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SESSION 2019

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SENATE BILL DRS35251-MTa-73A*

Short Title: Changes to Advanced Teaching Roles Program. (Public)

Sponsors: Senators Ballard and Johnson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE PERMANENT AND MODIFY TEACHER COMPENSATION MODELS
3 AND ADVANCED TEACHING ROLES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Effective June 30, 2020, the following session laws are repealed:

- 6 (1) Section 8.7 of S.L. 2016-94.
7 (2) Section 7.11(a) of S.L. 2017-57.
8 (3) Section 7.15(b) of S.L. 2017-57.
9 (4) Section 7.9 of S.L. 2018-5.

10 **SECTION 2.** Article 20 of Chapter 115C is amended by adding a new section to
11 read:

12 "**§ 115C-311. Teacher compensation models and advanced teaching roles.**

13 (a) Purpose. – The State Board of Education shall establish a program (program) to
14 develop advanced teaching roles and organizational models that link teacher performance and
15 professional growth to salary increases for classroom teachers in selected local school
16 administrative units. For the purposes of this section, a classroom teacher is a teacher who works
17 in the classroom providing instruction at least seventy percent (70%) of the instructional day and
18 who is not instructional support personnel. The purpose of the program shall be to do the
19 following:

- 20 (1) Allow highly effective classroom teachers to teach an increased number of
21 students by assuming accountability for additional students, by becoming a
22 lead classroom teacher accountable for the student performance of all of the
23 students taught by teachers on that lead classroom teacher's team, or by
24 leading a larger effort in the school to implement new instructional models to
25 improve school-wide performance.
26 (2) Enable local school administrative units to provide salary supplements to
27 classroom teachers in advanced teaching roles. Selection of an advanced
28 teaching role classroom teacher and award of related salary supplements shall
29 be made on the basis of demonstrated effectiveness and additional
30 responsibilities.
31 (3) Enable local school administrative units to create innovative compensation
32 models that focus on classroom teacher professional growth that lead to
33 measurable improvements in student outcomes.
34 (4) Utilize local plans to establish organizational changes related to compensation
35 in order to sustain evidenced-based teaching practices that have the capacity
36 to be replicated throughout the State.



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1 (b) Request for Proposal. – By September 15, 2019, and annually thereafter, the State
2 Board of Education shall issue a Request for Proposal (RFP) for the program. Local boards of
3 education shall submit their proposals by October 15. The RFP shall require that proposals
4 include the following information at a minimum:

5 (1) Description of the program structure, including both of the following:

6 a. The process for teacher advancement based on performance,
7 professional growth, or the specific teacher roles assumed by the
8 teacher.

9 b. Plans for how the local school administrative unit will utilize and train
10 classroom teachers in advanced teaching roles. These plans shall draw
11 a direct correlation between the proposed use and training of
12 classroom teachers in advanced teaching roles and improved student
13 outcomes.

14 (2) Descriptions of the advanced teaching roles, including minimum
15 qualifications for the positions that must include both of the following:

16 a. Peer recommendation letters from teachers who teach in the same
17 grade or subject area as the classroom teacher in the advanced teaching
18 role.

19 b. At least two of the following:

20 1. Advanced certifications, such as National Board for
21 Professional Teaching Standards Certification, or a master's
22 degree in the area in which the classroom teacher is licensed
23 and teaching.

24 2. A rating of at least accomplished on each of the Teacher
25 Evaluation Standards 1-5 on the North Carolina Teacher
26 Evaluation instrument.

27 3. Evidence that the teacher has an average Education
28 Value-Added Assessment System (EVAAS) student growth
29 index score from the three previous school years of 1.5 or
30 greater and no individual EVAAS student growth index score
31 below zero.

32 4. Equivalent demonstrated mastery of teaching skills as required
33 by the new local compensation model.

34 (3) Job responsibilities that include at least one of the following:

35 a. Teaching an increased number of students and being accountable for
36 their performance as the teacher of record for those students.

37 b. Becoming a lead classroom teacher among a group of teachers and
38 participating in EVAAS according to a model developed by the
39 Department of Public Instruction. The model shall be published and
40 explained on the Department's Web site no later than August 1, 2019,
41 and, thereafter, within 30 days of any change made to the model.

42 c. Leading a school-wide effort to implement data-driven instructional
43 models that include blended learning environments, utilizing digital
44 learning and resources, and focusing on methods of improvement for
45 school-wide performance issues.

46 d. Completing training that certifies the teacher as an in-house provider
47 of professional development or functioning as an instructional content
48 area coach or a coach in another professional development area. This
49 training shall also ensure the professional development or coaching the
50 teacher provides is faithfully implemented in the classroom.

