

**JOINT LEGISLATIVE
EDUCATION OVERSIGHT COMMITTEE**



***REPORT TO THE
2006 REGULAR SESSION
OF THE
2005 GENERAL ASSEMBLY
OF NORTH CAROLINA***

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STATE OF NORTH CAROLINA

JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE



April 25, 2006

TO THE MEMBERS OF THE 2006 REGULAR SESSION OF THE 2005 GENERAL ASSEMBLY:

Attached for your consideration is the report to the 2006 Regular Session of the 2005 General Assembly. This report was prepared by the Joint Legislative Education Oversight Committee pursuant to G.S. 120-70.81.

Respectfully submitted,

Senator A.B. Swindell
Cochair

Representative Douglas Yongue
Cochair

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2005-2006

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Shirley Iorio
Sara Kamprath
Drupti Chauhan
Dee Atkinson

Mo Hudson, Committee Assistant
Katie Stanley, Committee Assistant

COMMITTEE PROCEEDINGS

The Joint Legislative Education Oversight Committee held 11 meetings.

November 29, 2005

Budget/Authorizing Legislation/Studies

Robin Johnson, Committee Counsel

Spotlight on 2005 Education Legislation

Dr. Shirley Iorio, Committee Analyst

Teacher Shortage

Dr. Kathy Sullivan, Director, Human Resource Management/Quality Professionals
NC Department of Public Instruction

Teacher Working Conditions Survey

Eric Hirsch, Executive Director
Center for Teaching Quality
Dr. Larry Price, Superintendent
Wilson County Schools

Teacher Recruitment/Retention Proposals

Report and Recommendations from the State Board of Education Teacher
Retention Task Force
Dr. Jane Norwood, Vice Chairman, State Board of Education, and Chairman of Task Force

Governor's Office

Ann McArthur, Teacher Advisor

Dan Gerlach, Senior Policy Advisor for Fiscal Affairs

North Carolina Association of Educators

Eddie Davis, President

Professional Educators of North Carolina

Dr. Ellen Greaves, Executive Director

November 30, 2005

Proposal for Funding for Lateral Entry Teachers/Nurses

Dr. A. Hope Williams, President, N.C. Independent Colleges and Universities

Low-Wealth Funds

Lydia Prude, Section Chief, School Allotments, Financial and Business Services, Department of Public
Instruction

Alexis Schauss, Section Chief, Information Analysis and Reporting, Financial and Business Services,
Department of Public Instruction

Dr. Shirley B. Prince, Superintendent, Scotland County Schools

Dr. Norman W. Shearin, Jr., Superintendent, Vance County Schools

DPI Contract Positions

Philip Price, Associate Superintendent, Financial and Business Services, Department of Public Instruction

January 10, 2006

Erskine Bowles, President, University of North Carolina

Joint Distance Learning Initiatives Between the Community Colleges and Universities

Delores Parker, Vice-President for Academic and Student Services, NC Community College System

Alan Mabe, Vice-President for Academic Planning, UNC General Administration

Robyn Render, Vice-President for Information Resources and Chief Information Officer, UNC General Administration

Sandra Williams, Vice-President for Administration, NC Community College System

School Employees' Salary Structure

Alexis Schauss, Chief, Information Analysis and Reporting Section, DPI

NC Teaching Fellows Program

Jo Ann Norris, Associate Executive Director, NC Public School Forum

Recommendations from the Summit on National Board Certified Teachers

January 11, 2006

College Access and Financial Aid

Dr. Bobby Kanoy, Associate Vice President Academic Affairs, UNC General Administration

Brian Williams, Director of Technology and Internet Services, CFNC and

Susan McCracken, Resource and Partnership Development, GEAR UP NC

Tony Tyson, Senior at Green County High School

Dr. Steve Brooks, Executive Director, State Education Assistance Authority

Return to Work Following Retirement

Leslie Winner, UNC Vice President for Legal Affairs/General Counsel

Dr. Gordon Burns, President, NC Association of Community College Presidents, and President, Wilkes Community College

Dr. Ed Wilson, President, Wayne Community College

Katherine Joyce, Assistant Executive Director, Association of School Administrators

February 8, 2006

June Atkinson, Superintendent of Public Instruction

Global Education

Dr. Kenneth E. Peacock, Chancellor, Appalachian State University

Millie Ravenel, Executive Director, The Center for International Understanding

Robert Phay, Director, World View – An International Program for Educators – The University of North Carolina at Chapel Hill

Dr. Delores Parker, Vice-President for Academic and Student Services, North Carolina Community College System

Dr. Elsie Leak, Associate Superintendent, Curriculum and School Support Services, Department of Public Instruction

Science Education

Dr. Elsie Leak, Associate Superintendent, Curriculum & School Support Services, DPI

Christine Boytos, Associate Director for Community and Business Management, GlaxoSmithKline, Inc.

Brenda Evans, Director, North Carolina Infrastructure for Science Education (NC-ISE)

Dr. Sam Houston, Jr., President and Chief Executive Officer, North Carolina Science, Mathematics, and Technology Education Center

LEA Consolidation

Adam Levinson, Fiscal Analyst, Fiscal Research Division

The North Carolina New Schools Project

Dr. Tony Habit, Executive Director, New Schools Project

NC Wise Update

Philip Price, Associate Superintendent, Financial & Business Services, DPI

**March 8, 2006
Wilson and Nash Counties**

Wilson Technical Community College

Dr. Rusty Stephens, President, Wilson Technical Community College

Overview of Wilson Technical Community College and the transformation to a "green campus"

Mr. Hank Widmer, Director, Eastern North Carolina School for the Deaf

Overview and update on the Eastern North Carolina School for the Deaf

Wells Elementary School

Dr. Larry Price, Superintendent, Wilson County Schools

Impact Schools: The Integration of Technology into Instruction

The Honorable Beverly Perdue, Lieutenant Governor

Business Education Technology Alliance (BETA) Report

Nash Community College

Dr. Bill Carver, President, Nash Community College

Ms. Fay Agar, Principal, Nash-Rocky Mount Middle College High School

Overview of Nash-Rocky Mount Middle College High School

Ms. Sylvia Harriss, Director, Communities in Schools of the Rocky Mount Region

Red Oak Middle School

Dr. Rick McMahon, Superintendent, Nash-Rocky Mount Schools

School Uniforms and Discipline

March 20, 2006

Requests for Non-Budget Items

Erskine Bowles, President, The University of North Carolina

June Atkinson, Superintendent, Department of Public Instruction

Martin Lancaster, President, The North Carolina Community College System

Positive Behavior Supports Program

Mary Watson, Director, Exceptional Children's Division, Department of Public Instruction

March 21, 2006

Invitation to Legislators Retreat

Lisa Guckian, The James B. Hunt, Jr. Institute for Educational Leadership and Policy

Status Report on Retirees Subcommittee

Representative Glazier

School Construction Needs Assessment

Ben Matthews, Director, School Support Services, Department of Public Instruction

Don Steed, Superintendent, Hoke County Public Schools

Mike Burriss, Assistant Superintendent for Facilities, Wake County Public Schools

Effective Mentor Programs

Nancy Reid, Novice Teacher Coach, Asheville City Public Schools

Pat Hensley, Assistant Superintendent for Human Resources, Catawba County Public Schools

Rae Thompson, Director of Professional Learning, Catawba County Public Schools

Brenda Jones, Assistant Superintendent for Human Resources, Pitt County Public Schools

Teacher Assistants

Adam Levinson, Fiscal Analyst, Fiscal Research Division

Proprietary Schools

Jack Henderson, President, NC Association of Career Colleges and Schools

Bob Hodge, Miller-Motte

Mark Dreyfus, ECPI

Mike Fritz, NASCAR Institute

Committee Discussion

- **Committee Website**
Robin Johnson, Committee Counsel
- **Issues to Consider for Possible Recommendations to 2006 General Assembly**
Cochairs
- **Appointment of Subcommittees**
Cochairs

April 3, 2006

Scotland and Robeson Counties

Scotland County Schools Central Office

The Honorable Judge Howard E. Manning, Jr.

