

EDUCATION

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Enacted Legislation

Public Schools

Amend Appointment for Compact on Education/Military

S.L. 2019-38 (SB 448) removes the requirement that the commissioner for the Interstate Compact on Educational Opportunity for Military Children be a licensed North Carolina attorney who represents at least one local board of education or an attorney familiar with military issues. Instead, the Governor is required to appoint an individual who represents at least one local board of education with a high concentration of military children.

This act became effective June 21, 2019. (BG)

Create Term for Public Schools and Codify NCVPS

S.L. 2019-51 (HB 57) creates a new definition for the term "public school unit" in the education chapter of the General Statutes (Chapter 115C). The term includes local school administrative units, charter schools, regional schools, innovative schools, the residential schools for the deaf and blind, laboratory schools, the residential North Carolina School of the Arts, and the residential School of Science and Mathematics. The act also codifies past session laws that created and modified the North Carolina Virtual Public School (NCVPS) program in Chapter 115C of the General Statutes.

This act became effective July 1, 2019, and applies beginning with the 2019-2020 school year. (DC)

Modify Teacher Licensing Requirements

S.L. 2019-71 (SB 219), as amended by Section 8 of S.L. 2019-212 (SB 621, Sec. 8), makes various changes to teacher licensing requirements.

Modifications to Initial Professional Licenses — Part I of the act provides that the State Board of Education (SBE) is responsible for monitoring teachers' compliance with the licensure examination requirements that are effective for licenses issued on or after July 1, 2019. Teachers holding an initial professional license (IPL) must meet the examination requirements by the end of the third year of their IPL rather than their second year of teaching. The SBE is prohibited from converting an IPL to a continuing professional license (CPL) for a teacher who has not fulfilled the testing requirements. Part I also provides a one-year extension for elementary education (K-6) or special education general curriculum teachers with an IPL, a lateral entry license, or a residency license (RL) that is set to expire June 30, 2019, because of a failure to fulfill the licensure examination requirements.

Creation of Limited Licenses — Part II of the act creates a new teaching license, called a limited license, for certain teachers who are either not eligible for a CPL or who have an out-of-state teaching license. A limited license is valid for three years and cannot be renewed. A limited license can only be requested by the local board of education currently employing or seeking to

employ the teacher, and is only valid in that local school administrative unit. All of the following are required for the SBE to issue a limited license:

- For in-state licensees:
 - The teacher was issued an IPL or RL but failed to meet the exam requirements after three years of IPL or RL licensure.
 - The employing local board of education submitted to the SBE an affidavit signed by the teacher's principal and superintendent attesting that the individual is an effective teacher and will be encouraged to continue to pursue a CPL.
- For out-of-state licensees:
 - The teacher holds current teacher licensure in another state that is in good standing.
 - The local board of education submits to the SBE an affidavit signed by the superintendent for the local school administrative unit stating that the local board seeks to employ the teacher, that the teacher has been employed as a licensed teacher in another state for at least three years, and that the teacher will be encouraged to pursue an IPL or CPL, as appropriate for that teacher.

Pay for Newly Employed Teachers with Experience — Part III of the act authorizes local boards of education to determine the experience credit for newly employed teachers for the first year of employment, which determines how much that teacher will be paid with State-allotted funds. The local board of education and the teacher will not be responsible for the repayment of any overpayment of State funds if the experience credit determination was done in good faith and in accordance with SBE guidelines. However, the local board of education will be responsible if it did not use due diligence to verify the prior work experience. After the first year of employment, the SBE will determine the appropriate experience credit and thereby determine the teacher's placement on the State salary schedule, regardless of the pay that the teacher received during the first year.

Modifications to Lifetime Teaching Licenses — Part IV of the act reduces the service requirement for a lifetime license from 50 years to 30 years and makes a conforming change to eliminate the category of retirement licenses. An individual qualifies for the lifetime license when that person holds a current North Carolina teaching license and has 30 or more years of creditable service in the retirement system.

Emergency Rule-Making Authority — Part V of the act authorizes the SBE to adopt emergency rules to implement the requirements of the act in accordance with its timeline.

This act became effective July 1, 2019, and, except as otherwise provided, applies beginning July 19, 2019. (DC)

Teacher Contract Changes

S.L. 2019-82, Sec. 1 (HB 924, Sec. 1) clarifies how much time a teacher must have already worked for a local board of education to be eligible for an extended employment contract, including defining a year of employment as no less than 120 workdays as a teacher in a full-time permanent position. The act allows local boards of education to adopt a policy to require consecutive years of employment before offering longer contracts, subject to certain limitations.

