HOUSE SELECT COMMITTEE ON EDUCATION REFORM

INTERIM REPORT TO THE 2012 REGULAR SESSION OF THE 2011 GENERAL ASSEMBLY OF NORTH CAROLINA

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TABLE OF CONTENTS

STATE OF NORTH CAROLINA

HOUSE SELECT COMMITTEE ON EDUCATION REFORM

April 11, 2012

TO THE MEMBERS OF THE 2012 REGULAR SESSION OF THE 2011 GENERAL ASSEMBLY OF NORTH CAROLINA:

Attached for your consideration is the interim report to the 2012 Regular Session of the 2011 General Assembly of North Carolina. This report was prepared by the House Select Committee on Education Reform pursuant to G.S. 120-19.6(a1) and Rule 26 of the House of Representatives of the 2011 General Assembly.

Respectfully submitted,

Representative Hugh Blackwell
Cochair

Representative Bryan Holloway
Cochair

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HOUSE SELECT COMMITTEE ON EDUCATION REFORM.

TO THE HONORABLE MEMBERS OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES

Section 1. The House Select Committee on Education Reform (hereinafter "Committee") is established by the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1) and Rule 26 of the Rules of the House of Representatives of the 2011 General Assembly.

Section 2. The Committee consists of the 11 members listed below, appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Speaker of the House of Representatives. The Speaker of the House of Representatives may dissolve the Committee at any time.

Rep. Hugh Blackwell, Co-Chair
Rep. Bryan Holloway, Co-Chair
Rep. Mark Hilton, Vice Chair
Rep. Skip Stam
Rep. Marilyn Avila
Rep. Linda Johnson
Rep. Jonathan Jordan
Rep. Winkie Wilkins
Rep. Earlene Parmon
Rep. Ken Goodman
Rep. Rosa Gill

Section 3. The Committee may study all of the following:

(1) Those matters set forth in subsections (1) through (3) of Section 5.2 of House Bill 773, Third Edition of the 2011 General Assembly.
(2) Those matters set forth in Section 2 of House Bill 625, Second Edition of the 2011 General Assembly.
(3) Other relevant and related issues the Committee deems appropriate.

Section 4. The Committee shall meet upon the call of its Co-Chairs. A quorum of the Committee shall be a majority of its members.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1.

Section 7. The expenses of the Committee including per diem, subsistence, travel allowances for Committee members, and contracts for professional or consultant services shall be paid upon the written approval of the Speaker of the House of Representatives pursuant to G.S. 120-32.02(c) and G.S. 120-35 from funds available to the House of Representatives for its operations.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives shall assign clerical support staff to the Committee.

Section 9. The Committee may submit an interim report on the results of the study, including any proposed legislation, on or before May 1, 2012, by filing a copy of the report with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the House of Representatives prior to the convening of the 2013 General Assembly by filing the final report on or before December 31, 2012 with the Office of the Speaker of the House of Representatives, the House Principal Clerk, and the Legislative Library. The Committee terminates upon the filing of its final report.

Effective this the 19th day of September, 2011.

Thom Tillis
Speaker

COMMITTEE PROCEEDINGS

The House Select Committee on Education Reform held 5 meetings between November 2, 2011 and April 11, 2012.

November 2, 2011

"Learning From..."
Education Lessons Learned from 10 Other Countries
Mr. John Dornan, former President/Executive Director, NC Public School Forum

SAS Presentation
Ms. Jill Leandro, Education Policy Specialist for EVAAS, SAS Institute, Inc.

Strategies for Education Reform and Possible Applications in North Carolina
Mr. Eric Lerum, Vice President of National Policy, Students First
Mr. Tim Melton, Vice President of Legislative Affairs, Students First

Performance Measurement in NC Community Colleges
Mr. Kennon Briggs, Executive Vice President and Chief of Staff, NC Community College System

Career and College Promise Update
Dr. Sharon Morrissey, Senior Vice President for Academic and Student Services and Chief Academic Officer, NC Community College System
Dr. Rebecca Garland, Chief Academic Officer, NC Department of Public Instruction

185 Day School Year Implementation Update
Ms. Alexis Schauss, Director School Business Administration, NC Department of Public Instruction
Dr. Rebecca Garland, Chief Academic Officer, NC Department of Public Instruction

December 7, 2011

Gateway to College
Nick Mathern, Associate Vice President, Policy and Partnership Development, Gateway to College National Network
Jennifer Sattem, Coordinator, Policy Analysis and Advocacy, Gateway to College National Network
Dr. Bill Ingram, President, Durham Technical Community College
Kara McCraw, Staff Attorney, Research Division, NC General Assembly

The Digital Learning Roadmap for Reform
Deirdre Finn, Deputy Executive Director, Foundation for Excellence in Education

Vocational education and training: European agenda and Finnish experience
Dr. Risto Raivio, Head of Sector for Vocational Education and Training Policy, European Commission and Visiting Scholar at the University of North Carolina at Chapel Hill

Graduation Resiliency Project
Debora Williams, Special Assistant for Graduation and Dropout Prevention Initiatives, NC Department of Public Instruction

PreK-20 Data System Update
Dr. Lou Fabrizio, Director, Data, Research and Federal Policy, NC Department of Public Instruction
Dr. A. Hope Williams, President, North Carolina Independent Colleges and Universities

February 8, 2012

Florida's Early Grades Literacy Initiative and Other Reform Strategies
Patricia Levesque, Executive Director, Foundation for Excellence in Education
Marcus Winters, Assistant Professor of Leadership, Research, and Foundations, College of Education, University of Colorado at Colorado Springs

