase I Prototype Design. – The local school administrative units selected for prototype development shall design their advanced teaching role plans in accordance with the requirements of Section 3 of this act and submit these plans to the nonprofit corporation no later than January 1, 2016. Plans must include the local school administrative units' approach to achieving full sustainability as provided in subdivision (3) of Section 3(c) of this act. This financial sustainability plan must include specific staffing level changes or other funding reallocations that generate sustainable funds to pay at least the minimum supplements and meet the minimum percentage of students with highly effective classroom teachers of record in subdivision (4) of Section 3(c) of this act. The nonprofit corporation shall approve a local school administrative unit's plan or provide written guidance on changes needed to meet the requirements of this act as soon as practicable, but no later than February 15, 2016. Local school administrative units must submit revised plans in response to



feedback. The nonprofit corporation shall aim to approve all plans that meet the requirements of this act by March 1, 2016. Local school administrative units not receiving approval by this date may continue to submit revisions and the nonprofit corporation may approve plans at any time once they meet the requirements of this act.

**SECTION 4.(b) Phase I Prototype Implementation.** – Participating local school administrative units shall begin implementing their approved advanced teaching role plans in the 2016-2017 school year, achieving full implementation in participating schools by the 2017-2018 school year.

**SECTION 4.(c) Phase I Prototype Reports.** – The local boards of education for each approved local school administrative unit shall report annually, no later than August 15 following each school year, through 2017-2018 school year. The nonprofit corporation shall provide forms to minimize the burden of reporting on schools and local school administrative units and shall publish a dashboard displaying data on the progress of implementation in participating schools and units where possible, comparing progress with activity in schools nationally pursuing similar approaches. The local school administrative units shall include at least the following in the report:

- (1) The extent to which the advanced teaching roles plan and implementation meets each requirement of Section 3 of this act. If the nonprofit corporation determines that a local school administrative unit's plan does not meet the requirements of Section 3 of this act, it shall require the unit to make needed changes in return for continued participation in the program and receipt of transition funds provided pursuant to subdivision (1) of Section 3(c) of this act.
- (2) The percentage of students with a highly effective classroom teacher as their teacher of record for English Language Arts, math, social studies and science.
- (3) The educator effectiveness ratings of each classroom teacher in advanced roles and the educator effectiveness ratings of each member of teams led by teachers in advanced roles.
- (4) The extent to which the advanced teaching roles program has increased the attractiveness of the teaching profession in the local school administrative unit as measured by the number of applicants per advanced role job posting compared with the typical number of applicants per teaching job posting in the unit and the retention rates of advanced role classroom teachers and members of advanced roles teachers' teams compared with typical retention rates in the local school administrative unit.
- (5) Other measures deemed relevant by the nonprofit corporation to the purposes of this act and to assessing the benefit to the State.

**SECTION 5. Phase II Support for First and Second Cohorts.** – It is the intent of the General Assembly, subject to availability of funds, that the nonprofit corporation shall do the following:

- (1) Support local school administrative units in the first cohort of up to 10 advanced teaching role prototypes to scale their prototypes fully across their local school administrative units.
- (2) Support a second cohort of up to 50 local school administrative units using the process and requirements set forth in this act to begin developing advanced teaching roles prototypes in the 2017-2018 school year and to scale their prototypes across the local school administrative unit. This second cohort shall follow the same selection process and meet the same requirements as the first cohort but with all applicable dates adjusted forward by two years.



**SECTION 6.** Evaluation and Recommendation for Advanced Teaching Roles. – The nonprofit corporation shall evaluate implementation of the advanced teaching role prototype and identify successful, reliable elements to develop recommendations to the General Assembly for advanced teaching roles plans that could be adopted or adapted by local boards of education. Such recommendations may include the development of default advanced teaching role plans designed for specific local school administrative unit contexts. The nonprofit corporation shall also make recommendations to the General Assembly on the policies needed to complete scaling of successful advanced teaching roles programs statewide. These recommendations shall be submitted no later than December 15, 2020, to the offices of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Senate Appropriations/Base Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Fiscal Research Division, the Joint Legislative Education Oversight Committee, the Governor, the Lieutenant Governor, the State Superintendent of Public Instruction and the State Board of Education.

**SECTION 7.** Future Cohorts. – It is the intent of the General Assembly that as soon as practicable and subject to the availability of funds, the nonprofit corporation shall do the following:

- (1) Provide support for any local school administrative unit that did not participate in the first and second cohorts and seeks to establish and implement an advanced teaching role plan.
- (2) Provide support to any local school that has implemented advanced teaching roles and seeks to do the following:
  - a. Maintain digital learning infrastructure to support advanced teaching roles.
  - b. Enhance the financially sustainable pay supplements offered to advanced role classroom teachers, either by establishing a schedule that aligns with prototype roles in the first and second cohorts or by offering lump sums to local school administrative units that must be paid in proportion to the number of students reached by advanced role classroom teachers and student outcomes achieved by these students.

**SECTION 8.** Flexibility for Local School Administrative Units. – The State Board of Education shall increase flexibility for any local school administrative units that implement advanced teaching roles in accordance with this act. This flexibility shall be available to any local school administrative unit that is participating in the first or second cohort of this program upon their selection into the cohort or, beginning in the 2017-2018 school year, to any unit that implements advanced teaching roles that meet the requirements of Section 3 of this act. The flexibility provided by the State Board shall include the following:

- (1) Notwithstanding G.S. 115C-105.25(b)(5b), the ability to convert positions allocated for classroom teachers and instructional support personnel, as well as other positions within a school or local school administrative unit, to dollar equivalents for the purpose of creating positions and paying supplements in accordance with Section 3 of this act. These positions shall be converted at the statewide average salary level for teachers, provided that no local school administrative unit's overall funding allocation shall rise as a result of making such conversions.
- (2) Notwithstanding G.S. 115C-301, the ability to exceed class size maximums, provided that a highly effective classroom teacher assuming an advanced teaching role, as defined in Section 3 of this act, is the teacher of record for all students in affected classrooms. It is the intent of the General Assembly



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1 that increases in the number of students learning with classroom teachers at  
2 any given time will not typically be needed.

3 **SECTION 8.5** G.S. 115C-105.25 is amended by adding a new subsection to read:

4 "(a1) Except as otherwise provided in subsection (b) of this section, the State Board of  
5 Education shall permit local boards of education to transfer, at the discretion of the local board,  
6 any available State funds into an allotment category to provide supplemental salaries and  
7 differential pay for school personnel."

8 **SECTION 9.** Sections 1 through 8 of this act are subject to the availability of funds  
9 for this purpose.

10 **SECTION 10.** This act becomes effective July 1, 2015.



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 902  
PROPOSED COMMITTEE SUBSTITUTE H902-CSTB-14 [v.4]

4/22/2015 8:16:04 PM

Short Title: Transforming Principal Preparation.

(Public)

Sponsors:

Referred to:

April 16, 2015

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH A COMPETITIVE GRANT PROGRAM TO ELEVATE  
EDUCATORS IN NORTH CAROLINA BY TRANSFORMING THE PREPARATION  
OF SCHOOL PRINCIPALS.

The General Assembly of North Carolina enacts:

**SECTION 1.(a) Purpose.** – The purpose of this act is to establish a competitive grant program for eligible entities to elevate educators in North Carolina public schools by transforming the preparation of principals across the State. The State Education Assistance Authority (Authority) shall administer this grant program through a cooperative agreement with a private, nonprofit corporation to provide funds for the preparation and support of highly effective future school principals in North Carolina.

**SECTION 1.(b) Definitions.** – For the purposes of this act, the following definitions apply:

- (1) Eligible entity. – A for-profit or nonprofit organization or an institution of higher education that has an evidence-based plan for preparing school leaders who implement school leadership practices linked to increased student achievement.
- (2) High-need school. – A public school, including a charter school, that meets one or more of the following criteria:
  - a. Is a school identified under Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended.
  - b. Is a persistently low-achieving school, as identified by the Department of Public Instruction for purposes of federal accountability.
  - c. A middle school containing any of grades five through eight that feeds into a high school with less than a sixty percent (60%) four-year cohort graduation rate.
  - d. A high school with less than a sixty percent (60%) four-year cohort graduation rate.
- (3) Principal. – The highest administrative official in a public school building with primary responsibility for the instructional leadership, talent management, and organizational development of the school.
- (4) School leader. – An individual employed in a school leadership role, including principal or assistant principal roles.
- (5) Student achievement. – At the whole school level, after three years of leading a school, consistent and methodologically sound measures of:



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- a. Student academic achievement.
- b. Aggregated individual student academic growth.
- c. Additional outcomes, such as high school graduation rates, the percentage of students taking advanced-level coursework, or the percentage of students who obtain a career-related credential through a national business certification exam.

**SECTION 1.(c)** Program Authorized. – The Authority shall award grants to eligible entities to support programs that develop well-prepared school leaders in accordance with the provisions of this act. The Authority shall establish any necessary rules to administer the grant program.

**SECTION 1.(d)** Contract With a Nonprofit for Administration. – By September 1, 2015, the Authority shall issue a Request for Proposal (RFP) for a private, nonprofit corporation to contract with the Authority for the administration of the program, including making recommendations to the Authority for the award of grants, as authorized by this act. The nonprofit corporation applying to the Authority shall meet at least the following requirements:

- (1) The nonprofit corporation shall be a nonprofit corporation organized pursuant to Chapter 55A of the General Statutes and shall comply at all times with the provisions of section 501(c)(3) of the Internal Revenue Code.
- (2) The nonprofit corporation shall employ sufficient staff who have demonstrated a capacity for the development and implementation of grant selection criteria and a selection process to promote innovative school leader education programs, including:
  - a. Focus on school leader talent.
  - b. Expertise supporting judgments about grant renewal based on achievement of or substantial school leader progress toward measurable results in student achievement.
  - c. Expectation of creating positive experiences working with the educational community in North Carolina to establish the foundation for successfully administering the programs set forth in this act.
- (3) The nonprofit corporation shall comply with the limitations on lobbying set forth in section 501(c)(3) of the Internal Revenue Code.
- (4) No State officer or employee may serve on the board of the nonprofit corporation.
- (5) The board of the nonprofit corporation shall meet at least quarterly at the call of its chair.

**SECTION 1.(e)** Report on Selection of the Nonprofit. – The Authority shall select a nonprofit corporation to enter into a contract with to administer the program by January 1, 2016. The Authority shall report to the Joint Legislative Education Oversight Committee on the selection of the nonprofit corporation by January 15, 2016.

**SECTION 1.(f)** Application Requirements. – The nonprofit corporation entering into a contract with the Authority under subsection (d) of this section shall issue an initial RFP with guidelines and criteria for the grants no later than March 1, 2016. An eligible entity that seeks a grant under the program authorized by this act shall submit to the nonprofit corporation an application at such time, in such manner, and accompanied by such information as the nonprofit may require. An applicant shall include at least the following information in its response to the RFP for consideration by the nonprofit corporation:

- (1) The extent to which the entity has a demonstrated record of preparing school leaders who implement school leadership practices linked to increased student achievement.



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(2) The extent to which the entity has a rigorous school leader preparation program design that includes the following research-based programmatic elements:

- a. A proactive, aggressive, and intentional recruitment strategy.
- b. Rigorous selection criteria based on competencies that are predictive of success as a school leader, including, but not limited to, evidence of significant positive effect on student learning growth in the classroom, at the school-level, and the local school administrative unit-level, professional recommendations, evidence of problem solving and critical thinking skills, achievement drive, and leadership of adults.
- c. Alignment to high-quality national standards for school leadership development.
- d. Rigorous coursework that effectively links theory with practice through the use of field experiences and problem-based learning.
- e. Full-time clinical practice of at least five months in duration in an authentic setting, including substantial leadership responsibilities where candidates are evaluated on leadership skills and effect on student outcomes as part of program completion.
- f. Multiple opportunities for school leader candidates to be observed and coached by program faculty and staff.
- g. Clear expectations for and firm commitment from school leaders who will oversee the clinical practice of candidates.
- h. Evaluation of school leader candidates during and at the end of the clinical practice based on the North Carolina School Executive Evaluation Rubric.
- i. A process for continuous review and program improvement based on feedback from partnering local school administrative units and data from program completers, including student achievement data.
- j. Established relationship and feedback loop with affiliated local school administrative units that is used to inform and improve programmatic elements from year to year based on units' needs.

**SECTION 1.(g) Priorities.** – The nonprofit corporation shall evaluate the applicants for grants by giving priority to an eligible entity with a record of preparing principals demonstrating the following:

- (1) Improvement in student achievement.
- (2) Placement as school leaders in eligible schools.
- (3) A proposed focus on and, if applicable, a record of serving high-need schools, high-need local school administrative units, or both.
- (4) A detailed plan and commitment to share lessons learned and to improve the capacity of other entities in reaching similar outcomes.

**SECTION 1.(h) Uses of Funds.** – By June 1, 2016, the nonprofit corporation shall recommend to the Authority the recipients of grants under the program. Each eligible entity that receives grant funds shall use those funds to carry out the following:

- (1) Recruiting and selecting, based on a rigorous evaluation of the competencies of the school leader candidates participating in the program and their potential and desire to become effective school leaders.
- (2) Operating a school leader preparation program by doing the following:
  - a. Utilizing a research-based content and curriculum, including embedded participant assessments to evaluate candidates before program completion, that prepares candidates to do the following:





1. Provide instructional leadership, such as developing teachers' instructional practices and analyzing classroom and school-wide data to support teachers.
  2. Manage talent, such as developing a high-performing team.
  3. Build a positive school culture, such as building a strong school culture focused on high academic achievement for all students, including gifted and talented students, students with disabilities, and English learners, maintaining active engagement with family and community members, and ensuring student safety.
  4. Develop organizational practices, such as aligning staff, budget, and time to the instructional priorities of the school.
- b. Providing opportunities for sustained and high-quality job-embedded practice in an authentic setting where candidates are responsible for moving the practice and performance of a subset of teachers or for school-wide performance as principal-in-planning or interim school leaders.
- (3) Collecting data on program implementation and program completer outcomes for continuous program improvement.

**SECTION 1.(i)** Duration of Grants. – The nonprofit corporation shall also recommend to the Authority the duration and renewal of grants to eligible entities according to the following:

- (1) The duration of grants shall be as follows:
- a. Grants shall be no more than five years in duration.
  - b. The nonprofit corporation may recommend renewal of a grant based on performance, including allowing the grantee to scale up or replicate the successful program as provided in subdivision (2) of this subsection.
- (2) In evaluating performance for purposes of grant renewal and making recommendations to the Authority, the nonprofit corporation shall consider:
- a. For all grantees, the primary consideration in renewing grants shall be the extent to which program participants improved student achievement in eligible schools.
  - b. Other criteria from data received in the annual report in subsection (j) of this section may include the following:
    1. The percentage of program completers who are placed as school leaders in this State within three years of receiving a grant.
    2. The percentage of program completers who are rated proficient or above on the North Carolina School Executive Evaluation Rubric.

**SECTION 1.(j)** Reporting Requirements. – Recipients of grants under the program shall submit an annual report to the nonprofit corporation contracting with the Authority, beginning in the third year of the grant, with any information requested by the nonprofit corporation. Whenever practicable and within a reasonable amount of time, grant recipients shall also make all materials developed as part of the program and with grant funds publically available to contribute to the broader sharing of promising practices. Materials shall not include personally identifiable information regarding individuals involved or associated with the program, including, without limitation, applicants, participants, supervisors, evaluators, faculty, and staff, without their prior written consent. The nonprofit corporation shall work with



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1 recipients and local school administrative units, as needed, to enable the collection, analysis,  
2 and evaluation of at least the following relevant data, within necessary privacy constraints:

- 3 (1) Student achievement in eligible schools.
- 4 (2) The percentage of program completers who are placed as school leaders  
5 within three years in the State.
- 6 (3) The percentage of program completers rated proficient or above on school  
7 leader evaluation and support systems.

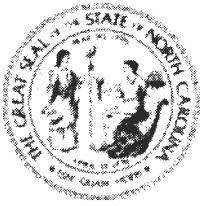
8 **SECTION 2.** By June 1, 2016, the State Board of Education shall adopt a policy to  
9 provide for a specific licensure process applicable to school administrators who provide  
10 documentation to the State Board of successful completion of a principal preparation program  
11 selected for a competitive grant in accordance with this act.

12 **SECTION 3.** The nonprofit corporation administering the program shall provide  
13 the State Board of Education with the data collected in accordance with Section 1(j) of this act  
14 on an annual basis. By September 15, 2021, the State Board of Education, in coordination with  
15 the Board of Governors of the University of North Carolina, shall revise, as necessary, the  
16 licensure requirements for school administrators and the standards for approval of school  
17 administrator preparation programs after evaluating the data collected from the grant recipients,  
18 including the criteria used in selecting grant recipients and the outcomes of program  
19 completers. The State Board of Education shall report to the Joint Legislative Education  
20 Oversight Committee by November 15, 2021, on any changes made to the licensure  
21 requirements for school administrators and the standards for approval of school administrator  
22 preparation programs in accordance with this section.

23 **SECTION 4.** The provisions of this act are subject to the availability of funds for  
24 these purposes.

25 **SECTION 5.** This act is effective when it becomes law.





# HOUSE BILL 902: Transforming Principal Preparation

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12, if favorable, Appropriations	<b>Date:</b>	April 23, 2015
<b>Introduced by:</b>	Reps. Blackwell, Horn, Bryan, Hanes	<b>Prepared by:</b>	Denise Adams and James Ritter, Legislative Analysts
<b>Analysis of:</b>	PCS to First Edition H902-CSTB-14		

**SUMMARY:** *House Bill 902 would establish a competitive grant program to elevate educators in North Carolina by transforming the preparation of school principals.*

*The PCS for HB 902 would (i) change the term "certification" to "licensure" where the terms are used, (ii) remove the appropriation, and (iii) change the effective date.*

## BILL ANALYSIS:

**Section 1.(a)** of the PCS would state the purpose of the program, which is to establish a competitive grant program to elevate educators in North Carolina by transforming the preparation of school principals. The Authority would administer the program through a cooperative agreement with a private, nonprofit corporation.

**Section 1.(b)** would provide definitions for the following relevant terms associated with the program: "eligible entity," "high-need school," "principal," "school leader," and "student achievement."

**Section 1.(c)** would authorize the Authority to award grants to eligible applicants and establish necessary rules to administer the program.

**Section 1.(d)** would provide that by September 1, 2015, the Authority must issue a Request for Proposal (RFP) for a private, nonprofit corporation to contract with the Authority for the administration of the program, including making recommendations for the award of grants. Section 1.(d) lays out five requirements the nonprofit corporation must meet in order to be eligible for selection by the Authority.

**Section 1.(e)** would require the Authority to select a nonprofit corporation (selected nonprofit) to enter into a contract with by January 1, 2016. The Authority must report to the Joint Legislative Education Oversight Committee (JLEOC) on the selection by January 15, 2016.

**Section 1.(f)** would require the selected nonprofit to issue, no later than March 1, 2016, an initial RFP with guidelines and criteria for the grants. Section 1.(f) would require applicants to submit certain information in response to the RFP, including (i) the extent to which the entity has a demonstrated record of preparing school leaders who implement school leadership practices linked to increased student achievement and (ii) the extent to which the entity has a rigorous school leader preparation program design that includes certain research-based programmatic elements.

**Section 1.(g)** would direct the selected nonprofit to evaluate the applicants for grants by giving priority to an eligible entity with a record of preparing principals demonstrating:

- Improvement in student achievement.
- Placing school leaders in eligible schools.

O. Walker Reagan  
Director



Research Division  
(919) 733-2578





# House Bill 902

Page 2

- A proposed focus on, and if applicable, a record of serving high-need schools, high-needs local school administrative units, or both.
- A detailed plan and commitment to share lessons learned and to improve the capacity of other entities in reaching similar outcomes.

**Section 1.(h)** would direct the selected nonprofit to recommend grant recipients to the Authority by June 1, 2016. Eligible entities that receive grant funds would have to use the funds to (i) recruit and select candidates into their program, (ii) operate a school leader preparation program with certain specific criteria, and (iii) collect data on program implementation and program completion outcomes.

**Section 1.(i)** would direct the selected nonprofit to recommend to the Authority the duration and renewal of grants.

**Section 1.(j)** would require grant recipients to submit an annual report to the selected nonprofit beginning in the third year of the grant, with any information requested by the selected nonprofit. Whenever practicable, grant recipients should make all materials developed as part of the program and with grant funds publically available.

**Section 2** would direct the State Board of Education (SBE), by June 1, 2016, to adopt a policy to provide for a specific licensure process applicable to school administrators who provide documentation to the SBE of successful completion of a principal preparation program selected for a grant.

**Section 3** would require the following:

- The selected nonprofit to provide to the SBE the required collected data on an annual basis.
- By September 15, 2021, the SBE, in coordination with the Board of Governors, to revise, as necessary, the licensure requirements for school administrators and the standards for approval of school administrator preparation programs after evaluating the data collected by the grant recipients.
- By November 15, 2021, the SBE must report to the JLEOC on any changes made to the licensure requirements for school administrators and the standards for approval of school administrator preparation programs.

**Section 4** of the PCS would remove the appropriation and instead provide that the provisions of the act are subject to the availability of funds for these purposes.

**EFFECTIVE DATE:** The PCS would become effective when it becomes law.

**CURRENT LAW and BACKGROUND:** Currently, the Authority does not administer any competitive grant programs for principals. The Authority does, however, administer the North Carolina Principal's Fellows Program, a competitive, merit-based scholarship loan program available to individuals with teaching or relevant experience and of exceptional academic ability who desire to enter education administration in North Carolina public schools.



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 902

Short Title: Transforming Principal Preparation. (Public)

Sponsors: Representatives Blackwell, Horn, Bryan, and Hanes (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12, if favorable, Appropriations.

April 16, 2015

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH A COMPETITIVE GRANT PROGRAM TO ELEVATE  
EDUCATORS IN NORTH CAROLINA BY TRANSFORMING THE PREPARATION  
OF SCHOOL PRINCIPALS.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** Purpose. – The purpose of this act is to establish a competitive grant program for eligible entities to elevate educators in North Carolina public schools by transforming the preparation of principals across the State. The State Education Assistance Authority (Authority) shall administer this grant program through a cooperative agreement with a private, nonprofit corporation to provide funds for the preparation and support of highly effective future school principals in North Carolina.

**SECTION 1.(b)** Definitions. – For the purposes of this act, the following definitions apply:

- (1) Eligible entity. – A for-profit or nonprofit organization or an institution of higher education that has an evidence-based plan for preparing school leaders who implement school leadership practices linked to increased student achievement.
- (2) High-need school. – A public school, including a charter school, that meets one or more of the following criteria:
  - a. Is a school identified under Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended.
  - b. Is a persistently low-achieving school, as identified by the Department of Public Instruction for purposes of federal accountability.
  - c. A middle school containing any of grades five through eight that feeds into a high school with less than a sixty percent (60%) four-year cohort graduation rate.
  - d. A high school with less than a sixty percent (60%) four-year cohort graduation rate.
- (3) Principal. – The highest administrative official in a public school building with primary responsibility for the instructional leadership, talent management, and organizational development of the school.
- (4) School leader. – An individual employed in a school leadership role, including principal or assistant principal roles.



- 1 (5) Student achievement. – At the whole school level, after three years of  
2 leading a school, consistent and methodologically sound measures of:  
3 a. Student academic achievement.  
4 b. Aggregated individual student academic growth.  
5 c. Additional outcomes, such as high school graduation rates, the  
6 percentage of students taking advanced-level coursework, or the  
7 percentage of students who obtain a career-related credential through  
8 a national business certification exam.

9 **SECTION 1.(c)** Program Authorized. – The Authority shall award grants to  
10 eligible entities to support programs that develop well-prepared school leaders in accordance  
11 with the provisions of this act. The Authority shall establish any necessary rules to administer  
12 the grant program.

13 **SECTION 1.(d)** Contract With a Nonprofit for Administration. – By September 1,  
14 2015, the Authority shall issue a Request for Proposal (RFP) for a private, nonprofit  
15 corporation to contract with the Authority for the administration of the program, including  
16 making recommendations to the Authority for the award of grants, as authorized by this act.  
17 The nonprofit corporation applying to the Authority shall meet at least the following  
18 requirements:

- 19 (1) The nonprofit corporation shall be a nonprofit corporation organized  
20 pursuant to Chapter 55A of the General Statutes and shall comply at all  
21 times with the provisions of section 501(c)(3) of the Internal Revenue Code.  
22 (2) The nonprofit corporation shall employ sufficient staff who have  
23 demonstrated a capacity for the development and implementation of grant  
24 selection criteria and a selection process to promote innovative school leader  
25 education programs, including:  
26 a. Focus on school leader talent.  
27 b. Expertise supporting judgments about grant renewal based on  
28 achievement of or substantial school leader progress toward  
29 measurable results in student achievement.  
30 c. Expectation of creating positive experiences working with the  
31 educational community in North Carolina to establish the foundation  
32 for successfully administering the programs set forth in this act.  
33 (3) The nonprofit corporation shall comply with the limitations on lobbying set  
34 forth in section 501(c)(3) of the Internal Revenue Code.  
35 (4) No State officer or employee may serve on the board of the nonprofit  
36 corporation.  
37 (5) The board of the nonprofit corporation shall meet at least quarterly at the call  
38 of its chair.