St. Andrews Presbyterian College

Dr. John Deegan, Jr., President, St. Andrews Presbyterian College

Overview and update on St. Andrews Presbyterian College

April 4, 2006

Scotland and Robeson Counties

Scotland High School

Dr. Shirley Prince, Superintendent, Scotland County Schools

Overview and update on Scotland County Schools: Initiatives, Successes and Challenges

Mr. Don Steed, Superintendent, Hoke County Schools

Mr. Hank Richards, Member, Hoke County Board of Education

Overview and update on Hoke County Schools: Initiatives, Successes and Challenges

Dr. Tony Habit, Executive Director, North Carolina New Schools Project

Conversion High Schools

Mr. Colin Armstrong, Superintendent, Robeson County Schools

UNC Pembroke

Dr. Allen Meadors, Chancellor, UNC Pembroke
Overview and update on UNC Pembroke

April 25, 2006

Communities In Schools

Linda Harrill, President and Chief Executive Officer

Michael Stephens, Executive Vice President and Chief Operating Officer

Report on Disadvantaged Student Supplemental Funding (DSSF)

Dr. Elsie Leak, Associate Superintendent of Curriculum and School Reform Services, DPI

Philip Price, Associate Superintendent of Financial and Business Services, DPI

Report from Subcommittee on Retirees Return-to-Work Provision

Senator Dannelly and Representative Glazier, Cochairs

Proposed Report, Findings, and Recommendations to 2006 Session

Committee Findings and Recommendations

The Joint Legislative Education Oversight Committee makes the following findings and recommendations to the 2006 Regular Session of the 2005 General Assembly:

1. Teacher Retention and Recruitment

The Committee encourages the General Assembly to continue to support initiatives that address the State's teacher shortage, focus on recruiting math and science teachers, improve teacher preparation programs, maintain high standards for all teachers, and raise teacher salaries.

The Committee believes there is a growing shortage of competent teachers in North Carolina. This shortage is due to increasing student enrollment, class-size reduction initiatives, and teacher retirements. The teacher shortage is the most acute in rapidly growing school systems, in rural, low-wealth counties, and in schools with high numbers of at-risk students. In addition, many of the State's school systems are experiencing a shortage of certified teachers in math and science.

The Committee supports the initiatives proposed by Erskine Bowles, President of the University of North Carolina. These initiatives include improved collaboration by the deans of the schools of education in order to (i) improve teacher preparation programs and (ii) increase the numbers of students who choose teaching as a career. The Committee recommends that special emphasis be placed on recruiting math and science teachers. The Committee recommends enactment of legislation to fund 50 additional Future Teachers of North Carolina Scholarship Loans for students who agree to become certified in math or science. Scholarship Loan recipients must also agree to teach in that subject area in a North Carolina public school for three years within five years after graduation. See attached DRAFT LEGISLATION: 2005-RJz-2[v.4]. The Committee also recommends special emphasis be placed on strengthening math and science teacher education programs and recruiting minorities and males into teaching. The Committee also encourages the General Assembly to consider initiatives to provide differentiated pay for math and science teachers as well as President Bowles' initiatives to provide higher salaries for math and science teachers willing to teach in low performing schools. In addition, the Committee supports the Governor's proposals to continue raising teachers' salaries.

The Committee believes that the North Carolina Teaching Fellows Program is an effective tool in recruiting outstanding high school students to choose teaching as a career. The program also benefits the teacher preparation programs the students attend. The Committee believes that the Teaching Fellows Program can provide more benefits to students if it allows fellows to enroll in a broader spectrum of colleges and universities that have teacher education programs. As a result, the Committee encourages the North Carolina Teaching Fellows Program to expand the number of colleges and universities in the State that can participate in the North Carolina Teaching Fellows Program. In order to accomplish this expansion in a manner that will allow the Program to be as beneficial and effective as it currently is, the Committee encourages the General Assembly to provide funds to allow for additional Fellows and to provide the administrative support that will be needed.

2. House Bill 706 – An Act to Amend the Teacher Certification Law to Facilitate the Hiring of Teachers – Status report

This is the bill that Governor Easley vetoed in September 2005, and that is currently in the House Rules Committee. Upon receiving a vetoed bill and its gubernatorial veto message, the receiving chamber must immediately proceed to reconsider the bill. A vetoed bill can be referred to committee for review and recommendation. Thus, the referral to committee constitutes the chamber's "immediate" consideration of the vetoed bill. The vetoed bill cannot be amended. No time limit is set for the committee to act or to make a recommendation on the vetoed bill. Therefore, the Rules Committee has until the end of the 2005 General Assembly to act (or not) on the bill. The end of the 2005 General Assembly will be when the Short Session that begins May 9, 2006, adjourns.

The Committee members are pleased to report that the State Board of Education adopted a policy that is similar to the provisions in House Bill 706. The Department of Public Instruction has been issuing licenses under that policy since its adoption.

3. Joint Legislative Education Oversight Subcommittee on Retirees Returning to Work

A subcommittee was appointed to determine whether it is possible to reach consensus on the easing of last year's changes to the law governing retirees who return to work. This subcommittee met three times and recommends enactment of legislation to amend the special provision in the 2005 Budget Bill that provides the conditions under which retired teachers and State employees may return to work after retirement. Representatives of the University system, the Community College system, the State Board of Education and other interested parties met and discussed their problems with implementing the current law. These education groups made recommendations that are included in the draft legislation. See attached DRAFT LEGISLATION: 2005-LL-219[v.17].

4. Mathematics and Science Teacher Preparation Programs

There is increasing evidence that teacher preparation programs are not enabling individuals in these programs to acquire the in-depth content knowledge and well-honed skills needed to teach mathematics or science, or both, in the public schools, whether in elementary, middle or high school. In light of the rapidly changing global economy, colleges and universities must redesign their programs to prepare teachers who can challenge North Carolina's students with rigorous content standards so that when these students ultimately enter the workforce, they will have the skills and knowledge required in the future.

The Committee recommends enactment of legislation to encourage The University of North Carolina to begin the process to encourage the constituent institutions to redesign their mathematics and science teacher preparation programs. See attached DRAFT LEGISLATION: 2005-RHz-10[v.5].

The Committee also encourages the Board of Governors and the State Board to evaluate and revise professional development programs to provide current teachers in-depth content knowledge and well-honed skills needed to teach science or mathematics. The Boards shall report to this Committee by December 1, 2006, on changes that are recommended or under consideration.

5. Legislative Tuition Grants and State Contractual Scholarship Fund Grants and Aid for Nursing Students

The Committee understands the critical shortage in teaching and nursing that the State is facing. The Committee believes that encouraging professionals that already hold undergraduate degrees in other areas to go back to college to pursue licensure in teaching or nursing is an excellent way to increase the numbers of outstanding teachers and nurses in the State. The Committee recommends that the State Contractual Scholarship Fund Grants and the Legislative Tuition Grants be expanded to include part-time and full-time students who have bachelor's degrees but have returned to college to obtain licensure in teaching and nursing. See attached DRAFT LEGISLATION 2005-RQ-5 [v.6]. The Committee also supports expanding scholarships and scholarship loan funds for students enrolled in nursing programs at public institutions of higher education.

6. Improving School Leadership

There is a growing body of research that supports the idea that improving student achievement, particularly for low-income and minority students, is accomplished with the guidance of an effective leader at the building level. Therefore, it is imperative that principal preparation programs and professional development programs prepare and develop principals for the challenges of leading the schools of today and the future.

