

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

**SESSION LAW 2019-149
HOUSE BILL 107**

**AN ACT TO MAKE CHANGES TO THE EDUCATOR PREPARATION PROGRAM
PERFORMANCE STANDARDS AND DATA REPORTING SYSTEM.**

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-269.35 reads as rewritten:

"§ 115C-269.35. Accountability for educator preparation programs.

(a) Performance Measures. – The State Board shall adopt rules necessary to establish standards of performance to govern the continuing accountability of all EPPs. At a minimum, the performance standards shall be based on the following information that is disaggregated with respect to race, sex, and ethnicity:

- (1) Performance based on the standards and criteria for annual evaluations of licensed employees.
- (2) Proficiency and growth of students taught by educators holding an initial professional license, to the extent practicable. When available, EVAAS data shall be used to measure student ~~proficiency and growth.~~
- (3) Results from an educator satisfaction survey, developed by the State Board with stakeholder input, performed at the end of the educator's first year of teaching after receiving an initial professional license.
- ~~(4) Quality of students entering the EPP, including the average grade point average and average score on preprofessional skills tests or college entrance exams that assess reading, writing, mathematics, and other competencies.~~

(b) Annual Performance Reports. – The State Board shall require all recognized EPPs to submit annual performance reports. The performance reports shall provide the State Board with a focused review of the EPPs and the current authorization process in order to ensure that the programs produce graduates that are well prepared to teach. At a minimum, the annual report shall contain the following indicators:

- (1) Performance data from subsection (a) of this section.
- (2) Data related to the EPP's compliance with requirements for field supervision of students during their internship and residency experiences.
- (3) The following information, disaggregated by race, sex, and ethnicity:
 - a. ~~The number of students who apply.~~apply to candidacy of the EPP.
 - b. ~~The number of students admitted.~~admitted as candidates of the EPP.
 - c. ~~The number of students retained.~~The number of students completing the program.
 - d. ~~The number of students completing the program.~~The number of graduates of the EPP licensed in North Carolina.
 - e. ~~The number of students employed as beginning teachers under initial professional licenses by not later than the first anniversary of completing the program.~~The number of graduates of the EPP employed in North Carolina.



- f. ~~The amount of time required by students employed as beginning teachers under residency licenses to be issued initial professional licenses. The number and percentage of students who convert from a residency license to either an initial professional license or a continuing professional license.~~
 - g. ~~The number of students retained in the profession. Any other information required by federal law.~~
 - h. ~~Any other information required by federal law.~~
 - (4) ~~The ratio of field supervisors to students completing an internship or residency. Quality of students entering the EPP, including the average grade point average and average score on preprofessional skills tests or college entrance exams that assess reading, writing, mathematics, and other competencies.~~
 - (5) Graduation rates.
 - (6) Time-to-graduation rates.
 - (7) ~~Average scores~~ Pass rates of graduates on professional, pedagogy, and content area examinations for the purpose of licensure.
 - (8) Percentage of graduates receiving initial professional licenses.
 - (9) ~~The extent to which the activities offered by the program that are designed to prepares~~ prepare educators, including general education teachers and special education teachers, to effectively teach the following:
 - a. Students with disabilities.
 - b. Students of limited English proficiency.
 - (10) The activities offered by the program that are designed to prepare educators to do the following:
 - a. Integrate technology effectively into curricula and instruction, including activities consistent with the principles of universal design for learning.
 - b. Use technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of increasing student academic achievement.
 - (11) ~~The perseverance~~ retention of beginning educators in the profession, ~~as determined on the basis of the number of beginning educators who maintain status as active contributing members in the North Carolina State Employee Retirement System~~ profession for at least three two years after licensure in comparison to similar programs. licensure in North Carolina.
 - (12) The results of surveys given to school principals that involve evaluation of the program's effectiveness in preparing participants to succeed in the classroom, based on experience with employed program participants.
 - (13) Any other information necessary to enable the State Board to assess the effectiveness of the program on the basis of educator retention and success criteria adopted by the State Board.
- (c) Submission of Annual Performance Reports. – Performance reports shall be provided annually to the following:
- (1) The State Board.
 - (2) The board of trustees or board of directors of the entity submitting the report.
- (d) Information Requests by EPPs. – The State Board of Education shall annually provide, upon request, the data required to be included in an EPP's annual performance report related to subdivisions (1) and (2) of subsection (a) of this section and subdivision (11) of subsection (b) of this section. The State Board of Education shall provide this information to an EPP as aggregate data and disaggregated by race, sex, and ethnicity. Notwithstanding Article

21A of this Chapter, local school administrative units shall provide to the State Board of Education for the purposes of these information requests any North Carolina Educator Evaluation System effectiveness status assigned to teachers based on queries from the State Board. The State Board of Education shall not report aggregated or disaggregated data to the EPP that reveals confidential information in a teacher's personnel file, as defined by Article 21A of this Chapter, such as making the effectiveness status personally identifiable to an individual teacher."