39 **SECTION 1.(e)** Report on Selection of the Nonprofit. – The Authority shall select  
40 a nonprofit corporation to enter into a contract with to administer the program by January 1,  
41 2016. The Authority shall report to the Joint Legislative Education Oversight Committee on the  
42 selection of the nonprofit corporation by January 15, 2016.

43 **SECTION 1.(f)** Application Requirements. – The nonprofit corporation entering  
44 into a contract with the Authority under subsection (d) of this section shall issue an initial RFP  
45 with guidelines and criteria for the grants no later than March 1, 2016. An eligible entity that  
46 seeks a grant under the program authorized by this act shall submit to the nonprofit corporation  
47 an application at such time, in such manner, and accompanied by such information as the  
48 nonprofit may require. An applicant shall include at least the following information in its  
49 response to the RFP for consideration by the nonprofit corporation:

- (1) The extent to which the entity has a demonstrated record of preparing school leaders who implement school leadership practices linked to increased student achievement.
- (2) The extent to which the entity has a rigorous school leader preparation program design that includes the following research-based programmatic elements:
  - a. A proactive, aggressive, and intentional recruitment strategy.
  - b. Rigorous selection criteria based on competencies that are predictive of success as a school leader, including, but not limited to, evidence of significant positive effect on student learning growth in the classroom, at the school-level, and the local school administrative unit-level, professional recommendations, evidence of problem solving and critical thinking skills, achievement drive, and leadership of adults.
  - c. Alignment to high-quality national standards for school leadership development.
  - d. Rigorous coursework that effectively links theory with practice through the use of field experiences and problem-based learning.
  - e. Full-time clinical practice of at least five months in duration in an authentic setting, including substantial leadership responsibilities where candidates are evaluated on leadership skills and effect on student outcomes as part of program completion.
  - f. Multiple opportunities for school leader candidates to be observed and coached by program faculty and staff.
  - g. Clear expectations for and firm commitment from school leaders who will oversee the clinical practice of candidates.
  - h. Evaluation of school leader candidates during and at the end of the clinical practice based on the North Carolina School Executive Evaluation Rubric.
  - i. A process for continuous review and program improvement based on feedback from partnering local school administrative units and data from program completers, including student achievement data.
  - j. Established relationship and feedback loop with affiliated local school administrative units that is used to inform and improve programmatic elements from year to year based on units' needs.

**SECTION 1.(g) Priorities.** – The nonprofit corporation shall evaluate the applicants for grants by giving priority to an eligible entity with a record of preparing principals demonstrating the following:

- (1) Improvement in student achievement.
- (2) Placement as school leaders in eligible schools.
- (3) A proposed focus on and, if applicable, a record of serving high-need schools, high-need local school administrative units, or both.
- (4) A detailed plan and commitment to share lessons learned and to improve the capacity of other entities in reaching similar outcomes.

**SECTION 1.(h) Uses of Funds.** – By June 1, 2016, the nonprofit corporation shall recommend to the Authority the recipients of grants under the program. Each eligible entity that receives grant funds shall use those funds to carry out the following:

- (1) Recruiting and selecting, based on a rigorous evaluation of the competencies of the school leader candidates participating in the program and their potential and desire to become effective school leaders.
- (2) Operating a school leader preparation program by doing the following:



- a. Utilizing a research-based content and curriculum, including embedded participant assessments to evaluate candidates before program completion, that prepares candidates to do the following:
  1. Provide instructional leadership, such as developing teachers' instructional practices and analyzing classroom and school-wide data to support teachers.
  2. Manage talent, such as developing a high-performing team.
  3. Build a positive school culture, such as building a strong school culture focused on high academic achievement for all students, including gifted and talented students, students with disabilities, and English learners, maintaining active engagement with family and community members, and ensuring student safety.
  4. Develop organizational practices, such as aligning staff, budget, and time to the instructional priorities of the school.
- b. Providing opportunities for sustained and high-quality job-embedded practice in an authentic setting where candidates are responsible for moving the practice and performance of a subset of teachers or for school-wide performance as principal-in-planning or interim school leaders.

- (3) Collecting data on program implementation and program completion outcomes for continuous program improvement.

**SECTION 1.(i)** Duration of Grants. – The nonprofit corporation shall also recommend to the Authority the duration and renewal of grants to eligible entities according to the following:

- (1) The duration of grants shall be as follows:
  - a. Grants shall be no more than five years in duration.
  - b. The nonprofit corporation may recommend renewal of a grant based on performance, including allowing the grantee to scale up or replicate the successful program as provided in subdivision (2) of this subsection.
- (2) In evaluating performance for purposes of grant renewal and making recommendations to the Authority, the nonprofit corporation shall consider:
  - a. For all grantees, the primary consideration in renewing grants shall be the extent to which program participants improved student achievement in eligible schools.
  - b. Other criteria from data received in the annual report in subsection (j) of this section may include the following:
    1. The percentage of program completers who are placed as school leaders in this State within three years of receiving a grant.
    2. The percentage of program completers who are rated proficient or above on the North Carolina School Executive Evaluation Rubric.

**SECTION 1.(j)** Reporting Requirements. – Recipients of grants under the program shall submit an annual report to the nonprofit corporation contracting with the Authority, beginning in the third year of the grant, with any information requested by the nonprofit corporation. Whenever practicable and within a reasonable amount of time, grant recipients shall also make all materials developed as part of the program and with grant funds publically available to contribute to the broader sharing of promising practices. Materials shall not include personally identifiable information regarding individuals involved or associated with the

1 program, including, without limitation, applicants, participants, supervisors, evaluators, faculty,  
2 and staff, without their prior written consent. The nonprofit corporation shall work with  
3 recipients and local school administrative units, as needed, to enable the collection, analysis,  
4 and evaluation of at least the following relevant data, within necessary privacy constraints:

5 (1) Student achievement in eligible schools.

6 (2) The percentage of program completers who are placed as school leaders  
7 within three years in the State.

8 (3) The percentage of program completers rated proficient or above on school  
9 leader evaluation and support systems.

10 **SECTION 2.** By June 1, 2016, the State Board of Education shall adopt a policy to  
11 provide for a specific certification process applicable to school administrators who provide  
12 documentation to the State Board of successful completion of a principal preparation program  
13 selected for a competitive grant in accordance with this act.

14 **SECTION 3.** The nonprofit corporation administering the program shall provide  
15 the State Board of Education with the data collected in accordance with Section 1(j) of this act  
16 on an annual basis. By September 15, 2021, the State Board of Education, in coordination with  
17 the Board of Governors of the University of North Carolina, shall revise, as necessary, the  
18 certification requirements for school administrators and the standards for approval of school  
19 administrator preparation programs after evaluating the data collected from the grant recipients,  
20 including the criteria used in selecting grant recipients and the outcomes of program  
21 completers. The State Board of Education shall report to the Joint Legislative Education  
22 Oversight Committee by November 15, 2021, on any changes made to the certification  
23 requirements for school administrators and the standards for approval of school administrator  
24 preparation programs in accordance with this section.

25 **SECTION 4.** There is appropriated from the General Fund to the Board of  
26 Governors of The University of North Carolina the sum of five hundred thousand dollars  
27 (\$500,000) for the 2015-2016 fiscal year to be allocated to the State Education Assistance  
28 Authority to contract with the nonprofit corporation selected pursuant to Section 1(e) of this act  
29 to establish and administer the program and the sum of nine million five hundred thousand  
30 dollars (\$9,500,000) for the 2016-2017 fiscal year to contract with the nonprofit corporation for  
31 the administration of the program and to award grants to selected recipients.

32 **SECTION 5.** Sections 1 and 4 of this act become effective July 1, 2015. The  
33 remainder of this act is effective when this act becomes law.





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## Education K-12 Committee

[illegible]



[illegible]



## VISITOR REGISTRATION SHEET

House Committee on Education K-12

4/23/15

Name of Committee

Date \_\_\_\_\_

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME \_\_\_\_\_

FIRM OR AGENCY AND ADDRESS

Robert B. Fox

NCDPI

Ed Tunkl

137

Paul Jancey

APPEND

Jonathan Kapper

UVC 67A





## VISITOR REGISTRATION SHEET

House Committee on Education K-12

4/23/15

Name of Committee

Date \_\_\_\_\_

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME \_\_\_\_\_

FIRM OR AGENCY AND ADDRESS

Joe Ableidinger

## Public School Forum of NC

Craig Tucker

## Kenan Fellows Program

Susan Parry

11 " 1

Bruce Medwaf

NCBA

Regina Hall and

NC 53A

Leanne Winnie

$$NC \leq BA$$





**House Education K-12 Committee  
Tuesday, April 28, 2015 at 10:00 AM  
Room 643 of the Legislative Office Building**

**MINUTES**

The House Education K-12 Committee met on April 28, 2015 in Room 643 of the Legislative Office Building. Representatives Elmore, Horn, Johnson, Ager, Bryan, Cleveland, Cotham, Fisher, Hanes, Hardister, Hurley, Iler, Lambeth, Langdon, Malone, Meyer, Pittman, Richardson, Riddell, Stam, Turner, and Whitmire were in attendance. Research staff present Drupti Chauhan, Kara McCraw, Dee Atkinson, James Ritter and Denise Huntley-Adams. Visitor registration sheets are provided. (Attachment 1)

Representative Jeffrey Elmore, Chair, presided. He called the meeting to order at 10:12 AM and introduced the House Sergeant at Arms and the visiting pages. (Attachment 2).

Representative Elmore called for HB238, Duty-FreeTime/Lunch for Teachers, to be brought before the Committee. Rep Glazier moved that the PCS be before the Committee. Rep. Holloway explained the bill. Following brief discussion Rep. Hardister moved for a favorable report, favorable to the proposed committee substitute and unfavorable report to the original bill. The Ayes prevailed and HB238 passed.

Representative Holloway was recognized to present HB248, Eliminate NC Final Exam. Chairman Elmore recognized Rep. Langdon to bring the PCS for HB248 before the committee. With approval Rep. Holloway explained the bill. Rep. Glazier moved for a favorable report, favorable to the PCS, and unfavorable to the original bill. Rep. Elmore called for a vote and the Ayes prevailed and House Bill 248 passed.

Chairman Elmore recognized Rep. Cotham to present HB581, Computer Coding Course Elective. Rep. Langdon asked that HB581 be brought before the Committee. With approval by the Committee Rep. Cotham explained the bill. Following a brief discussion Rep. Fisher made a motion for a favorable report, favorable to the proposed committee substitute and unfavorable to the original bill. Chairman Elmore called for the Ayes and Nays and the Ayes prevailed. HB581 passed out of Committee.

Chairman Elmore called on Rep. Lambeth to present HB587, School Flexibility. He explained that HB587 directs DPI to conduct workshops for superintendents on school reform and budget flexibility. Rep. Cleveland moved for a favorable report unfavorable to the original bill, but favorable to the PCS. Chairman Elmore called for the Ayes and Nays. The Ayes prevailed and the bill passed.



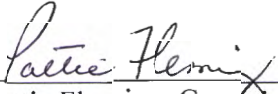
Chairman Elmore called on Rep. Johnson to present House Bill 803, School Performance Scores. Following Rep. Langdon's motion for the PCS to be brought before the Committee Rep. Johnson explained the bill. Following a brief discussion Rep. Langdon congratulated the bill sponsors and moved for a favorable report, favorable to the proposed committee substitute and unfavorable to the original bill. The ayes prevailed and HB803 passed unanimously.

House Bill 673 was brought before the Committee by Chairman Elmore. Rep. Meyer explained HB673, Modify Read to Achieve. Rep. Stam had an amendment. The amendment passed unanimously. Rep. Fisher moved for a favorable report to the PCS as amended, rolled into a new PCS, with a favorable report to the new committee substitute and unfavorable to the original bill.

Chairman Elmore explained to the Committee that there are two more bills on the calendar that need to be heard. A time and place for the Committee to meet will be determined later.

Chairman Elmore adjourned the meeting at 10:55am.

\_\_\_\_\_  
Representative Jeffrey Elmore, Chair Presiding

  
\_\_\_\_\_  
Pattie Fleming, Committee Clerk



**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Tuesday, April 28, 2015  
**TIME:** 10:00 AM  
**LOCATION:** 643 LOB  
**COMMENTS:** Rep. Elmore will be presiding.

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 238	Duty-Free Time/Lunch for Teachers.	Representative Elmore Representative Holloway Representative Glazier
HB 484	Home Schoolers Participate in School Sports.	Representative Cleveland Representative Dobson Representative McElraft Representative Yarborough
HB 581	Computer Coding Course Elective.	Representative Cotham Representative Saine
HB 587	School Flexibility Act.	Representative Lambeth Representative Stam
HB 673	Modify Read to Achieve.	Representative Glazier Representative L. Johnson Representative Horn Representative Meyer
HB 687	Public Schools/Testing Schedule.	Representative Meyer Representative Glazier Representative Langdon
HB 803	School Performance Scores.	Representative L. Johnson Representative Glazier Representative Horn Representative Lucas
HB 248	Eliminate NC Final Exam.	Representative Holloway Representative Elmore Representative Whitmire





Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 4:11 PM on Tuesday, April 28, 2015.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)



**House Committee on Education - K-12**  
**Tuesday, April 28, 2015, 10:00 AM**  
**643 Legislative Office Building**

**AGENDA**

**Welcome and Opening Remarks**

**Introduction of Pages**

**Bills**

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 238	Duty-Free Time/Lunch for Teachers.	Representative Elmore Representative Holloway Representative Glazier
HB 484	Home Schoolers Participate in School Sports.	Representative Cleveland Representative Dobson Representative McElraft Representative Yarborough
HB 581	Computer Coding Course Elective.	Representative Cotham Representative Saine
HB 587	School Flexibility Act.	Representative Lambeth Representative Stam
HB 673	Modify Read to Achieve.	Representative Glazier Representative L. Johnson Representative Horn Representative Meyer
HB 687	Public Schools/Testing Schedule.	Representative Meyer Representative Glazier Representative Langdon
HB 803	School Performance Scores.	Representative L. Johnson Representative Glazier Representative Horn Representative Lucas
HB 248	Eliminate NC Final Exam.	Representative Holloway Representative Elmore Representative Whitmire

**Adjournment**



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair**

**FAVORABLE**

**HB 803**

School Performance Scores.

Draft Number:	None
Serial Referral:	None
Recommended Referral:	None
Long Title Amended:	No
Floor Manager:	L. Johnson

**FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL**

**HB 238**

Duty-Free Time/Lunch for Teachers.

Draft Number:	H238-PCS20344-TW-11
Serial Referral:	None
Recommended Referral:	None
Long Title Amended:	No
Floor Manager:	Holloway

**HB 248**

Eliminate NC Final Exam.

Draft Number:	H248-PCS30363-TB-15
Serial Referral:	None
Recommended Referral:	None
Long Title Amended:	Yes
Floor Manager:	Holloway

**HB 581**

Computer Coding Course Elective.

Draft Number:	H581-PCS20343-TW-15
Serial Referral:	None
Recommended Referral:	None
Long Title Amended:	Yes
Floor Manager:	Cotham

**HB 587**

School Flexibility Act.

Draft Number:	H587-PCS40441-RQ-16
Serial Referral:	None
Recommended Referral:	None
Long Title Amended:	No
Floor Manager:	Lambeth



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HB 673

Modify Read to Achieve.

Draft Number:	H673-PCS30365-TB-18
Serial Referral:	None
Recommended Referral:	None
Long Title Amended:	No
Floor Manager:	Glazier

HB 687

Public Schools/Testing Schedule.

Draft Number:	H687-PCS10370-TC-35
Serial Referral:	None
Recommended Referral:	None
Long Title Amended:	Yes
Floor Manager:	Meyer

TOTAL REPORTED: 7



\* C M R 2 8 2 - V - 1 \*



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 238  
PROPOSED COMMITTEE SUBSTITUTE H238-CSTW-11 [v.2]

4/23/2015 11:55:24 AM

Short Title: Duty-Free Time/Lunch for Teachers.

(Public)

Sponsors:

Referred to:

March 17, 2015

A BILL TO BE ENTITLED  
AN ACT TO PROVIDE THAT ALL TEACHERS HAVE DUTY-FREE INSTRUCTIONAL  
PLANNING TIME AND DUTY-FREE LUNCH.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-301.1 reads as rewritten:

"§ 115C-301.1. **Duty-free instructional planning time and duty-free lunch.**

All full-time assigned classroom teachers shall be provided duty-free instructional planning time and duty-free lunch time during regular student contact hours. Every teacher shall be provided duty-free lunch time in accordance with G.S. 115C-105.27. The duty-free instructional planning time and duty-free lunch time shall be provided to the maximum extent that (i) the safety and proper supervision of children students may allow during regular student contact hours and (ii) insofar as funds are provided for this purpose by the General Assembly. If the safety and supervision of children does not allow duty free instructional planning time during regular student contact hours for a given teacher, the funds provided by the General Assembly for the duty free instructional planning time for that teacher shall revert to the general fund. hours. Principals shall not unfairly burden a given teacher by making that teacher give up his or her duty-free instructional planning time or duty-free lunch time on an ongoing, regular basis without the consent of the teacher."

SECTION 2. G.S. 115C-105.27(b) reads as rewritten:

"(b) School Improvement Plan. – In order to improve student performance, the school improvement team at each school shall develop a school improvement plan that takes into consideration the annual performance goal for that school that is set by the State Board under G.S. 115C-105.35 and the goals set out in the mission statement for the public schools adopted by the State Board of Education. All school improvement plans shall be, to the greatest extent possible, data-driven. School improvement teams shall use the Education Value-Added Assessment System (EVAAS) or a compatible and comparable system approved by the State Board of Education to (i) analyze student data and identify root causes for problems, (ii) determine actions to address them, and (iii) appropriately place students in courses such as Algebra I. School improvement plans shall contain clear, unambiguous targets, explicit indicators and actual measures, and expeditious time frames for meeting the measurement standards.

The strategies for improving student performance:

- (1) Shall include a plan for the use of staff development funds that may be made available to the school by the local board of education to implement the school improvement plan. The plan may provide that a portion of these



\* H 2 3 8 - C S T W - 1 1 - V - 2 \*



- 1 funds is used for mentor training and for release time and substitute teachers  
2 while mentors and teachers mentored are meeting;
- 3 (1a) Repealed by Session Laws 2012-142, s. 7A.1(c), effective July 2, 2012.
- 4 (2) Shall include a plan to address school safety and discipline concerns;
- 5 (3) May include a decision to use State funds in accordance with  
6 G.S. 115C-105.25;
- 7 (4) Shall include a plan that specifies the effective instructional practices and  
8 methods to be used to improve the academic performance of students  
9 identified as at risk of academic failure or at risk of dropping out of school;
- 10 (5) May include requests for waivers of State laws, rules, or policies for that  
11 school. A request for a waiver shall meet the requirements of  
12 G.S. 115C-105.26;
- 13 (6) Shall include a plan in accordance with G.S. 115C-301.1 to provide a  
14 duty-free lunch ~~period-time~~ for every teacher on a daily basis or a plan with  
15 a goal of providing at least 75 minutes per week ~~as otherwise approved by~~  
16 ~~the school improvement team~~; and
- 17 (7) Shall include a plan to provide duty-free instructional planning time for  
18 every teacher under G.S. 115C-301.1, with the goal of providing an average  
19 of at least five hours of planning time per week; [and]
- 20 (8) Shall include a plan to identify and eliminate unnecessary and redundant  
21 reporting requirements for teachers and, to the extent practicable, streamline  
22 the school's reporting system and procedures, including requiring forms and  
23 reports to be in electronic form when possible and incorporating relevant  
24 documents into the student accessible components of the Instructional  
25 Improvement System."

26 **SECTION 3.** This act is effective when it becomes law and applies beginning with  
27 the 2015-2016 school year.





## HOUSE BILL 238: Duty-Free Time/Lunch for Teachers

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12	<b>Date:</b>	April 28, 2015
<b>Introduced by:</b>	Reps. Elmore, Holloway, Glazier	<b>Prepared by:</b>	Denise Huntley Adams and James Ritter
<b>Analysis of:</b>	PCS to First Edition H238-CSTW-11		Legislative Analysts

**SUMMARY:** *H.B. 238 would make changes to the statute governing duty-free instructional planning time and would require that daily duty-free planning time be provided to full-time assigned classroom teachers during instructional time during regular student contact hours without implementation funding from the General Assembly. It also sets out in G.S. 115C-301.1 that teachers be given duty-free lunch.*

*The Proposed Committee Substitute (PCS) for H.B. 238 would require that teachers must be provided duty-free instructional planning time and a duty-free lunch time, and that a principal may not require a teacher to give up either one on an on-going basis without the consent of the teacher.*

*The PCS would state that school improvement plans must have a plan for providing a duty-free lunch time for every teacher on a daily basis, or a goal of providing at least seventy-five minutes per week. The PCS would delete provisions regarding any funds from the General Assembly for providing duty-free instructional planning time.*

**CURRENT LAW:** All full-time assigned classroom teachers must be provided duty-free planning time to the maximum extent that:

- The safety and supervision of children will allow during regular student contact hours.
- The duty-free time is funded by the General Assembly.

Principals may not unfairly burden a teacher by making that teacher give up his or her duty-free time on an ongoing, regular basis, without the consent of the teacher.

A duty-free lunch is to be provided for every teacher on a daily basis, or as otherwise approved by the school improvement team in the school improvement plan.

**BILL ANALYSIS:** The PCS would amend the statute governing duty-free instructional planning time during regular student contact hours. The PCS would delete provisions regarding any funds from the General Assembly for providing duty-free instructional planning time.

The PCS provides for teachers to also have duty-free lunch to the maximum extent that the safety and supervision of students may allow during regular work hours at the school.

The PCS would require the school improvement plan include a plan to provide the duty-free lunch on a daily basis, or a plan with a goal of providing at least seventy-five minutes per week.

**EFFECTIVE DATE:** The bill becomes effective when it becomes law and applies beginning with the 2015-2016 school year.

O. Walker Reagan  
Director



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 238

Short Title: Duty-Free Time/Lunch for Teachers.

(Public)

Sponsors: Representatives Elmore, Holloway, and Glazier (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

March 17, 2015

A BILL TO BE ENTITLED  
AN ACT TO PROVIDE THAT ALL TEACHERS HAVE DUTY-FREE INSTRUCTIONAL  
PLANNING TIME AND DUTY-FREE LUNCH.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-301.1 reads as rewritten:

**"§ 115C-301.1. Duty-free instructional planning ~~time~~ and duty-free lunch.**

All full-time assigned classroom teachers shall be provided daily duty-free instructional planning time during regular student contact hours. The duty-free instructional planning time shall be provided except in emergency situations where the immediate and temporary suspension of the planning time is the only reasonable means of protecting the safety of the students. The duty-free lunch shall be provided to the maximum extent that ~~(i) the safety and proper supervision of children~~ the students may allow during regular student contact hours ~~and (ii) insofar as funds are provided for this purpose by the General Assembly. If the safety and supervision of children does not allow duty-free instructional planning time during regular student contact hours for a given teacher, the funds provided by the General Assembly for the duty-free instructional planning time for that teacher shall revert to the general fund.~~ hours. Principals shall not unfairly burden a given teacher by making that teacher give up his or her duty-free instructional planning time or duty-free lunch on an ongoing, regular basis without the consent of the teacher."

**SECTION 2.** G.S. 115C-105.27(b) reads as rewritten:

"(b) School Improvement Plan. – In order to improve student performance, the school improvement team at each school shall develop a school improvement plan that takes into consideration the annual performance goal for that school that is set by the State Board under G.S. 115C-105.35 and the goals set out in the mission statement for the public schools adopted by the State Board of Education. All school improvement plans shall be, to the greatest extent possible, data-driven. School improvement teams shall use the Education Value-Added Assessment System (EVAAS) or a compatible and comparable system approved by the State Board of Education to (i) analyze student data and identify root causes for problems, (ii) determine actions to address them, and (iii) appropriately place students in courses such as Algebra I. School improvement plans shall contain clear, unambiguous targets, explicit indicators and actual measures, and expeditious time frames for meeting the measurement standards.

The strategies for improving student performance:

- (1) Shall include a plan for the use of staff development funds that may be made available to the school by the local board of education to implement the



1 school improvement plan. The plan may provide that a portion of these  
2 funds is used for mentor training and for release time and substitute teachers  
3 while mentors and teachers mentored are ~~meeting~~; meeting.

4 (1a) Repealed by Session Laws 2012-142, s. 7A.1(c), effective July 2, 2012.

5 (2) Shall include a plan to address school safety and discipline  
6 ~~concerns~~; concerns.