- 1 (4) Description of how the local school administrative unit will inform all
2 employees and the public on the criteria and selection for the advanced
3 teaching roles, the continued eligibility requirements for the advanced
4 teaching roles, and how the individuals selected for the advanced teaching
5 roles will be evaluated.
- 6 (5) Description of how the local school administrative unit will inform all
7 employees and the public on the criteria for movement on the proposed new
8 local compensation model.
- 9 (6) The process for the voluntary relinquishment of an advanced teaching role,
10 including the associated additional duties. Voluntary relinquishment of the
11 advanced teaching role shall not be considered a demotion under Part 3 of
12 Article 22 of Chapter 115C of the General Statutes.
- 13 (7) Salary supplement information including the following:
- 14 a. The amount of the salary supplements that will be provided to those
15 selected for the advanced teaching roles. The supplements may be up
16 to thirty percent (30%) of the State teacher salary schedule.
- 17 b. A statement by the local school administrative unit that the salary
18 supplements will be paid as a supplement to the classroom teacher's
19 regular salary and not be included in the average salary calculation
20 used for budgeting State allotments.
- 21 c. A statement by the local school administrative unit that if a classroom
22 teacher in an advanced teaching role (i) fails to maintain the minimum
23 criteria established for the position, (ii) is not successfully performing
24 the additional duties associated with the advanced teaching role, or (iii)
25 voluntarily relinquishes the advanced teaching role, the teacher shall
26 only be paid the salary applicable to that individual on the State teacher
27 salary schedule and any other local supplements that would otherwise
28 apply to the classroom teacher's compensation.
- 29 d. Loss of an advanced teaching role shall not be considered a demotion
30 under Part 3 of Article 22 of Chapter 115C of the General Statutes.
- 31 e. The amount of the salary supplements at all levels of the proposed new
32 compensation model in relation to the State teacher salary schedule.
- 33 (8) The implementation plan, including the number of schools in the local school
34 administrative unit that will have advanced teaching roles and any new
35 proposed compensation model, the number of advanced teaching roles at each
36 of those schools, the number of students whose teacher of record will be a
37 teacher in an advanced teaching role, and the number of teachers overall who
38 would be eligible for the proposed new compensation model.
- 39 (9) Plans for long-term financial sustainability once any grant money that may be
40 awarded to the local school administrative unit is no longer available. This
41 plan shall include a description of how the unit intends to provide
42 supplemental compensation for teachers in an advanced teaching role without
43 grant money.
- 44 (10) A description of how the local school administrative unit could partner with
45 local educator preparation programs, institutions of higher education, or
46 community colleges to improve teacher effectiveness and student outcomes.
- 47 (c) Selection by State Board of Education. – By December 15, 2019, and annually
48 thereafter, the State Board of Education shall review proposals and select local school
49 administrative units to participate in the program, beginning in the subsequent school year, in
50 accordance with the following criteria:

- 1 (1) Selected local school administrative units must meet minimum criteria
2 established by the State Board of Education consistent with this section.
- 3 (2) The State Board shall prioritize the award of available State funds for the
4 following categories of local school administrative units:
- 5 a. Up to five units with an average daily membership from the previous
6 school year of 4,000 or fewer students.
- 7 b. Up to five units with an average daily membership from the previous
8 school year of between 4,001 and 20,000 students.
- 9 c. Up to five units with an average daily membership from the previous
10 school year of 20,001 or more students.
- 11 (3) The State Board shall approve the proposal of any local school administrative
12 unit that is submitted by October 15, 2019, if the following criteria are met:
- 13 a. The local school administrative unit is participating in an approved
14 advanced teaching roles program pursuant to Section 8.7 of S.L.
15 2016-84 in the 2019-2020 school year.
- 16 b. The application of a local school administrative unit is not inconsistent
17 with this section.
- 18 (d) Advanced Teaching Roles Designation. – Any local board of education that is
19 selected to participate in the program pursuant to subsection (c) of this section shall be designated
20 as an "Advanced Teaching Roles" unit. Every Advanced Teaching Roles unit shall receive class
21 size flexibility pursuant to subsection (i) of this section and budget flexibility pursuant to
22 subsection (j) of this section.
- 23 (e) Material Revisions of Plans. – Material revisions of a plan submitted by an Advanced
24 Teaching Roles unit to the State Board of Education shall be made only upon the approval of the
25 State Board of Education.
- 26 (f) Renewal and Termination. – The initial selected local school administrative units
27 shall implement their approved plans beginning with the 2020-2021 school year. Every five years
28 after a local school administrative unit begins implementing its plan, the State Board of Education
29 shall review the unit to ensure it is complying with its approved plan. After the review, the State
30 Board may, in its discretion, renew or terminate the plan and the Advanced Teaching Roles
31 designation of any local school administrative unit that fails to meet criteria established by the
32 State Board in accordance with this section. Throughout the program, a local school
33 administrative unit shall provide any information or access requested by (i) the State Board of
34 Education or (ii) the independent research organization selected by the State Board of Education
35 to evaluate the program pursuant to this section.
- 36 (g) Term; Use of Grant Funds. – Any funds awarded to a local school administrative unit
37 pursuant to this section shall be subject to availability and awarded for a term of up to three years,
38 in the discretion of the State Board. A local school administrative unit shall not be eligible to
39 receive funding for more than one term. Funds awarded to local school administrative units shall
40 be used for any of the following:
- 41 (1) Development of advanced teaching role plans.
- 42 (2) Development of professional development courses for teachers in advanced
43 teaching roles that lead to improved student outcomes.
- 44 (3) Transition costs associated with designing and implementing advanced
45 teaching role models. Transition costs may include employing staff members
46 or contractors to assist with design and implementation of the plan.
- 47 (4) Development of the design and implementation of compensation plans that
48 focus on teacher professional growth and student outcomes and the transition
49 costs associated with designing and implementing new compensation plans,
50 including employing staff members or contractors to assist with design and
51 implementation of the plan.