DPI's Response to Digital Learning Initiative
Ann McColl, State Board of Education Legislative Director, NC Department of Public Instruction
Ross White, Executive Director, NC Virtual Public School, NC Department of Public Instruction

PreK-20 Data System Update
Dr. Lou Fabrizio, Director, Data, Research and Federal Policy, NC Department of Public Instruction

March 7, 2012

Deaf Students' Bill of Rights
Howard Rosenblum, Executive Director, National Association of the Deaf
Barbara Raimondo, Legislative Liaison, Conference of Educational Administrators of Schools and Programs for the Deaf

Implementing Florida's Advanced Placement Initiative in North Carolina
David Gupta, Executive Director, The Florida Partnership of the College Board
Brian Matteson, Staff, Fiscal Research Division, NCGA

Articulation Issues in Higher Education
Dr. Suzanne T. Ortega, Senior Vice President for Academic Affairs, University of North Carolina
Dr. Sharon Morrissey, Senior Vice President for Academic and Student Services and Chief Academic Officer, NC Community College System

Nanofibers for School Air Quality Improvement
Miles Wright, Chief Executive Officer, Xanofi

North Carolina Higher Education Tuition Comparisons
Denise Harb and Andrea Poole, Staff, Fiscal Research Division, NCGA

April 11, 2012

Approval of Committee's Minutes
Committee

Consideration of Committee's Interim Report
Committee

SUMMARY OF COMMITTEE PROCEEDINGS

This section of the report provides a brief summary of the Committee meetings. It is not intended to be a complete, official record of those meetings. However, there is an official record of the Committee's meetings, including minutes which reflect Committee member discussions, and handouts distributed to the Committee members, in the Legislative Library.

November 2, 2011

Mr. John Dornan, former President/Executive Director, NC Public School Forum presented information about what has been learned from the success stories of other countries scoring higher than the US on international measures of student learning. Some of those countries include Finland, Singapore, and South Korea. Mr. Dornan explained that educationally high-performing countries intertwine economic development and educational policy and that there is a large amount of public and political consensus around educational direction and policy. Central to their strategy is a belief in building a high-quality teaching workforce and these countries invest in attracting the "best and brightest" into education. In these countries, there is a commitment to having all young people learn and testing is used for advancing learning, not "score keeping" and labeling schools and teachers. Curriculum expectations focus on application of knowledge, not memorization; occupational and technical learning is valued. Mr. Dornan concluded his presentation on "lessons learned" by saying that none of the top-performers got there through finding a "silver bullet"; they took decades to build their educational systems.

Ms. Jill Leandro, Education Policy Specialist, SAS Institute, Inc., explained what the Educational Value Added Assessment System (EVAAS) is and how it can be used to improve student learning outcomes. EVAAS can assess influence on student progress at the district, school, and classroom levels, and provide trajectories for individual students toward critical academic benchmarks. Currently, every district, traditional public, and charter school in North Carolina receives customized reporting through EVAAS by subject, grade, and year. This reporting is available through a secure, user-friendly web application. Annual logins have increased from 25,000 in 2006 to about 80,000 in 2011. Ms. Leandro concluded her presentation by discussing how EVAAS data is used to place students in appropriate course levels and to "flag" students at risk for non-completion of high school.

Mr. Tim Melton, Vice President of Legislative Affairs, Students First, explained that this organization was launched on the Oprah Winfrey show in 2010. Students First has worked with seven states to reform their education policies, helping legislation to be passed to end "Last In, First Out" hiring policies and to end teacher tenure policies. Students First is currently working in a total of 15 states.

Mr. Eric Lerum, Vice President of National Policy, Students First, explained that research had found that teachers are usually more effective in their first five years of teaching compared to the final five years of teaching. He described the major elements of teacher evaluation proposed by Students First. This organization has also assisted states to implement pay-for-performance policies and expansion of charter schools and other parental choice options. He continued his presentation by saying that research appears to indicate that, after third grade, class size really is not a strong determinate of whether a student will achieve or not. Instead, policies that create flexibility and autonomy at the school level give principals more power to direct resources. Education policies having the greatest positive impact on student outcomes include: (i) rewarding high performance and excellence; (ii) directing resources directly toward the classroom; and (iii) investing in long term sustainability. Mr. Lerum concluded by saying that when "you put all of these elements together, officials can really pursue a comprehensive reform agenda."

Mr. Kennon Briggs, Executive Vice President and Chief of Staff, North Carolina Community College System presented on "Performance Measurement in NC Community Colleges." Mr. Briggs stated that in 1989, the General Assembly directed the Community College system to begin work on critical success factors which were the precursors of performance measures in the system. From 1989 to 1999, they operated under what were called critical success factors, which were more output measures than outcome measures. He then described current and proposed measures of performance, or outcome measures, for NC's Community Colleges. Current measures include progress of Basic Skills students, passing rates on licensure and certification exams,

performance of college transfer students, passing rates of students in developmental courses, success rates of developmental students in subsequent college-level courses, satisfaction of program completers and non-completers, curriculum student retention, graduation, and transfer, and client satisfaction with customized training. Mr. Briggs provided information on each Community College's performance on these measures. He also presented proposed performance measures including Basic Skills student progress, GED diploma passing rate, developmental student success rate in college-level English and math courses, first year progression, curriculum completion, licensure and certification passing rate, and college transfer performance. Community college funding is, in part based, on these performance measures.

Mr. Briggs completed his presentation by stating that the NC Community College System Office is working with Columbia University on a five year program that involves five states in which they will begin to track students following degree completion. The data will include the selected educational pathway, earned credential, and earnings following degree completion and entry into the work force. Employment Security Commission data will be used during this project.