7 (3) May include a decision to use State funds in accordance with  
8 ~~G.S. 115C-105.25~~; G.S. 115C-105.25.

9 (4) Shall include a plan that specifies the effective instructional practices and  
10 methods to be used to improve the academic performance of students  
11 identified as at risk of academic failure or at risk of dropping out of  
12 ~~school~~; school.

13 (5) May include requests for waivers of State laws, rules, or policies for that  
14 school. A request for a waiver shall meet the requirements of  
15 ~~G.S. 115C-105.26~~; G.S. 115C-105.26.

16 (6) Shall include a plan to provide a duty-free lunch ~~period~~ for every teacher on  
17 a daily basis ~~or as otherwise approved by the school improvement team;~~  
18 ~~and~~ as required by G.S. 115C-301.1.

19 (7) Shall include a plan to provide duty-free instructional planning time for  
20 every teacher as required under G.S. 115C-301.1, ~~with the goal of providing~~  
21 ~~an average~~ G.S. 115C-301.1 of at least five hours of planning time per ~~week;~~  
22 ~~and~~ week.

23 (8) Shall include a plan to identify and eliminate unnecessary and redundant  
24 reporting requirements for teachers and, to the extent practicable, streamline  
25 the school's reporting system and procedures, including requiring forms and  
26 reports to be in electronic form when possible and incorporating relevant  
27 documents into the student accessible components of the Instructional  
28 Improvement System."

29 **SECTION 3.** This act is effective when it becomes law and applies beginning with  
30 the 2015-2016 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 248  
PROPOSED COMMITTEE SUBSTITUTE H248-CSTB-15 [v.2]

4/24/2015 4:32:53 PM

Short Title: Eliminate NC Final Exam.

(Public)

Sponsors:

Referred to:

March 17, 2015

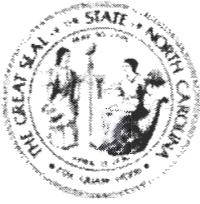
1 A BILL TO BE ENTITLED  
2 AN ACT TO ELIMINATE THE NC FINAL EXAM AND THE ANALYSIS OF STUDENT  
3 WORK PROCESS AS THE MEASURES USED TO POPULATE STANDARD SIX OF  
4 THE TEACHER EVALUATION INSTRUMENT AND INSTEAD USE SCHOOL-WIDE  
5 GROWTH VALUES FOR TEACHERS WHO TEACH LESS THAN SIXTY PERCENT  
6 OF THEIR TIME IN END-OF-GRADE OR END-OF-COURSE SUBJECTS.  
7 The General Assembly of North Carolina enacts:  
8 **SECTION 1.** The State Board of Education shall eliminate the use of the NC Final  
9 Exam and the analysis of student work process to assess teachers' performance in relation to  
10 Standard 6 of the North Carolina Teacher Evaluation System. The State Board shall adopt a  
11 policy to require that local school administrative units assess teachers' performance in relation  
12 to Standard 6 in the following manner: (i) End-of-Grade assessments and End-of-Course  
13 assessments shall be used for determining student growth values for teachers who teach at least  
14 sixty percent of their time in an End-of-Grade or End-of-Course tested subject and (ii)  
15 school-wide growth values shall be used for all other teachers.  
16 **SECTION 2.** Within 60 days of the date this act becomes law, the Department of  
17 Public Instruction shall submit for approval by the U.S. Department of Education an  
18 amendment to its flexibility waiver under the Elementary and Secondary Education Act of  
19 1965, 20 U.S.C. § 6301 et seq., in order to implement the requirements of Section 1 of this act.  
20 **SECTION 3.** Section 1 of this act becomes effective upon the approval by the U.S.  
21 Department of Education of the amendment required by Section 2 of this act. The remainder of  
22 this act is effective when it becomes law.



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## HOUSE BILL 248: Eliminate NC Final Exam

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Holloway, Elmore, Whitmire  
**Analysis of:** PCS to First Edition  
H248-CSTB-15

**Date:** April 28, 2015  
**Prepared by:** Kara McCraw  
Committee Counsel

**SUMMARY:** *HB 248 would require the State Board of Education to eliminate use of the NC Final Exam to assess teachers' performance in relation to Standard 6 of the North Carolina Teacher Evaluation System, upon approval of an amendment to the current North Carolina Elementary and Secondary Education Act waiver.*

*The PCS would also require the elimination of the Analysis of Student Work process and clarifies the new assessment system for Standard 6.*

**CURRENT LAW:** North Carolina State Board of Education Policy GCS-A-016 (Policy Delineating Use of State-Designated Assessments for the North Carolina Teacher Evaluation Process) requires all public schools including traditional, charter, and regional schools, as a condition of an Elementary and Secondary Education Act (ESEA) waiver to use certain tests to assess educators' performance in relation to Standard 6 of the North Carolina Teacher Evaluation Process and Standard Eight of the School Executive Evaluation Process.

Schools must use the End-of-Grade and End-of-Course tests required to be given as part of the ESEA accountability model for Standard 6. For elementary and middle schools, those tests are math and English Language Arts/Reading in grades 3-8, and science in grades 5 and 8. For high school those tests are Math I, English II, and Biology.

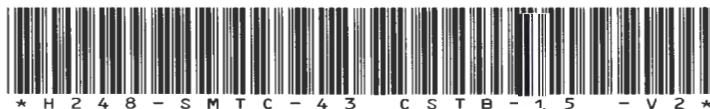
In addition, schools must also use NC Final Exams, K-3 Checkpoints, Career and Technical Education State Assessments, Analysis of Student Work, or locally developed processes for measuring student growth for Standard 6 purposes.

NC Final Exams are given in core subject areas of English, math, science, and social studies that do not have End-of-Grade and End-of-Course tests, and results of those tests are used to assess the performance of those educators for Standard 6. A NC Final Exam is the only final exam that may be given in the courses, and for high school students, the test must count as a minimum of 20% of the student's final grade.

Analysis of Student Work is a process to collect data to populate Standard 6 for educators teaching in grades or subjects where there is no End of Grade (EOG), End of Course (EOC), NC Final Exam, or Career Technical Education (CTE) assessment involving the collection of student work to document student growth.

North Carolina State Board of Education Policy TCP-C-006 (Policy on Standards and Criteria for Evaluation of Professional School Employees) provides that, in place of NC Final Exams and Analysis of Student Work, a local school administrative unit (LEAs) may use other assessments to measure student learning and determine the Standard 6 rating if the State Board of Education approves those assessments. Districts may also use school-wide growth values to determine the Standard 6 rating,

O. Walker Reagan  
Director



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# House Bill 248

*Page 2*

except for End-of-Grade assessments and End-of-Course assessments for teachers who administer those assessments. LEAs must apply to the State Board for a waiver to use another process, such as school-wide growth values or a proposal for the use of other assessments to determine the Standard 6 ratings for educators in specific grades/subjects and courses.

**BILL ANALYSIS:** The PCS for HB 248 would require, within 60 days of passage of the bill, that the Department of Public Instruction apply to the U.S. Department of Education for an amendment to the flexibility waiver granted to North Carolina under the Elementary and Secondary Education Act regarding use of certain assessment to assess teacher performance.

Specifically, the amendment would request an elimination of the NC Final Exam and the analysis of student work process currently a part of the waiver. Instead, the State Board of Education would adopt a policy providing that assessment of teacher performance for Standard 6 of the North Carolina Teacher Evaluation System be made through End of Grade assessments and End of Course assessments for teachers who teach at least 60% of their time in an End-of-Grade or End-of-Course tested subject, and school wide growth values for all other teachers.

**EFFECTIVE DATE:** HB 248 would become effective when it becomes law, but the elimination of the NC Final Exam and analysis of student work process and new assessment system would become effective only upon approval of the waiver by the US Department of Education.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 248

Short Title: Eliminate NC Final Exam. (Public)

Sponsors: Representatives Holloway, Elmore, and Whitmire (Primary Sponsors).  
*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

March 17, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO ELIMINATE THE NC FINAL EXAM AND TO REQUIRE LOCAL BOARDS  
3 OF EDUCATION TO POPULATE STANDARD SIX OF THE TEACHER  
4 EVALUATION INSTRUMENT USING SCHOOL-WIDE GROWTH VALUES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** The State Board of Education shall eliminate the use of the NC Final  
7 Exam to assess teachers' performance in relation to Standard 6 of the North Carolina Teacher  
8 Evaluation System. The State Board shall adopt a policy to require that each local school  
9 administrative unit use school-wide growth values to determine Standard 6 ratings. The  
10 End-of-Grade assessments and End-of-Course assessments shall be used for determining  
11 student growth values for teachers who administer those assessments.

12 **SECTION 2.** Within 60 days of the date this act becomes law, the State Board of  
13 Education shall submit for approval by the U.S. Department of Education an amendment to its  
14 flexibility waiver under the Elementary and Secondary Education Act of 1965, 20 U.S.C. §  
15 6301 et seq., in order to implement the requirements of Section 1 of this act.

16 **SECTION 3.** Section 1 of this act becomes effective upon the approval by the U.S.  
17 Department of Education of the amendment required by Section 2 of this act. The remainder of  
18 this act is effective when it becomes law.





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 581  
PROPOSED COMMITTEE SUBSTITUTE H581-CSTW-15 [v.2]

4/27/2015 5:11:38 PM

Short Title: Computer Coding Course Elective.

(Public)

Sponsors:

Referred to:

April 6, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP AND  
3 IDENTIFY COURSES IN COMPUTER PROGRAMMING AND CODING THAT CAN  
4 BE OFFERED AS ELECTIVE COURSES FOR MIDDLE SCHOOL AND HIGH  
5 SCHOOL STUDENTS.  
6 The General Assembly of North Carolina enacts:  
7 **SECTION 1.** G.S. 115C-81 is amended by adding a new subsection to read:  
8 "(e3) Computer Programming Courses with Coding to be Developed and Administered. –  
9 The State Board of Education shall develop and identify academically rigorous courses in  
10 computer programming and coding that can be offered as electives at the middle or high school  
11 level. These courses shall provide multiple opportunities for students to learn about the coding  
12 process."  
13 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
14 the 2015-2016 school year.



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## HOUSE BILL 581: Computer Coding Course Elective

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Cotham, Saine  
**Analysis of:** First Edition

**Date:** April 28, 2015  
**Prepared by:** Kara McCraw and  
James Ritter  
Committee Counsel

**SUMMARY:** *House Bill 581 would direct the State Board of Education (SBE) to establish standards for a computer science coding elective course for high school and middle school students.*

*The Proposed Committee Substitute for House Bill 581 directs the SBE to develop and identify courses in computer programming and coding to be offered as electives for middle and high school students.*

**CURRENT LAW:** Under current law, the Basic Education Program broadly describes the education program to be offered to every child in the public schools. The North Carolina Standard Course of Study, adopted as policy by the State Board of Education, sets content standards and describes what should be taught to every child in North Carolina's public schools.

The computer science standards are developed by the SBE. The decision to provide instruction for students in computer science coding is that of local boards of education.

**BILL ANALYSIS:** The PCS for House Bill 581 would require the SBE to develop and identify computer programming and coding elective courses for middle and high school students to be offered statewide. The courses must provide opportunities for students to learn about the coding process.

**EFFECTIVE DATE:** This act is effective when it becomes law and applies beginning with the 2015-2016 school year.

O. Walker Reagan  
Director

# CHECKED OUT

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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 581

Short Title: Computer Coding Course Elective.

(Public)

Sponsors: Representatives Cotham and Saine (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 6, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ESTABLISH  
3 STANDARDS FOR A COMPUTER SCIENCE CODING ELECTIVE COURSE FOR  
4 HIGH SCHOOL AND MIDDLE SCHOOL STUDENTS.

5 The General Assembly of North Carolina enacts:

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

7 "(m) Computer Science Coding Elective Course. – The State Board of Education shall  
8 develop computer science curriculum content standards, including curriculum standards to  
9 teach coding, for use by local boards of education to offer as elective courses for middle school  
10 and high school students. For the purposes of this subsection, "coding" is the process of  
11 converting a program design into an accurate and detailed representation of that program in a  
12 suitable language."

13 SECTION 2. This act is effective when it becomes law and applies beginning with  
14 the 2015-2016 school year.



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 587

Short Title: School Flexibility Act.

(Public)

Sponsors: Representatives Lambeth and Stam (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 6, 2015

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH PUBLIC SCHOOL FLEXIBILITY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-105.37B is amended by adding a new subsection to read:

"(e) The Department of Public Instruction shall conduct professional development workshops in each region of the State that provide information on the four school reform models set forth in subsection (a) of this section. In conducting the workshops, particular emphasis shall be placed on the restart model in subdivision (a)(2) of this section that provides local school administrative units with flexibility similar to charter schools with the local board of education maintaining control of the school. The Department may conduct a series of workshops but must conduct at least one workshop annually for superintendents and their designees."

**SECTION 2.** G.S. 115C-105.25 is amended by adding a new subsection to read:

"(d) The Department of Public Instruction shall conduct professional development workshops in each region of the State that provide information on the budget flexibility provided by this section for differentiated pay and other initiatives to improve student achievement. The Department may conduct a series of workshop but must conduct at least one workshop annually for the superintendents and their designees."

**SECTION 3.** The State Board of Education shall report to the Joint Legislative Education Oversight Committee by November 15, 2015, with recommendations on (i) improving the teacher licensing process in the areas of establishing initial pay for teachers who have been hired but their request for a North Carolina teachers license has not been processed; (ii) efforts to automate the teacher licensing process; (iii) changes to the lateral entry process for teachers; (iv) whether to accept funds under Title II of the Elementary and Secondary Education Act, 20 U.S.C., Chapter 70, Subchapter II, which impacts the number of highly-qualified teachers; and (v) streamlining the teacher licensing process.

**SECTION 4.** This act becomes effective July 1, 2015.







## HOUSE BILL 587: School Flexibility Act

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Lambeth, Stam  
**Analysis of:** First Edition

**Date:** April 28, 2015  
**Prepared by:** Drupti Chauhan  
Committee Counsel

**SUMMARY:** *House Bill 587 would direct the Department of Public Instruction to conduct workshops around the State on school reform models and budget flexibility allowed under current law.*

**CURRENT LAW:** Under G.S. 115C-105.37B, the State Board of Education (SBE) has the authority to approve a local board of education's (local board) request to reform any school in its local school administrative unit (LEA) that has been identified by the SBE as continually low-performing. One of four reform models could be used: (i) transformation model which addresses developing and increasing teacher and school leader effectiveness, instructional reform strategies, increasing learning time, and more operational flexibility; (ii) restart model which allows the school to be operated with the same exemptions as charter schools except as to the employees who remain employed by the local board; (iii) turnaround model which involves replacing the principal and staff; and (iv) school closure model which closes the school and enrolls the students in other schools in the LEA.

Under G.S. 115C-105.25, local boards are allowed to transfer funds between funding allotment categories except in certain situations such as funds for children with disabilities. Funds cannot be transferred into the central office administration allotment category and other limitations are also set forth in the statute.

**BILL ANALYSIS:** House Bill 587 would direct the Department of Public Instruction (DPI) to conduct professional development workshops at least annually for superintendents and their designees on the four school reform models and budget flexibility allowed under law. The workshops should focus on the restart model which allows the local board to operate a school with the flexibility given to charter schools but the local board maintains control of the school.

The bill also directs the SBE to report to the Joint Legislative Education Oversight Committee by November 15, 2015 with recommendations on (i) improving the teacher licensing process in the areas of establishing initial pay for teachers who have been hired but their request for a North Carolina teachers license has not been processed; (ii) efforts to automate the teacher licensing process; (iii) changes to the lateral entry process for teachers; (iv) whether to accept federal funds under Title II of the Elementary and Secondary Education Act, 20 U.S.C., Chapter 70, Subchapter II, which requires highly-qualified teachers in core subject areas; and (v) streamlining the teacher licensing process.

**EFFECTIVE DATE:** The bill becomes effective July 1, 2015.

O. Walker Reagan  
Director



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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 673

Short Title: Modify Read to Achieve.

(Public)

Sponsors: Representatives Glazier, L. Johnson, Horn, and Meyer (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 14, 2015

A BILL TO BE ENTITLED  
AN ACT TO MODIFY THE STATUTES PERTAINING TO READ TO ACHIEVE.  
The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-83.3 reads as rewritten:

**"§ 115C-83.3. Definitions.**

The following definitions apply in this Part:

...

(2) "Alternative assessment" means a valid and reliable standardized assessment of reading comprehension, approved by the State Board of Education, that is not the same test as the State-approved standardized test of reading comprehension administered to third grade students. The State Board of Education shall (i) provide several valid and reliable alternative assessments to local school administrative units upon request, (ii) approve valid and reliable alternative assessments submitted by local school administrative units, and (iii) establish achievement level ranges for each approved alternative assessment. The State Board of Education shall annually review all alternative assessments to ensure ongoing relevance, validity, and reliability. The State Board of Education shall complete the review and approval process as provided in this subdivision by September 15 of each year.

...

(8) "Student reading portfolio" means a compilation of independently produced student work selected by the student's teacher, beginning during the first half of the school year, and signed by the teacher and principal, as an accurate picture of the student's reading ~~ability-proficiency.~~ The student reading portfolio shall include an organized collection of evidence of the student's mastery of the State's reading standards that are assessed by the State-approved standardized test of reading comprehension administered to third grade students-reading proficiency. A single piece of evidence may be used to show mastery of reading proficiency for up to two standards. For each ~~benchmark,~~ reading standard, there shall be ~~three-two~~ examples of student workwork, gathered over the course of the school year, demonstrating mastery by a grade of seventy percent (70%) or above the student's reading proficiency. If a student correctly responds to eighty percent (80%) of the comprehension questions about one reading passage as



used as an initial work sample, then that one work sample shall suffice to demonstrate student reading proficiency on the standards covered in that sample. A student reading portfolio shall only be compiled with students when it is determined that administration of a standardized test of reading comprehension would likely not yield positive findings of a student's reading proficiency.

...."

**SECTION 2.** G.S. 115C-83.7(b)(4) reads as rewritten:

"(4) Students who demonstrate, through a student reading portfolio, reading proficiency appropriate for third grade students. Student reading portfolio and review processes used by local school administrative units shall be approved by the State Board of Education. A local school administrative unit implementing the student reading portfolio process established by the State Board of Education shall limit the use of this portfolio process only to a student for whom it is appropriate as determined by the student's principal, after consulting with the teacher and the student's parents, and shall discontinue administration of the portfolio passages whenever a student is not demonstrating reading proficiency."

**SECTION 3.** G.S. 115C-83.8 reads as rewritten:

**"§ 115C-83.8. Successful reading development for retained students.**

(a) Parents or guardians of students not demonstrating reading proficiency shall be encouraged to enroll their student in a reading camp provided by the local school administrative unit. Parents or guardians of a student not demonstrating reading proficiency shall make the final decision regarding a student's reading camp attendance. If a parent or guardian does not enroll the student in a reading camp, the parent shall notify the school in which the student is enrolled of any alternative reading interventions or instructional supports that shall be provided to the student to achieve reading proficiency. Local school administrative units shall provide at least one opportunity for students not participating in a reading camp to demonstrate reading proficiency appropriate for third grade students on an alternative assessment or through a student reading portfolio process approved by the State Board of Education prior to retaining the student.

(b) Students retained under G.S. 115C-83.7(a) shall be provided with a teacher selected based on demonstrated student outcomes in reading proficiency and placed in an accelerated reading class or a transitional third and fourth grade class combination, as ~~appropriate~~ appropriate, except that a student who attended a reading camp continuously for a minimum of 64 hours of instructional time shall be placed in a transitional third and fourth grade class combination. Classroom instruction shall include at least 90 minutes of daily, uninterrupted, evidence-based reading instruction, not to include independent reading time, and other appropriate instructional supports and services and reading interventions.

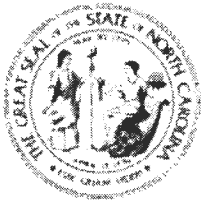
...."

**SECTION 4.** G.S. 115C-83.9(d) reads as rewritten:

"(d) Teachers and principals shall provide opportunities, including, but not limited to, information sessions, to discuss with parents and guardians the notifications listed in this section. Principals shall provide at least one information session within the first 30 days of school regarding the requirement for reading proficiency for third grade students."

**SECTION 5.** This act is effective when it becomes law and applies beginning with the 2015-2016 school year.





## HOUSE BILL 673: Modify Read to Achieve

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Glazier, L. Johnson, Horn, Meyer  
**Analysis of:** First Edition

**Date:** April 28, 2015  
**Prepared by:** Denise Adams  
Legislative Analyst

**SUMMARY:** *House Bill 673 would make modifications to the Read to Achieve Program.*

**CURRENT LAW:** Part 1A of Article 8 of Chapter 115C of the General Statutes establishes the Read to Achieve Program (Program). The Program requires that a student who fails to demonstrate third grade reading proficiency on a State-approved standardized test of reading comprehension must be retained in third grade, unless the student meets one of certain good cause exemptions to the retention requirement. Exemptions include limited English proficiency, disability, demonstrated proficiency on an alternative reading test or student portfolio, or multiple retentions. Parents of students not demonstrating reading proficiency are encouraged to enroll their student in a reading camp provided by the local school administrative unit. Retained students may be promoted upon a showing of reading proficiency on an alternative assessment. Retained students are provided with a successful reading teacher in an accelerated reading or transitional third and fourth grade classroom where specific reading instruction takes place. Students demonstrating reading proficiency by November 1 may be promoted midyear under a policy developed by the State Board of Education (SBE). Parents must be notified of third grade retention policies, and must be given monthly written reports regarding student progress for retained students.

### BILL ANALYSIS:

**Section 1** would make the following changes to definitions in the Read to Achieve Program:

- Alternative assessment: would establish September 15th as the annual deadline by which the SBE would be required to complete the required review and approval process of alternative assessments.
- Student reading portfolio: would make several terminology changes to clarify that student reading portfolios should be used to assess a student's "proficiency" rather than "ability" or "mastery" and proficiency should be judged on "reading standards" rather than "benchmarks." Section 1 would modify the threshold to show proficiency in the portfolio process, and would also limit the use of student reading portfolios to certain students.

**Section 2** provides that an LEA using the student reading portfolio process established by the SBE must limit the use of the portfolio process only to certain students as determined by the school's principal, in consultation with the student's teacher and parents, and must discontinue administration of the portfolio practices whenever a student is not demonstrating reading proficiency.

**Section 3** would require that if parents do not enroll students not demonstrating reading proficiency in a reading camp, the parent must notify the school in which the student is enrolled of any alternative

O. Walker Reagan  
Director



Research Division  
(919) 733-2578



# House Bill 673

*Page 2*

reading interventions or instructional supports that will be provided to the student to achieve proficiency. Section 3 would also provide that students who attended reading camp continuously for a minimum of 64 hours of instructional time be placed in a transitional third and fourth grade class combination.

**Section 4** would require that principals must hold at least one information session within the first 30 days of school regarding the requirement for reading proficiency for third grade students.

**EFFECTIVE DATE:** The act would be effective when it becomes law and applies beginning with the 2015-2016 school year.





# NORTH CAROLINA GENERAL ASSEMBLY

## AMENDMENT

House Bill 687

HB 673

~~HB 687~~

AMENDMENT NO. 2

(to be filled in by  
Principal Clerk)

Page 1 of 1

Amends Title [NO]  
First Edition

Date April 28<sup>th</sup>, 2015

Representative Stam

7-8 PS

moves to amend the bill on page 2, lines ~~14-15~~, by inserting the following section:

### "SECTION 1.5 G.S. 115C-83.6 reads as rewritten:

#### "§ 115C-83.6. Facilitating early grade reading proficiency.

(a) Kindergarten, first, second, and third grade students shall be assessed with valid, reliable, formative, and diagnostic reading assessments made available to local school administrative units by the State Board of Education pursuant to G.S. 115C-174.11(a). Difficulty with reading development identified through administration of formative and diagnostic assessments shall be addressed with instructional supports and services. To the greatest extent possible, kindergarten through third grade reading assessments shall yield data that can be used with the Education Value-Added Assessment System (EVAAS), or a compatible and comparable system approved by the State Board of Education, to analyze student data to identify root causes for difficulty with reading development and to determine actions to address them.

(b) Formative and diagnostic assessments and resultant instructional supports and services shall address oral language, phonological and phonemic awareness, phonics, vocabulary, fluency, and comprehension using developmentally appropriate practices.

(c) Local school administrative units are encouraged to partner with community organizations, businesses, and other groups to provide volunteers, mentors, or tutors to assist with the provision of instructional supports and services that enhance reading development and proficiency.

(d) The teacher of record for a kindergarten, first, second, or third grade student shall not be prohibited from administering the assessments made available to local school administrative units in subsection (a) to that student."

SIGNED

Stam

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED



\* H 6 8 7 - A T C - 2 8 - V - 1 \*





10



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 687  
PROPOSED COMMITTEE SUBSTITUTE H687-CSTC-35 [v.1]

4/26/2015 6:35:41 PM

Short Title: Public Schools/Testing Schedule.