This section of the act became effective July 8, 2019, and applies to contracts executed on or after that date. (KM)

Economic and Personal Finance Graduation Requirement

S.L. 2019-82, Secs. 2-6 (HB 924, Secs. 2-6), require a new course in economics and personal finance (EPF) as a graduation requirement for students, as well as professional development for teachers of that course. It also clarifies requirements for the existing high school

civics course, and directs the State Board of Education to revise the standards for the social studies standard course of study.

These sections of the act became effective June 28, 2019. The completion of the EPF course for graduation applies beginning with students entering the ninth grade in the 2020-2021 school year and changes to the high school civics course apply beginning with students entering ninth grade in the 2021-2022 school year. (KM)

Rehire High-Need Teachers

S.L. 2019-110 (SB 399), as amended by S.L. 2019-212, Sec. 7(a) (SB 621, Sec. 7(a)), allows certain retired teachers to return to work in certain high-need schools and still receive their full retirement benefits. In order to qualify, a high-need retired teacher is required to meet the following:

- Have retired on or before February 1, 2019, after attaining one of the following:
 - The age of 65 with 5 years of creditable service.
 - The age of 60 with 25 years of creditable service.
 - 30 years of creditable service.
- Be reemployed by a local board of education to provide classroom instruction as a teacher, as defined by G.S. 135-1(25), employed on an annual contract to provide classroom instruction exclusively at a high need school or schools.

High-Need School: A high-need school is defined as a school that, at any point on or after July 1, 2017, (i) is a Title I school as defined by federal law or (ii) receives an overall school performance grade of D or F, as calculated by the State Board of Education.

Salary During Reemployment: High-need retired teachers are paid on the 1st step of the teacher salary schedule. If the high-need retired teacher was reemployed in a STEM (science, technology, engineering, and math) or special education licensure area, the high-need retired teacher will be paid on the 6th step of the salary schedule. High-need retired teachers cannot receive any State salary supplements or bonuses and cannot move to higher salary steps on the salary schedule.

Local Salary Supplement: High-need retired teachers will receive any local salary supplements that are given to other employees of the local board of education.

Term of Contract: The contract between a local board of education and a high-need retired teacher cannot be for more than one school year.

Licensure Areas: The Superintendent of Public Instruction will identify and provide to local school administrative units (LEAs) a list of STEM and special education licensure areas that qualify for reemployment. The LEAs will make this information available to high-need retired teachers. The Department of Public Instruction will certify to the Teachers' and State Employees' Retirement System (TSERS) that a retiree is employed to provide classroom instruction as a high-need retired teacher.

Private Letter Ruling: The State Treasurer will be required to seek a private letter ruling from the Internal Revenue Service regarding the provisions of this act. If the Internal Revenue Service determines that allowing retired teachers to return to work in certain high-need schools while receiving their retirement benefits would jeopardize the status of the TSERS under the Internal Revenue Code, then this act will be repealed 30 days from receipt of that determination by the State Treasurer. The State Treasurer will then notify all LEAs of the repeal and publicly notice the information on the website for the Department of State Treasurer. LEAs will then be required to notify all high-need retired teachers who are employed of the repeal. Any beneficiary employed to teach by a LEA as a high-need retired teacher is not eligible to elect into a position that would lead him or her to be eligible to accrue any additional benefits under TSERS.

This act became effective July 1, 2019, and expires June 30, 2021. (TFA)

Modify Advanced Math Course Enrollment

S.L. 2019-120 (SB 500) clarifies requirements for advanced math course enrollment. For students in 3rd – 5th grades, local boards of education are required to offer advanced learning opportunities, when practicable, rather than advanced courses. When advanced learning opportunities are offered, students scoring at the highest level on the math end-of-grade test (EOG) must be provided advanced learning opportunities for the next year. Parents must be adequately informed that the student's advanced learning opportunity or advanced course placement was due to the student's achievement on the prior year's math course test before consenting to the student's removal from the placement.

For the 2019-2020 school year only, this act exempts certain schools from the requirement that 7th grade students who score at the highest level be enrolled in a high school math course in 8th grade. Each local board of education with exempted schools must develop an implementation plan and submit it to the Superintendent of Public Instruction by January 15, 2020. The plan must include at least the following:

- An explanation of staffing for 8th grade Math I courses that addresses any anticipated shortages and any expected coordination between schools or with community colleges. If the local board of education continues to find it is not practicable to offer Math I in 8th grade, the plan must include a detailed rationale for that determination.
- The estimated increase in students enrolled in 8th grade Math I courses for the 2020-2021 school year, based on student performance over the past three years.