Dr. Sharon Morrissey, Senior Vice President for Academic and Student Services and Chief Academic Officer, North Carolina Community College System and Dr. Rebecca Garland, Chief Academic Officer, North Carolina Department of Public Instruction gave an update on the new Career and College Promise program which was created in Section 7.1A of S.L. 2011-145 and implemented on January 1, 2012. Dr. Morrissey detailed the history of dual enrollment programs that have been created through legislation since 1983. Career and College Promise is now the sole method for dual enrollment in community colleges for all high school students and offers three pathways for students to obtain vocational program certification and/or college credits which can transfer once they have completed high school. Each pathway has a GPA minimum and other criteria that students must meet in order to enroll in prescribed community college courses. The program was created to ensure that high school students were taking appropriate college-level courses and thus decrease expenditures on remedial courses taken in college and on courses which would not transfer for college credit.

Dr. Garland then explained that the Cooperative Innovative High School programs continue to exist as one of the pathways for dual enrollment. Cooperative and Innovative High Schools are five-year programs in during which students obtain a high school diploma and an associate's degree. Each school district sets eligibility criteria for their own Cooperative Innovative High School.

Ms. Alexis Schauss, Director School Business Administration, Department of Public Instruction, stated that the last session amended the General Statutes for the school districts related to the number of instructional days and the number of teacher workdays. Legislation increased instructional days by five and decreased teacher workdays by five. The budget provision changing the calendar statute also provided a way for school districts to request a waiver from the increased number of instructional days for the 2011-2012 school year. Ms. Schauss told Committee members that all LEAs had requested a waiver for instructional days for the 2011-12 school year. She indicated that, even though the State Board of Education agrees with extended learning time, they approved the waiver requests so that extra days could be used for Race to the Top (RttT) professional development on Essential Standards and Common Core or professional development related to other RttT initiatives.

December 7, 2011

Nick Mathern, Associate Vice President, Policy and Partnership Development, Gateway to College National Network, explained that the Gateway to College program works with young people to provide an opportunity to come back to high school and finish a diploma in a college environment. Gateway to College targets young people who have already left high school or who are not on track to graduate. The program gives them opportunities and supports to complete their high school diploma and college credit while taking classes on a college campus. This collegiate atmosphere is essential to the student's success as they have already disassociated themselves from a high school environment. The other essential component to helping this particular population of high poverty, high need, high-school non-completers is the provision of wrap-around supports that address some of the social factors that impact their lives, that led them to leave school to begin with, and continue to impact their lives on a day-to-day basis while they remain enrolled in the program. Mr.

Mathern indicated that Gateway to College is a national network of 29 colleges around the country in 16 different states . He concluded his presentation by saying that in order to fund a program like this, there needs to be a close partnership between a school district and a community college with sustainable partnerships and some agreement about what amount of funding is needed to support students to be on campus.

Jennifer Sattem, Coordinator, Policy Analysis and Advocacy, Gateway to College National Network, discussed a report from the Alliance for Excellent Education that found that if half of the 54,000 high school dropouts in North Carolina from the class of 2010, were to come back and get a diploma, we would see average additional earnings of around $250,000,000 to $300,000,000 in a year. She stated that when you translate that to spending, investments, and tax revenues, in addition to the decreases to the burden on social welfare and the judicial system, you see a huge financial impact. Ms. Sattem continued her presentation by saying that research suggests that high school dropouts want to return to school once they start working and realize how hard it is to find a job without a diploma. She concluded her remarks by reminding the audience that it is important that states ensure courses taken for post-secondary credit also count for high school graduation requirements. The students who come in to programs like Gateway to College are low on credits and, in most cases, need the basic courses that you would expect an 18 year old to have already completed.

Dr. Bill Ingram, President, Durham Technical Community College, stated that he realized early on that one of the significant challenges facing the Durham community is the challenge of disengaged young people. He cited a study published in 2006, Hidden in Plain Sight, which identified the problem of disengaged young people in the Triangle and in Durham specifically. This study estimated that there are at least 4,000 individuals in Durham County alone, between the ages of 15 and 25, who are neither in high school nor at work. He said that the Gateway to College program at Durham Tech is a model partnership between the public schools and the community college. They recruit students three times a year and bring them back into school where they are re-enrolled in their home high school and are no longer counted as dropouts. They are enrolled in learning communities with their peers and work with a resource specialist who provides them with tailor-made services to help them be successful. He concluded his remarks on Durham Tech's Gateway to College program by saying that they are still unsure what portion of the ADM funding is appropriate to use towards program implementation, but he does not believe that the entire amount is necessary. He does recognize that operating the program exclusively on the budget the college generates is not enough. The FTE money received at the community college will pay for about half of the program

Kara McCraw, Staff Attorney, Research Division, NC General Assembly stated that Gateway to College is a unique program which takes high school dropouts, re-enrolls them in a high school, and provides instruction yielding both high school and community college credit, on a community college campus. She indicated that due to the recent Career and College Promise legislation, that the Gateway to College program can no longer provide dual enrollment credit. The Career and College Promise program is the sole avenue for dual enrollment for both high school and community college credit. In order to be eligible for any of the Career and College Promise pathways, students must be qualified juniors and seniors, have a 3.0 grade point average, and demonstrate college readiness on an approved placement test. The population targeted by the Gateway to College program, probably will not meet these criteria. Ms. McCraw offered several solutions to this problem: (i) designate the Gateway to College program as a Cooperative Innovative High School, but the General Assembly would have to appropriate specific funding for the program to be approved by the State Board of Education; (ii) expand the Career and College Promise program to create a track for dual enrollment for programs like Gateway to College; or, (iii) recognize this as some other kind of program so these students no longer re-enroll in high schools for the ADM funding stream, and appropriate funding specifically for this program, so that there is not a high school connection (which creates the dual enrollment issue).