(Public)

Sponsors:

Referred to:

April 14, 2015

A BILL TO BE ENTITLED  
AN ACT TO PROVIDE FLEXIBILITY TO LOCAL SCHOOL ADMINISTRATIVE UNITS  
IN ESTABLISHING THE ANNUAL TESTING SCHEDULE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-174.12(a) reads as rewritten:

"(a) The State Board of Education shall establish policies and guidelines necessary for minimizing the time students spend taking tests administered through State and local testing programs, for minimizing the frequency of field testing at any one school, and for otherwise carrying out the provisions of this Article. These policies and guidelines shall include the following:

- (1) Schools shall devote no more than two days of instructional time per year to the taking of practice tests that do not have the primary purpose of assessing current student ~~learning~~; learning.
- (2) Students in a school shall not be subject to field tests or national tests during the two-week period preceding the administration of end-of-grade tests, end-of-course tests, or the school's regularly scheduled final ~~exams~~; and exams.
- (3) No school shall participate in more than two field tests at any one grade level during a school ~~year~~; year.
- (4) All annual assessments of student achievement adopted by the State Board of Education pursuant to G.S. 115C-174.11(c)(1) and (3) and all final exams for courses shall be ~~administered~~ administered, whenever practicable and educationally advantageous for students, within the final 10 instructional days of the school year for year-long courses and within the final five instructional days of the semester for semester courses. ~~Exceptions~~ Upon approval by the local board of education, a local school administrative unit may apply to the State Board of Education at least 60 days prior to the date of scheduled assessments or final exams for an extension of the testing schedule for up to the final 20 instructional days of the school year for year-long courses and up to the final 15 instructional days of the semester for semester courses. A local school administrative unit shall also be permitted to accommodate a student's individualized education program and section 504 (29 U.S.C. § 794) plans and for the administration of final exams for courses with national or international curricula required to be held at designated times.



\* H 6 8 7 - C S T C - 3 5 - V - 1 \*



1        These policies shall reflect standard testing practices to insure reliability and validity of the  
2 sample testing. The results of the field tests shall be used in the final design of each test. The  
3 State Board of Education's policies regarding the testing of children with disabilities shall (i)  
4 provide broad accommodations and alternate methods of assessment that are consistent with a  
5 student's individualized education program and section 504 (29 U.S.C. § 794) plans, (ii)  
6 prohibit the use of statewide tests as the sole determinant of decisions about a student's  
7 graduation or promotion, and (iii) provide parents with information about the Statewide Testing  
8 Program and options for children with disabilities. The State Board shall report its proposed  
9 policies and proposed changes in policies to the Joint Legislative Education Oversight  
10 Committee prior to adoption.

11        The State Board of Education may appoint an Advisory Council on Testing to assist in  
12 carrying out its responsibilities under this Article."

13        **SECTION 2.** This act is effective when it becomes law and applies beginning with  
14 the 2015-2016 school year.





## HOUSE BILL 687: Public Schools/Testing Schedule

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Meyer, Glazier, Langdon  
**Analysis of:** PCS to First Edition  
H687-CSTC-35

**Date:** April 28, 2015  
**Prepared by:** Kara McCraw  
Committee Counsel

**SUMMARY:** *HB 687 requires that annual assessments and final exams be given within a certain testing window whenever practicable and educationally advantageous for students, and provides for a waiver process to allow local school administrative units to apply to the State Boards of Education to extend the testing window to 20 days for year-long courses and 10 days for semester courses.*

*The PCS would extend the waiver for semester courses from 10 to 15 days.*

**CURRENT LAW:** G.S. 115C-174.12 requires that all annual assessments of student achievement and all final exams for courses must be administered within the final 10 instructional days of the school years for year-long courses and within the final 5 instructional days of the semester for semester long courses. Exceptions are permitted to accommodate students with individualized education programs (IEPs) and Section 504 plans and for administrations of final exams for courses with national or international curricula required to be held at designated times.

**BILL ANALYSIS:** The PCS for HB 687 would require that all State annual assessments and all final exams must be administered within the final 10 instructional days for year-long courses and the final 5 instructional days for semester courses, whenever practicable and educationally advantageous for students. The bill would also allow local school administrative units to apply to the State Board of Education, at least 60 days before the scheduled date for exams, for a waiver extending the testing schedule up to the final 20 instructional days for year-long courses and the final 15 days for semester courses.

**EFFECTIVE DATE:** HB 687 would become effective when it becomes law and apply with the 2015-2016 school year.

O. Walker Reagan  
Director



Research Division  
(919) 733-2578





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 687

Short Title: Public Schools/Testing Schedule.

(Public)

Sponsors: Representatives Meyer, Glazier, and Langdon (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 14, 2015

A BILL TO BE ENTITLED  
AN ACT TO PROVIDE FLEXIBILITY TO LOCAL SCHOOL ADMINISTRATIVE UNITS  
IN ESTABLISHING THE ANNUAL TESTING SCHEDULE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-174.12(a) reads as rewritten:

"(a) The State Board of Education shall establish policies and guidelines necessary for minimizing the time students spend taking tests administered through State and local testing programs, for minimizing the frequency of field testing at any one school, and for otherwise carrying out the provisions of this Article. These policies and guidelines shall include the following:

- (1) Schools shall devote no more than two days of instructional time per year to the taking of practice tests that do not have the primary purpose of assessing current student ~~learning~~ learning.
- (2) Students in a school shall not be subject to field tests or national tests during the two-week period preceding the administration of end-of-grade tests, end-of-course tests, or the school's regularly scheduled final ~~exams~~ and exams.
- (3) No school shall participate in more than two field tests at any one grade level during a school ~~year~~ year.
- (4) All annual assessments of student achievement adopted by the State Board of Education pursuant to G.S. 115C-174.11(c)(1) and (3) and all final exams for courses shall be ~~administered~~ administered, whenever practicable and educationally advantageous for students, within the final 10 instructional days of the school year for year-long courses and within the final five instructional days of the semester for semester courses. ~~Exceptions~~ Upon approval by the local board of education, a local school administrative unit may apply to the State Board of Education at least 60 days prior to the date of scheduled assessments or final exams for an extension of the testing schedule for up to the final 20 instructional days of the school year for year-long courses and up to the final 10 instructional days of the semester for semester courses. A local school administrative unit shall also be permitted to accommodate a student's individualized education program and section 504 (29 U.S.C. § 794) plans and for the administration of final exams for courses with national or international curricula required to be held at designated times.



1 These policies shall reflect standard testing practices to insure reliability and validity of the  
2 sample testing. The results of the field tests shall be used in the final design of each test. The  
3 State Board of Education's policies regarding the testing of children with disabilities shall (i)  
4 provide broad accommodations and alternate methods of assessment that are consistent with a  
5 student's individualized education program and section 504 (29 U.S.C. § 794) plans, (ii)  
6 prohibit the use of statewide tests as the sole determinant of decisions about a student's  
7 graduation or promotion, and (iii) provide parents with information about the Statewide Testing  
8 Program and options for children with disabilities. The State Board shall report its proposed  
9 policies and proposed changes in policies to the Joint Legislative Education Oversight  
10 Committee prior to adoption.

11 The State Board of Education may appoint an Advisory Council on Testing to assist in  
12 carrying out its responsibilities under this Article."

13 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
14 the 2015-2016 school year.



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 687

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)

H687-ATC-29 [v.2]

Page 1 of 1

Amends Title [YES]  
First Edition

Date April 28<sup>th</sup> .2015

Representative Stam

1 moves to amend the bill on page 1, line 3, by rewriting that line to read:

2  
3 "IN ESTABLISHING THE ANNUAL TESTING SCHEDULE AND ENSURING THAT THE  
4 TEACHER OF RECORD MAY ADMINISTER TESTS TO STUDENTS."

5  
6 And on page 1, line 35, and page 2, line 1, by inserting between those lines the following:

7 "(5) No teacher of record shall be prohibited from administering tests required  
8 through State or local testing programs to students assigned to that teacher,  
9 except when testing modifications are necessary."

SIGNED Stam  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



\* H 6 8 7 - A T C - 2 9 - V - 2 \*





**Office of the Speaker Pro Tem  
North Carolina  
House of Representatives**

300 N. Salisbury St., Room 612, Raleigh, NC 27603  
(919) 733-2962 – Paul.Stam@ncleg.net

**Representative  
Paul Stam**



YOU DON'T SAY...

"I like mashed potatoes and gravy and I like Jell-O, but I don't like my Jell-O mixed up in my mashed potatoes and gravy."

*Rep. Skip Stam, R-Wake, on why he prefers that schools receive two grades -- one for performance and one for improvement -- rather than combining them.*

WRAL NEWS, 3/31/15

According to the current 80% proficiency/20% growth model, there are 86 schools with a D or F that exceed growth. And there are 46 schools that currently have an A or B overall grade, but they don't meet growth. To a parent, it is misleading to say a school is an A or B and yet students in the school are not making expected progress. For an educator it is morale busting to exceed growth and the school receiving a D or F. That said, achievement is also important and so it makes good sense to have both grades.

If you combine the scores into a single letter grade, here are the various distributions. Under proposed bill, 24% of schools will receive an F.

Distribution Curves For Various Models										
	15-point cuts					10-point cuts				
	80A/20G	60A/40G	50/50	40A/60G	20A/80G	80A/20G	60A/40G	50/50	40A/60G	20A/80G
A	132	168	175	215	388	51	60	52	66	134
B	582	789	965	1125	1281	212	280	331	424	731
C	1003	1045	971	869	631	454	617	757	850	804
D	561	388	297	207	119	675	750	712	625	455
F	<u>146</u>	<u>34</u>	<u>16</u>	<u>8</u>	<u>5</u>	<u>1032</u>	<u>717</u>	<u>572</u>	<u>459</u>	<u>300</u>
	2424	2424	2424	2424	2424	2424	2424	2424	2424	2424
A	5%	7%	7%	9%	16%	2%	2%	2%	3%	6%
B	24%	33%	40%	46%	53%	9%	12%	14%	17%	30%
C	41%	43%	40%	36%	26%	19%	25%	31%	35%	33%
D	23%	16%	12%	9%	5%	28%	31%	29%	26%	19%
F	6%	1%	1%	0%	0%	43%	30%	24%	19%	12%

Using the 2013-14 school data, here is how the distribution would work out if you instead use two letter grades. You can see that 341 schools would get a D or F in both achievement and growth, approximately 14% of all schools. Similarly, about 16% of schools would have an A or B in both achievement and growth. This information can be very helpful for targeting both awards and assistance.

Distribution Curves For a 2-Grade Model (15ptA, 10ptG)										
GROWTH										
	Achieve	Growth	ACHIEVE		A	B	C	D	F	
A	114	366		A	29	59	12	7	0	
B	447	952		B	117	199	79	35	15	
C	843	498		C	124	359	165	97	96	
D	683	315		D	77	250	150			
F	333	276		F	19	85	92			
2420		2407				366	952	498	315	276
GROWTH										
	Achieve	Growth	ACHIEVE		A	B	C	D	F	
A	5%	15%		A	1%	2%	0%	0%	0%	
B	18%	40%		B	5%	8%	3%	1%	1%	
C	35%	21%		C	5%	15%	7%	4%	4%	
D	28%	13%		D	3%	10%	6%	5%	4%	
F	14%	11%		F	1%	4%	4%	2%	3%	
						15%	40%	21%	13%	11%

High Performers!	404	17%
Low Growth: Achievement	165	7%
High Growth: Achievement	647	27%
Support Needed!	341	14%
Schools with grades 2+ apart	812	34%



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

1

HOUSE BILL 803

Short Title: School Performance Scores.

(Public)

Sponsors: Representatives L. Johnson, Glazier, Horn, and Lucas (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education - K-12.

April 15, 2015

A BILL TO BE ENTITLED  
AN ACT TO INCREASE THE WEIGHT OF SCHOOL GROWTH IN THE CALCULATION  
OF SCHOOL PERFORMANCE SCORES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-83.15(d) reads as rewritten:

"(d) Calculation of the School Performance Scores and Grades. – The State Board of Education shall use EVAAS to calculate the school performance score by adding the school achievement score, as provided in subsection (b) of this section, and the school growth score, as provided in subsection (c) of this section, earned by a school. The school achievement score shall account for ~~eighty percent (80%)~~, ~~fifty percent (50%)~~, and the school growth score shall account for ~~twenty percent (20%)~~ fifty percent (50%) of the total sum. If a school has met expected growth and inclusion of the school's growth score reduces the school's performance score and grade, a school may choose to use the school achievement score solely to calculate the performance score and grade. For all schools, the total school performance score shall be converted to a 100-point scale and used to determine a school performance grade based on the following scale:

- (1) A school performance score of at least 90 is equivalent to an overall school performance grade of A.
- (2) A school performance score of at least 80 is equivalent to an overall school performance grade of B.
- (3) A school performance score of at least 70 is equivalent to an overall school performance grade of C.
- (4) A school performance score of at least 60 is equivalent to an overall school performance grade of D.
- (5) A school performance score of less than 60 points is equivalent to an overall school performance grade of F."

**SECTION 2.** This act is effective when it becomes law and applies beginning with the 2014-2015 school year.



\* H 8 0 3 - V - 1 \*







## HOUSE BILL 803: School Performance Scores

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12	<b>Date:</b>	April 28, 2015
<b>Introduced by:</b>	Reps. L. Johnson, Glazier, Horn, Lucas	<b>Prepared by:</b>	Drupti Chauhan
<b>Analysis of:</b>	First Edition		Committee Counsel

**SUMMARY:** *House Bill 803 would increase the weight of school growth in the calculation of school performance scores.*

**CURRENT LAW:** School performance scores are computed by adding the school achievement score and the school growth score. The school achievement score accounts for 80% of the school performance score and the school growth score accounts for 20% of the performance score. If a school has met expected growth and inclusion of the school's growth score reduces the school's performance score and grade, a school may choose to only use the school achievement score to calculate the performance score and grade.

The State Board of Education must award school achievement, growth, and performance scores and an associated A-F performance grade for every school.

- School achievement scores are calculated to reflect student performance on annual indicators, including subject-specific assessments, college and workplace readiness measures, and graduation rates.
- School growth scores are calculated by weighing student growth, using EVAAS, on achievement indicators to see which schools have met, exceeded, or not met expected growth.

**BILL ANALYSIS:** House Bill 803 would provide that school achievement scores and school growth scores each account for 50% of the total sum for the school's performance score and grade.

**EFFECTIVE DATE:** The bill becomes effective when it becomes law and applies beginning with the 2014-2015 school year.

O. Walker Reagan  
Director



Research Division  
(919) 733-2578



Committee Sergeants at Arms

NAME OF COMMITTEE House Committee on Education K-12

DATE: 4-28-2015

Room: 643

House Sgt-At Arms:

1. Name: Warren Hawkins

2. Name: Doug Harris

Name: David Leighton Layton

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_

Senate Sgt-At Arms:

1. Name: \_\_\_\_\_

2. Name: \_\_\_\_\_

3. Name: \_\_\_\_\_

4. Name: \_\_\_\_\_

Name: \_\_\_\_\_



**Tuesday, April 28**  
EDUCATION - K12

**Room**  
643

**Time**  
10:00 am

<u>Name</u>	<u>County</u>	<u>Sponsor</u>
Princeton Porter	Onslow	Phil Shepard
Savannah Shockey	Lee	Brad Salmon
<del>Julia Wakeman</del> Julia Wakeman	Mecklenburg	John A. Fraley





## Education K-12 Committee

[illegible]



[illegible]



## VISITOR REGISTRATION SHEET

House Committee on Education K-12

4-28-2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

erin gray	Gov's office
LeKisha Jordan	Governor's office
Tammy Howard	DPI
Tracy Weeks	DPI
Wick	SBE
Eddie Gooden	Charter Assn.
Patricia L.	P. L. Brasher.
La Teague	NCPCSA
Tom Tomberlin	NC DPI
Rebecca Garland	NC DPI
Carolyn Guilford	NC DPI



## VISITOR REGISTRATION SHEET

House Committee on Education K-12

4-28-2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Brenda Berg	BESt NC
Nick Goetsch	OSBM
Matt Gross	NCK
Joc Haas	NC CSA
B. H. Allen	Allen Law Offices
Marty Bacock	CCIA
Doug Miskew	PSG
Jul Maynard	gpm & assoc.
Katherine Joyce	NCASA
Tarran Cellahan	NCCADD
DAVIS WHITFIELD	NCHSAA





## VISITOR REGISTRATION SHEET

House Committee on Education K-12

4-28-2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Burt Jenkins	NC DPI
Ellen Essick	NC DPI
Malinda Faber	Friday Institute
Caroline McCullen	SAS
Katie Hagan	BEST NC
Julie Kowal	BEST NC
Austin Pruitt	Peterson Law
Leanne Wynn	NCSBA
Nora Carr	Guilford County Schools
Rebecca Buffington	Guilford Co. Board of Education
Elizabeth Foster	Guilford Co. Assn. of Educators



# VISITOR REGISTRATION SHEET

House Committee on Education K-12

4-28-2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Amy Harrison	Guilford County Association of Educators, NC Association of Educators
Dr. NICK BHATTACHARYA	JAMES SPRUNT COMMUNITY College, Kenansville NC 910-296-2492
Debra Fulton	Fayetteville Technical Community College 2201 Hull Rd Fayetteville NC 28303
DORIS Allen	Fayetteville Technical Community College
Scott Thomas	Fayetteville Technical Community College
DAVID SULLIVAN	FTCC
LARRY KEEN	FTCC
Gerald Danic!	FTCC
Sarah Folorunsho	FTCC
Sarah Wolfe	MNC
Isabel Villa	NCAR
Wendy Kelly	Texas Medina



# VISITOR REGISTRATION SHEET

House Committee on Education K-12

4-28-2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Reggie Holey

The Longmire Group

Carrianne

The Longmire Group

Ernelyn Hawthorne

EHOR

Rachel Deaton

NCDPI

Zane Stillwell

NCSPF

David Collins

SEAN





## VISITOR REGISTRATION SHEET

House Committee on Education K-12

Name of Committee

4-28-2015

Date

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME

FIRM OR AGENCY AND ADDRESS

Richard Thompson

WCCAT





**House Education K-12 Committee  
Tuesday, June 2, 2015 at 10:00 AM  
Room 643 of the Legislative Office Building**

**MINUTES**

The House Education K-12 Committee met at 10:00 am on June 2, 2015 in Room 643 of the Legislative Office Building. Representatives Elmore, Horn, Johnson, Ager, Cleveland, Cotham, Dixon, Farmer-Butterfield, Fisher, Glazier, Graham, Hardister, Hurley, Iler, Jones, Langdon, Luebke, Meyer, Pittman, Richardson, Riddell, Stam, and Turner were in attendance. Research Department staff was Drupti Chauhan, Kara McCraw, Denise Huntley-Adams and James Ritter. Visitor registration sheets are provided. (Attachment 1)

Representative Jeffrey Elmore, Chair, presided. He called the meeting to order at 10:06 am and introduced the House Sergeant at Arms and the visiting pages. (Attachment 2)

Representative Elmore announced that Senate Bill 315, School Playgrounds Available to Public, would be before the committee today and called on Senator Louis Pate to present the bill. He explained that the bill would make it permissible for schools to open their playgrounds to the public without fear of liability. Following discussion from Committee members there was a unanimous call to commend the bill. SB 315 will be referred to the House on Local Government Committee.

Senator Tillman was called on to present SB 597 "Repeal References to ABC's". There was unanimous approval. Rep. Pat Hurley will carry the bill on the House Floor.

Rep. Elmore recognized Senator Soucek who presented Senate Bill 333, Teacher Attrition Data. The bill is designed to collect better data as to why teachers leave their teaching positions. Rep. Stam had an amendment to aggregate the data. (Attachment 3). The amendment passed. Rachel Beaulier with DPI was asked about the current standardized form. Discussion followed and the bill passed as amended. Rep. Jones will handle the bill on the House Floor.

There being no further business, Chairman Elmore called the meeting adjourned at 10:55 AM.

A handwritten signature in blue ink, reading "Jeffrey Elmore".

Representative Jeffrey Elmore, Chair Presiding

A handwritten signature in blue ink, reading "Pattie Fleming".

Pattie Fleming, Committee Clerk



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair**

**Representative D. Craig Horn, Co-Chair**

**Representative Linda P. Johnson, Co-Chair**

**FAVORABLE**

**SB 597 (CS#1)**

Repeal References to ABCs.

Draft Number:	None
Serial Referral:	None
Recommended Referral:	None
Long Title Amended:	No
Floor Manager:	Hurley

**FAVORABLE AND RE-REFERRED**

**SB 315 (CS#1)**

School Playgrounds Available to Public.

Draft Number:	None
<b>Serial Referral:</b>	<b>LOCAL GOVERNMENT</b>
Recommended Referral:	None
Long Title Amended:	No
Floor Manager:	To be determined

**FAVORABLE HOUSE COM SUB, UNFAVORABLE SENATE COM SUB**

**SB 333 (CS#1)**

Teacher Attrition Data.

Draft Number:	S333-PCS25267-TC-43
Serial Referral:	None
Recommended Referral:	None
Long Title Amended:	No
Floor Manager:	Jones

**TOTAL REPORTED: 3**



\* C M R 4 0 0 - V - 1 \*



## House Education - K-12

Notes for Agenda Items

June 2, 2015, 10:00 a.m.

Rep. Elmore, Chair

### **SB 315 School Playgrounds Available to Public.**

Senators Pate, Tillman, Van Duyn

- Drupti is handling this bill.
- There is a serial referral to Local Government.

*If there are no amendments to the Bill,*

**THE MOTION SHOULD BE: THE REPRESENTATIVE MOVES FOR A FAVORABLE REPORT**

*If there are amendments that pass,*

**THE MOTION (IF FAVORABLE) SHOULD BE: FAVORABLE TO THE BILL AS AMENDED, ROLLED INTO A PROPOSED COMMITTEE SUBSTITUTE, WITH A FAVORABLE REPORT TO THE COMMITTEE SUBSTITUTE AND AN UNFAVORABLE REPORT TO THE ORIGINAL BILL.**

### **SB 333 Teacher Attrition Data.**

Senator Soucek

- Denise is handling this bill.

*If there are no amendments to the Bill,*

**THE MOTION SHOULD BE: THE REPRESENTATIVE MOVES FOR A FAVORABLE REPORT**

*If there are amendments that pass,*

**THE MOTION (IF FAVORABLE) SHOULD BE: FAVORABLE TO THE BILL AS AMENDED, ROLLED INTO A PROPOSED COMMITTEE SUBSTITUTE, WITH A FAVORABLE REPORT TO THE COMMITTEE SUBSTITUTE AND AN UNFAVORABLE REPORT TO THE ORIGINAL BILL.**

### **SB 597 Repeal References to ABCs.**

Senators Tillman, Soucek, Curtis

- Kara is handling this bill.

*If there are no amendments to the Bill,*

**THE MOTION SHOULD BE: THE REPRESENTATIVE MOVES FOR A FAVORABLE REPORT**

*If there are amendments that pass,*

**THE MOTION (IF FAVORABLE) SHOULD BE: FAVORABLE TO THE BILL AS AMENDED, ROLLED INTO A PROPOSED COMMITTEE SUBSTITUTE, WITH A FAVORABLE REPORT TO THE COMMITTEE SUBSTITUTE AND AN UNFAVORABLE REPORT TO THE ORIGINAL BILL.**





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

SESSION LAW 2015-64  
SENATE BILL 315

AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO MAKE OUTDOOR  
SCHOOL PROPERTY AVAILABLE TO THE PUBLIC FOR RECREATIONAL  
PURPOSES AND TO MAKE OTHER CONFORMING CHANGES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-524 reads as rewritten:

**"§ 115C-524. Repair of school property; use of buildings for other than school purposes.**

(a) Repair of school buildings is subject to the provisions of G.S. 115C-521(c) and (d).

(b) It shall be the duty of local boards of education and tax-levying authorities, in order to safeguard the investment made in public schools, to keep all school buildings in good repair to the end that all public school property shall be taken care of and be at all times in proper condition for use. It shall be the duty of all principals, teachers, and janitors to report to their respective boards of education immediately any unsanitary condition, damage to school property, or needed repair. All principals, teachers, and janitors shall be held responsible for the safekeeping of the buildings during the school session and all breakage and damage shall be repaired by those responsible for same, and where any principal or teacher shall permit damage to the public school buildings by lack of proper discipline of pupils, such principal or teacher shall be held responsible for such damage: Provided, principals and teachers shall not be held responsible for damage that they could not have prevented by reasonable supervision in the performance of their duties.

(c) Notwithstanding the provisions of G.S. 115C-263 and 115C-264, local boards of education may adopt rules and regulations under which they may enter into agreements permitting non-school groups to use school real and personal property, except for school buses, for other than school purposes so long as such use is consistent with the proper preservation and care of the public school property. No liability shall attach to any board of ~~education, individually or collectively, education or to any individual board member~~ for personal injury suffered by reason of the use of such school property pursuant to such agreements.