The Committee recommends that the Board of Governors of The University of North Carolina, in consultation with the State Board of Education, revise their school administrator programs and report to the Joint Legislative Education Oversight Committee by January 15, 2007, their recommendations for improving the preparation of new school principals and the professional development of current school principals. The revisions shall, at a minimum, focus on middle and high school principals, particularly those in schools where a large number of the students do not perform well, and the identification and inclusion of the skills a principal needs to be an effective instructional leader who is able to coach, teach and develop the teachers in their school. The report to the Joint Legislative Education Oversight Committee shall also include a plan for the implementation of the revised programs, any statutory changes needed, and a date by which these changes will be implemented.

7. Initiatives for Low-Wealth School Systems

The Committee continues to fully support initiatives designed to assist schools in low-wealth counties. In particular, the Committee encourages the Governor to recommend and the General Assembly to provide increased funds for low-wealth counties so that this education funding category can finally be fully funded. The Committee also supports the continued annual report to this Committee on how these funds are used by the local education administrative units that receive these funds.

8. Disadvantaged Student Supplemental Fund

The Committee recognizes the importance of the Disadvantaged Student Supplemental Fund and supports the continued funding and expansion of the Fund in order to improve academic

achievement for all students. However, the Committee finds that accountability for the Fund must be a priority in order to document how the money has impacted student achievement. The Committee recommends that the General Assembly maintain oversight and require regular reports on how the monies in the Fund are used.

9. Accountability for Entities, Including Non-Profit Organizations, that Receive State Funds to Implement Education Programs

In addition to State and local education agencies that receive State funds to provide a public education to the children of this State, numerous other entities also receive State funds to implement programs to enhance or supplement the programs offered in the public schools. These programs should be held accountable to the General Assembly in order to continue to receive State funds.

The Committee encourages the General Assembly to improve its program and fiscal oversight of all of these entities by providing for audits that the General Assembly and its appropriations committees could use when determining whether State funds should be used to support or enhance these programs. One approach would be to authorize this Committee to contract with program and fiscal auditors for audits of specific programs.

10. Global Education

The Committee finds that public education must keep current with the changing world so that our students are prepared for the world of the future. In the past 30 years the world has changed dramatically. There have been more creations and inventions than ever in history. The demographics of the United States and this State have seen significant shifts that are expected to continue. There also are upcoming shifts in the global economy: none of the future largest cities will be in the northern hemisphere and the next one billion consumers will come from Brazil, India, China, and developing markets.

As part of the State's goal to be a leader in the global economy, the Committee strongly supports the continued expanding and upgrading of our school technology initiatives. These initiatives must be based on comprehensive plans that include measurable goals and objectives. At a minimum, the Committee encourages annual program and financial audits to assure credibility of these plans and to permit refinements as needed.

The Committee also encourages the General Assembly to support initiatives to expand the foreign languages being taught in the public schools so that languages currently not taught, such as Arabic, Japanese, and Chinese, are available. The Committee specifically supports the March 9, 2006, recommendations from DPI's Foreign Language Task Force (See attached Recommendations) and recommends consideration of legislation to create a pilot program to provide this expanded foreign language instruction. See attached DRAFT LEGISLATION 2005-LEz-245Z[v.1].

11. Dropout Prevention/Communities in Schools

The Committee enthusiastically supports the work of Communities in Schools. This organization involves members of local communities to provide tutors, mentors, scholarships and

other services for students who are at risk of dropping out of school. Due to this organization's documented success with these students, the Committee encourages the General Assembly to continue providing State funds for this organization and, if funds are available, to provide additional funds.

ARTICLE 12H.
Joint Legislative Education Oversight Committee.

§ 120-70.80. Creation and membership of Joint Legislative Education Oversight Committee.

The Joint Legislative Education Oversight Committee is established. The Committee consists of 22 members as follows:

- (1) Eleven members of the Senate appointed by the President Pro Tempore of the Senate, at least two of whom are members of the minority party; and
- (2) Eleven members of the House of Representatives appointed by the Speaker of the House of Representatives, at least three of whom are members of the minority party.

Terms on the Committee are for two years and begin on the convening of the General Assembly in each odd-numbered year. Members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee.

A member continues to serve until his successor is appointed. A vacancy shall be filled within 30 days by the officer who made the original appointment.

§ 120-70.81. Purpose and powers of Committee.

(a) The Joint Legislative Education Oversight Committee shall examine, on a continuing basis, the several educational institutions in North Carolina, in order to make ongoing recommendations to the General Assembly on ways to improve public education from kindergarten through higher education. In this examination, the Committee shall:

- (1) Study the budgets, programs, and policies of the Department of Public Instruction, the State Board of Education, the Department of Community Colleges, the Board of Governors of The University of North Carolina, and the constituent institutions of The University of North Carolina to determine ways in which the General Assembly may encourage the improvement of all education provided to North Carolinians and may aid in the development of more integrated methods of institutional accountability;
- (2) Examine, in particular, the Basic Education Plan and the School Improvement and Accountability Act of 1989, to determine whether changes need to be built into the plans, whether implementation schedules need to be restructured, and how to manage the ongoing development of the policies underlying these legislative plans, including a determination of whether there is a need for the legislature to develop ongoing funding patterns for these plans;
- (3) Study other states' educational initiatives in public schools, community colleges, and public universities, in order to provide an ongoing commentary to the General Assembly on these initiatives and to make

recommendations for implementing similar initiatives in North Carolina;
and

(4) Study any other educational matters that the Committee considers necessary to fulfill its mandate.

(b) The Committee may make interim reports to the General Assembly on matters for which it may report to a regular session of the General Assembly. A report to the General Assembly may contain any legislation needed to implement a recommendation of the Committee.

§ 120-70.82. Organization of Committee.

(a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Joint Legislative Education Oversight Committee. The Committee shall meet at least once a quarter and may meet at other times upon the joint call of the cochairs.

(b) A quorum of the Committee is 10 members. No action may be taken except by a majority vote at a meeting at which a quorum is present. While in the discharge of its official duties, the Committee has the powers of a joint committee under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.

(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee.

§ 120-70.83. Additional powers.

The Joint Legislative Education Oversight Committee, while in discharge of official duties, shall have access to any paper or document, and may compel the attendance of any State official or employee before the Committee or secure any evidence under G.S. 120.19. In addition, G.S. 120-19.1 through G.S. 120-19.4 shall apply to the proceedings of the Committee as if it were a joint committee of the General Assembly.

§§ 120-70.84 through 120-70.89: Reserved for future codification purposes.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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D

BILL DRAFT 2005-RJz-2 [v.4] (04/20)

**(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
4/21/2006 12:33:16 PM**

Short Title: Amend Future Teachers Scholarship Loan .

(Public)

Sponsors: Unknown.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE FUTURE TEACHERS OF NORTH CAROLINA SCHOLARSHIP LOAN FUND BY ADDING FIFTY SCHOLARSHIP LOANS FOR STUDENTS WHO AGREE TO BECOME CERTIFIED IN MATH OR SCIENCE, TEACH FULL-TIME IN THAT AREA IN A NORTH CAROLINA PUBLIC SCHOOL FOR THREE YEARS WITHIN FIVE YEARS AFTER GRADUATION, AND MEET CERTAIN OTHER REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-209.38 reads as rewritten:

"§ 116-209.38. Future Teachers of North Carolina Scholarship Loan Fund.

(a) There is established the Future Teachers of North Carolina Scholarship Loan Fund. The purpose of the Fund is to provide a two-year scholarship loan of six thousand five hundred dollars (\$6,500) per year for any North Carolina student pursuing a college degree to teach in the public schools of the State. The scholarship loan shall be paid only for the student's junior and senior years. The scholarship loan is available if the student is enrolled in a State institution of higher education or a private institution of higher education located in this State that has an accredited teacher preparation program for students planning to become certified teachers in North Carolina. The State Education Assistance Authority shall administer the Fund and shall award ~~100~~150 scholarship loans annually.