1 (h) Program Evaluation. – The State Board of Education shall evaluate how the advanced
2 teaching roles and new compensation plans have accomplished, at a minimum, the following:

3 (1) Improvement in the quality of classroom instruction and increases in
4 school-wide growth or the growth of teachers who are mentored or impacted
5 by a teacher in an advanced teaching role.

6 (2) An increase in the attractiveness of teaching.

7 (3) Recognition, impact, and retention of high-quality classroom teachers.

8 (4) Assistance to and retention of beginning classroom teachers.

9 (5) Improvement in and expansion of the use of technology and digital learning.

10 (6) School culture based on school climate survey results.

11 The State Board shall contract with an independent research organization to perform this
12 evaluation in the first two years of the program and provide reports on October 15, 2020, and
13 October 15, 2021. Beginning October 15, 2022, and annually thereafter, the State Board shall
14 perform the evaluation and provide the report. The State Board shall provide any report required
15 in accordance with this subsection to the offices of the President Pro Tempore of the Senate and
16 the Speaker of the House of Representatives, the Senate Appropriations/Base Budget Committee,
17 the House Committee on Appropriations, the Senate Appropriations Committee on
18 Education/Higher Education, the House Appropriations Committee on Education, the Fiscal
19 Research Division, and the Joint Legislative Education Oversight Committee.

20 (i) Class Size Flexibility. – Notwithstanding G.S. 115C-301, with the approval of the
21 State Board of Education, local school administrative units selected to participate in the program
22 may exceed the maximum class size requirements for kindergarten through third grade.

23 (j) Budget Flexibility. – Notwithstanding any other provision of law, the State Board of
24 Education shall authorize local boards of education participating in the program to use any
25 available State funds to provide salary supplements to classroom teachers in an advanced
26 teaching role as long as the local school administrative unit complies with policies of the State
27 Board of Education, federal law, and any State programs with specific restrictions on the use of
28 funds, including bonus and grant programs."

29 **SECTION 3.(a)** There is appropriated from the General Fund to the Department of
30 Public Instruction for the 2019-2020 fiscal year the sum of one million five hundred thousand
31 dollars (\$1,500,000) in nonrecurring funds to be allocated to local school administrative units to
32 (i) support teacher compensation models and advanced teaching roles pursuant to Section 8.7 of
33 S.L. 2016-94, as amended, and (ii) develop implementation plans for teacher compensation
34 models and advanced teaching roles pursuant to G.S. 115C-311, as enacted by this act. These
35 funds shall not revert at the end of the fiscal year but shall remain available until expended.

36 **SECTION 3.(b)** There is appropriated from the General Fund to the Department of
37 Public Instruction for the 2020-2021 fiscal year the sum of three million dollars (\$3,000,000) in
38 recurring funds to be allocated to local school administrative units to support teacher
39 compensation models and advanced teaching roles and to develop implementation plans for
40 teacher compensation models and advanced teaching roles pursuant to G.S. 115C-311, as enacted
41 by this act. Beginning in the 2020-2021 fiscal year, funds appropriated to the Department of
42 Public Instruction for the program and for the evaluation of the program shall not revert at the
43 end of the fiscal year but shall remain available until expended.

44 **SECTION 4.** Beginning in the 2019-2020 fiscal year, of the funds appropriated to
45 the Department of Public Instruction by this act to support teacher compensation models and
46 advanced teaching roles and to develop associated implementation plans, the Department may
47 use up to four percent (4%) each fiscal year to evaluate the program, contract with an independent
48 research organization to evaluate the program, or continue any preexisting contract with an
49 independent research organization formed pursuant to Section 8.7 of S.L. 2016-94. Any
50 remaining funds may be awarded to selected local school administrative units in accordance with

1 this act to support teacher compensation models and advanced teaching roles and to develop
2 associated implementation plans.

3 **SECTION 5.** Except as otherwise provided, this act becomes effective July 1, 2019.