(d) Local boards of education may make outdoor school property available to the public for recreational purposes, subject to any terms and conditions each board deems appropriate, (i) when not otherwise being used for school purposes and (ii) so long as such use is consistent with the proper preservation and care of the outdoor school property. No liability shall attach to any board of education or to any individual board member for personal injury suffered by reason of the use of such school property."





**SECTION 2.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 4<sup>th</sup> day of June, 2015.

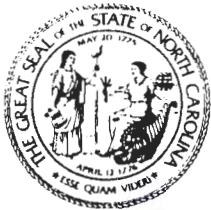
s/ Daniel J. Forest  
President of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Pat McCrory  
Governor

Approved 10:00 a.m. this 11<sup>th</sup> day of June, 2015





## SENATE BILL 315: School Playgrounds Available to Public

2015-2016 General Assembly

<b>Committee:</b>	House Education - K-12, if favorable, Local Government	<b>Date:</b>	June 2, 2015
<b>Introduced by:</b>	Sens. Pate, Tillman, Van Duyn	<b>Prepared by:</b>	Drupti Chauhan*
<b>Analysis of:</b>	Second Edition		Committee Counsel

**SUMMARY:** *Senate Bill 315 would authorize local boards of education to make outdoor school property available to the public for recreational purposes.*

**CURRENT LAW:** Under current law, local boards of education may adopt rules and regulations under which they may enter into agreements permitting non-school groups to use most school real and personal property for non-school purposes so long as such use is consistent with the proper preservation and care of the public school property. Current law provides that liability does not attach to any board of education, individually or collectively, for personal injury suffered by reason of the use of school property used under the agreement.

**BILL ANALYSIS:** Senate Bill 315 would authorize local boards of education to make outdoor school property available to the public for recreational purposes, subject to terms and conditions each board deems appropriate, (i) when not otherwise being used for school purposes and (ii) so long as such use is consistent with the proper preservation and care of the school property.

The bill would provide that liability does not attach to any board of education or any individual board member for personal injury suffered by reason of the use of school property.

The bill also makes a conforming change.

**EFFECTIVE DATE:** This act is effective when it becomes law.

*\*This summary was substantially contributed to by Denise Adams, Committee Analyst, and Kara McCraw, Committee Counsel.*

O. Walker Reagan  
Director



Research Division  
(919) 733-2578





GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

S

D

SENATE BILL 333  
Education/Higher Education Committee Substitute Adopted 4/15/15  
Third Edition Engrossed 4/27/15  
PROPOSED HOUSE COMMITTEE SUBSTITUTE S333-PCS25267-TC-43

Short Title: Teacher Attrition Data.

(Public)

Sponsors:

Referred to:

March 19, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THAT THE STATE BOARD OF EDUCATION INCLUDE  
3 SPECIFIC DATA IN ITS ANNUAL REPORT ON THE TEACHING PROFESSION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-12(22) reads as rewritten:

6 "(22) Duty to Monitor the ~~Decisions of Teachers to Leave the Teaching~~  
7 ~~Profession.~~ State of the Teaching Profession in North Carolina. – The State  
8 Board of Education shall monitor and compile an annual report on the state  
9 of the teaching profession in North Carolina that includes data on the  
10 decisions of teachers to leave the teaching profession. The State Board shall  
11 adopt standard procedures for each local board of education to use in  
12 requesting the information from teachers who are not continuing to work as  
13 teachers in the local school administrative unit and shall require each local  
14 board of education to report the information to the State Board in a standard  
15 format adopted by the State Board. The annual report shall include data on  
16 the following, disaggregated by the effectiveness ratings of those teachers on  
17 the North Carolina Educator Evaluation System (NCEES):

- 18 a. The number of teachers who left the profession without remaining in  
19 the field of education and the reasons for teachers leaving the  
20 profession.  
21 b. The number of teachers who left their employment to teach in other  
22 states.  
23 c. The number of teachers who left their employment to work in  
24 another school in North Carolina, including nonpublic schools and  
25 charter schools.  
26 d. The number of teachers who left a classroom position for another  
27 type of educational position.  
28 e. The number of hard-to-staff schools. A hard-to-staff school shall be  
29 any school identified as low-performing, as provided in  
30 G.S. 115C-105.37.  
31 f. The number of positions in hard-to-staff subject areas. A  
32 hard-to-staff subject area is either of the following:  
33 1. As defined by the United States Department of Education.



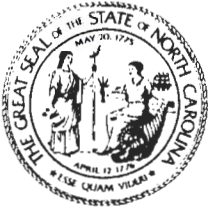
\* S 3 3 3 - P C S 2 5 2 6 7 - T C - 4 3 \*



- 1
- 2
- 3
- 4
- 5

**SECTION 2.** This act is effective when it becomes law and applies beginning with





# SENATE BILL 333: Teacher Attrition Data

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Sen. Soucek  
**Analysis of:** Third Edition

**Date:** June 2, 2015  
**Prepared by:** Denise Adams\*  
Legislative Analyst

**SUMMARY:** *Senate Bill 333 would require the State Board of Education (SBE) to include specific data in its annual report on the teaching profession.*

**CURRENT LAW:** G.S. 115C-12(22) requires the SBE to monitor and compile an annual report on why teachers leave the teaching profession. The SBE is required to adopt standard procedures for each local board of education to use in requesting the information from teachers who do not wish to continue to work as teachers in the local school administrative unit (LEA). Each local board of education must report the specific teacher turnover data in a standard format adopted by the SBE.

**BILL ANALYSIS:** Senate Bill 333 would require the annual SBE report on the teaching profession to include the following:

- Data on the number of teachers who left the profession without remaining in the field of education and the reasons why the teachers are not remaining in the profession.
- The number of teachers who left the teaching profession to teach in other states.
- The number of teachers who left their employment to work in another school in North Carolina, including nonpublic and charter schools.
- The number of teachers who left a classroom position for another type of educational position.
- The number of hard-to-staff schools, as identified as a low performing school. Under current law, low performing schools are those in which there is a failure to meet the minimum growth standards, as defined by the SBE, and a majority of students are performing below grade level.
- The number of positions in hard-to-staff subject areas as either (1) defined by the United States Department of Education or (2) a subject area that has resulted in a long term vacancy of 16 months or more at a particular school in an LEA.

**EFFECTIVE DATE:** The act is effective when it becomes law and applies beginning with the annual report compiled in 2017 using data from the 2016-2017 school year.

**BACKGROUND:** Each LEA reports teacher turnover data for the North Carolina School Report Card. This data is calculated based on a snapshot of employment in the LEA as reflected in the North Carolina Department of Public Instruction licensure/salary database. The snapshot shows teachers who were employed in March of the previous year, but not employed in the same LEA in March of the current year.

Each personnel administrator in each LEA is provided a list of teachers by the SBE within the March date range and they are asked to provide summative data on why teachers from their LEA have left teaching. The information on the turnover rate is self-reported during exit interviews, surveys, and/or factual information from the LEAs personnel database.

\*James Ritter, Legislative Analyst, significantly contributed to this summary.

O. Walker Reagan  
Director



Research Division  
(919) 733-2578





NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 333

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)

S333-ATC-53 [v.1]

Page 1 of 1

Amends Title [NO]  
Third Edition

Date June 2<sup>nd</sup>, 2015

Representative Stam

1 moves to amend the bill on page 1, line 16, by rewriting that line to read:

2  
3 "the following, disaggregated by the effectiveness ratings of those teachers on the North  
4 Carolina Educator Evaluation System (EVAAS):".

5  
6  
7  
8  
NEES

Stam

SIGNED

Stam

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED



\* S 3 3 3 - A T C - 5 3 - V - 1 \*





“  
”



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

SESSION LAW 2015-65  
SENATE BILL 597

AN ACT TO REPEAL REFERENCES TO THE ABCS PROGRAM IN THE GENERAL  
STATUTES.

The General Assembly of North Carolina enacts:

**SECTION 1.1.** G.S. 115C-17 is repealed.

**SECTION 1.2.** G.S. 115C-105.36 is repealed.

**SECTION 1.3.** G.S. 143B-146.1 reads as rewritten:

**"§ 143B-146.1. Mission of schools; definitions.**

(a) It is the intent of the General Assembly that the mission of the residential school community is to challenge with high expectations each child to learn, to achieve, and to fulfill his or her potential.

(b) The following definitions apply in this Part:

- (1) ~~ABC's Program~~ or Program. – The School-Based Management and Accountability Program developed by the State Board.
- (2) Department. – The Department of Health and Human Services.
- (3) Instructional personnel. – Assistant principals, teachers, instructional personnel, instructional support personnel, and teacher assistants employed in a residential school.
- (4) Participating school. – A residential school that is required to participate in the ~~ABC's~~ Program.
- (4a) Residential school. – A school operated by the Department of Health and Human Services that provides residential services to students. For the purposes of this Part, "residential school" does not include a school operated pursuant to Article 9C of Chapter 115C.
- (5) Residential school personnel. – The individuals included in G.S. 143B-146.16(a)(2).
- (6) Schools. – The residential schools under the control of the Secretary.
- (7) Secretary. – The Secretary of Health and Human Services.
- (8) State Board. – The State Board of Education."

**SECTION 1.4.** G.S. 143B-146.2 reads as rewritten:

**"§ 143B-146.2. ~~ABC's~~ School-Based Management and Accountability Program in residential schools.**

(a) The Secretary, in consultation with the General Assembly and the State Board, may designate residential schools that must participate in the ~~ABC's~~ Program. The primary goal of the ~~ABC's~~ Program is to improve student performance. The Program is based upon an accountability, recognition, assistance, and intervention process in order to hold each participating school, its principal, and the instructional personnel accountable for improved student performance in that school.

(b) In order to support the participating schools in the implementation of this Program, the State Board, in consultation with the Secretary, shall adopt guidelines, including guidelines to:

- (1) Assist the Secretary and the participating schools in the development and implementation of the ~~ABC's~~ Program.
- (2) Recognize the participating schools that meet or exceed their goals.
- (3) Identify participating schools that are low-performing and assign assistance teams to those schools. The assistance teams should include individuals with expertise in residential schools, individuals with experience in the education





of children with disabilities, and others the State Board, in consultation with the Secretary, considers appropriate.

(4) Enable assistance teams to make appropriate recommendations.

(c) The ~~ABC's~~ Program shall provide increased decision making and parental involvement at the school level with the goal of improving student performance.

(d) Consistent with improving student performance, the Secretary shall provide maximum flexibility to participating schools in the use of funds to enable those schools to accomplish their goals."

**SECTION 1.5.** G.S. 143B-146.3 reads as rewritten:

**"§ 143B-146.3. Annual performance goals.**

The ~~ABC's~~ Program shall (i) focus on student performance in the basics of reading, mathematics, and communications skills in elementary and middle schools, (ii) focus on student performance in courses required for graduation and on other measures required by the State Board in the high schools, and (iii) hold participating schools accountable for the educational growth of their students. To those ends, the State Board shall design and implement an accountability system that sets annual performance standards for each participating school in order to measure the growth in performance of the students in each individual school."

**SECTION 1.6.** G.S. 143B-146.4 is repealed.

**SECTION 1.7.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 3<sup>rd</sup> day of June, 2015.

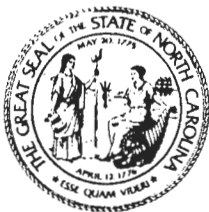
s/ Daniel J. Forest  
President of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Pat McCrory  
Governor

Approved 10:00 a.m. this 11<sup>th</sup> day of June, 2015





## SENATE BILL 597: Repeal References to ABCs

2015-2016 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Sens. Tillman, Soucek, Curtis  
**Analysis of:** Second Edition

**Date:** June 2, 2015  
**Prepared by:** Kara McCraw\*  
Committee Counsel

**SUMMARY:** *Senate Bill 597 would repeal references to the "ABCs" Program in the statutes.*

**CURRENT LAW:** The ABCs of Public Education was an accountability plan developed in the 1990s to improve public schools in North Carolina by focusing on strong Accountability with an emphasis on high educational standards; teaching the Basics; and local Control.

**BILL ANALYSIS:** The 2nd Edition of SB 597 would repeal the statutory references to the "ABCs" Program and the statutes that provide for financial performance recognition for personnel in schools that met growth as determined by the SBE because the school performance models based on the ABCs are no longer being used in the State.

**EFFECTIVE DATE:** The bill would become effective when it becomes law.

*\*This bill summary was substantially contributed to by Drupti Chauhan, Committee Counsel.*

O. Walker Reagan  
Director



\* S 5 9 7 - S M T C - 5 3 E 2 - V 1 \*

Research Division  
(919) 733-2578





Committee Sergeants at Arms

NAME OF COMMITTEE Committee on Education K-12

DATE: 5/2/2015

Room: 643

House Sgt-At Arms:

1. Name: Charles Godwin

2. Name: Rey Cooke

3. Name: Dean Marshbourne

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_

Senate Sgt-At Arms:

1. Name: \_\_\_\_\_

2. Name: \_\_\_\_\_

3. Name: \_\_\_\_\_

4. Name: \_\_\_\_\_

5. Name: \_\_\_\_\_



**Tuesday, June 2**  
EDUCATION

**Room**  
643

**Time**  
10:00 am

<b>Name</b>	<b>County</b>	<b>Sponsor</b>
Mary Hope Hadley	Wake	Gale Adcock
Danny Kruger	Cumberland	John Szoka
Emma Lee	Mecklenburg	Speaker Moore
Aaron McKinney	McDowell	Josh Dobson
Jack Mitchell	Chatham	Speaker Moore



~

## Education K-12 Committee

[illegible]



[illegible]





## VISITOR REGISTRATION SHEET

Committee on Education K-12

8/2/2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Vincent Reitano	DPI
Joe Maugeri	DPI
Qi Wang	DPI
Julia Burrows	DPI
Austin Pruitt	Perkinson Law
Chase Jordan	Rep. Gotthardt
Lee Tynge	NC PCSA
Julie Kowal	BES NC
Adam Pridemore	NCSA
Doug Holbrook	NCSA
Joel Maynard	CRM : ASOU



1. The first part of the document is a list of the names of the people who were present at the meeting.

2. The second part of the document is a list of the topics that were discussed.

3. The third part of the document is a list of the actions that were taken.

4. The fourth part of the document is a list of the people who were responsible for the actions.



# VISITOR REGISTRATION SHEET

Committee on Education K-12

5/2/2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Lao RUBEN	CJPC
Jonathan Hill	CTNC
Amber Cassidy	ASNC
Phoebe Landon	Brooks Pierce
Matt Ellinwood	NCJC
Maire Caitlin Cogdell	
Sue Ann Forrest	NCICU
Harry [Signature]	hwc
[Signature]	MWC
Henry M Lancaster	LCA
Bruce Mldwnt	NCSBA
Robhamme	RLA



## VISITOR REGISTRATION SHEET

Committee on Education K-12

5/2/2015

Name of Committee

Date \_\_\_\_\_

**VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK**

NAME \_\_\_\_\_

FIRM OR AGENCY AND ADDRESS

Sheria Reid

LOG

CANDIA SKINNER

NCAcc

Andy Chase

KMA

Jennifer Mahan

ASNC

Julia Adams-Scheurich

Dr. ASNC MARC NCARF





# VISITOR REGISTRATION SHEET

Committee on Education K-12

5/2/2015

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Zane Stilwell

NCSBE

Evan Lee

NCDPI

Rachel Brantley

NCDPI

Jim Hansen

NCSSWA

Jack Bay

self





**House Education K-12 Committee  
Wednesday, May 25, 2016  
Room 544 of the Legislative Office Building**

**MINUTES**

The House Education K-12 Committee met at 5:30 PM on May 25, 2016 in Room 544 of the Legislative Office Building. Representatives Elmore, Horn, Johnson, Ager, Bradford, Bryan, Cleveland, Dixon, Fisher, Gill, Hall, Hanes, Hardister, Hurley, Iler, Jones, Langdon, Luebke, Malone, Meyer, Pittman, Richardson, Riddell, Saine, Sgro, Stam, Turner, and Whitmire were in attendance. Research Department staff present was Drupti Chauhan, Kara McCraw, Denise Huntley-Adams and James Ritter. Visitor registration sheets are provided. (Attachment 1)

Representative Linda Johnson, Chair, presided. She called the meeting to order at 5:30 and introduced the House Sergeant at Arms and the visiting pages.

Representative Johnson announced that House Bill 1080, Achievement School District, would be before the committee today and called on Representative Rob Bryan to present the bill. He explained the bill step by step following the outline in the bill summary.

Rep. Johnson called for questions and comments from the committee members and following discussion Rep. Kyle Hall moved to amend the bill on page 4, lines 7-9, by rewriting the lines to read "The State Board of Education shall be responsible for facility and capital expenditures at the qualifying school". (Attachment 2) Following discussion a vote of ayes and noes was taken and the amendment failed.

Rep. Johnson had requests from the public for comments. She recognized Mark Jewell, NCAE from Guilford County; (attachment 3) Kris Nordstrom, NC Justice Center; Marcus Brandon; Rep. Cecil Brockman, bill sponsor (attachment 4); Jessica Benton, teacher (attachment 5); and Bruce Mildwurf, NC School Board Association.

Rep. Johnson recognized Rep. Pittman for a favorable report. A roll call vote was requested and with an 18-11 vote HB 1080 passed. (attachment 6).

There being no further business, Rep. Johnson adjourned the committee at 6:30 PM.

---

Representative Linda Johnson, Chair Presiding

Pattie Fleming, Committee Clerk



**Pattie Fleming (Rep. Craig Horn)**

---

**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Wednesday, May 25, 2016 12:57 PM  
**To:** Rep. Rob Bryan; Rep. John Bradford; Rep. Cecil Brockman  
**Cc:** Kevin Wilkinson (Rep. Rob Bryan); Anita Spence (Rep. John Bradford); Grady O'Brien (Rep. Cecil Brockman)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Wednesday, May 25, 2016 at 15 Minutes After Session - CORRECTED #3  
**Attachments:** Add Meeting to Calendar\_LINC\_.ics

**Corrected #3: TIME CHANGE**

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Wednesday, May 25, 2016  
**TIME:** 15 Minutes After Session  
**LOCATION:** 544 LOB  
**COMMENTS:** Rep. Johnson will be presiding.

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 1080	Achievement School District.	Representative Bryan Representative Brockman Representative Bradford



Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 12:56 PM on Wednesday, May 25, 2016.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)





**Pattie Fleming (Rep. Craig Horn)**

---

**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Tuesday, May 24, 2016 10:44 AM  
**To:** Joanna Hogg (Rep. Linda Johnson)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Wednesday, May 25, 2016 at 15 Minutes After Session  
**Attachments:** Add Meeting to Calendar\_LINC\_.ics

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Wednesday, May 25, 2016  
**TIME:** 15 Minutes After Session  
**LOCATION:** 643 LOB  
**COMMENTS:** Rep. Johnson with be presiding.

Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:43 AM on Tuesday, May 24, 2016.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)



**Pattie Fleming (Rep. Craig Horn)**

---

**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Tuesday, May 24, 2016 10:44 AM  
**To:** Joanna Hogg (Rep. Linda Johnson)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Wednesday, May 25, 2016 at 15 Minutes After Session  
**Attachments:** Add Meeting to Calendar\_LINC\_ics

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Wednesday, May 25, 2016  
**TIME:** 15 Minutes After Session  
**LOCATION:** 643 LOB  
**COMMENTS:** Rep. Johnson will be presiding.

Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:43 AM on Tuesday, May 24, 2016.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)



**Pattie Fleming (Rep. Craig Horn)**

---

**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Tuesday, May 24, 2016 12:46 PM  
**To:** Rep. Rob Bryan; Rep. John Bradford; Rep. Cecil Brockman  
**Cc:** Kevin Wilkinson (Rep. Rob Bryan); Anita Spence (Rep. John Bradford); Grady O'Brien (Rep. Cecil Brockman)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Wednesday, May 25, 2016 at 2:45 PM - CORRECTED #1  
**Attachments:** Add Meeting to Calendar\_LINC\_.ics

**Corrected #1: TIME CHANGE & AGENDA**

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Wednesday, May 25, 2016  
**TIME:** 2:45 PM  
**LOCATION:** 643 LOB  
**COMMENTS:** Rep. Johnson will be presiding.

The following bills will be considered:

<b>BILL NO.</b>	<b>SHORT TITLE</b>	<b>SPONSOR</b>
HB 1080	Achievement School District.	Representative Bryan Representative Brockman Representative Bradford





Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 12:45 PM on Tuesday, May 24, 2016.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

D

HOUSE BILL 1080  
PROPOSED COMMITTEE SUBSTITUTE H1080-CSTC-76 [v.3]  
05/24/2016 06:47:46 PM

Short Title: Achievement School District.

(Public)

Sponsors:

Referred to:

May 11, 2016

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT.  
The General Assembly of North Carolina enacts:

**SECTION 1.** Subchapter III of Chapter 115C of the General Statutes is amended by adding a new Article to read:

"Article 7A.

"Achievement School District and Innovation Zones.

**"§ 115C-75.5. Definitions.**

The following definitions apply in this Article:

- (1) Achievement school. – An elementary school under the supervision of the Achievement School District.
- (2) Achievement School District or ASD. – The statewide school unit established pursuant to this Article.
- (3) Achievement school operator or AS operator. – An entity selected by the State Board of Education upon the recommendation of the ASD Superintendent to operate an achievement school. The Department of Public Instruction may not be selected as an AS operator.
- (4) ASD Superintendent. – The superintendent of the ASD appointed by the State Board of Education in accordance with G.S. 115C-75.6(b).
- (5) Qualifying school. – A low-performing school, as defined in G.S. 115C-105.37, that meets one of the following criteria:
  - a. The school received a school performance score in the lowest five percent (5%) of all schools in the prior school year that meet all of the following requirements:
    1. The school includes all or part of grades kindergarten through fifth.
    2. The school did not exceed growth in at least one of the prior three school years and did not meet growth in at least one of the prior three school years.
    3. One of the models established in G.S. 115C-105.37B for continually low-performing schools had not been adopted for that school for the immediately prior school year.
  - b. Received a school performance score in the lowest ten percent (10%) of all schools that include all or part of grades kindergarten through fifth in the prior school year and has been designated by the local board of



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education for consideration by the State Board of Education as an achievement school.

**"§ 115C-75.6. Achievement School District.**

(a) There is established the Achievement School District (ASD) under the administration of the State Board of Education. The ASD shall assume the supervision, management, and operation of elementary schools that have been selected as achievement schools pursuant to this Article.

(b) An ASD Superintendent Selection Advisory Committee shall be established to make a recommendation to the State Board of Education on appointment of a superintendent to serve as an executive officer of the ASD. The Committee shall ensure that the individual recommended has qualifications consistent with G.S. 115C-271(a). The Lieutenant Governor shall serve as chair of the Committee and shall appoint the following additional members:

(1) Three members of the State Board of Education.

(2) One teacher or retired teacher.

(3) One principal or retired principal.

(4) One superintendent or retired superintendent.

(5) One parent of a student currently enrolled in a low-performing school, as defined in G.S. 115C-105.37.

(c) The State Board of Education or its designee shall consider the recommendation of the ASD Superintendent Selection Advisory Committee and shall appoint a superintendent to serve as the executive officer of the ASD. The ASD Superintendent shall serve at the pleasure of the State Board of Education at a salary established by the State Board within the funds appropriated for this purpose. The Superintendent of the ASD shall have qualifications consistent with G.S. 115C-271(a) and report directly to the State Board.

(d) By January 15 annually, the State Board and the ASD Superintendent shall report to the Joint Legislative Education Oversight Committee on all aspects of operation of ASD, including the selection of achievement schools and their progress.

**"§ 115C-75.7. Selection of achievement schools.**

(a) State Board Selection. – The State Board of Education is authorized to select, upon the recommendation of the Superintendent of the ASD, no more than five qualifying schools to transfer to the ASD as achievement schools. The five qualifying schools selected for inclusion in the ASD should represent geographic diversity, including urban and rural schools. The State Board of Education shall select no more than one qualifying school per local school administrative unit, unless the local board of education consents.

(b) Selection Process. – The selection of qualifying schools shall be based on an analysis of performance over the most recent three-year period. Prior to recommendation of selection of a qualifying school, the ASD Superintendent shall conduct an evaluation of the school to determine the factors contributing to the school's performance and shall confer with the school principal, local board of education members, the local school superintendent, and the local board of county commissioners to share the findings of the evaluation. The school selection process shall also include a public hearing to allow for parent and community input. The ASD Superintendent shall evaluate and identify the qualifying schools to recommend for selection as prospective achievement schools no later than November 15 prior to the initial school year in which the school may operate as an achievement school and shall notify the local boards of education where prospective achievement schools are located by that date. The State Board of Education shall select the prospective achievement schools no later than January 15.