Deirdre Finn, Deputy Executive Director, Foundation for Excellence in Education described "digital learning" as "the use of technology by students to give them some element of control over time, place, path, and pace." She indicated that "blended learning is the combination of digital learning and more traditional face-to-face learning." Ms. Finn gave examples of digital and blended learning scenarios.

Dr. Risto Raivio, Head of Sector for Vocational Education and Training Policy European Commission and Visiting Scholar at the University of North Carolina at Chapel Hill, said that the European Union (EU) is currently working on an education reform agenda including identification of joint challenges and priorities, commitment to a joint modernization agenda, European level tools to connect the systems, and EU programs to support policy

development and international mobility of students and faculty. Dr. Raivio said that the EU is also interested in raising attractiveness of vocational training, improving quality and relevance of training, better alignment between basic education and vocational and higher education training, and international training mobility, and that he was visiting NC to learn more about our community college system. He went on to describe the educational and vocation-technical education system in Finland, his native country, where it is possible to simultaneously complete upper secondary educational and vocational training.

Debora Williams, Special Assistant for Graduation and Dropout Prevention Initiatives, North Carolina Department of Public Instruction, presented on Graduation Resiliency Project. The purpose of the project is to facilitate an early warning system with research-based factors for identifying students who may be at risk of dropping out of school. Each school district may use EVAAS software to "flag" middle and high school students at risk for dropping out, based on attendance, test scores, and grades. School systems are developing ways to help students who are at risk for dropping out of school.

Dr. Lou Fabrizio, Director, Data, Research and Federal Policy, North Carolina Department of Public Instruction reported that there is ongoing cooperation among the various agencies to build a Pre-K-20 Data System. He said that there is a Common Follow-Up System, which has historically been operated by the Employment Security Commission, and links K-12 data all the way through the workforce. He also said that SAS is working with the North Carolina Independent Colleges and Universities to help create a centralized data collection and reporting system for their schools. Dr. Fabrizio also indicated that the Institutes of Higher Education are working to align with what is called the "Common Education Data Standard." He indicated that some of the barriers to completing a Pre-K-20 data system are insufficient staff and maintenance, and trying to ensure the privacy, security, and protection of personally identifiable information.

Dr. A. Hope Williams, President, North Carolina Independent Colleges and Universities, stated that private colleges and universities in North Carolina are committed to helping provide the information that the State needs to be able to make good decisions about education. One of the challenges facing them, however, is that private colleges and universities do not have the sovereign immunity that the State sectors have. Dr. Williams indicated that one of the concerns is that despite any precautions they may take, there is always the possibility of hacking into this data. She asked that the Independent Colleges and Universities be able to work with Committee members to develop legislation to help protect their institutions from liability.

February 8, 2012

Patricia Levesque, Executive Director, Foundation for Excellence in Education described Florida's approaches to education reform which began over a decade ago. She indicated that Florida serves over 2.7 million students; nearly 50% live in or near poverty and many are learning English as a second language. The results of their education reform efforts are that, from 1992 to 2011, Florida reduced the number of functionally illiterate students from 47 percent to 29 percent (18 percentage points). Ms. Levesque also indicated that during the same time, the percent of functionally illiterate students in North Carolina decreased by 12 percentage points. She concluded her presentation by describing each of Florida's ten-year education reform components including: (i) grading schools on a scale of A – F; (ii) establishing rewards and consequences for results; (iii) ending social promotion in the third grade for students who couldn't read; (iv) raising the bar for earning a diploma from high school; (v) modernizing the funding model to create financial incentives for student achievement; and (vi) creating an unprecedented array of choices for parents and students, including voluntary universal prekindergarten.

Marcus Winters, Assistant Professor of Leadership, Research, & Foundations College of Education, University of Colorado at Colorado Springs, provided results of the research that has been completed on Florida's third grade retention policy. Dr. Winter's findings indicated that retention had a large short-run effect that declines over time, but is still distinguishable and meaningful in size as late as 7th grade. He also stated that research findings indicate that the magnitude of the effect is substantial:

- Reading – by 7th grade 0.183 standard deviations
- Math – 0.174 standard deviations
- One-year effect of teacher quality – between 0.1 and 0.2 standard deviations.

He concluded his remarks by listing questions for future research on retention policies similar to Florida's, including whether positive effects lead to higher rates of high school graduation; and, what effect a "no social promotion policy" has on students in their initial third grade year?

Ann McColl, State Board of Education Legislative Director, NC Department of Public Instruction, described what NC needs to grow and maintain digital learning in the public schools. These needs include technological infrastructure; those things necessary to get technology into all the school districts as well as in each student's home; training in our college programs, including preparation programs for teachers as well as professional development prepare teachers to use these kinds of digital resources; and great access to high-quality digital textbooks and other sorts of digital supplementary materials.

Ross White, Executive Director, NC Virtual Public Schools (NCVPS), NC Department of Public Instruction described the underlying philosophies and the history of NCVPS. NCVPS started by focusing on advanced placement courses in low wealth and rural districts to increase the access there, but has expanded to include traditional courses, credit recovery, and exceptional children. Mr. White indicated that the NCVPS offers 115 courses with several more in development, including courses in English, math, science, electives, career and technical education, and health. NCVPS has a nationally recognized model offering hybrid online and face-to-face classes for children with disabilities. Mr. White concluded his presentation by explaining that the NCVPS is currently working on the items that the Digital Learning Now report card had flagged as "not yet achieved."