(b) The Board of Governors of The University of North Carolina, in consultation with the State Board of Education and the State Board of Community Colleges, shall develop the criteria for awarding the scholarship loans under this section and shall adopt very stringent standards for awarding these scholarship loans to ensure that only the best students receive them. ~~Additional criteria for awarding a scholarship loan under this section shall include all of the following:~~

- 1 ~~(1) The student is one who either: (i) maintained a "B" or better average in~~
2 ~~college and is enrolled as a junior or senior in a teacher preparation~~
3 ~~program at any of the institutions described by subsection (a) of this~~
4 ~~section; or (ii) completed a college transfer curriculum at a community~~
5 ~~college in the State's Community Colleges System, maintained a "B"~~
6 ~~or better average in the community college courses, and is accepted~~
7 ~~and enrolled in a teacher preparation program at one of the institutions~~
8 ~~described by subsection (a) of this section.~~
- 9 ~~(2) The student agrees to become certified in math, science, special~~
10 ~~education, or English as a Second Language and teach full time in that~~
11 ~~subject area in a North Carolina public school for three years within~~
12 ~~five years after graduation.~~
- 13 ~~(3) Any additional criteria that the Board of Governors of The University~~
14 ~~of North Carolina, in consultation with the State Board of Education~~
15 ~~and the State Board of Community Colleges, considers necessary to~~
16 ~~administer the Fund effectively.~~

17 (b1) Additional criteria for awarding the first 100 scholarship loans under this
18 section shall include all of the following:

- 19 (1) The student is one who either: (i) maintained a "B" or better average in
20 college and is enrolled as a junior or senior in a teacher preparation
21 program at any of the institutions described by subsection (a) of this
22 section; or (ii) completed a college transfer curriculum at a community
23 college in the State's Community Colleges System, maintained a "B"
24 or better average in the community college courses, and is accepted
25 and enrolled in a teacher preparation program at one of the institutions
26 described by subsection (a) of this section.
- 27 (2) The student agrees to become certified in math, science, special
28 education, or English as a Second Language and teach full-time in that
29 subject area in a North Carolina public school for three years within
30 five years after graduation.
- 31 (3) Any additional criteria that the Board of Governors of The University
32 of North Carolina, in consultation with the State Board of Education
33 and the State Board of Community Colleges, considers necessary to
34 administer the Fund effectively.

35 (b2) Additional criteria for awarding the remaining 50 scholarship loans under this
36 section shall include all of the following:

- 37 (1) The student is one who either: (i) maintained a "B" or better average in
38 college and is enrolled as a junior or senior in a teacher preparation
39 program at any of the institutions described by subsection (a) of this
40 section; or (ii) completed a college transfer curriculum at a community
41 college in the State's Community Colleges System, maintained a "B"
42 or better average in the community college courses, and is accepted

1 and enrolled in a teacher preparation program at one of the institutions
2 described by subsection (a) of this section.

3 (2) The student agrees to become certified in math or science and teach
4 full-time in that subject area in a North Carolina public school for
5 three years within five years after graduation.

6 (3) Any additional criteria that the Board of Governors of The University
7 of North Carolina, in consultation with the State Board of Education
8 and the State Board of Community Colleges, considers necessary to
9 administer the Fund effectively.

10 (c) If a student who is awarded a scholarship loan under this section fails to
11 comply with the provisions of this section or the terms of the agreement awarding the
12 scholarship loan, then the student shall repay the full amount of the scholarship loan
13 provided to the student and the appropriate amount of interest as determined by the
14 State Education Assistance Authority.

15 (d) The Board of Governors of The University of North Carolina, the State Board
16 of Education, and the State Board of Community Colleges shall: (i) prepare a clear
17 written explanation of the Future Teachers of North Carolina Scholarship Fund and the
18 information regarding the availability and criteria for awarding the scholarship loans,
19 and (ii) shall provide that information to the appropriate counselors in each local school
20 system and the appropriate institutions of higher education and shall charge those
21 counselors to inform students about the scholarship loans and to encourage them to
22 apply for the scholarship loans.

23 (e) The Board of Governors of The University of North Carolina shall adopt
24 rules to implement this section.

25 (f) The Board of Governors of The University of North Carolina shall report to
26 the Joint Legislative Education Oversight Committee by March 1 each year regarding
27 the Fund and scholarship loans awarded from the Fund. (2005-276, s. 9.11(a).)"

28 **SECTION 2.** Section 9.11(b) of S.L. 2005-276 reads as rewritten:

29 "**SECTION 9.11.(b)** Of the funds appropriated in this act to the State
30 Education Assistance Authority the sum of six hundred fifty thousand dollars
31 (\$650,000) for the 2005-2006 fiscal year and the sum of ~~one million three hundred~~
32 ~~thousand dollars (\$1,300,000)~~one million six hundred twenty-five thousand dollars
33 (\$1,625,000) for the 2006-2007 fiscal year shall be used to implement this act."

34 **SECTION 3.** This act becomes effective July 1, 2006.
35

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

U

D

BILL DRAFT 2005-LL-219 [v.17] (4/12)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
4/26/2006 10:14:00 AM

Short Title: Retirees Returning to Work.

(Public)

Sponsors: .

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAW AFFECTING RETIREES RETURNING TO
3 WORK.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 135-1 is amended by adding a new subdivision to read:

6 "(14a) "Normal retirement age" means the age of 60 or older with 25 or more
7 years of creditable service or the age of 65 or older with 5 or more
8 years of membership service."

9 **SECTION 2.** G.S. 135-1(20) reads as rewritten:

10 "~~(20) "Retirement" means the termination of employment and the complete~~
11 ~~separation from active service with no intent or agreement, express or~~
12 ~~implied, to return to service. A retirement allowance under the~~
13 ~~provisions of this Chapter may only be granted upon retirement of a~~
14 ~~member. In order for a member's retirement to become effective in any~~
15 ~~month, the member must render no service, including part time,~~
16 ~~temporary, substitute, or contractor service, at any time during the six~~
17 ~~months immediately following the effective date of retirement. means:~~

18 a. In the case of a member who has reached normal retirement age,
19 the commencement of a retirement allowance under the provisions
20 of this Article.

21 b. In the case of a member who has not yet reached normal retirement
22 age, the commencement of a retirement allowance under the
23 provisions of this Article and a complete separation from active
24 service, with no intent or agreement, express or implied, to return
25 to service, and subject to the requirement that the member shall not
26 render any service, whether part-time, temporary, substitute, or

1 contractor service, at any time during the total of twenty-five
2 working days immediately following the effective date of
3 retirement plus the longer of the number of weeks during each of
4 the previous two years in which there were no paid days of
5 employment."

6 **SECTION 3.(a)** Subsection (d) of Section 28.24 of S.L. 1998-212, as
7 amended by Section 7A.1 of S.L. 2005-144, reads as rewritten:

8 "(d) This section becomes effective January 1, ~~1999, and expires June~~
9 ~~30,2007.~~ 1999."

10 **SECTION 3.(b)** The introductory language of Section 67 of S.L. 1998-217,
11 as amended by Section 7A.1 of S.L. 2005-144, reads as rewritten:

12 "**SECTION 67.** Effective January 1, 1999, ~~through June 30, 2007,~~
13 G.S. 135-3(8)c., as rewritten by Section 28.24(a) of S.L. 1998-212 reads as rewritten:".

14 **SECTION 3.(c)** Subsection (b) of Section 67.1 of S.L. 1998-217, as
15 amended by Section 7A.1 of S.L. 2005-144, reads as rewritten:

16 "(b) This section becomes effective January 1, ~~1999, and expires June~~
17 ~~30,2007.~~ 1999."