(c) Local Board Response. – Upon notification by the ASD Superintendent of selection by the State Board of Education of the qualifying school as a prospective achievement school, the local board of education shall determine whether to (i) close the selected qualifying school, (ii) transfer the school into the ASD, or (iii) request adoption of the principal turnaround reform model for the qualifying school, as provided in and subject to G.S. 115C-105.37B. The local board



shall not be required to undertake the study required by G.S. 115C-72 before closing the school. Before the adoption of a resolution, the local board of education shall provide for a public hearing in regard to the proposed transfer, closure, or adoption of the principal turnaround reform model, at which hearing the public shall be afforded an opportunity to express their views. No later than March 1, the local board of education shall adopt a resolution either (i) consenting to transfer of the selected qualifying school to the ASD as an achievement school, (ii) closing that school at the conclusion of that school year, or (iii) requesting adoption of the principal turnaround reform model for the qualifying school. The State Board of Education may delay the transfer of a selected school to the ASD for one year upon the recommendation of the ASD Superintendent.

(d) Public Notification. – The list of qualifying schools and selected achievement schools shall be made publically available on a Web site maintained by the ASD.

(e) Waivers for AS Schools. – The ASD Superintendent may waive State Board of Education rules, regulations, policies, and procedures, or the provisions of this Chapter for achievement schools; however, achievement schools shall be required to comply with, at a minimum, the statutory requirements for charter schools as provided in Article 14A of this Chapter. The goal for each waiver shall be improvement of student performance. All achievement schools shall comply with all applicable constitutional and statutory nondiscrimination requirements.

**"§ 115C-75.8. Selection of AS operators.**

(a) The State Board of Education may select an AS operator for a prospective achievement school by January 15 and shall select an AS operator for a prospective school no later than February 15.

(b) The State Board of Education, upon the recommendation of the ASD Superintendent, shall only select an entity to contract as an AS operator if that entity demonstrates one of the following:

(1) The school or schools operated by the entity in this State or other states have a record of results in improving performance of persistently low-performing schools or improving performance of a substantial number of persistently low-performing students attending the school.

(2) The entity has a credible and specific plan for dramatically improving student achievement in a low-performing school and provides evidence that the entity is currently operating a school or schools in this State that provide a sound, basic education or has demonstrated consistent and substantial growth toward providing a sound, basic education in the prior three school years, or is a contractual affiliate of such an entity.

(c) The selected AS operator shall be provided opportunities to hold public informational sessions and other outreach to the community, prospective achievement school, and local board of education of a prospective achievement school prior to a local board's adoption of the resolution required by G.S. 115C-75.7(c).

**"§ 115C-75.9. Management of achievement schools.**

(a) Direct Management by AS Operator. – An achievement school shall be subject to direct management by an AS operator selected by the State Board of Education, upon the recommendation of the ASD Superintendent, for a five-year contract.

(b) Role of AS Operator. – The AS operator shall be authorized to have a direct role in making decisions about school finance, human capital, and curriculum and instruction for the achievement school while developing the leadership capacity in such schools.

(c) Assignment to Achievement Schools. – All achievement schools shall remain open to enrollment in the same manner with the same attendance zone as prior to becoming an achievement school. If a local board of education's reassignment of students within the local school administrative unit due to student population changes or openings or closures of other schools impacts the achievement school, the AS operator may appeal to the ASD Superintendent



1 and request a hearing before the State Board of Education regarding the reassignment.  
2 Notwithstanding G.S. 115C-366, the State Board of Education shall, after hearing from both the  
3 local board of education and AS operator, determine whether the reassignment of students  
4 impacting the achievement school may proceed.

5 (d) Facility and Capital Expenditures. – Facility and capital expenditures shall be provided  
6 as follows:

7 (1) In addition to the transfer of funds as provided in G.S. 115C-75.10, the local  
8 board of education shall be responsible for facility and capital expenditures at  
9 the qualifying school.

10 (2) All AS operators and local boards of education shall enter into an occupancy  
11 agreement establishing the terms of occupancy for the AS operator not  
12 otherwise addressed in statute. If the parties are unable to reach agreement,  
13 either party may petition the State Board of Education to resolve any issues in  
14 dispute.

15 (3) The AS operator shall have first priority in use of the facility for any purpose  
16 related to the operation of the achievement school. The local board of  
17 education, with the consent of the AS operator, may allow use of the facility by  
18 governmental, charitable, civic, or other organizations for activities within the  
19 community and may retain any funds received for such use.

20 For the purposes of this subsection, facility and capital expenditures includes routine  
21 maintenance and repair, and capital expenditures includes building repair and maintenance,  
22 furniture, furnishings, and equipment.

23 (e) Transportation. – The local board of education shall provide transportation of all  
24 students assigned to the achievement school in the same manner as provided for other schools in  
25 the local school administrative unit in that school year.

26 (f) Memorandums of Understanding for Alternate Arrangements. – Notwithstanding this  
27 section, the AS operator, in consultation with the ASD Superintendent, may elect to enter into a  
28 memorandum of understanding for alternate arrangements with the local board of education to  
29 address any of the following:

30 (1) Facility and capital expenditures.

31 (2) Transportation services.

32 (3) Services for Children with Disabilities.

33 If the AS operator elects to use a memorandum of understanding for alternate arrangements,  
34 the AS operator and local board of education shall finalize the memorandum of understanding  
35 within 30 days of the initial request by the AS operator. If the parties have not completed the  
36 memorandum of understanding within 30 days, the State Board of Education shall resolve any  
37 issues in dispute.

38 (g) Student Records. – The local board of education shall make available in a timely  
39 fashion all student records to the achievement school at no cost for all students of that school.

40 (h) Achievement School Employees. – The AS operator shall select and hire the school  
41 principal for an achievement school. Within the limits of the school budget, the AS operator or its  
42 designee shall select staff members in accordance with guidance from the ASD Superintendent.  
43 Before finalizing staffing recommendations, the AS operator and the ASD Superintendent or the  
44 Superintendent's designee shall interview all existing staff members at the qualifying school and  
45 review student growth and performance data for those staff members for whom it is available.  
46 Notwithstanding Article 21A of this Chapter, the AS operator and the ASD Superintendent shall  
47 be permitted to examine personnel files of existing staff members for the qualifying school. The  
48 AS operator shall have the authority to decide whether any administrator, teacher, or staff member  
49 previously assigned to a qualifying school selected to become an achievement school shall  
50 continue as an employee of the achievement school. Any such employees retained shall become  
51 employees of the ASD. An employee hired to work in an achievement school shall be an



1 employee of the ASD, and the employees shall be under the exclusive control of the ASD. All  
2 employees of the ASD shall be eligible for enrollment in the Teachers' and State Employees'  
3 Retirement System of North Carolina, the State Health Plan, and other benefits available to State  
4 employees. The AS operator shall provide funds to the ASD in an amount sufficient to provide  
5 salary and benefits for employees of the ASD working in the achievement school based on the  
6 terms of employment established by the AS operator.

7 (i) Employees of Local Board of Education. – The transfer of a qualifying school shall be  
8 deemed a reorganization of the local school administration unit resulting in a reduction in force. If  
9 an employee is not given the option to continue as an employee for the achievement school, the  
10 local board of education may, in its discretion, do any of the following:

11 (1) Continue the employee's employment with the local board of education.

12 (2) Dismiss the employee due to a reduction in force as provided in Article 22 of  
13 this Chapter.

14 (3) Dismiss the employee as otherwise provided in Article 22 of this Chapter.

15 (j) Liability Insurance. – The AS operator shall maintain reasonable amounts and types of  
16 liability insurance as established by the State Board of Education. No civil liability shall attach to  
17 a local board of education, or to any its members or employees, individually or collectively, for  
18 any acts or omissions of the AS operator.

19 (k) School Nutrition Program. – The achievement school shall participate in the National  
20 School Lunch Program, as provided in G.S. 115C-264.

21 (l) Cooperation with ASD Superintendent. – The local board of education shall cooperate  
22 with the ASD Superintendent in carrying out his or her powers and duties as necessary in  
23 accordance with this Chapter.

24 **"§ 115C-75.10. Achievement schools funds.**

25 (a) Funding Allocation Selection. – State and local funding for an achievement school  
26 shall be allocated as provided in subsection (b) or subsection (c) of this section. The AS operator  
27 shall select one of the allocation methods as the method to be used for the achievement school.

28 (b) Designated Funding. – Funding shall be allocated to the ASD for the achievement  
29 school by the State Board of Education and local board of education as follows:

30 (1) The State Board of Education shall allocate the following to the ASD for each  
31 achievement school:

32 a. An amount equal to the average per pupil allocation for average daily  
33 membership from the local school administrative unit allotments in  
34 which the achievement school was located for each child attending the  
35 achievement school except for the allocations for (i) children with  
36 disabilities, (ii) children with limited English proficiency, and (iii)  
37 transportation. The State Board shall provide the allocation for  
38 transportation to the local school administrative unit in which the  
39 achievement school is located.

40 b. An additional amount for each child attending the achievement school  
41 who is a child with disabilities.

42 c. An additional amount for children with limited English proficiency  
43 attending the achievement school, based on a formula adopted by the  
44 State Board.

45 (2) The local school administrative unit in which the achievement school is located  
46 shall transfer to the ASD for the achievement school an amount equal to the per  
47 pupil share of the local current expense fund of the local school administrative  
48 unit for the fiscal year. The per pupil share of the local current expense fund  
49 shall be transferred to the ASD for the achievement school within 30 days of  
50 the receipt of monies into the local current expense fund. The local school  
51 administrative unit and ASD may use the process for mediation of differences



1 between the State Board and a charter school provided in G.S. 115C-218.95(d)  
2 to resolve differences on calculation and transference of the per pupil share of  
3 the local current expense fund. The amount transferred under this subsection  
4 that consists of revenue derived from supplemental taxes shall be transferred  
5 only to an achievement school located in the tax district for which these taxes  
6 are levied and in which the student resides. The local school administrative unit  
7 shall also provide the ASD with all of the following information within the  
8 30-day time period provided in this subsection:

- 9 a. The total amount of monies the local school administrative unit has in  
10 each of the funds listed in G.S. 115C-426(c).  
11 b. The student membership numbers used to calculate the per pupil share  
12 of the local current expense fund.  
13 c. How the per pupil share of the local current expense fund was  
14 calculated.  
15 d. Any additional records requested by the ASD from the local school  
16 administrative unit in order for the ASD to audit and verify the  
17 calculation and transfer of the per pupil share of the local current  
18 expense fund.

19 (c) Funding Memorandum of Understanding. – The AS operator, in consultation with the  
20 ASD Superintendent, may enter into a funding memorandum of understanding with the local  
21 board of education of the local school administrative unit where the achievement school is located  
22 for all student support and operational services and instructional services to be provided by the  
23 local board of education in the same manner and degree as in the prior school year or funding in  
24 an amount equivalent to the amount the local board of education would have expended on those  
25 services if provided. For the purposes of this subsection, student support and operational services  
26 include cafeteria services, custodial services, broadband and utilities, and student information  
27 services, and instructional services include alternative education, special education services, test  
28 administration services, textbooks, technology, media resources, instructional equipment, and  
29 other resources. The AS operator and local board of education shall finalize the funding  
30 memorandum of understanding within 30 days of the initial request for the memorandum by the  
31 AS operator. If the parties have not completed the funding memorandum of understanding within  
32 30 days, the State Board of Education shall resolve any issues in dispute.

33 (d) The ASD may seek, manage, and expend federal money and grants, State funding, and  
34 other funding with the same authority as a local school administrative unit, including decisions  
35 related to allocation of State funds among achievement schools.

36 **"§ 115C-75.11. Accountability and governance for achievement schools.**

37 (a) The AS operator shall set clear goals, empower and equip teachers and school leaders  
38 to meet the goals, and hold such teachers and school leaders accountable to meet the goals. The  
39 AS operator shall apply to the ASD Superintendent for appropriate waivers for the achievement  
40 school pursuant to G.S. 115C-75.7(e).

41 (b) The AS operator shall select, approve, or remove the school principal of an  
42 achievement school that it is managing in accordance with this Article.

43 (c) The AS operator shall enter into an agreement with the school principal regarding  
44 specific goals for the achievement school related to higher academic outcomes for students, safe  
45 and positive learning environments for children, parent and community engagement, and the  
46 efficient and effective use of taxpayer dollars. The agreement shall be made publically available  
47 on the ASD Web site.

48 (d) An achievement school shall not be included in any State evaluation or performance  
49 models used for the local school administrative unit in which the school is located but shall be  
50 considered a part of the ASD for all evaluation purposes.

51 **"§ 115C-75.12. Term of supervision for an achievement school.**



(a) An achievement school shall remain under the supervision of the ASD for a minimum of five consecutive years through a contract with an AS operator. The following shall apply to the term of a contract with an AS operator of an achievement school:

(1) Early termination of contract based on performance. – If, during the five-year contract, the achievement school's annual percentage growth does not exceed the average annual percentage growth of other qualifying schools for three consecutive years, the State Board of Education, upon the recommendation of the ASD Superintendent, may terminate the contract at the conclusion of the academic year and select another AS operator in accordance with G.S. 115C-75.8 to assume the remainder of the five-year contract and any occupancy agreements or memorandums of understanding with the local board of education at the beginning of the next academic year.

(2) Nonrenewal of contract based on performance. – If, by the end of the five-year contract, the achievement school's average annual percentage growth during the term of the contract does not exceed the average annual percentage growth of other qualifying schools during the same term, the State Board of Education shall not renew the contract of the AS operator and develop a transition plan to return the school to the local school administrative unit.

(3) State board optional extension of contract for three years. – If, by the end of the five-year contract, the achievement school remains a qualifying school, but has exceeded the average annual percentage growth of other qualifying schools, the State Board of Education, upon the recommendation of the ASD Superintendent in his or her discretion, may continue the contract with the AS operator for an additional three-year term. The ASD Superintendent and AS operator shall engage the school, the school community, and the school's local board of education in developing a transition plan for the school to leave the supervision of the ASD at the conclusion of the three-year extension of the contract. If the State Board does not elect to continue the contract, the State Board may do any of the following:

a. Select another AS operator for a three-year contract.

b. Close the school as provided in subdivision (2) of this subsection.

c. Develop a transition plan to return the school to the local school administrative unit for the next school year.

(4) AS operator option to extend contract for three years. – If, by the end of the five-year contract, the achievement school receives a grade of C or higher under G.S. 115C-12(9)c1., the AS operator shall have the option to extend the contract for another three-year term. The ASD Superintendent and AS operator shall engage the school, the school community, and the school's local board of education in developing a transition plan for the school to leave the supervision of the ASD at the conclusion of the three-year extension of the contract. Options at the conclusion of the contract shall include the following:

a. Conversion to charter. – If, in the development of the transition plan, a local board of education indicates by resolution to the State Board of Education that the local board elects to not receive the transfer of the achievement school back to the local school administrative unit, the AS operator may apply to convert the school to a charter school under Article 14A of this Chapter. If a charter is awarded, the charter board of directors may request to use the facility as provided in G.S. 115C-218.35. If the AS operator does not seek conversion to a charter school or fails to receive a charter, the State Board may close the school as provided in subdivision (2) of this subsection.



b. Alternate as operator or return to local school administrative unit. – If the AS operator does not elect to continue the contract, the State Board may select another AS operator for a three-year contract or may develop a transition plan to return the school to the local school administrative unit for the next school year.

(5) Termination of contract on other grounds. – The State Board of Education, upon the recommendation of the ASD Superintendent, may terminate a contract with an AS operator at any time during the contract for financial mismanagement, noncompliance with federal or State laws, failure to comply with the terms of the contract, or evidence of criminal activity. The State Board of Education shall develop a transition plan to return the school to the local school administrative unit.

(b) An achievement school shall remain under the supervision of the ASD for no more than eight years.

(c) The State Board of Education shall make all decisions related to contracts for AS operators no later than May 1, except as provided in subdivision (5) of subsection (a) of this section.

**"§ 115C-75.13. Innovation zones.**

(a) If a local board of education transfers a qualifying school to the ASD, the local board of education may ask the State Board of Education to be allowed to create an innovation zone for up to three continually low-performing schools within its local school administrative unit. The State Board of Education shall grant such requests for the creation of an innovation zone. The State Board of Education shall also authorize the local board of education the flexibility to operate the schools within the innovation zone with the same exemptions from statutes and rules as a charter school authorized under Article 14A of this Chapter and with exemptions from local board of education policies as needed to ensure autonomy under the guidance of the innovation zone office for financial, programmatic, staffing, and time allocation decisions.

(b) The innovation zone created by a local board of education must include all of the following:

- (1) Development of a clear and specific plan for improving schools within the innovation zone.
- (2) Establishment of an innovation zone office with a leader appointed by the local board of education and approved by the State Board of Education to govern and lead the schools in the innovation zone.
- (3) Attraction of high-quality staff at schools in the innovation zone through the use of incentives, favorable working conditions, and development of partnerships to develop human capital.
- (4) Accountability for those schools based on established benchmarks and goals for student achievement and for support services provided by the local school administrative unit based on metrics established by the innovation zone office for effective and efficient delivery.
- (5) Support for those schools by the innovation zone office to ensure priority in services from the local school administrative unit, pursuit of outside funding, and technical support, including support from external partners."

**SECTION 2.** G.S. 115C-105.37A is amended by adding a new subsection to read:

"(d) The State Board shall report annually to the Superintendent of the Achievement School District on any schools identified under this section as qualifying schools as defined in G.S. 115C-75.5 for consideration to be selected as achievement schools in accordance with Article 7A of this Chapter."

**SECTION 3.** G.S. 115C-105.37B(a) reads as rewritten:



1       "(a) Notwithstanding any other provision of this ~~Article~~, Article or Article 7A of this  
2 Chapter, the State Board of Education is authorized to approve a local board of education's request  
3 to reform any school in its administrative unit which the State Board of Education has identified as  
4 (i) one of the continually low-performing schools in North ~~Carolina~~, Carolina or (ii) as a qualifying  
5 school that is not selected as an achievement school under G.S. 115C-75.7.

6       If the State Board of Education approves a local board of education's request to reform a  
7 school, the State Board of Education may authorize the local board of education to adopt one of  
8 the following models in accordance with State Board of Education requirements:

- 9       (1) Transformation model, which would address the following four specific areas  
10 critical to transforming a continually low-performing school:
  - 11       a. Developing and increasing teacher and school leader effectiveness.
  - 12       b. Comprehensive instructional reform strategies.
  - 13       c. Increasing learning time and creating community-oriented schools.
  - 14       d. Providing operational flexibility and sustained support.
- 15       (2) Restart model, in which the State Board of Education would authorize the local  
16 board of education to operate the school with the same exemptions from  
17 statutes and rules as a charter school authorized under Article 14A of this  
18 Chapter, or under the management of an educational management organization  
19 that has been selected through a rigorous review process. A school operated  
20 under this subdivision remains under the control of the local board of education,  
21 and employees assigned to the school are employees of the local school  
22 administrative unit with the protections provided by Part 3 of Article 22 of this  
23 Chapter.
- 24       (3) Turnaround model, which would involve, among other actions, replacing the  
25 principal, if the principal has been in that position for at least three years, and  
26 rehiring no more than fifty percent (50%) of the school's staff, adopting a new  
27 governance structure at the school consistent with this Article, and  
28 implementing an instructional program aligned with the Standard Course of  
29 Study.
- 30       (4) School closure model, in which a local school administrative unit would close  
31 the school consistent with G.S. 115C-72 and enroll the students who attended  
32 the school in other, higher-achieving schools in the local school administrative  
33 unit consistent with Article 25 of this Chapter.
- 34       (5) Principal turnaround model, which would require the following:
  - 35       a. Replacing the current principal with a turnaround principal. The local  
36 board of education, after consultation with the Superintendent of the  
37 Achievement School District, shall select an individual with a proven  
38 record of success as a principal or superintendent as a turnaround  
39 principal. The local board of education's selection shall be approved by  
40 the State Board of Education to serve as a turnaround principal.
  - 41       b. Notwithstanding G.S. 115C-287.1, hiring the turnaround principal on a  
42 five-year contract that shall include significant compensation and other  
43 incentives, as determined by the local board of education. The  
44 turnaround principal shall be required as a term of the contract to  
45 develop a written plan with clear goals for dramatically improving  
46 student achievement at the school, including empowering and equipping  
47 teachers and school leaders to meet the goals, and holding such teachers  
48 and school leaders accountable to meet the goals.
  - 49       c. The local board of education shall consider all recommendations of the  
50 turnaround principal made in collaboration with the superintendent with



- 1 regard to personnel assigned to the school and shall, to the extent  
2 possible, implement those recommendations.  
3 d. Annually reporting by the turnaround principal on the principal's  
4 methods and the school's progress and performance to the local board of  
5 education. The turnaround principal's report shall be provided to the  
6 State Board of Education.  
7 e. Sharing of information with other turnaround principals on a regular  
8 basis. The Achievement School District shall also serve as a resource  
9 for turnaround principals.  
10 f. Provision of additional discretionary funds by the local board of  
11 education to the turnaround principal to address specific issues in the  
12 school, including, but not limited to, professional development,  
13 extended school days, or parent academies.  
14 g. Authorization by the State Board of Education to operate the school  
15 with the same exemptions from statutes and rules as a charter school  
16 authorized under Article 14A of this Chapter.

17 (a1) The State Board of Education shall authorize the adoption of the principal turnaround  
18 model in no more than 5 schools statewide."

19 **SECTION 4.** G.S. 115C-321(a) reads as rewritten:

20 "(a) All information contained in a personnel file, except as otherwise provided in this  
21 Chapter, is confidential and shall not be open for inspection and examination except to any of the  
22 following persons:

- 23 (1) The employee, applicant for employment, former employee, or his properly  
24 authorized agent, who may examine his own personnel file at all reasonable  
25 times in its entirety except for letters of reference solicited prior to employment.  
26 (2) The superintendent and other supervisory personnel.  
27 (3) Members of the local board of education and the board's attorney.  
28 (4) A party by authority of a subpoena or proper court order may inspect and  
29 examine a particular confidential portion of an employee's personnel file.  
30 (5) An achievement school operator and the Superintendent of the Achievement  
31 School District if the school where the individual is employed has been selected  
32 as an achievement school as provided in Article 7A of this Chapter."

33 **SECTION 5.** Evaluation of the Achievement School District and other Innovation  
34 Models. – The State Board of Education shall contract during the 2016-2017 school year with an  
35 independent research organization to evaluate the implementation and effectiveness of the  
36 following:

- 37 (1) The Achievement School District in turning around low-achieving schools  
38 beginning with the 2017-2018 school year through the 2021-2022 school year.  
39 The State Board of Education shall require AS operators to provide the  
40 independent research organization with requested data to conduct the  
41 evaluation. The independent research organization shall include an analysis on  
42 the impact of public versus private funding in the effectiveness of the  
43 Achievement School District.  
44 (2) Innovation zones in turning around low-achieving schools beginning with the  
45 2016-2017 school year through the 2021-2022 school year, including the  
46 innovation zones established in Sections 6 and 7 of this act. The State Board of  
47 Education shall require local boards of education granted innovation zones to  
48 provide the independent research organization with requested data to conduct  
49 the evaluation.  
50 (3) Principal turnaround models in turning around low-achieving schools beginning  
51 with the 2017-2018 school year through the 2021-2022 school year. The State

Board of Education shall require local boards of education granted the authority to use a principal turnaround model to provide the independent research organization with requested data to conduct the evaluation.

The independent research organization shall report its interim findings to the State Board of Education annually no later than February 15, beginning in 2017 and school submit a final report no later than February 15, 2023. The State Board of Education shall provide the report of the independent research commission, along with any recommended legislative changes, to the Joint Legislative Education Oversight Committee annually no later than March 1, beginning in 2017 until submission of the final report in 2023.

**SECTION 6.** The State Board of Education shall authorize the Charlotte-Mecklenburg (CMS) Board of Education to create an innovation zone among Project LIFT schools and Beacon Initiative schools, as provided in G.S. 115C-75.13. Notwithstanding G.S. 115C-75.13, the CMS innovation zone may include up to five low-performing schools. For the purposes of this section, Project LIFT schools are those schools within the feeder area for West Charlotte High School governed by the collaborative agreement between the CMS Board of Education and Project Leadership and Investment for Transformation. Beacon Initiative schools are those schools designated by the CMS Board of Education to participate in the Beacon Initiative Partnership between the CMS Board of Education and the University of Virginia.

**SECTION 7.** The State Board of Education shall solicit applications for a three-year pilot to authorize two local boards of education to each create an innovation zone, as provided in G.S. 115C-75.13. Notwithstanding G.S. 115C-75.13, the local board of education shall not be required to transfer a qualifying school to the ASD to be selected for the pilot, and the two pilot innovation zones may include up to three low-performing schools. The State Board of Education shall solicit applications no later than November 15, 2016 for a small district innovation zone, to be awarded to a school district with less than 6,000 students, and a medium district innovation zone, to be awarded to a school district with more than 6,001 and less than 20,000 students. The State Board of Education shall select the two pilot innovation zones no later than January 15, 2017. The two pilot innovation zones shall begin operation with the 2017-2018 school year, and shall report annually to the State Board of Education on the required innovation zone accountability metrics. The State Board of Education shall report to the Joint Legislative Education Oversight Committee on the outcomes of the pilot innovation zones by March 15, 2020 and shall include recommendations on continuation or expansion of the pilot.