SECTION 1.5. G.S. 115C-269.45(a) reads as rewritten:

"(a) Accountability Statuses. – The State Board shall at least annually review the accountability status of each EPP. The State Board shall adopt rules necessary for the sanction of EPPs that do not meet accountability standards or comply with State law or rules. The rules shall provide for the assignment of warned, probation, or revoked statuses according to the following criteria:

- (1) Warned. – An EPP shall be assigned warned status if the program meets any of the following criteria:
 - a. Fails to meet the performance standards set by the State Board for the overall performance of all its students on any of the indicators set forth in G.S. 115C-269.35(a) in any one year.
 - b. Fails to meet the performance standards in any two sex, race, or ethnicity demographic groups on any of the indicators set forth in G.S. 115C-269.35(a) in any one year.
 - c. Fails to meet the performance standards for ~~a~~any one sex, race, or ethnicity demographic group on any of the indicators set forth in G.S. 115C-269.35(a) for two consecutively measured years, regardless of whether the deficiency is in the same ~~demographic group~~ ~~or~~ standard.
 - d. The State Board determines that the EPP has violated applicable laws or rules that should result in warned status.
- (2) Probation. – An EPP shall be assigned probation status if the program meets any of the following criteria:
 - a. Fails to meet the performance standards set by the State Board for the overall performance of all its students on any of the indicators set forth in G.S. 115C-269.35(a) for two consecutively measured years.
 - b. Fails to meet the performance standards in any three sex, race, or ethnicity demographic groups on any of the indicators set forth in G.S. 115C-269.35(a) in any one year.
 - c. Fails to meet the performance standards for ~~a~~any one sex, race, or ethnicity demographic group on any of the indicators set forth in G.S. 115C-269.35(a) for three consecutively measured years, regardless of whether the deficiency is in the same ~~demographic group~~ ~~or~~ standard.
 - d. The State Board determines that the EPP has violated applicable laws or rules that should result in probation status.
- (3) Revoked. – An EPP shall be assigned revoked status and its approval to recommend students for educator licensure revoked if it meets any of the following criteria:
 - a. Is assigned probation status for three consecutively measured years.
 - b. Has been on probation status for one year and the State Board determines that revoking the program's approval is reasonably necessary to achieve the purposes of this Article."

SECTION 2. G.S. 115C-269.45 is amended by adding a new subsection to read:

"(c1) Small Group Exception. – Notwithstanding the provisions of subsection (a) of this section, the State Board of Education shall adopt a rule to establish a small group exception for circumstances in which there is a risk of identifying individual program participants. The rule shall include the number of students necessary to qualify for the exception and the alternative method of performance assessment and assignment of sanctions. The rule may provide for measuring performance of small student groups cumulatively over multiple years for EPP accountability purposes."

SECTION 3.(a) The State Board of Education, in consultation with the Department of Public Instruction and the Professional Educator Preparation and Standards Commission (PEPSC), shall develop a formulaic, performance-based weighted model for the purposes of comparing the annual report card information between each educator preparation program (EPP) pursuant to G.S. 115C-269.50. The State Board, in consultation with the Department and PEPSC, shall do at least the following in designing the weighted model:

- (1) Identify and select measures from the annual performance reports required by G.S. 115C-269.35(b), as amended by this act, to be used in the weighted model.
- (2) Assign weight to each measure, including making rounding decisions for awarding points.
- (3) Determine the number of years of data that will be used to calculate measures, such as three or five years.
- (4) Examine potential reasons for excluding EPPs from the reporting, including if there are missing or too few data points for certain measures.
- (5) Establish targets and minimum standards. To the extent practicable, EPPs shall be measured against objective criteria rather than norm-referenced criteria.
- (6) Consider whether the weighted model should be used solely for public accountability and to inform policymakers or if the weighted model may also be used as a corrective or compliance tool.
- (7) Examine how an information dashboard system could be used as part of the reporting system, including any challenges related to integrating data from both public and private EPPs in one information dashboard system.
- (8) Examine whether additional information should be included in the weighted model to most effectively achieve the following:
 - a. Meet federal and State law requirements.
 - b. Hold EPPs accountable for established standards.
 - c. Assist EPPs in improving performance.
 - d. Communicate EPP performance to policymakers and the public.
- (9) Identify any necessary changes to State law that would enable a transition to the new weighted model.

SECTION 3.(b) By February 15, 2020, the State Board, in consultation with the Department and PEPSC, shall report to the Joint Legislative Education Oversight Committee on (i) the development of the formulaic, performance-based weighted model for EPPs as required by subsection (a) of this section, (ii) recommendations on the purposes and uses of the weighted model, (iii) recommendations on the time line for possible implementation of the weighted model, and (iv) any legislative changes needed for implementation of the model. The State Board shall not implement the weighted model without express authorization from the General Assembly.

SECTION 3.5. The State Board of Education, in consultation with the Professional Educator Preparation and Standards Commission (PEPSC), shall study the inclusion as a performance measure for EPPs the two-year retention rate for individuals who completed the EPP and became initially licensed and employed in a North Carolina public school. By February

15, 2020, the State Board shall submit a report on the study, including a recommended retention-rate performance standard for EPPs, to the Joint Legislative Education Oversight Committee. The State Board shall not implement the two-year retention rate as a performance measure without express authorization from the General Assembly.

SECTION 4. By October 1, 2019, the State Board of Education shall adopt the rule required by G.S. 115C-269.45(c1), as enacted by this act, and shall report on the rule to the Joint Legislative Education Oversight Committee. The State Board shall apply the rule beginning with data collected from the 2018-2019 academic year for the purposes of the annual report made available to the public by December 15, 2019, and annually thereafter, pursuant to G.S. 115C-269.50.

SECTION 5. This act is effective when it becomes law. Section 1 of this act applies to (i) educator preparation programs (EPPs) authorized by the State Board of Education on or after the date this act becomes law and (ii) reports submitted to the State Board and reviews by the State Board of an EPP beginning with those based on data from the 2019-2020 academic year.

In the General Assembly read three times and ratified this the 11th day of July, 2019.

s/ Carl Ford
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 11:18 a.m. this 22nd day of July, 2019