18 **SECTION 3.(d)** Subsection (c) of Section 32.25 of S.L. 2001-424, as
19 amended by Section 7A.1 of S.L. 2005-144, reads as rewritten:

20 "**SECTION 32.25.(c)** This section becomes effective July 1, ~~2001, and~~
21 ~~expires June 30, 2007.~~ 2001."

22 **SECTION 3.(e)** This section becomes effective June 30, 2006.

23 **SECTION 4.** G.S. 135-3(8)c. reads as rewritten:

24 "c. Should a beneficiary who retired on an early or service
25 retirement allowance under this Chapter be reemployed, or
26 otherwise engaged to perform services, by an employer
27 participating in the Retirement System on a part-time,
28 temporary, interim, or on a fee-for-service basis, whether
29 contractual or otherwise, and if such beneficiary earns an
30 amount during the 12-month period immediately following the
31 effective date of retirement or in any calendar year which
32 exceeds fifty percent (50%) of the reported compensation,
33 excluding terminal payments, during the 12 months of service
34 preceding the effective date of retirement, or twenty thousand
35 dollars (\$20,000), whichever is greater, as hereinafter indexed,
36 then the retirement allowance shall be suspended as of the first
37 day of the month following the month in which the
38 reemployment earnings exceed the amount above, for the
39 balance of the calendar year. The retirement allowance of such
40 a beneficiary shall also be suspended as provided in this sub-
41 subdivision if that beneficiary earns in any one month an
42 amount that exceeds sixty percent (60%) of the average
43 reported monthly compensation, excluding terminal payments.

1 earned during the twelve months of service immediately
2 preceding the effective date of retirement, unless the
3 beneficiary's employment resulting in that monthly amount is
4 for a fixed term of no more than six months and is preceded by
5 at least a six-month continuous separation from active service
6 following the beneficiary's retirement. The retirement allowance
7 of the beneficiary shall be reinstated as of January 1 of each
8 year following suspension. The amount that may be earned
9 before suspension shall be increased on January 1 of each year
10 by the ratio of the Consumer Price Index to the Index one year
11 earlier, calculated to the nearest tenth of a percent (1/10 of 1%).

12 The computation of postretirement earnings of a beneficiary
13 under this sub-subdivision, G.S. 135-3(8)c., who ~~has been~~
14 ~~retired at least six months~~ meets either definition of retirement
15 under G.S. 135-1(20) and who, before the effective date of
16 reemployment, has not been employed in any capacity with a
17 public school for at least six months immediately preceding the
18 effective date of reemployment, at any time during the total of
19 25 working days immediately following the effective date of
20 retirement plus the longer of the number of weeks during each
21 of the previous two years in which there were no paid days of
22 employment for that member, shall not include earnings while
23 the beneficiary is employed to teach in a permanent full-time or
24 part-time capacity that exceeds fifty percent (50%) of the
25 applicable workweek in a public school. The Department of
26 Public Instruction shall certify to the Retirement System that a
27 beneficiary is employed to teach by a local school
28 administrative unit under the provisions of this sub-subdivision
29 and as a retired teacher as the term is defined under the
30 provisions of G.S. 115C-325(a)(5a).

31 Beneficiaries employed under this sub-subdivision are not
32 entitled to any benefits otherwise provided under this Chapter
33 as a result of this period of employment."

34 **SECTION 5.** G.S. 115C-325(a)(5a) reads as rewritten:

35 "(5a) "Retired teacher" means a beneficiary of the Teachers' and State
36 Employees' Retirement System of North Carolina who ~~has been retired~~
37 ~~at least six months~~, meets either definition of retirement under G.S.
38 135-1(20), who, before the effective date of reemployment, has not
39 been employed in any capacity for at least six months, immediately
40 preceding the effective date of reemployment, with a public school at
41 any time during the total of 25 working days immediately following
42 the effective date of retirement plus the longer of the number of weeks
43 during each of the previous two years in which there were no paid

1 days of employment for that member, who is determined by a local
2 board of education or a charter school to have had satisfactory
3 performance during the last year of employment by a local board of
4 education or a charter school, and who is employed to teach as
5 provided in G.S. 135-3(8)c. A retired teacher at a school other than a
6 charter school shall be treated the same as a probationary teacher
7 except that (i) a retired teacher is not eligible for career status and (ii)
8 the performance of a retired teacher who had attained career status
9 prior to retirement shall be evaluated in accordance with a local board
10 of education's policies and procedures applicable to career teachers."

11 **SECTION 6.** Section 29.28(f) of S.L. 2005-276 reads as rewritten:

12 "**SECTION 29.28.(f)** Subsections (a) and (b) of this section become effective
13 August 1, 2005. Subsection (e) of this section becomes effective November 1, 2005, but
14 does not apply to participants in The University of North Carolina Phased Retirement
15 ~~Program until June 30, 2007.~~ Program. The remainder of this section becomes effective
16 June 30, 2005."

17 **SECTION 7.** The University of North Carolina shall establish a normal
18 retirement age for the Optional Retirement Program of either 59½ or 60 years of age
19 and shall limit the UNC Phased Retirement Program to persons who have reached that
20 normal retirement age.

21 **SECTION 8.** The North Carolina Community College System may establish
22 a phased retirement program for its faculty that functions in a manner similar to The
23 University of North Carolina Phased Retirement Program.

24 **SECTION 9.** This act becomes effective July 1, 2006, but Sections 1 through
25 5 of this act do not apply to participants in The University of North Carolina Phased
26 Retirement Program or to members of the phased retirement program established for the
27 faculty of the North Carolina Community College System under Section 8 of this act.
28



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Terrence D. Sullivan
Director

To: Joint Legislative Education Oversight Committee
Subcommittee on Retirees Returning to Work

Senator Dannelly, Co-chair
Representative Glazier, Co-chair

From: Shirley Iorio, Ph D
Legislative Analyst, Research Division

Date: April 25, 2006

Re: Bill Draft 2005-LL-219[v.17]

This proposed legislation makes several changes within the Teachers' and State Employees' Retirement System (TSERS) affecting retirees who return to work:

Section 1. Amends G.S. 135-1 by establishing a "normal retirement age" as follows:

- The age of 60 or older with 25 or more years of creditable service, **or**
- The age of 65 or older with 5 or more years of membership service.

Section 2. Amends G.S. 135-1(20) by rewriting the definition of "retirement" as follows:

- For a member who has reached normal retirement age, retirement means the start of a retirement allowance under the statutory provisions for TSERS.
- For a member who has not yet reached normal retirement age, retirement means the start of a retirement allowance under the statutory provisions for TSERS **and the following:**
 - A complete separation from active service, with no intent or agreement, express or implied, to return to service; **and**
 - A requirement that the member shall not render any service, on a part-time, temporary, substitute, or contractual basis at any time during the total of 25 working days immediately following the effective date of retirement **plus** the longer of the number of weeks during each of the previous two years in which there were no paid days of employment.

Section 3. Removes the sunset on the provisions governing retired teachers returning to the classroom and establishes an effective date for this section of June 30, 2006.

Section 4. Amends, G.S. 135-3(8)c, the law that pertains to beneficiaries who retire on an early or service retirement allowance and return to work for an employer that participates in the Retirement System. Currently, a retiree may return to service during the 12-month period immediately following the effective date of retirement or in any calendar year on a part-time, interim, temporary or contractual basis and earn the greater of \$20,000 (adjusted each year for inflation) or 50% of the salary that the person earned during the 12 months of service prior to retirement. If the retiree exceeds this earnings cap, their retirement allowance is suspended as of the first day of the month following the month in which the reemployment earnings exceeded the cap. This proposed legislation adds the following conditions:

- If the beneficiary earns in any one month an amount that exceeds 60% of the average reported monthly compensation, excluding terminal payments, earned during the 12 months of service immediately preceding the effective date of retirement, then their retirement allowance is suspended.*

*Exception. When the beneficiary's employment resulting in that monthly amount is for a fixed term of no more than six months **and** is preceded by at least a six-month continuous separation from active service following their retirement.