The Superintendent of Public Instruction must compile the plans submitted by the local boards of education into a summary report. This report and any other recommended changes must be submitted to the Joint Legislative Education Oversight Committee (JLEOC) by March 15, 2020.

The act expressly authorizes local boards of education to provide supplemental content enrichment to students enrolled in a high school level math course, if needed. Further, schools that are exempted from the 8th grade math placement requirement in 2019-2020 can still offer high school math in 8th grade if they choose.

The Department of Public Instruction (DPI), beginning December 15, 2020, must submit an annual report to the JLEOC on the number and demographics of students eligible for advanced math courses, and the number and demographics of eligible students who were not placed in the advanced math courses. The report must also include information on the type and format of advanced math courses provided, and feedback on implementation. Additionally, DPI must provide guidance to local boards of education on how to best develop programming and courses to ensure all impacted students receive rigorous, academically appropriate instruction in math.

This act became effective July 11, 2019, and applies beginning with the 2019-2020 school year. (BG)

Modify School Quality/Student Success Indicator

S.L. 2019-142, Secs. 1-4 (HB 411, Secs. 1-4), combine career and college readiness indicators for both school performance grades required under State law as well as for federal reporting purposes under the Every Student Succeeds Act and require the State Board of Education to include additional career and college readiness information on annual school report cards.

This act became effective July 19, 2019. Secs. 1-4 apply to measures based on data from the 2018-2019 school year and each school year thereafter. (KM)

PED Oversight/EPP Changes

S.L. 2019-149 (HB 107) makes various changes to statutes governing Educator Preparation Programs (EPPs). The act removes the performance standard related to the quality of students

entering the EPP and makes various changes to the annual performance report, including adding the quality of students entering the EPP as part of the report.

The act requires that an EPP be sanctioned if it fails to meet performance standards for any one sex, race, or ethnicity demographic group over a multi-year period. The SBE is directed to adopt a rule to establish a small group exception for circumstances when individually identifiable data could be revealed due to the low number of students in certain groups, and to report to the Joint Legislative Education Oversight Committee (JLEOC) on the adopted rule. The rule will be applied beginning with the annual report based on data collected from the 2018-2019 academic year.

The act also directs the SBE to consider certain information and specific factors in developing a formulaic, performance-based weighted model and to report on this model by February 15, 2020, to the JLEOC. The SBE, in consultation with the Professional Educator Preparation and Standards Commission, is also required to study the inclusion of the two-year retention rate for individuals who completed the EPP and became initially licensed and employed in a North Carolina public school as a performance measure for EPPs. The act also requires the SBE to submit a report on this study to the JLEOC by February 15, 2020. The SBE is not allowed to implement the weighted model or the two-year retention rate as a performance measure without express authorization from the General Assembly.

This act became effective July 22, 2019. (SY)

Various Education Law Changes

S.L. 2019-165, Parts IV-VII (SB 343, Parts IV-VII) make various changes to education laws.

Report on School Start and End Dates — Part IV of the act requires local boards of education to report annually by April 1 to the Superintendent of Public Instruction and the State Board of Education (SBE) on the start and end dates of the instructional calendar for students. In this report, local boards of education must identify the statutory exception that authorizes an earlier start date for all schools that begin earlier than the Monday closest to August 26. The SBE must then report this information to the Joint Legislative Education Oversight Committee (JLEOC) by June 15 of each year. Local boards of education must report the information for the 2019-2020 school year by August 1, 2019, and the SBE must report to JLEOC by September 1, 2019.

Education Workforce Innovation Commission Membership — Part V of the act allows the Secretary of Commerce, the Superintendent of Public Instruction, the Chair of the SBE, and the President of the North Carolina Community College System to have their designees as members of the Education Workforce Innovation Commission.

Professional Educator Preparation and Standards Commission Appointments — Part VI of the act changes the initial term for some of the members of the Professional Educator Preparation and Standards Commission from two years to three years in order to create a board with staggered terms. Once the initial terms expire, all new appointments will be for two-year terms.