**SECTION 8.** There is appropriated from the General Fund to the Department of Public Instruction four hundred thousand dollars (\$400,000) in recurring funds for the 2016-2017 fiscal year for salary and benefits for the ASD Superintendent, staff, and other expenses associated with the ASD. There is appropriated from the General Fund to the Department of Public Instruction five hundred thousand dollars (\$500,000) for the 2016-2017 fiscal year to contract with an independent research organization to conduct the evaluation required in Section 5 of this act.

**SECTION 9.** It is the intent of the General Assembly to appropriate to the Department of Public Instruction three hundred seventy-five thousand dollars (\$375,000) for the 2017-2018 fiscal year and annually thereafter for principal turnaround reform model grants. Upon appropriation of funds, the State Board of Education shall award principal turnaround reform model grants of up to seventy-five thousand dollars (\$75,000) per fiscal year for five years to local boards of education who (i) have been authorized to adopt the principal turnaround reform model by the State Board for a school and (ii) provide a dollar-for-dollar match with non-State funding for the requested grant amount. Principal turnaround reform model grants shall be used by local boards of education to provide substantial incentives for turnaround principals and to provide additional discretionary funds for use by the turnaround principal to address specific issues in the school.

**SECTION 10.** It is the intent of the General Assembly to appropriate to the Department of Public Instruction four hundred fifty thousand dollars (\$450,000) for the 2017-2018



1 fiscal year and annually thereafter for innovation zone model grants. Upon appropriation of funds,  
2 the State Board of Education shall award innovation zone model grants of up to one hundred fifty  
3 thousand dollars (\$150,000) per fiscal year for five years to local boards of education who (i) have  
4 been authorized to adopt the innovation zone model by the State Board for up to three schools and  
5 (ii) provide a dollar-for-dollar match with non-State funding for the requested grant amount.  
6 Innovation zone model grants shall be directed by local boards of education to the innovation  
7 zone office to address specific issues in innovation zone schools.

8 **SECTION 11.** This act becomes effective only if funds are appropriated by the  
9 Current Operations Appropriations Act of 2016 for the Achievement School District.

10 **SECTION 12.** This act is effective when it becomes law, and supervision of  
11 achievement schools by the Achievement School District shall begin with the 2017-2018 school  
12 year. In the discretion of the State Board of Education (i) the ASD Superintendent may not be  
13 required during the 2016-2017 school year to recommend qualifying schools for inclusion in the  
14 ASD for the 2017-2018 school year and (ii) the time line for selection of achievement schools for  
15 the 2017-2018 school year provided in G.S. 115C-75.7 may be varied, but in no event may the  
16 local board of education's decision occur later than April 1, 2017. The State Board of Education  
17 may select up to five qualifying schools to transfer to the ASD beginning with the 2017-2018  
18 school year but shall select at least two qualifying schools to transfer to the ASD no later than the  
19 2018-2019 school year and shall have selected five qualifying schools for transfer to the ASD no  
20 later than the 2019-2020 school year.



## HOUSE BILL 1080: Achievement School District.

2016-2017 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Bryan, Brockman, Bradford  
**Analysis of:** PCS to First Edition  
H1080-CSTC-76

**Date:** May 25, 2016  
**Prepared by:** Drupti Chauhan and  
Kara McCraw  
Committee Co-  
Counsels

**SUMMARY:** *HB 1080 would create the Achievement School District (ASD), a State-level and statewide school administrative unit for low-performing schools from across the State. It would also allow the creation of innovation zones for local school administrative units (LEA) that transfer a qualifying school into the ASD, and provide a principal turnaround reform model for continually low-performing schools.*

*The PCS for HB 1080 would make substantive and technical changes, including:*

- *Revises the definition of qualifying school.*
- *Requires the SBE to authorize no more than 5 principal turnaround model schools.*
- *Requires ongoing evaluations of the ASD, innovation zones, and principal turnaround reform model beginning in 2017 until 2023.*
- *Creates a 5 school innovation zone in Charlotte-Mecklenburg Schools composed of Project LIFT and Beacon Initiative schools.*
- *Creates a small and medium LEA innovation zone pilot of up to 3 schools.*

**CURRENT LAW:** Administration of public schools in the State is primarily at the local level, with the exception of certain schools that serve specialized populations administered at the State level. There are 115 local school administrative units in North Carolina which largely correspond to counties or, in some cases, cities.

G.S. 115C-105.37B allows LEAs with continually low-performing schools to request approval from the State Board of Education to adopt certain reform models for those schools, including the "restart model" which authorizes the local board to operate a school with the same flexibility of a charter school (except for certain employment requirements) or under the management of an educational management organization selected through a rigorous review process. These schools remain under the control of the local board of education.

**BILL ANALYSIS:** **Section 1** would create a new article establishing the Achievement School District and Innovation Zones as follows:

**Definitions – G.S. 115C-75.5** sets forth the definitions related to the ASD.

**Achievement School District – G.S. 115C-75.6** establishes the ASD under the control of the State Board of Education (SBE) and headed by the ASD Superintendent. Recommendations for selection of the ASD Superintendent would be made by a Selection Advisory Committee, headed by the Lt. Governor with final appointment by the SBE.

**Selection of Achievement Schools – G.S. 115C-75.7** provides that the SBE, upon the recommendation of the ASD Superintendent, would select 5 qualifying elementary schools to transfer to the ASD as achievement

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

# House PCS 1080

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schools. No more than 1 school could be selected from each LEA unless the LEA consents to more than 1, and the selected schools should reflect geographic diversity.

**Selection Process:** To qualify for consideration, the elementary school must meet one of the following:

1. Received a school performance score in the lowest 5% of all schools in the prior school year that meet the following requirements:
  - The school includes all or part of grades K-5.
  - The school did not exceed growth in at least one of the prior 3 school years and did not meet growth in at least one of the prior 3 school years.
  - One of the reform models for continually low-performing schools has not been adopted for the school in the prior school year.
2. Received a school performance score in the lowest 10% of all schools that include all or part of grades K-5 in the prior school year and was designated by the local board of education for consideration as an achievement school by the SBE.

The ASD Superintendent must consider the school's performance over the past 3 years, conduct an evaluation of the school, confer with local officials, hold a public hearing, and make recommendations to the SBE by November 15. The SBE must select the prospective schools by January 15.

**Local Board of Education Determination:** Once notified that an elementary school in the LEA has been selected, the local board must adopt a resolution no later than March 1 to: (i) close the school at the end of the school year; (ii) consent to the transfer of the school to the ASD, or (iii) request adoption of the principal turnaround reform model under G.S. 115C-105.37B. Prior to the determination, the local board must hold a public hearing on the proposed transfer, closure, or adoption of the principal turnaround reform model.

**Public Notification:** A list of the qualifying and selected achievement schools would be made publically available on the ASD website.

**Waivers for AS Schools:** The ASD Superintendent may waive SBE rules, regulations, policies, and procedures, or the provisions of this Chapter for achievement schools but they must comply with, at a minimum, the statutory requirements for charter schools as provided in Article 14A of this Chapter.

**Selection of AS Operators – G.S. 115C-75.8** requires the SBE to select operators for the achievement schools (AS operators) by February 15.

**Selection Criteria:** The AS operators would be selected based on recommendations of the ASD Superintendent. To qualify for selection, an AS operator must show one of the following:

- 1) The school or schools operated by the entity in this State or other states have a record of results in improving performance of either persistently low performing schools or of a substantial number of persistently low-performing students attending the school.
- 2) The entity (or a contractual affiliate) has a credible and specific plan for dramatically improving student achievement in a low-performing school and provides evidence that the entity is currently operating a school or schools in this State that either provide a sound, basic education or have demonstrated consistent and substantial growth towards providing a sound, basic education in the prior three school years.

**Community outreach opportunities:** The selected AS operators would have to be given opportunity to hold public information sessions and other outreach to the community, school, and local board prior to the local board's adoption of the transfer/closure resolution by March 1.



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**Management of Achievement Schools – G.S. 115C-75.9** requires the direct management of an achievement school by an AS operator for a 5 year contract. The AS operator would have a direct role in making decisions on school finance, human capital, and curriculum and instruction.

**Assignment to Achievement Schools:** Achievement schools must remain open to enrollment in the same manner with the same attendance zone as prior to becoming an achievement school. If the local board's student reassignments due to populations changes or openings or closures of other schools impacts the achievement school, the AS operator can appeal to the ASD Superintendent and request a hearing before the SBE on the reassignment and the SBE would determine if the local board's reassignment plan may proceed.

**Facility and Capital Expenditures:** The LEA in which the achievement school is located would remain responsible for facility and capital expenditures for the achievement school. An occupancy agreement must be agreed up and differences can be petitioned to the SBE for resolution. The AS operator would have first priority in facility use for any purpose related to the operation of the school.

**Transportation:** The local board of education must provide transportation of all students assigned to the achievement school in the same manner as transportation is provided for schools within the LEA.

**Alternate Arrangements for Memorandums of Understanding:** If the AS operator chooses to do so, facilities, capital, transportation, and services for children with disabilities may be addressed in a different manner through a memorandum of understanding (MOU) which must be finalized within 30 days of the request of the AS operator. The SBE would resolve any disputes.

**Student Records:** The local board of education must make student records available to the achievement school at no cost.

**Achievement School Employees:** The AS operator must select and hire the school principal for the school and select staff members as guided by the ASD Superintendent. The AS operator and the ASD Superintendent or designee must interview existing staff members at the school and review student data for those staff members. They may also review personnel files for the existing staff members and have the authority to decide whether existing staff members shall continue as employees of the achievement school. Those hired to work in an achievement school would be employees of the ASD and under its exclusive control and would continue to be State employees on the terms of the employment established by the AS operator.

**Local Boards of Education Employees:** The transfer of a school to the ASD would be a reorganization of the LEA resulting in a reduction of force. If an employee is not hired by the ASD, the local board of education may: (i) continue the employee's employment with the local board of education; (ii) dismiss the employee due to a reduction in force; or (iii) dismiss the employee on other grounds.

**Liability Insurance:** The AS operator must maintain liability insurance as established by the SBE with no civil liability attaching to the local boards of education for any acts or omissions of the AS operators.

**School Nutrition Program:** The achievement school must participate in the National School Lunch Program.

**Local Board Cooperation:** The local board of education must cooperate with the ASD Superintendent in carrying out necessary powers and duties.

**Achievement School Funds – G.S. 115C-75.10** provides for the funding allocation to achievement schools. The AS Operator may choose between 1) Designated Funding or a 2) Funding Memorandum of Understanding.

## **1) Designated Funding:**

The SBE would allocate to the ASD for each achievement school:

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- 1) An amount equal to the average per pupil allocation for average daily membership from the LEA allotments in which the achievement school was located for each child at the achievement school except for the allocations for children with disabilities, children with limited English proficiency, and transportation. The transportation allocation would be given to the LEA in which the achievement school is located.
- 2) An additional amount for each child that is a child with a disability.
- 3) An additional amount for each child with limited English proficiency.

The LEA must transfer an amount equal to the per pupil share of the local current expense fund with any dispute resolved by the method provided for charter schools. Revenue derived from supplemental taxes could only be transferred to an achievement school in the tax district for which these taxes are levied and in which the student resides.

**2) Funding Memorandum of Understanding:** The AS operator may enter into a funding memorandum of understanding with the local board of education for all student support and operational and instructional services to be provided by the local board of education in the same manner and degree as the prior school year or funding in an amount equal to what the local board of education would have spent on those services. These services include cafeteria services, custodial services, broadband and utilities etc. Disputes would be resolved by the SBE.

The ASD may seek federal, State, and other funds in the same manner as an LEA, including decisions related to allocation of State funds among achievement schools.

**Accountability and Governance for Achievement Schools – G.S. 115C-75.11** provides that the AS operator would select and hire the school principal, and would have authority to remove the principal. The AS operator must have an agreement with the principal on specific goals for the school related to higher academic outcomes for students with that agreement posted on the ASD website. The achievement school outcomes would not be included in evaluation models for the LEA.

**Terms of Supervision for an Achievement School – G.S. 115C-75.12** states that the achievement school must remain under the supervision of the ASD for at least 5 consecutive years through a contract with an AS operator. An achievement school can remain under the supervision of the ASD for no more than 8 years.

**Early Termination of Contract Based on Performance:** If the achievement school's annual percentage growth does not exceed the average annual percentage growth of other qualifying schools for 3 consecutive years during the 5 year contract, the SBE may terminate the contract at the end of that academic year and select another AS operator to assume the remainder of the contract.

**Nonrenewal of Contract Based on Performance:** If at the end of the 5 year contract, the achievement school's average annual percentage growth during the term of the contract does not exceed the average annual percentage growth of other qualifying schools for the same term, the SBE must not renew the contract with the AS operator and develop a transition plan to return the school to the LEA.

**State Board Optional Extension of Contract for 3 years:** If by the end of the 5 year contract, the achievement school remains a qualifying school but has exceeded the average annual percentage growth of other qualifying schools, the SBE, upon the recommendation of the ASD Superintendent, can continue the contract with the AS operator for another 3 years.

If the SBE does not elect to continue the contract, it may: (i) select another AS operator for a 3 year contract; (ii) close the school; or (iii) develop a transition plan to return the school to the LEA.

**AS Operator Option to Extend Contract for 3 years:** If by the end of the 5 year contract, the achievement school receives a grade of C or higher under the performance grades issued to schools, the AS operator has the option to extend the contract for 3 years. Stakeholders shall develop a transition plan for the school to leave the ASD at the end of the 3 year extension with the options at the end of the contract being as follows:

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(i) conversion to a charter school if the local board of education does not wish to receive the school back into the LEA (if no charter is received, the SBE may close the school) or (ii) the SBE may select another AS operator for a 3 year contract or develop a transition plan to return the school to the LEA.

**Termination of Contract on Other Grounds:** The SBE may terminate a contract with an AS operator at any time during the contract for financial mismanagement, noncompliance with federal or State laws, failure to comply with the contract, or evidence of criminal activity.

**Innovation Zones – G.S. 115C-75.13** provides that if a local board of education transfers a qualifying school to the ASD, the local board may then ask the SBE to be allowed to create an innovation zone for up to 3 continually low-performing schools within its local school administrative unit. The SBE must grant these requests and authorize the local board to have the flexibility to operate the schools within the innovation zone with the same exemptions of rules and statutes as given to charter schools as well exemptions from local board policies.

The innovation zone must include the following:

- Plan for improving the schools in the innovation zone.
- An innovation zone office with a leader appointed by the local board and approved by the SBE.
- High quality staff at the schools in the innovation zone through the use of incentives, favorable working conditions, and partnerships.
- Accountability based on benchmarks and goals for student achievement.
- Support for the schools in the innovation zone to ensure priority in services from the local school administrative unit, and pursuit of outside funding and technical support.

**SECTION 2: Annual Report** - Directs the SBE to report annually to the ASD Superintendent on schools identified as qualifying schools for consideration to be selected as achievement schools.

**SECTION 3: Principal Turnaround Model.** – Adds the principal turnaround model for a local board of education to utilize in reforming a school in its LEA that has been identified as a continually low-performing school. The SBE may authorize the adoption of the principal turnaround model in no more than 5 schools statewide.

The principal turnaround model would require the following:

- The local board must replace the current principal with a turnaround principal who has a proven record of success. The local board's selection must be approved by the SBE.
- The local board must hire the turnaround principal on a 5 year contract that includes significant compensation and other incentives, with the principal providing a written plan for improving student achievement.
- The local board must consider recommendations of the turnaround principal on personnel in coordination with the superintendent and implementing them to the extent possible.
- Annual reporting by the turnaround principal on the principal's methods and the school's progress and performance to the local board of education.
- Sharing of information with other turnaround principals on a regular basis. The ASD would also serve as a resource for turnaround principals.
- Provision of additional discretionary funds by the local board of education to the turnaround principal to address specific issues in the school, including but not limited to professional development, extended school days, or parent academies.
- Authorization by the SBE to operate the school with the same exemptions from statutes and rules as charter schools.

**SECTION 4: Conforming Change** - Makes conforming changes to the personnel file statute.



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**SECTION 5: Independent Evaluation** - The SBE must contract with an independent research organization (IRO) beginning in 2016-2017 to evaluate the implementation and effectiveness of the ASD, innovation zones, and principal turnaround model. The IRO must include analysis on the impact of public versus private funding in evaluation the effectiveness of the ASD. The IRO must report its annual interim findings beginning February 15, 2017, with a final report to the SBE by February 15, 2023, and the SBE must provide the report along with recommended legislative changes to the JLEOC annually beginning March 1, 2017 until submission of the final report in 2023.

**SECTION 6:** Authorizes the SBE to allow Charlotte-Mecklenburg Board of Education to create an innovation zone of up to 5 low-performing schools from Project LIFT and Beacon Initiative schools.

**SECTION 7:** Authorizes the SBE to solicit applications for a 3 year pilot to allow 2 local boards to each create an innovation zone of up to 3 low-performing schools, without a requirement that the local board transfer a school to the ASD. One pilot will be awarded to a small district innovation school of an LEA of less than 6,000 students, and one to a medium district innovation zone of an LEA of between 6,001 and 20,000 students. The SBE shall report on pilot outcomes and recommendations on continuation or expansion to the JLEOC by March 15, 2020.

**SECTION 8: ASD and Evaluation Appropriation** - Appropriates to DPI (i) \$400,000 in recurring funds for the 2016-2017 fiscal year for salary and benefits for the ASD Superintendent, staff, and other associated expenses, and (ii) \$500,000 for the 2016-2017 fiscal year to contract for the evaluation required in Section 5.

**SECTION 9: Principal Turnaround Grants** - Expresses the intent of the General Assembly to appropriate to DPI \$375,000 for the 2017-2018 fiscal year and annually thereafter for principal turnaround reform model grants. The SBE must award principal turnaround reform model grants of up to \$75,000 per fiscal year for five years to local boards of education who (i) have been authorized to adopt the principal turnaround reform model by the SBE for a school, and (ii) provide a dollar for dollar match with non-State funding for the requested grant amount. Principal turnaround reform model grants must be used by local boards of education to provide substantial incentives for turnaround principals and to provide additional discretionary funds for use by the turnaround principal to address specific issues in the school.

**SECTION 10: Innovation Zone Model Grants** - Expresses the intent of the General Assembly to appropriate to DPI \$450,000 for the 2017-2018 fiscal year and annually thereafter for innovation zone model grants. The SBE must award innovation zone model grants of up to \$150,000 per fiscal year for 5 years to local boards of education who (i) have been authorized to adopt the innovation zone model by the SBE, and (ii) provide a dollar for dollar match with non-State funding for the requested grant amount.

**SECTION 11: Effective Only if Funds are Appropriated** - The act would become effective only if funds are appropriated by the Current Operations Appropriations Act of 2016 for the Achievement School District.

**EFFECTIVE DATE:** This proposed legislation would become effective when it becomes law, and apply beginning with the 2017-2018 school year. In the discretion of the SBE (i) the ASD Superintendent may not be required during the 2016-2017 school year to recommend qualifying schools for inclusion in the ASD for the 2017-2018 school year and (ii) the timeline for selection of achievement schools for the 2016-2017 school year provided in G.S. 115C-75.7 may be varied, but in no event may the local board of education's decision occur later than April 1, 2017. The SBE may select up to five qualifying schools to transfer to the ASD beginning with the 2017-2018 school year, but must select at least two qualifying schools to transfer to the ASD no later than the 2018-2019 school year and shall have selected five qualifying schools for transfer to the ASD no later than the 2019-2020 school year.

**BACKGROUND:** As introduced, HB 1080 was recommended by the House Select Committee on Achievement School Districts.



**NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 1080**

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)

Page 1 of 1

H1080-ATC-149 [v.1]

Amends Title [NO]  
H1080-CSTC-76[v.3]

Date \_\_\_\_\_, 2016

Representative K. Hall

moves to amend the bill on page 4, lines 7-9, by rewriting those lines to read:

"(1) The State Board of Education shall be responsible for facility and capital expenditures at the qualifying school."

SIGNED

Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED







Mark Sewell, NCAE

And last, the state's Transformation Division with the Department of Public Instruction has worked successfully with schools in improving results. Of the original 118 schools ranked in the bottom 5% of conventional schools, 83% have improved overall performance and are no longer in the bottom 5% of the state.

In addition, one of the four intervention strategies allows school districts to operate continually low-performing schools with charter-like flexibility. The General Assembly should first seek ways to innovatively use this option and the other available turnaround options.

For these reasons and others, NCAE opposes the ASD legislation. We continue to stand ready to work with you to help make our students and our public schools stronger.





Madam Chair and honorable member of the committee:

*Rep. Bryan [Signature]*

Thank you for your service ~~on this committee~~ and your commitment to improve low-performing schools across North Carolina. On behalf of the members of the North Carolina Association of Educators, we respectfully oppose the Achievement School District legislation that is being considering by this committee.

This school takeover proposal is unproven at best, lacks clear accountability, and would replace transformation teams in North Carolina where there is a track record of helping our students in the lowest-performing schools.



● In states like Tennessee, the data that has been presented to you shows very questionable results. It showed that ASD schools did not gain more or less than <sup>n</sup>other Priority schools.

In addition, North Carolina's system of identifying low-performing schools is based on a seriously flawed A-F grading system that does nothing more than point out where the less

● wealthy school districts are located. We applaud your budget for addressing the fact that academic growth should be weighted more heavily in this system.

Second, handing over the keys of our lowest-performing schools to for profit charter school management operations adds a new layer of bureaucracy and lacks the accountability needed to

● ensure public taxpayers dollars are being used effectively.



<b>Percent Proficient*</b> <b>Grade Level Proficient (GLP)</b>		
<b>Charter Students</b>	<b>Demographic Subgroup</b>	<b>Traditional Students</b>
<b>% GLP (Level 3 and above)</b>		<b>% GLP (Level 3 and above)</b>
66.6	<b>All Students</b>	56.2
67.9	<b>Female</b>	58.3
65.3	<b>Male</b>	54.1
44.9	<b>American Indian</b>	41.2
89.3	<b>Asian</b>	76.8
46.8	<b>Black</b>	37.0
58.6	<b>Hispanic</b>	44.9
67.2	<b>Multi-Racial</b>	56.5
75.1	<b>White</b>	68.5
95.5	<b>AIG</b>	96.0
49.9	<b>EDS</b>	41.5
31.2	<b>English Learner</b>	22.2
75.0	<b>Migrant</b>	35.1
30.9	<b>SWD</b>	20.6

\*Data and calculations represented in these chart provided by NCDPI. Charts assembled by the Quality Control Department of The Roger Bacon Academy, Inc. at the request of The NC Alliance for Public Charter Schools.





My name is Jessica Benton, and I am a special education teacher at a low performing school. I would like to urge each and every one of you to oppose all legislation in North Carolina that establishes any Achievement School Districts (ASDs) in our state.

*As you may know*  
Just to give you some background, Achievement School Districts are made up of the lowest performing schools that are taken from local education administrators (LEAs) and given over to the state. The state appoints a superintendent to run the district, who then selects a current charter operator or affiliate to run each of the schools.

While that may not seem so alarming, this could be just the beginning of a huge division between to whom traditional public schools and charters answer. Why would we seek to divide our efforts between two competing systems when our most struggling students and schools are at stake? What measures would be taken to ensure that all public schools would not eventually be taken over by these private entities?

Sadly, chosen schools and their LEAs aren't given much choice once they are selected. The options are join the district or be closed. ASDs could choose to keep some of the educators already employed, but the ones not chosen would be given back to the LEA for placement. How these employees would be chosen and how we would protect school workers from wrongful displacement is not clear.

What's more, there has been huge turnover in these schools in other states already experimenting with ASDs, taking about a third of those new hires novice teachers. That would put novice teachers in charge of some of our neediest populations. As a seasoned teacher, this does not seem professionally responsible.

Funding is also very problematic. AS Operators could choose to use a funding system like that of other charter schools or the receive funding similar to years prior. It would be the LEAs responsibility to pay transportation, capital and facility expenditures for the school. Why would we divert funds in this way when we know how already grossly underfunded our public schools are? Making local LEAs responsible for this funding would only further deplete already insufficient funds. How fiscally responsible is that?

The accountability for these Achievement Districts is hazy at best, which is fairly ironic considering how accountability measures were used to identify the need for takeover in the first place. AS Operators would be in charge of setting up goals and accountability measures for staff and and principals. However, as an ASD, their performance data would not be included in the LEA's performance data. How the public would be informed about how their tax dollars were being used remains unclear.

Then after 5-8 years, achievement schools could either be closed, returned to the LEA or turned into a charter school depending on performance. Which to me says that should their social experiment fail, the school would once again become the public's concern without any consequence aside from those borne on the backs of the students and staff at that school.