There is an exemption that allows a beneficiary to be re-employed to teach after retirement and still collect full retirement benefits in addition to their salary. Currently, a beneficiary who is reemployed to teach must be retired at least six months and may not have been employed in any capacity with a public school for at least six months immediately preceding the effective date of reemployment. Also, to be exempt from the postretirement earnings cap, the beneficiary must be employed to teach in a permanent full-time or part-time capacity that exceeds 50% of the applicable workweek in a public school.

This proposed legislation reduces the break-in-service time from six months to the following:

- For a beneficiary who meets either definition of retirement in Section 2 above and who, before the effective date of reemployment, has not been employed in any capacity with a public school at any time during the total of 25 working days immediately following the effective date of retirement **plus** the longer of the number of weeks during each of the previous two years in which there were no paid days of employment for that member.

Section 5. Amends G.S. 115C-325(a)(5a) to make conforming changes to the definition of "retired teacher".

Section 6. Restores the UNC Phased Retirement Program by removing the reemployment restrictions for participants.

Section 7. Requires The University of North Carolina to establish a normal retirement age for the Optional Retirement Program of either 59 ½ or 60 years of age and limit the UNC Phased Retirement Program to persons who have reached that normal retirement age.

Section 8. Allows the North Carolina Community College System to establish for its faculty a phased retirement program similar to the UNC Program.

Section 9. Sets an effective date of July 1, 2006. However, Sections 1 through 5 do not apply to participants in the UNC Phased Retirement Program or to members of the phased retirement program established for the faculty of the NC Community College System under Section 8.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

U

D

BILL DRAFT 2005-RHz-10 [v.5] (04/18)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

4/21/2006 2:36:34 PM

Short Title: Sci/Math Teacher Prep. Programs.

(Public)

Sponsors: .

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT
3 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO ENCOURAGE
4 THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH
5 CAROLINA TO REDESIGN THEIR MATHEMATICS AND SCIENCE
6 TEACHER PREPARATION PROGRAMS, AND TO MAKE AN
7 APPROPRIATION.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** The purpose of this act is to encourage the constituent
10 institutions of The University of North Carolina to redesign their teacher preparation
11 programs so that they better prepare the individuals who must acquire in-depth content
12 knowledge and well-honed skills to teach mathematics or science, or both, in the public
13 schools, whether in elementary, middle or high school. In light of the rapidly changing
14 global economy, these redesigned programs must prepare teachers who can challenge
15 North Carolina's students with rigorous content standards so that when these students
16 ultimately enter the workforce, they will have the skills and knowledge required in the
17 future.

18 **SECTION 2.(a)** The Board of Governors of The University of North
19 Carolina shall develop and implement a competitive proposal process and criteria for
20 assessing proposals to establish rigorous, innovative, interdisciplinary, and collaborative
21 teacher preparation programs for individuals who will teach mathematics or science, or
22 both, whether in elementary, middle, or high school. To facilitate the development of
23 the programs, program criteria, and the proposal process, the Board of Governors shall
24 convene a task force of mathematicians, scientists, and individuals with teacher
25 preparation expertise to assist it in designing the proposal process and criteria for
26 assessing the proposals. The Task Force shall consult with the State Board of

1 Education, persons familiar with mathematics and science education in other countries,
2 members of business and industry, and any other persons the Task Force considers
3 appropriate.

4 **SECTION 2.(b)** The Task Force shall identify which departments, schools,
5 or other programs within constituent institutions may submit a proposal under this act.
6 The Task Force also shall determine whether proposals to develop a multi-campus,
7 regional, distance, or joint program will be eligible for consideration. The Task Force
8 shall develop criteria for assessing the proposals submitted under this act. Submitted
9 proposals shall include the extent to which the proposed programs:

- 10 (1) Reflect a vision for preparing teachers who have a strong foundation
11 of the content knowledge and skills needed to teach mathematics or
12 science, or both, whether in elementary, middle, or high school.
- 13 (2) Are interdisciplinary in design and involve more than schools of
14 education.
- 15 (3) Reflect collaboration with local school administrative units,
16 professional associations, mathematics and science organizations, and
17 business and industry.
- 18 (4) Meet content standards proposed by mathematicians or scientists, or
19 both.
- 20 (5) Demonstrate a significant commitment and sharing of campus
21 resources.
- 22 (6) Employ entrance standards and criteria that will attract outstanding
23 applicants who reflect the racial and economic composition of the
24 State.
- 25 (7) Can serve as models for other mathematics and science teacher
26 preparation programs in the State.
- 27 (8) Include other elements that the Board of Governors and Task Force
28 consider appropriate and necessary.

29 **SECTION 2.(c)** The Board of Governors shall develop a budget for the
30 programs established under this section that reflects the resources necessary to establish
31 and operate redesigned mathematics and science teacher preparation programs.

32 **SECTION 3.** The Board of Governors shall report to the Joint Legislative
33 Education Oversight Committee on the budget developed under Section 2.(c) of this act
34 and on the design for the programs and the proposal process created under Section 2 of
35 this act by December 1, 2006.

36 **SECTION 4.** Requests for proposals shall be disseminated to the constituent
37 institutions no later than January 15, 2007. Proposals shall be submitted to the Board of
38 Governors no later than June 1, 2007. The Board of Governors shall then reconvene the
39 Task Force to screen the submitted proposals. After its screening, the Task Force shall
40 make its recommendations to the Board of Governors by September 1, 2007. The Board
41 of Governors shall choose the institutions that shall have the redesigned mathematics
42 and science teacher preparation programs no later than November 1, 2007.

1 **SECTION 5.** Institutions chosen to have programs under Section 4 of this
2 act shall plan for the implementation of the programs. Programs shall begin operating
3 no later than September 1, 2008.

4 **SECTION 6.** There is appropriated from the General Fund to the Board of
5 Governors of The University of North Carolina the sum of fifty thousand dollars
6 (\$50,000) for the 2006-2007 fiscal year to implement Section 2 of this act.

7 **SECTION 7.** Section 5 of this act shall not become effective unless
8 sufficient funds are appropriated for this purpose. Nothing in this act shall require the
9 General Assembly to appropriate any funds to implement it.

10 **SECTION 8.** This act becomes effective July 1, 2006.
11

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

H

D

BILL DRAFT 2005-RQ-5 [v.6] (04/21)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

Short Title: Tuit. & Contract. Grants for Teaching/Nursing. (Public)

Sponsors: Representative Yongue.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE STATE CONTRACTUAL SCHOLARSHIP FUND GRANTS
AND LEGISLATIVE TUITION GRANTS FOR STUDENTS WHO HAVE
BACHELOR'S DEGREES BUT ARE PURSUING LICENSURE AS NURSES OR
TEACHERS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-19 reads as rewritten:

**"§ 116-19. Contracts with private institutions to aid North Carolina
~~students;~~students and licensure students; reporting requirement.**

(a) In order to encourage and assist private institutions to continue to educate North Carolina ~~students,~~students and licensure students, the State Education Assistance Authority may enter into contracts with the institutions under the terms of which an institution receiving any funds that may be appropriated pursuant to this section would agree that, during any fiscal year in which such funds were received, the institution would provide and administer scholarship funds for needy North Carolina ~~students and~~licensure students in an amount at least equal to the amount paid to the institution, pursuant to this section, during the fiscal year. Under the terms of the contracts the State Education Assistance Authority would agree to pay to the institutions, subject to the availability of funds, a fixed sum of money for each North Carolina student ~~and~~licensure student enrolled at the institutions for the regular academic year, said sum to be determined by appropriations that might be made from time to time by the General Assembly pursuant to this section. Funds appropriated pursuant to this section shall be paid by the State Education Assistance Authority to an institution on certification of the institution showing the number of North Carolina ~~students~~and licensure students enrolled at the institution as of October 1 of any year for which funds may be appropriated. For purposes of this subsection, "needy North Carolina ~~students-~~students

1 and licensure students" are those eligible students and licensure students who have
2 financial need as determined by the institution under the institutional methodology or
3 the federal methodology as defined by the State Education Assistance Authority. For
4 purposes of this subsection, "institutional methodology" means a need-analysis formula,
5 developed by College Scholarship Service, that determines the student's ~~and~~ or licensure
6 student's and his or her family's capacity to pay for postsecondary education each year.