Exempt SBE Charter School Actions from the Office of Administrative Hearings — Part VII of the act exempts SBE actions related to disapproval, termination, renewal, or nonrenewal of charters for charter schools from the type of contested case that could be subject to the jurisdiction of the Office of Administrative Hearings.

These parts of the act became effective July 26, 2019. (DC)

Regional School Modifications

S.L. 2019-184 (SB 301) creates a process for withdrawal of participating units from a regional school. Participating units can adopt and submit a withdrawal resolution to the regional board of directors. The resolution must include specific information, including a withdrawal plan and implementation timeline that ensures students from the participating unit currently enrolled in

the regional school can remain enrolled until graduation. The regional school board of directors must provide an opportunity for public comment, and then can conditionally approve the resolution with a two-thirds majority vote. If approved by the regional school board of directors, the resolution can be given final approval by the State Board of Education, following an opportunity for public comment.

This act became effective August 1, 2019. (KM)

9th/10th Grade/College Transfer Pathways

S.L. 2019-185 (SB 366) expands the career and technical education (CTE) academic transition pathway currently available to high school freshmen and sophomores to include construction and business technologies courses. This act also expands the college transfer pathways to qualified freshmen and sophomores if the students participate in academic advising focused on the implications of being admitted to college early and receive parental consent to participate.

Additionally, the act makes changes to adjunct CTE instructor hiring and employment. The State Board of Education (SBE) is required to adopt minimum criteria for hiring CTE instructors that give more weight to experience and industry recognized licenses or credentials than to educational attainment. The SBE is also required to report on these criteria to the Joint Legislative Education Oversight Committee by April 15, 2020. This act also increases the amount of time that an adjunct instructor can work to 20 hours per week or no more than five full consecutive months of employment and clarifies that adjunct instructors are not eligible to earn paid leave, participate in the Teachers' and State Employees' Retirement System, or receive or purchase health benefits through the State Health Plan. For the 2019-2020 school year, an individual who does not have an associate or baccalaureate degree is deemed to meet the minimum criteria for employment as an adjunct instructor if the individual (i) clearly demonstrates working at least six of the last 10 years in the relevant skill or trade and (ii) possesses a recognized industry credential or an active professional license that is required for each subject area or course.

This act became effective August 1, 2019, and applies beginning with the 2019-2020 school year. (SY)

Excused Absences for Children of Certain Members of the Armed Forces

S.L. 2019-201, Sec. 1 (SB 230, Sec. 1) adds a new category of absences that must be treated as excused. Students are allowed a minimum of two days per academic year for military leave when the following requirements are met:

- The student's parent or legal guardian is an active duty member of the uniformed services.
- The parent or legal guardian has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting.
- The student is not identified by the local school administrative unit as at risk of academic failure because of unexcused absences.

The student's parent or legal guardian is required to give written notice of the request for military leave a reasonable time prior to the absence, and the student must be given the opportunity to make up tests or missed work due to the absence.

This section of the act became effective August 23, 2019, and applies beginning with the 2019-2020 school year. (BG)

Testing Reduction Act of 2019

S.L. 2019-212, Parts I–IV (SB 621, Parts I–IV) reduce student testing requirements and make changes related to graduation projects.

Eliminate NC Final Exams — Part I of the act eliminates the North Carolina Final Exams (NCFEs) beginning with the 2020-2021 school year. By March 15, 2020, the State Board of Education (SBE) and the Department of Public Instruction (DPI) are required to submit to the Joint Legislative Education Oversight Committee (JLEOC) a plan on how to use other means to accomplish the purposes for which data is collected by the NCFEs.

NC Personalized Assessment Pilot Report — Part II of the act sets forth the General Assembly's intent that the State move toward a through-grade assessment model for all State-mandated assessments where multiple short tests are administered throughout the school year rather than a single long test at the end of the year. The Superintendent of Public Instruction is required to report to the JLEOC annually by November 15 on the progress of the North Carolina Personalized Assessment Tool (NCPAT) pilot. The report must include the following, among other items: (i) demographic information of the schools in the pilot; (ii) NCPAT performance, including proficiency and growth data for students in participating schools; (iii) end-of-grade assessment performance, including proficiency and growth data for students in non-participating schools; (iv) feedback from stakeholders; (v) progress in developing plans to replace all end-of-course-assessments; and (vi) recommendations for changes needed in State law to implement through-grade assessments statewide. Additionally, the SBE and the Superintendent of Public Instruction are authorized to supervise and administer the NCPAT pilot, notwithstanding any other provision of law.