Dr. Lou Fabrizio, Director, Data, Research and Federal Policy, North Carolina Department of Public Instruction, provided a follow-up to the presentation given in December. He reported that a PreK-20 council and governance board has been established, and that the UNC Board of Governors has been able to incorporate the public school unique identifier (UID) into their data system. Dr. Fabrizio wanted committee members to be aware of the Common Follow-Up System (CFS). It is an example of other instances where data has been shared among various agencies. The CFS is required by G.S. 96-33. The members of the PK-20 council that are also participating in the CFS include: DPI, UNC-General Administration, and the Community College System. He discussed the differences among the different student populations, with community college students being the most likely to change names and educational locations, thus making reliable data entry more difficult. Dr. Fabrizio also informed the committee that due to limited infrastructure, that data in the system will not be "real time." The retrieval and creation of the UIDs right now will be completed three times a year at the State level, meaning that all of the community colleges will be submitting information two to three times a year for that information to then be centralized. He concluded his remarks by reiterating some of the data privacy concerns of NC Independent Colleges and Universities.

March 7, 2012

Howard Rosenblum, Executive Director, National Association of the Deaf, spoke via video teleconference from Washington, DC and through a sign-language interpreter. Mr. Rosenblum explained that a Deaf Child Bill of Rights is needed in North Carolina to ensure that children who are deaf and hearing impaired receive the appropriate language development support needed for academic and social success. Mr. Rosenblum indicated that State and federal laws related to serving children with disabilities, especially related to children with hearing impairment, need to be enhanced, and that the Deaf Child Bill of Rights is an appropriate way to meet this need.

Barbara Raimondo, Governmental Liaison, Conference of Educational Administrators of Schools and Programs for the Deaf, also spoke in favor of passing a Deaf Child Bill of Rights in North Carolina. Ms. Raimondo pointed out limitations of some of NC's statutes which do not ensure that a child's Individual Education Plan consider the child's individual communication mode or language, the availability of peers, adult role-models, and specialists.

David Gupta, Executive Director, The Florida Partnership of the College Board, described Florida's collaboration with the College Board to increase the number of students taking Advanced Placement (AP) courses. Florida's AP program, which began in 1984, includes the following components:

- For every AP exam score of 3 or above, the school district receives a bonus (currently .16 FTE – approximately $600).
- From these funds, districts pay for the cost of implementing an AP Program, including AP exams, AP and Pre-AP professional development, and AP instructional materials.
- AP teachers receive $ 50 for every AP exam score of 3 or above, up to $2,000.

Since 2000, the College Board has provided the following deliverables to Florida to help increase AP utilization: (i) AP and Pre-AP professional development; (ii) PSAT/NMSQT and AP Potential for all 10th grade students; (iii) SAT exam readiness; (iv) AP on-line instruction and support; (v) test preparation and study skills strategies; (vi) staff to support the implementation, which includes monthly visits to each of the 25 participating districts' schools; and, (vii) third-party annual evaluation. He concluded his remarks by presenting statistics on the increased numbers of minority children who take AP courses in Florida.

Brian Matteson, Staff, Fiscal Research Division, NCGA, reported that there is currently no funding to specifically support Advanced Placement (AP) coursework in NC public schools. He also reported on the current utilization of AP courses, indicating that 25,543 of the 84,401 2011 NC high school graduates took at least one AP course and that 15,496 of those test-takers scored 3 or above on at least one AP course. Mr. Matteson presented two options to increase AP utilization including full State support for the $87 student testing fee or partial State support of $50 per test, and cost to the State at 4.3% of students taking AP courses (current utilization rate) and at 17% of students taking AP courses (Florida's utilization rate). He indicated that Florida provides a $50 teacher bonus for every participant that scores 3 or above on an AP test, and presented costs and processes for the State to also offer these bonuses. He concluded his remarks by describing needed professional development and associated costs for teachers to be able to offer additional AP courses.

Dr. Suzanne T. Ortega, Senior Vice President for Academic Affairs, University of North Carolina, and Dr. Sharon Morrissey, Senior Vice President for Academic and Student Services and Chief Academic Officer, North Carolina Community College System shared the common goals of both of these systems. Their common goal is to increase the number of North Carolinians holding postsecondary credentials and having the skills needed for 21st century jobs. They described current collaborative projects, including a panel which is reviewing the articulation agreements which were created over fifteen years ago. CFNC.org can help current students to determine which community college courses will transfer to four-year colleges and universities.

Miles Wright, Chief Executive Officer, Xanofi, described the poor air quality that exists in most schools. He also described the type of air filters needed to reduce the amount of toxins in the air, and thus reduce some increasing health problems in school age children, such as asthma.

Denise Harb and Andrea Poole, Staff, Fiscal Research Division, NCGA, presented data to show that UNC constituent universities and community colleges continue to offer the least expensive tuition rates of comparable institutions in the southeast and when compared to peer institutions.

April 11, 2012

The Committee adopted the Interim Report.

COMMITTEE FINDINGS AND RECOMMENDATIONS

Based on information presented to the House Select Committee on Education Reform during its regularly-scheduled meetings, the Committee reports the following findings and makes the following recommendations to the 2012 Regular Session of the 2011 General Assembly:

1. Deaf Child Bill of Rights

The Committee finds that children who are deaf or hearing impaired have unique language, learning, and communication needs that could be more effectively addressed by enhancing the North Carolina statutes related to serving children with disabilities. The Committee therefore recommends passage of a Deaf Child Bill of Rights which clarifies the needs of children who are deaf or hearing impaired, and adds special communication-related factors that an Individualized Education Program team must consider. **See attached Legislative Proposal I, 2011-TLz-15.**

2. Pre-K to 20 Data System

The Committee finds that it is beneficial to the State of North Carolina to track longitudinal data on the State's students, through the use of a unique student identifier and a coordinated data system across State agencies. The Committee therefore strongly urges the Department of Health and Human Services, the Department of Public Instruction, the North Carolina Community College System Office, the University of North Carolina, and the North Carolina Independent Colleges and Universities to complete the development of these system features as soon as possible. These features should be leveraged, whenever possible, with data available through the Department of Revenue and the Employment Security Commission. The Committee intends to further study this issue, including total cost and any potential system delays, in the 2012 Interim.