7 (b) The State Education Assistance Authority shall document the number of
8 full-time equivalent North Carolina undergraduate students and full-time and less than
9 full-time licensure students that are enrolled in off-campus programs and the State funds
10 collected by each institution pursuant to G.S. 116-19 for those students. The State
11 Education Assistance Authority shall also document the number of scholarships and the
12 amount of the scholarships that are awarded under G.S. 116-19 to students and licensure
13 students enrolled in off-campus programs. An "off-campus program" is any program
14 offered for degree credit away from the institution's main permanent campus.

15 The State Education Assistance Authority shall include in its annual report to the
16 Joint Legislative Education Oversight Committee the information it has compiled and
17 its findings regarding this program."

18 **SECTION 2.** G.S. 116-20 reads as rewritten:

19 **"§ 116-20. Scholarship and contract terms; base period.**

20 In order to encourage and assist private institutions to educate additional numbers of
21 North Carolinians, the Board of Governors of the University of North Carolina is
22 hereby authorized to enter into contracts within the institutions under the terms of which
23 an institution receiving any funds that may be appropriated pursuant to this section
24 would agree that, during any fiscal year in which such funds were received, the
25 institution would provide and administer scholarship funds for needy North Carolina
26 students and licensure students in an amount at least equal to the amount paid to the
27 institution, pursuant to this section, during the fiscal year. Under the terms of the
28 contracts the Board of Governors of the University of North Carolina would agree to
29 pay to the institutions, subject to the availability of funds, a fixed sum of money for
30 each North Carolina student and licensure student enrolled as of October 1 of any year
31 for which appropriated funds may be available, over and above the number of North
32 Carolina students enrolled in that institution as of October 1, 1997, which shall be the
33 base date for the purpose of this calculation. Funds appropriated pursuant to this section
34 shall be paid by the State Education Assistance Authority to an institution upon
35 recommendation of the Board of Governors of the University of North Carolina and on
36 certification of the institution showing the number of North Carolina students and
37 licensure students enrolled at the institution as of October 1 of any year for which funds
38 may be appropriated over the number enrolled on the base date. In the event funds are
39 appropriated for expenditure pursuant to this section and funds are also appropriated,
40 for the same fiscal year, for expenditure pursuant to G.S. 116-19, students and licensure
41 students who are enrolled at an institution in excess of the number enrolled on the base
42 date may be counted under this section for the purpose of calculating the amount to be
43 paid to the institution, but the same students and licensure students may also be counted

1 under G.S. 116-19, for the purpose of calculating payment to be made under that
2 section."

3 **SECTION 3.** G.S. 116-21.1 reads as rewritten:

4 "**§ 116-21.1. Financial aid for North Carolina students and licensure students**
5 **attending private institutions of higher education in North Carolina.**

6 (a) Funds shall be appropriated each fiscal year in the Current Operations
7 Appropriations Act to the Board of Governors of The University of North Carolina for
8 aid to institutions and shall be disbursed in accordance with the provisions of G.S.
9 116-19, 116-21, and 116-22.

10 (b) The funds appropriated in compliance with this section shall be placed in a
11 separate, identifiable account in each eligible institution's budget or chart of accounts.
12 All funds in the account shall be provided as scholarship funds for needy North
13 Carolina students and licensure students during the fiscal year. Each student and
14 licensure student awarded a scholarship from this account shall be notified of the source
15 of the funds and of the amount of the award. Funds not utilized under G.S. 116-19 shall
16 be available for the tuition grant program as defined in G.S. 116-21.2."

17 **SECTION 4.** G.S. 116-21.2 reads as rewritten:

18 "**§ 116-21.2. Legislative tuition grants to aid students and licensure students**
19 **attending private institutions of higher education.**

20 (a) In addition to any funds appropriated pursuant to G.S. 116-19 and in addition
21 to all other financial assistance made available to institutions, or to ~~students~~ persons
22 attending these institutions, there is granted to each full-time North Carolina
23 undergraduate student attending an approved institution as defined in G.S. 116-22, a
24 sum, to be determined by the General Assembly for each academic year which shall be
25 distributed to the full-time undergraduate student as provided by this subsection.

26 (a1) The legislative tuition grant provided by this section shall also be granted to
27 each full-time licensure student who is enrolled in a program intended to result in a
28 license in teaching or nursing at an approved institution. The legislative tuition grant
29 provided by this section shall be awarded on a pro-rata basis to any licensure student
30 who is enrolled less than full-time in a program intended to result in a license in
31 teaching or nursing at an approved institution. The legislative tuition grant and pro-
32 rated legislative tuition grant authorized under this subsection shall be paid for
33 undergraduate courses only.

34 (b) The tuition grants provided for in this section shall be administered by the
35 State Education Assistance Authority pursuant to rules adopted by the State Education
36 Assistance Authority not inconsistent with this section. The State Education Assistance
37 Authority shall not approve any grant until it receives proper certification from an
38 approved institution that the student or licensure student applying for the grant is ~~an~~
39 ~~eligible student~~ eligible. Upon receipt of the certification, the State Education
40 Assistance Authority shall remit at the times as it prescribes the grant to the approved
41 institution on behalf, and to the credit, of the ~~student~~ student or licensure student.

42 (c) ~~In~~ Except as provided in subsection (a1) of this section, in the event a student
43 on whose behalf a grant has been paid is not enrolled and carrying a minimum academic

1 load as of the tenth classroom day following the beginning of the school term for which
2 the grant was paid, the institution shall refund the full amount of the grant to the State
3 Education Assistance Authority. If a licensure student on whose behalf a pro-rated grant
4 has been paid in accordance with subsection (a1) of this section is not enrolled in the
5 undergraduate class as of the tenth classroom day following the beginning of the school
6 term for which the grant was paid, the institution shall refund the full amount of the
7 grant to the State Education Assistance Authority. Each approved institution shall be
8 subject to examination by the State Auditor for the purpose of determining whether the
9 institution has properly certified eligibility and enrollment of students and licensure
10 students and credited grants paid on behalf of ~~the students.~~them.

11 (d) In the event there are not sufficient funds to provide each eligible student or
12 licensure student with a full ~~grant~~grant as provided by subsection (a) of this section or a
13 full or a pro-rated grant as provided by subsection (a1) of this section:

14 (1) The Board of Governors of The University of North Carolina, with the
15 approval of the Office of State Budget and Management, may transfer
16 available funds to meet the needs of the programs provided by
17 subsections ~~(a)-(a), (a1),~~ and (b) of this section; and

18 (2) Each eligible student and licensure student shall receive a pro rata
19 share of funds then available for the remainder of the academic year
20 within the fiscal period covered by the current appropriation.

21 (e) Any remaining funds shall revert to the General Fund."