*this rescue plan or*  
*So the interest is your right*  
*So the* So I do with  
Rep Bryan on this point, our students don't have that kind of time to waste



Which brings me to why this really matters most, the kids. My students are not an experiment. My school is not a petri dish. I am sick of <sup>these "reforms"</sup> reform that uses my students to further their agenda to privatize the public school system. I am sick of reform that values a private entity's judgement above all else. I am sick of reform that continues to ignore what the folks in our building have to say about what our students and our schools need.

Now more than ever our most vulnerable students need for us to take a stand. They need for us to put their needs and their best interests first. ~~Ask your school boards to pass a resolution saying no to these~~ <sup>Say no</sup> Achievement School Districts. Take the next step in voicing your disapproval of irresponsible and profit driven legislation that puts our most at risk in even more danger.





**BRUCE MILDWURF**

*Associate Director of Governmental Relations*

---

P.O. Box 97877 Raleigh, NC 27624-7877  
p: 919.747.6692 c: 919.606.3916 [bmildwurf@ncsba.org](mailto:bmildwurf@ncsba.org)



# ROLL CALL VOTE

18      11      = 29 (TOTAL)  
YES      NO

HB# 1030  
SB# \_\_\_\_\_

## HOUSE STANDING COMMITTEE ON EDUCATION K-12

YES	NO	MEMBER (last name)	YES	NO	MEMBER (last name)
_____	<u>✓</u>	Rep. Ager	_____	<u>✓</u>	Rep. Sgro
<u>✓</u>	_____	Rep. Bradford	<u>✓</u>	_____	Rep. Stam
<u>✓</u>	_____	Rep. Bryan	<u>✓</u>	_____	Rep. Stone
<u>✓</u>	_____	Rep. Cleveland	<u>✓</u>	_____	Rep. R. Turner
_____	_____	Rep. Cotham	<u>✓</u>	_____	Rep. Whitmire
<u>✓</u>	_____	Rep. Dixon	<u>✓</u>	_____	Rep. Elmore
_____	_____	Rep. Farmer-Butterfield	<u>✓</u>	_____	Rep. Horn
_____	<u>✓</u>	Rep. Fisher	_____	<u>✓</u>	Rep. Johnson
_____	<u>✓</u>	Rep. Gill	_____	_____	
_____	_____	Rep. C. Graham	_____	_____	
_____	<u>✓</u>	Rep. Hall	_____	_____	
<u>✓</u>	_____	Rep. Hanes	_____	_____	
<u>✓</u>	_____	Rep. Hardister	_____	_____	
_____	_____	Rep. Hunter	_____	_____	
_____	<u>✓</u>	Rep. Hurley	_____	_____	
<u>✓</u>	_____	Rep. Iler	_____	_____	
<u>✓</u>	_____	Rep. Jones	_____	_____	
_____	_____	Rep. Lambeth	_____	_____	
_____	<u>✓</u>	Rep. Langdon	_____	_____	
_____	<u>✓</u>	Rep. Leubke	_____	_____	
<u>✓</u>	_____	Rep. Malone	_____	_____	
_____	<u>✓</u>	Rep. Meyer	_____	_____	
<u>✓</u>	_____	Rep. Pittman	_____	_____	
_____	<u>✓</u>	Rep. Richardson	_____	_____	
<u>✓</u>	_____	Rep. Riddell	_____	_____	
<u>✓</u>	_____	Rep. Saine	_____	_____	





# ROLL CALL VOTE

18      11      = \_\_\_\_\_ (TOTAL)  
YES      NO

HB# 1080  
SB# \_\_\_\_\_

## HOUSE STANDING COMMITTEE ON EDUCATION K-12

YES	NO	MEMBER (last name)	YES	NO	MEMBER (last name)
_____	<input checked="" type="checkbox"/>	Rep. Ager	_____	<input checked="" type="checkbox"/>	Rep. Sgro
<input checked="" type="checkbox"/>	_____	Rep. Bradford	<input checked="" type="checkbox"/>	_____	Rep. Stam
<input checked="" type="checkbox"/>	_____	Rep. Bryan	<input checked="" type="checkbox"/>	_____	Rep. Stone
<input checked="" type="checkbox"/>	_____	Rep. Cleveland	<input checked="" type="checkbox"/>	_____	Rep. R. Turner
_____	<input checked="" type="checkbox"/>	Rep. Cotham	<input checked="" type="checkbox"/>	_____	Rep. Whitmire
<input checked="" type="checkbox"/>	_____	Rep. Dixon	<input checked="" type="checkbox"/>	_____	Rep. Elmore
_____	<input checked="" type="checkbox"/>	Rep. Farmer-Butterfield	<input checked="" type="checkbox"/>	_____	Rep. Horn
_____	<input checked="" type="checkbox"/>	Rep. Fisher	_____	<input checked="" type="checkbox"/>	Rep. Johnson
_____	<input checked="" type="checkbox"/>	Rep. Gill	_____	_____	
_____	<input checked="" type="checkbox"/>	Rep. C. Graham	_____	_____	
_____	<input checked="" type="checkbox"/>	Rep. Hall	_____	_____	
<input checked="" type="checkbox"/>	_____	Rep. Hanes	_____	_____	
<input checked="" type="checkbox"/>	_____	Rep. Hardister	_____	_____	
_____	<input checked="" type="checkbox"/>	Rep. Hunter	_____	_____	
_____	<input checked="" type="checkbox"/>	Rep. Hurley	_____	_____	
<input checked="" type="checkbox"/>	_____	Rep. Iler	_____	_____	
<input checked="" type="checkbox"/>	_____	Rep. Jones	_____	_____	
_____	<input checked="" type="checkbox"/>	Rep. Lambeth	_____	_____	
_____	<input checked="" type="checkbox"/>	Rep. Langdon	_____	_____	
_____	<input checked="" type="checkbox"/>	Rep. Leubke	_____	_____	
<input checked="" type="checkbox"/>	_____	Rep. Malone	_____	_____	
_____	<input checked="" type="checkbox"/>	Rep. Meyer	_____	_____	
<input checked="" type="checkbox"/>	_____	Rep. Pittman	_____	_____	
_____	<input checked="" type="checkbox"/>	Rep. Richardson	_____	_____	
<input checked="" type="checkbox"/>	_____	Rep. Riddell	_____	_____	
<input checked="" type="checkbox"/>	_____	Rep. Saine	_____	_____	

18 - 11



**NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES**

**EDUCATION - K-12 COMMITTEE REPORT**

**Representative Jeffrey Elmore, Co-Chair**

**Representative D. Craig Horn, Co-Chair**

**Representative Linda P. Johnson, Co-Chair**

**FAVORABLE**

**HB 1080**

Achievement School District.

Draft Number:	None
Serial Referral:	None
Recommended Referral:	None
Long Title Amended:	No
Floor Manager:	Bryan

TOTAL REPORTED: 1



\* C M R 6 5 8 - V - 1 \*



## Education K-12 Committee

[illegible]





[illegible]



# VISITOR REGISTRATION SHEET

Education-K-12

5-25-2016

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

K. Bell	Public School Teacher
J. Bunt on	Public School Teacher
Johanna Reese	NCA CC
Cassandra Hoekstra	NCA CC
<del>Attila</del>	MWC
Bruce Hildner	NCSA
M. William D. Toman	MWC LLC
Debbie Clay	NCSP
Cole Clay	House Page
Patricia A. Yancey	SHIFT NC



# VISITOR REGISTRATION SHEET

Education-K-12

5-25-2016

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Amanda Simon	JDA
Harry Kaplan	MWC
Bo Heath	MWC
Lee Tynan	NC PCSA
Sue Ann Forrest	NCICU
Tim Crowley	NCAE
Mark Jewell	NCAE
Marge Johnson	NCAE
Gary Brodarch	DAE
Casey VanAlstine	Speaker, House
Wendy Kauffman	1 <sup>st</sup> grade PUBLIC "FOCUS" SCHOOL TEACHER



# VISITOR REGISTRATION SHEET

Education-K-12

5-25-2016

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Ananna Allen	OBE
Robb Jansen	NC SBE
David Collins	SEAN/C
Chris Stevens	NCJC
Kris Nordstrom	NCJC
Amelia McLeod	NCDPI
Nancy Barbra	NCDPI
Keith Eue	NCDPI
M. Brock White	NCA
ARVIND VALLABHANENI	NCGA, Rep. Cotham
Penny Guffi	School 8 1201

ALB





# VISITOR REGISTRATION SHEET

Education-K-12

5-25-2016

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Abigail Sargeant

Public School Forum.

Heather Curry

Public School Forum





**House Education K-12 Committee  
Wednesday, June 9, 2016  
Room 544 of the Legislative Office Building**

**MINUTES**

The House Education K-12 Committee met on June 9th, 2016 in Room 544 of the Legislative Office Building. Representatives Elmore, Horn, Johnson, Ager, Bradford, Bryan, Cleveland, Farmer-Butterfield, Fisher, Gill, Hall, Hanes, Hardister, Hunter, Hurley, Iler, Jones, Langdon, Luebke, Malone, Meyer, Pittman, Richardson, Riddell, Saine, Stone, Turner, and Whitmire were in attendance. Research Department staff present was Drupti Chauhan, Kara McCraw, Denise Huntley-Adams and James Ritter. Visitor registration sheets are provided. (Attachment 1)

Representative Jeffrey Elmore, Chair, presided. He called the meeting to order at 10:55AM and explained the procedure for the meeting. House Bill 539, Charter School Funding, is before the committee today and it will be for discussion only. No votes will be taken. Following questions and comments from the Committee members public comment will be allowed for up to 3 minutes each.

Rep. Elmore called on legislative staff to explain the bill. Following staff's explanation he asked for questions or comments from members of the committee. Many members spoke to concerns regarding the designation of grant monies and how the money follows the student whether in traditional public school or a public charter school.

Following discussion from committee members Representative Elmore called for public comment from individuals and groups who had signed up to speak. A signup sheet was provided and 13 Individuals and groups voiced opinion on the bill. (Attachment 2).

There being no further business, Rep. Elmore adjourned the committee at 12:42 PM.

A handwritten signature in dark ink, appearing to read "Jeff Elmore".

Representative Jeffrey Elmore, Chair Presiding

A handwritten signature in dark ink, appearing to read "Pattie Fleming".

Pattie Fleming, Committee Clerk



**Pattie Fleming (Rep. Craig Horn)**

---

**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Tuesday, June 07, 2016 8:41 AM  
**To:** Joanna Hogg (Rep. Linda Johnson)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Thursday, June 09, 2016 at 15 Minutes After Session  
**Attachments:** Add Meeting to Calendar\_LINC\_ics

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Thursday, June 9, 2016  
**TIME:** 15 Minutes After Session  
**LOCATION:** 643 LOB  
**COMMENTS:** Discussion on HB 539. No votes.

Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 8:39 AM on Tuesday, June 07, 2016.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)





**Pattie Fleming (Rep. Craig Horn)**

---

**From:** Joanna Hogg (Rep. Linda Johnson)  
**Sent:** Thursday, June 09, 2016 9:12 AM  
**To:** Joanna Hogg (Rep. Linda Johnson)  
**Subject:** <NCGA> House Education - K-12 Committee Meeting Notice for Thursday, June 09, 2016 at 15 Minutes After Session - CORRECTED #1  
**Attachments:** Add Meeting to Calendar\_LINC\_ics

**Corrected #1: ROOM CHANGE**

**NORTH CAROLINA HOUSE OF REPRESENTATIVES  
COMMITTEE MEETING NOTICE  
AND  
BILL SPONSOR NOTIFICATION  
2015-2016 SESSION**

You are hereby notified that the **House Committee on Education - K-12** will meet as follows:

**DAY & DATE:** Thursday, June 9, 2016  
**TIME:** 15 Minutes After Session  
**LOCATION:** 544 LOB  
**COMMENTS:** Discussion on HB 539. No votes.

Respectfully,

Representative Jeffrey Elmore, Co-Chair  
Representative D. Craig Horn, Co-Chair  
Representative Linda P. Johnson, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 9:11 AM on Thursday, June 09, 2016.

\_\_\_\_ Principal Clerk  
\_\_\_\_ Reading Clerk – House Chamber

Joanna Hogg (Committee Assistant)



## Pattie Fleming (Rep. Craig Horn)

---

**From:** Kaplan, Harrison J. <hkaplan@mcguirewoods.com>  
**Sent:** Wednesday, June 08, 2016 11:47 PM  
**To:** Rep. Craig Horn; Rep. Jeffrey Elmore; Rep. Linda Johnson  
**Cc:** Vinroot, Richard (RVinroot@robinsonbradshaw.com); Philip Byers (cphilipbyers@gmail.com); Ryan Mahoney (Ryan@Excelined.org); 'Darrell Allison'; Debbie Clary; Tilley, Matthew (MTilley@robinsonbradshaw.com); reginaldholley@thelongmiregroup.us; tom@nccharteraccelerator.org; Allison Guenther; marcus.brandon@carolinacan.org; Heath, D. Bowen; zane@stilwellnc.com; T. Lee Teague (lee@ncpubliccharters.org); Totman, Jillian D.  
**Subject:** Speaker's list from supporters of H 539

Hi Rep Elmore, Rep Horn and Rep Johnson – Chairs of the House Education K-12 Committee:

On behalf of a coalition of supporters of H 539, I respectfully submit to you a list of speakers for the Committee meeting scheduled for tomorrow to discuss H 539:

1. **Matthew Tilley**, Lawyer at Robinson Bradshaw and Board member of NC Alliance for Public Charter Schools
2. **Elizabeth Padgett**: NC Charter Teacher of Year and 5<sup>th</sup> Grade Science Teacher at Lake Norman Charter School (Thanks Lee and Tom for your help!)
3. **Ashanti Reyes**: 3<sup>rd</sup> Grade student at Torchlight Academy (Thanks Marcus!)
4. **Pam Blizzard**: Founder and Managing Director, Research Triangle High School
5. **Tom Simmons**: Head of School at Flemington Academy in Columbus County

Thank you.

Harry Kaplan  
Lobbyist for Parents for Educational Freedom in North Carolina

---

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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H

3

HOUSE BILL 539  
Senate Finance Committee Substitute Adopted 9/21/15  
Third Edition Engrossed 9/28/15

Short Title: Charter School Funding.

(Public)

Sponsors:

Referred to:

April 6, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FOR DAMAGES WHEN FUNDS ARE NOT TRANSFERRED  
3 WITHIN REQUIRED TIME LINES BETWEEN LOCAL SCHOOL ADMINISTRATIVE  
4 UNITS AND CHARTER SCHOOLS AND MODIFY CHARTER SCHOOL FUNDING  
5 AND THE UNIFORM BUDGET FORMAT FOR LOCAL SCHOOL ADMINISTRATIVE  
6 UNITS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** G.S. 115C-218.105(e) reads as rewritten:

9 "(e) Prior to commencing an action under subsection (c) of this section, the complaining  
10 party shall give the other party 15 days' written notice of the alleged violation. The court shall  
11 award the prevailing party reasonable attorneys' fees and court costs incurred in an action under  
12 subsection (c) of this section. The court shall also award the prevailing party liquidated  
13 damages in an amount equal to five percent (5%) of the monies that should have been  
14 transferred under subsection (c) of this section as compensation for administrative expenses  
15 incurred by the prevailing party due to the unavailability of those monies. The court shall order  
16 any delinquent funds, court costs, fees, liquidated damages, and interest to be paid in equal  
17 monthly installments and shall establish a time for payment in full that shall be no later than  
18 one year from the entry of any judgment."

19 **SECTION 1.(b)** This section is effective when it becomes law and applies to any  
20 actions filed on or after that date.

21 **SECTION 2.** G.S. 115C-426 reads as rewritten:

22 **"§ 115C-426. Uniform budget format.**

23 ...

24 (c) The uniform budget format shall require the following funds:

- 25 (1) The State Public School Fund.
- 26 (2) The local current expense fund.
- 27 (3) The capital outlay fund.

28 ~~In addition, other funds may be used to account for reimbursements, including indirect~~  
29 ~~costs, fees for actual costs, tuition, sales tax revenues distributed using the ad valorem method~~  
30 ~~pursuant to G.S. 105-472(b)(2), sales tax refunds, gifts and grants restricted as to use, trust~~  
31 ~~funds, federal appropriations made directly to local school administrative units, and funds~~  
32 ~~received for prekindergarten programs. In addition, the appropriation or use of fund balance or~~  
33 ~~interest income by a local school administrative unit shall not be construed as a local current~~  
34 ~~expense appropriation included as a part of the local current expense fund.~~





(c1) In addition to the requirements of subsection (c) of this section, other funds may be used only for the following:

- (1) Moneys received for prekindergarten programs.
- (2) Moneys received for the federal Junior Reserve Officer Training Corps program.
- (3) Federal grants or appropriations that are restricted as to use and that the federal government requires to be held separately and not co-mingled.
- (4) Rental fees for the use of facilities of public schools.
- (5) Sales tax refunds.
- (6) Tuition.
- (7) Gifts or grants (i) that expressly exclude charter schools; (ii) that have been expressly restricted by the donor or grantor to an individual school; (iii) that were given, awarded, bequeathed, or applied for prior to October 15, 2015.
- (8) Enterprise funds where the local school administrative unit collects a fee for service.
- (9) Fund balances used or accruing for the local school administrative unit's current operating expenses.
- (10) Interest income.
- (11) Funds received for participation in federal Child Nutrition Programs, except for indirect costs.
- (12) Medicare and Medicaid reimbursements.
- (13) Fees for actual costs.
- (14) Funds for which the local school administrative unit is acting as the fiscal agent and does not derive any benefit.

(c2) Each local school administrative unit shall maintain those funds shown in the uniform budget format that are applicable to its operations.

...  
(e) The local current expense fund shall include appropriations sufficient, when added to appropriations from the State Public School Fund, for the current operating expense of the public school system in conformity with the educational goals and policies of the State and the local board of education, within the financial resources and consistent with the fiscal policies of the board of county commissioners. These appropriations shall be funded by revenues accruing to the local school administrative unit by virtue of Article IX, Sec. 7 of the Constitution, moneys made available to the local school administrative unit by the board of county commissioners, supplemental taxes levied by or on behalf of the local school administrative unit pursuant to a local act or G.S. 115C-501 to 115C-511, State money disbursed directly to the local school administrative unit, and other moneys made available or accruing to the local school administrative unit for the current operating expenses of the public school system.

(e1) As used in subsection (e) of this section, the phrase "other moneys made available or accruing to the local school administrative unit" shall include, but is not limited to, all of the following:

- (1) Moneys received for indirect costs.
- (2) Reimbursements, except for Medicare and Medicaid reimbursements.
- (3) Sales tax revenues regardless of how they are distributed.
- (4) Gifts and grants not subject to the restrictions set forth in subdivision (3) or subdivision (7) of subsection (c1) of this section.
- (5) Federal grants and appropriations made directly to local school administrative units."

**SECTION 3.** Except as otherwise provided, this act becomes effective July 1, 2016, and applies beginning with the 2016-2017 school year.





# HOUSE BILL 539: Charter School Funding.

2016-2017 General Assembly

**Committee:** House Education - K-12  
**Introduced by:** Reps. Bradford, B. Brown, Szoka  
**Analysis of:** Third Edition

**Date:** June 9, 2016  
**Prepared by:** Drupti Chauhan and  
Kara McCraw  
Committee Co-Counsel

## **SUMMARY:** *House Bill 539 would do the following:*

- *Provide that in an action between a local school administrative unit (LEA) and a charter school regarding the transfer of the per pupil share of the local current expense fund, the court must also award the prevailing party liquidated damages in an amount equal to 5% of the monies that should have been transferred as compensation for administrative expenses incurred by the prevailing party due to the unavailability of those monies.*
- *Make changes to the types of monies that must be a part of the local current expense fund and those that can be held in separate accounts that do not have to be shared with charter schools.*

## **SECTION 1**

**CURRENT LAW:** If a student attends a charter school, the LEA in which the child resides must transfer to the charter school an amount equal to the per pupil share of the local current expense fund of the local school administrative unit for the fiscal year within 30 days of the receipt of monies into the local current expense fund. In addition, the LEA must also provide each charter school to which it transfers a per pupil share of its local current expense fund information on monies the LEAs have in various funds; student membership numbers and how calculations were made; and additional records the charter school requests to audit and verify the calculation and transfers. In actions brought for violations of these transfer requirements, the court must award the prevailing party reasonable attorneys' fees and costs incurred as well as the delinquent funds, all of which must be paid no later than one year from the entry of any judgment.

**BILL ANALYSIS:** Section 1 would provide that the court shall also award the prevailing party liquidated damages in an amount equal to 5% of the monies that should have been transferred as compensation for administrative expenses incurred by the prevailing party due to the unavailability of those monies.

## **SECTION 2**

**CURRENT LAW:** If a student attends a charter school, the LEA in which the child resides must transfer to the charter school an amount equal to the per pupil share of the local current expense fund of the local school administrative unit for the fiscal year within 30 days of the receipt of monies into the local current expense fund. G.S. 115C-426 provides that the State Board of Education (SBE), in cooperation with the Local Government Commission, must prepare a standard budget format for use by LEAS. The statute requires that the uniform budget format must include the following funds:

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578



# House Bill 539

Page 2

- State Public School Fund – includes appropriations for current operating expenses of public schools from money made available to the LEA from the SBE.
- Local current expense fund – includes fines and forfeiture revenues, appropriations from the board of county commissioners, supplemental school taxes, State money directly disbursed to an LEA, and other money made available or accruing to the LEA for current operating expenses.
- Capital outlay fund – appropriations for the acquisition of real property, acquisition and construction of buildings, acquisition or replacement of furnishings and equipment, acquisition of school buses and activity buses.

The statute further states that, in addition to the above three funds, **other separate funds may be used by LEAs to account for the following and these do not have to be shared with charter schools:**

- Reimbursements (including indirect costs).
- Fees for actual costs.
- Tuition.
- Sales tax revenues distributed using the ad valorem method pursuant to G.S. 105-472(b)(2).
- Sales tax refunds.
- Gifts and grants restricted as to use.
- Trust funds.
- Federal appropriations made directly to local school administrative units.
- Funds received for prekindergarten programs.

The appropriation or use of fund balance or interest income by an LEA may not be construed as a local current expense appropriation that is a part of the local current expense fund.

The statute also allows "other moneys made available or accruing" to the LEA to be placed in the local current expense fund, including appropriations from the board of county commissioners. **These "other moneys" do have to be shared.**

**BILL ANALYSIS:** Section 2 would provide that only the following funds could be kept by LEAs in funds other than the local current expense fund and thereby would **not** have to be shared with charter schools:

- Moneys received for prekindergarten programs.
- Moneys received for the federal Junior Reserve Officer Training Corps program.
- Federal grants or appropriations that are restricted as to use and that the federal government requires to be held separately and not co-mingled.
- Rental fees for the use of facilities of public schools.
- Sales tax refunds.
- Tuition.

# House Bill 539

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- Gifts or grants (i) that expressly exclude charter schools; (ii) that have been expressly restricted by the donor or grantor to an individual school; (iii) that were given, awarded, bequeathed, or applied for prior to October 15, 2015.
- Enterprise funds where the LEA collects a fee for service.
- Fund balances used or accruing for the LEA's current operating expenses.
- Interest income.
- Funds received for participation in federal Child Nutrition Programs, except for indirect costs.
- Medicare and Medicaid reimbursements.
- Fees for actual costs.
- Funds for which the LEA is acting as the fiscal agent and does not derive a benefit.

The bill would also provide that "other moneys made available or accruing" to the LEA must include the following but is not limited to the list below. These moneys would have to be shared with charter schools by the LEA:

- Moneys received for indirect costs.
- Reimbursements, except for Medicare and Medicaid reimbursements.
- Sales tax revenues, regardless of how they are distributed.
- Gifts and grants that are not federal grants that are restricted as to use and are not required by the federal government to be held separately, and gifts and grants that do not: (i) expressly exclude charters; (ii) have not been expressly restricted by the donor or grantor to an individual school; (iii) were not given, awarded, bequeathed, or applied for prior to October 15, 2015.
- Federal grants and appropriations made directly to LEAs.

**EFFECTIVE DATE:** Section 1 would be effective when it becomes law and would apply to any actions filed on or after that date. Section 2 would be effective July 1, 2016 and apply beginning with the 2016-2017 school year.





**Ashanti testimony**

Hello my name is Ashanty Reyes and I'm a third-grade student at Torchlight Academy, a charter school here in Raleigh. I love my school. I love my friends and teachers and principal. Together we've learned and done so much.

But recently I found out my school gets treated differently than other public schools where my friends go. Why is that, Representatives? In school we're taught about a Supreme Court case that makes sure every child gets to go to schools that is treated equally —shouldn't we listen to that law?

My school deserves the same books and classrooms and playground as every other public school in North Carolina. Please, Representatives, vote for House Bill 539 so my teachers, principals, and classmates get treated the same as those at other schools in Raleigh. I want to be treated fairly.



(Name of Committee)

[illegible]





[illegible]



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06/09/2016  
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