Additionally, the Committee finds that private colleges and universities have significant concerns about possible liability that could be incurred due to identity theft caused by a breach of data by the State of information shared by a private college or university, and that such concerns may impede the sharing of data. The Committee therefore recommends that in order to facilitate the sharing of student data, the statutes be amended to provide private colleges and universities immunity from liability for breaches that occur after they submit data to the State for use in such a data system. **See attached Legislative Proposal II, 2011-TCz-29.**

3. Advanced Placement Incentive Program

The Committee finds that Advanced Placement (AP) courses and exams can help North Carolina's high school students acquire skills and habits needed to be successful in college. Additionally, students scoring 3 or higher on AP exams may be able to enter college with college credits, making them more likely to graduate in the standard time. However, access to and participation in AP courses is not equal across the State or across various student groups. The Committee therefore recommends the passage of an AP Incentive Program, based on the Florida Partnership model. This program would include testing at no cost to students, teacher bonuses for students scoring 3 or higher on the exams, and professional development. The total estimated cost of the program is $11,660,921. **See attached Legislative Proposal III, 2011-TCz-27.**

4. Air Quality in Schools

The Committee finds that student performance improves with improvements in a school's air quality. The Committee therefore urges the State Board of Education to study ways to improve schools' air quality, including by the use of air filters with nanofiber technology.

5. Gateway to College

The Committee finds that the Gateway to College program at Durham Technical Community College offers students that have dropped out of traditional high schools an opportunity to complete high school in a college setting. The Committee finds that placement of cooperative innovative high schools, structured like the

Gateway to College program, on community college campuses may hold promise to increase high school completion among high-risk students and deserves further study. The Committee therefore recommends the passage of legislation to enable consideration of the Gateway to College program as a cooperative innovative high school to permit Gateway to College Students to attend college-level courses at Durham Technical Community College. The Committee intends to further study the issue of dropout recovery programs in the 2012 Interim. **See attached Legislative Proposal IV, 2011-TCz-32.**

LEGISLATIVE PROPOSAL I

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H **D**

BILL DRAFT 2011-TLz-15 [v.4] (04/05)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
4/5/2012 2:13:22 PM

Short Title:	Bill of Rights/Deaf/Hearing Impaired.	(Public)
Sponsors:	Representative Unknown.	
Referred to:		

A BILL TO BE ENTITLED

AN ACT ESTABLISHING A BILL OF RIGHTS FOR CHILDREN WHO ARE DEAF OR HEARING IMPAIRED, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION REFORM.

The General Assembly of North Carolina enacts:

SECTION 1. Part 29 of Article 3 of Chapter 143B of the General Statutes is amended by adding the following new sections to read:

"**§ 143B-216.35. Short title.**

This act may be cited as the 'Deaf Child's Bill of Rights.'

"**§ 143B-216.35.1. Findings.**

The General Assembly makes the following findings:

(1) Children with low-incidence disabilities, as a group, make up approximately one percent (1%) of the total statewide enrollment for Kindergarten through grade 12.

(2) Children with low-incidence disabilities require highly specialized services, equipment, and materials.

(3) Deafness impacts the most basic of human needs, such as the ability to communicate with other human beings. Many deaf or hearing-impaired children use, as their primary communication mode, American Sign Language (ASL), while others express and receive language through an English-based sign language system, and others express and receive language orally and aurally, with or without visual signs or cues. Still others, typically young deaf or hearing-impaired children, lack any significant language skills and communication skills in any mode of communication. It is essential for the well-being and growth of deaf and hearing-impaired children that educational programs recognize the unique nature of deafness and ensure that

all deaf and hearing-impaired children have appropriate, ongoing, and fully accessible educational opportunities.

(4) It is essential that children who are deaf or hearing impaired, like all children, have an education in which their unique communication mode is respected, used, and developed to an appropriate level of proficiency.

(5) It is essential that children who are deaf or hearing impaired have educational placements in which the children are provided, when appropriate, qualified, certified or licensed teachers, psychologists, speech therapists, assessors, administrators, interpreters, school counselors, and other personnel who understand the unique nature of deafness and are specifically trained to evaluate and work with deaf or hearing-impaired children. These personnel should be proficient in the primary communication and language mode of deaf or hearing-impaired children.

(6) It is essential that deaf or hearing-impaired children, like all children, have an education with a sufficient number of communication mode peers with whom they can communicate directly and who are approximately at the same age and level of proficiency.

(7) It is essential that deaf and hearing-impaired children have an education in which their parents are involved in determining the extent, content, and purpose of programs, as well as exposure to deaf or hearing-impaired role models.

(8) It is essential that deaf or hearing-impaired children, like all children, have a program in which their unique vocational needs are provided for, including appropriate research, curricula, programs, staff, and outreach.

(9) It is essential that deaf or hearing-impaired children be able to participate in all parts of a school program, including after-school social and athletic functions.

(10) It is essential that all parents or legal guardians of deaf or hearing-impaired children receive a copy of the 'Deaf Child's Bill of Rights' upon determination of the child's hearing loss and before an eligibility determination for special education services.