22 **SECTION 5.** G.S. 116-21.3 reads as rewritten:

23 **"§ 116-21.3. Legislative tuition grant limitations.**

24 (a) For purposes of this section, an "off-campus program" is any program offered
25 for degree credit away from the institution's main permanent campus.

26 (b) No legislative tuition grant funds shall be expended for a program at an
27 off-campus site of a private institution, as defined in G.S. 116-22(1), established after
28 May 15, 1987, unless (i) the private institution offering the program has previously
29 notified and secured agreement from other private institutions operating degree
30 programs in the county in which the off-campus program is located or operating in the
31 counties adjacent to that county or (ii) the degree program is neither available nor
32 planned in the county with the off-campus site or in the counties adjacent to that county.

33 (c) Any member of the armed services, as defined in G.S. 116-143.3(a), abiding
34 in this State incident to active military duty, who does not qualify as a resident for
35 tuition purposes, as defined under G.S. 116-143.1, is eligible for a legislative tuition
36 grant pursuant to this section if the member is enrolled as a full-time
37 ~~student.~~undergraduate student or as a licensure student. The member's legislative tuition
38 grant shall not exceed the cost of tuition less any tuition assistance paid by the member's
39 employer.

40 (d) A legislative tuition grant authorized under ~~G.S. 116-21.2~~G.S. 116-21.2(a)
41 shall be reduced by twenty-five percent (25%) for any individual student who has
42 completed 140 semester credit hours or the equivalent of 140 semester credit hours."

43 **SECTION 6.** G.S. 116-21.4(b) reads as rewritten:

1 "(b) Expenditures made pursuant to G.S. 116-19, 116-20, 116-21.1, or 116-21.2
2 shall not be used for any student or licensure student who:

- 3 (1) Is incarcerated in a State or federal correctional facility for committing
4 a Class A, B, B1, or B2 felony; or
5 (2) Is incarcerated in a State or federal correctional facility for committing
6 a Class C through I felony and is not eligible for parole or release
7 within 10 years."

8 **SECTION 7.** G.S. 116-22 is amended by adding a new subdivision to read:

9 "(1b) 'Licensure student' shall mean a person who:

- 10 (a) Has a bachelor's degree;
11 (b) Is enrolled either full-time or less than full-time in a program intended
12 to result in licensure in teaching or nursing;
13 (c) Attends an institution located in the State; and
14 (d) Qualifies as a resident of North Carolina in accordance with
15 definitions of residency that may from time to time be adopted by the
16 Board of Governors of the University of North Carolina and published
17 in the residency manual of the Board."

18 **SECTION 8.** There is appropriated from the General Fund to the State
19 Education Assistance Authority the sum of one million five hundred thousand dollars
20 (\$1,500,000) for the 2006-2007 fiscal year to implement this act.

21 **SECTION 9.** This act becomes effective July 1, 2006.
22

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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BILL DRAFT 2005-LEz-245Z [v.1] (4/10)

**(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
4/25/2006 3:03:14 PM**

Short Title: New Foreign Lang. in Schools/Pilot Program. (Public)

Sponsors: Representative.

Referred to:

A BILL TO BE ENTITLED

1
2 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT
3 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO APPROPRIATE
4 FUNDS TO DEVELOP AND IMPLEMENT A PILOT PROGRAM TO PROVIDE
5 CLASSES IN FOREIGN LANGUAGES CURRENTLY NOT TAUGHT, AND IN
6 THE CULTURE, GEOGRAPHY, POLITICAL, LEGAL AND ECONOMIC
7 SYSTEMS OF COUNTRIES WHERE THOSE LANGUAGES ARE SPOKEN.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** There is appropriated from the General Fund to the
10 Department of Public Instruction the sum of one million dollars (\$1,000,000) for the
11 2006-2007 fiscal year to establish and implement a pilot program in six local school
12 administrative units to offer classes in which instruction is provided (i) in foreign
13 languages currently not taught in the public schools, (ii) on the culture, geography,
14 political, legal and economic systems of the countries where those languages are
15 spoken, and (iii) on the Internet in order to make these classes available to other local
16 school administrative units.

17 The State Board of Education, with the assistance of the Department of
18 Public Instruction, shall select pilot local school administrative units that are distributed
19 geographically throughout the State. Up to two high schools in each pilot unit shall
20 implement the program. Classes shall begin in the second semester of the 2006-2007
21 school year.

22 The State Board of Education shall approve the curriculum for the pilot
23 program and for the internet courses on an expedited basis.

24 **SECTION 2.** This act becomes effective July 1, 2006.
25
26

Recommendations
Foreign Language Task Force Meeting
March 9, 2006

A group of K-16 foreign language educators, school administrators, and community advocates met in Raleigh on March 9, 2006 to develop recommendations to strengthen foreign language instruction in North Carolina. As a result of this discussion, the committee proposes the following recommendations and action steps:

High Student Performance

- 1. Encourage the State Board of Education to establish Global Preparedness as a 6th Priority. The task force believes that the priority will underscore the importance of learning languages and studying other cultures and will reinforce the efforts of local districts trying to establish strong second language instructional programs that lead to the development of proficiency.**

- 2. Work toward the establishment of a K-12 pipeline of articulated instruction in each LEA which will result in students who graduate with communicative proficiency at the advanced level in listening, speaking, reading, and writing in at least one language other than English.**
 - Provide incentive grants to LEAs to begin programs – perhaps 10 grants per year of \$75,000-\$100,000. Grants would be awarded on a competitive basis.
 - Create a public relations program in conjunction with the *Discover Languages* initiative of the American Council on the Teaching of Foreign Languages (ACTFL) that emphasizes the importance of second language study for all students. The program should be directed to school administrators (especially principals), parents, policy makers, and other members of the community.
 - Develop K-16 collaboratives in various regions of the state to support second language instruction , to apply for grants to strengthen K-12 language instruction and teacher preparation and, to explore ways in which university faculty can provide advanced level languages instruction for high school students
 - Designate a foreign language professional to serve as a district foreign language supervisor or lead teacher to coordinate foreign language instruction and professional development
 - Ask the State Board of Education to develop a foreign language concentration for high school students and a designation on the high school transcript of students who reach high levels of proficiency.
 - Encourage students to do graduation projects in languages other than English
 - Award LEAs state recognition for graduating a certain percentage of students as language proficient or for showing significant improvement and progress toward achieving the goal.

3. Expand instruction in critical, non-traditional languages

- Appropriate funds to assist in the development of a Chinese distance-learning program
- Cooperate with the Governors Schools to develop offerings in critical languages such as Chinese, Arabic, and Russian
- Develop collaborative instructional programs between school districts and institutions of higher education to offer critical languages
- Ask the State Board of Education to develop a policy which would encourage heritage speakers to improve and maintain their home language including awarding credit for language instruction outside the public school setting
- Allow the use of “at risk funds” for the development of literacy skills in students’ first language (non-English language)

Quality Professionals

4. Increase the pool of qualified foreign language teachers

- Designate a percentage of Teaching Fellows specifically for foreign languages
- Establish scholarships to encourage heritage language speakers to become foreign language teachers, especially in critical languages
- Develop a public-private partnership to provide funding to assist foreign language teachers and future foreign language teachers to study in other countries in order to build language skills.

The majority of the recommendations do not require additional funds. However, the following is the budget for those that do:

RECOMMENDATION 2 —incentive grants to LEAS	\$750,000 per year—10 grants at \$75,000 per LEA
RECOMMENDATION 3 —funds to assist in the development and delivery of a Chinese distance learning program	\$1,000,000
RECOMMENDATION 4 —scholarships to encourage heritage language speakers to become foreign language teachers	\$50,000 per year-- \$2500 per year for 20 scholarships which could be renewed
RECOMMENDATION 4 —assist foreign language teachers and future teachers to study in other countries	\$50,000 per year--\$2500 for 20 teachers