"**§ 143B-216.35.2. Communication mode or language defined.**

As used in this Part, 'communication mode or language' means one or more of the following systems or methods of communication applicable to deaf or hearing-impaired children:

(1) American Sign Language. – The language of sign used by people in the deaf community in the United States and most of Canada with almost 200 years of evolution. The language is a sophisticated visual language with its own grammatical features that support communication and learning with the mind that does not hear spoken languages.

(2) English-based manual or sign system. – A few of the different forms of English-based signs that have evolved since the 1970s. These sign modalities have been created by people with the intent to mimic English on the hands. These sign modalities do not constitute a language and are not generally used by deaf or hard-of-hearing adults.

(3) Oral, aural, or speech-based training. – Training that depends primarily on listening with the support of amplification, lip reading, and the provision of speech therapy to foster language learning following a sequence similar to developmental steps of hearing peers.

"**§ 143B-216.35.3. Determination of disability; enrollment.**

(a) In developing an Individualized Education Program (IEP), as defined in G.S. 115C-106.3(8), for a child who is deaf or hearing impaired, in addition to any other requirements established by the State Board of Education, the IEP team shall consider the related services and program options for communication access and advise parents of the full continuum of alternative educational placements available to them. The IEP team shall consider the child's specific communication needs, and, to the extent possible, address those needs as appropriate in the child's IEP and determine the least restrictive environment. In considering the child's needs, the IEP team shall expressly consider the following:

(1) The child's individual communication mode or language.

(2) The availability to the child of a sufficient number of age, cognitive, and language peers of similar levels of proficiency.

(3) The availability to the child of deaf and hearing-impaired adult models of the child's communication mode or language.

(4) The provision of appropriate, direct, or ongoing language access to teachers of the deaf or hearing impaired and interpreters and other specialists who are proficient in the child's primary communication mode or language.

The IEP team shall ensure that no child who is deaf or hearing impaired is denied the opportunity for instruction in a particular communication mode or language solely because (i) the child has some residual hearing; (ii) the child's parents are not fluent in the communication mode or language being taught; or (iii) the child has previous experience with some other communication mode or language.

(b) Nothing in this section shall preclude instruction in more than one communication mode or language for any particular child. Any child for whom instruction in a particular communication mode or language is determined to be beneficial shall receive the instruction as part of the child's Individualized Education Program."

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

LEGISLATIVE PROPOSAL II

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

U **D**

BILL DRAFT 2011-TCz-29 [v.6] (03/06)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
3/19/2012 11:25:15 AM

Short Title:	No Liability for Private Schools.	(Public)
Sponsors:	.	
Referred to:		

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT PRIVATE COLLEGES AND UNIVERSITIES, NONPUBLIC SCHOOLS, AND THE NORTH CAROLINA INDEPENDENT COLLEGES AND UNIVERSITIES ARE NOT LIABLE FOR A BREACH OF CONFIDENTIALITY CAUSED BY THE ACT OR OMISSION OF A STATE AGENCY, LOCAL SCHOOL ADMINISTRATIVE UNIT, COMMUNITY COLLEGE, OR CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION REFORM.

The General Assembly of North Carolina enacts:

SECTION 1. Article 39 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-566.1. Disclosure of student data and records by nonpublic schools.**

A nonpublic school that discloses personally identifiable information in student data or records according to the terms of a written agreement with a State agency, local school administrative unit, community college, or constituent institution of The University of North Carolina in compliance with the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, shall not be liable for a breach of confidentiality, disclosure, use, retention, or destruction of the student data or records if the breach, disclosure, use, retention, or destruction results from actions or omissions of either: (i) the State agency, local school administrative unit, community college, or constituent institution of The University of North Carolina the data was provided to or (ii) persons provided access to the data or records by those entities."

SECTION 2. Chapter 116 of the General Statutes is amended by adding a new article to read:

"**ARTICLE 27A.**

"**DISCLOSURE OF STUDENT DATA AND RECORDS BY PRIVATE INSTITUTIONS.**

"**§ 116-229.1. Disclosure of student data and records by private colleges and universities.**

(a) A private college or university that discloses personally identifiable information in student data or records according to the terms of a written agreement with a State agency, local school administrative unit, community college, constituent institution of The University of North Carolina or the North Carolina Independent Colleges and Universities in compliance with the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, shall not be liable for a breach of confidentiality, disclosure, use, retention, or destruction of the student data or records if the breach, disclosure, use, retention, or destruction results from actions or omissions of either: (i) the State agency, local school administrative unit, community college, or constituent institution of The University of North Carolina the data was provided to or (ii) persons provided access to the data or records by those entities.

(b) The North Carolina Independent Colleges and Universities shall not be liable for a breach of confidentiality, disclosure, use, retention, or destruction of student data or records transferred on behalf of a private college or university to a State agency, local school administrative unit, community college, or constituent institution of The University of North Carolina if the breach, disclosure, use, retention, or destruction results from actions or omissions of either: (i) the State agency, local school administrative unit, community college, or constituent institution of The University of North Carolina the data was provided to or (ii) persons provided access to the data or records by those entities."

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

LEGISLATIVE PROPOSAL III

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

U **D**

BILL DRAFT 2011-TCz-27 [v.12] (02/21)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
4/5/2012 2:51:55 PM

Short Title: Broaden Successful AP Participation. (Public)

Sponsors: .

Referred to:

A BILL TO BE ENTITLED

AN ACT TO BROADEN SUCCESSFUL PARTICIPATION BY STUDENTS IN ADVANCED PLACEMENT COURSES AND TO CREATE PERFORMANCE INCENTIVES FOR SCHOOLS AND TEACHERS FOR STUDENT EXCELLENCE IN ADVANCED PLACEMENT COURSES, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION REFORM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-12(9)c1. reads as rewritten:

"c1. To issue an annual "report card" for the State and for each local school administrative unit, assessing each unit's efforts to improve student performance based on the growth in performance of the students in each school and taking into account progress over the previous years' level of performance and the State's performance in comparison with other states. This assessment shall take into account factors that have been shown to affect student performance and that the State Board considers relevant to assess the State's efforts to improve student performance. The annual "report card" shall include measures of student participation and performance in Advanced Placement courses."

SECTION 2. Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-83.1. Advanced Placement Courses.**

(a) It is the intent of the State to enhance accessibility and encourage students to enroll in and successfully complete more rigorous coursework, such as Advanced Placement (AP) courses, to enable success in postsecondary education for all students. To attain this goal, to the extent funds are made available for this purpose:

(1) Students enrolled in public schools shall be exempt from paying any fees for administration of College Board AP examinations, regardless of whether or not the student achieves a passing score on an examination.

(2) Bonuses shall be awarded to teachers of AP courses for students who earn passing scores on AP examinations.

(b) Eligible secondary students shall be encouraged to enroll in Advanced Placement (AP) courses to earn postsecondary credit.

(c) The results of student diagnostic tests administered pursuant to G.S. 115C-174.18 and G.S. 115C-174.22, such as the Preliminary Scholastic Aptitude Test (PSAT) and ACT, shall be used to identify students who are prepared or who need additional work to be prepared to enroll and be successful in AP courses.

(d) Local boards of education shall provide information to students and parents on available opportunities and the enrollment process for students to take AP courses. The information shall explain the value of AP courses in preparing students for postsecondary level coursework, enabling students to gain access to postsecondary opportunities, and qualifying for scholarships and other financial aid opportunities.

(e) Local boards of education shall ensure that all high school students have access to AP courses in language arts, mathematics, science, and social studies. Such access may be provided through enrollment in courses offered through or approved by the North Carolina Virtual Public School.

(f) The State Board of Education shall make available professional development to enable teachers of AP courses to have the necessary content knowledge and instructional skills to prepare students for success on an AP examination and mastery of postsecondary course content.

(g) The State Board of Education is encouraged to seek partners to assist in improving college readiness of secondary students and to assist secondary schools to ensure that all students have access to high-quality, rigorous academics, with a focus on access to advanced courses."

SECTION 3.(a) The State Board of Education shall use funds appropriated in this act to:

(1) Provide incentive funding to local school administrative units to be distributed to teachers of Advanced Placement courses as follows:

a. A bonus in the amount of fifty dollars ($50.00) for each student taught by the AP teacher in each AP course who receives a score of three or higher on the College Board Advanced Placement Examination.

b. An additional bonus of five hundred dollars ($500.00) to each AP teacher who teaches in a school identified as low-performing under G.S. 115C-105.37 by the State Board of Education and who has at least one student scoring three or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or the number of students scoring a three or higher on the College Board Advanced Placement Examination.

No teacher shall be awarded a bonus pursuant to this subdivision that exceeds two thousand dollars ($2,000.00) in any given school year. The bonus awarded to a teacher pursuant to this subdivision shall be in addition to any regular wage or other bonus the teacher receives or is scheduled to receive.

(2) Provide funds to local school administrative units to pay testing fees for AP courses for all students.

(3) Provide funds to local school administrative units for professional development for teachers of AP courses.

SECTION 3.(b) There is appropriated from the General Fund to the Department of Public Instruction the sum of eleven million six hundred sixty thousand nine hundred twenty-one dollars ($11,660,921) for the 2012-2013 fiscal year. Of the amount appropriated, seven million one hundred seventy-nine thousand eight hundred thirty-four dollars ($7,179,834) shall be used to fund fees for testing in Advanced Placement courses, two million nine hundred eighty-one thousand eighty-seven dollars ($2,981,087) shall be used for teacher bonuses, and one million five hundred thousand dollars ($1,500,000) shall be used for professional development for teacher in AP courses. The appropriation fund fees for testing in Advanced Placement courses shall be expended only if other available receipts, including federal receipts, are insufficient to meet costs. If the appropriation to fund fees for testing in Advanced Placement courses is insufficient to fund AP course testing fees for all students, funding shall first be provided to fund the full cost of fees for testing in Advanced Placement courses for students eligible for free and reduced lunch, and the remaining funds shall be prorated for fees for testing in Advanced Placement courses for all other students.

SECTION 4. This act becomes effective July 1, 2012 and applies beginning with the 2012-2013 school year.

LEGISLATIVE PROPOSAL IV

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H **D**

BILL DRAFT 2011-TCz-32 [v.4] (04/04)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
4/5/2012 12:23:23 PM

Short Title:	Gateway to College.	(Local)
Sponsors:	Representative.	
Referred to:		

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE APPROVAL OF THE GATEWAY TO COLLEGE PROGRAM AT DURHAM TECHNICAL COMMUNITY COLLEGE AS A COOPERATIVE INNOVATIVE HIGH SCHOOL FOR THE 2012-2013 SCHOOL YEAR, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON EDUCATION REFORM.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding the requirement of S.L. 2010-31, Section 7.21(e), the local board of education of Durham County and the local board of trustees of Durham Community College may apply jointly to establish a cooperative innovative high school program known as Gateway to College at Durham Technical Community College under Part 9 of Article 16 of Chapter 115C of the General Statutes. The State Board of Education and State Board of Community Colleges shall consider such application for the 2012-2013 school year if the application is received by June 1, 2012, and may approve an application for Gateway to College at Durham Technical Community College without an explicit appropriation from the General Assembly. If the Gateway to College at Durham Technical Community College is approved as a cooperative innovative high school, no principal allotment shall be made for that school.

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