Reduce Standardized Testing by Local School Boards — Part III of the act requires local boards of education to review local standardized testing requirements every two years. If either the number of tests administered or the number of hours required for students to complete the tests is higher than the State average, the local board must submit to the SBE and DPI a plan to put local testing in line with the State average. The SBE must waive this requirement if the local board has made significant progress toward reducing local testing. As part of its annual reporting to the JLEOC, the SBE is required to provide a summary of these local plans. The SBE must also provide in its annual testing summary the average over the prior two-year period of (i) the number of tests administered and (ii) the number of hours required for students to complete the tests. The summary will be based on data reported by local boards of education under existing law.

Local Funding Requirement for High School Graduation Projects — Part IV of the act states that if a local board of education requires a graduation project as a condition of graduation from high school, the local board must provide a reimbursement from local funds of up to \$75 to economically disadvantaged students for expenses related to the graduation project.

Except as otherwise provided, this act became effective September 4, 2019. (DC)

School Safety Grant Programs

S.L. 2019-222, Sec. 3.1 (HB 75, Sec. 3.1) provides funding for school safety grant programs.

The section codifies a recurring grant program providing matching grant funds to public schools of \$2 in State funds for every \$1 of local funds for school resource officers serving in elementary and middle schools. The program is administered by the Superintendent of Public Instruction (Superintendent), who must report annually by April 1 on the program to the Joint Legislative Education Oversight Committee, the Joint Legislative Oversight Committee on Health and Human Services, the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Commission on Governmental Operations, and the Fiscal Research Division on the grant recipients and recommendations for the implementation of additional effective school safety

measures. \$3 million recurring is provided for 2019-2020, and \$6 million recurring is provided for 2020-2021 for this grant program.

The section also provides nonrecurring funds for the School Safety Grant Program (Program) to improve safety in public school units by providing grants for services for students in crisis, school safety training, and safety equipment in schools. The Program is administered by the Superintendent, who must develop criteria and guidelines for the administration and use of the grants by November 1, 2019.

- Students in Crisis Grants - In consultation with the Department of Health and Human Services (DHHS), up to \$4.5 million in nonrecurring funds must be used for grants to contract with community partners to provide the following crisis services:
 - Crisis respite services for parents or guardians of an individual student to prevent more intensive or costly levels of care.
 - Training and expanded services for therapeutic foster care families and licensed child placement agencies that provide services to students who need support to manage their health, welfare, and safety and have cognitive or behavioral problems, developmental delays, or aggressive behavior.
 - Evidence-based therapy services aligned with targeted training for students and their parents or guardians.
 - Any other crisis service, including peer-to-peer mentoring, that is likely to increase school safety (limited to no more than 10% of these funds).
- Training to Increase School Safety Grants – In consultation with DHHS, up to \$4.5 million in nonrecurring funds must be used for grants to contract with community partners to address school safety by providing training to help students develop healthy responses to trauma and stress. The training must be targeted and evidence-based and must include any of the following:
 - Counseling on Access to Lethal Means training for school mental health support personnel, local first responders, and teachers on the topics of suicide prevention and reducing access by students to lethal means.
 - Training for school mental health support personnel on comprehensive and evidence-based clinical treatments for students and their parents or guardians.
 - Training for students and school employees on community resilience models to improve understanding and responses to trauma and significant stress.
 - Training for school mental health support personnel on Modular Approach to Therapy for Children with Anxiety, Depression, Trauma, or Conduct problems.
 - Any other training, including training on the facilitation of peer-to-peer mentoring, that is likely to increase school safety (limited to no more than 10% of these funds).
- Safety Equipment Grants – In consultation with DHHS, up to \$6.1 million in nonrecurring funds must be used for grants for the purchase of safety equipment for school buildings, including charter schools, and training associated with the use of that safety equipment.
- Reports – By April 1, 2020, the Superintendent must report on the Program to the Joint Legislative Education Oversight Committee, the Joint Legislative Oversight Committee on Health and Human Services, the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Commission on Governmental Operations, and the Fiscal Research Division. The report must include the identity of each entity that received a grant, the amount of funding provided, the use of funds, and recommendations for the implementation of additional effective school safety measures.

This section of the act became effective July 1, 2019. (KM)

School Mental Health Support Personnel Reports and Funds

S.L. 2019-222, Sec. 5.1 (HB 75, Sec. 5.1) requires annual local and statewide reports on differences in the number of school mental health support personnel in the State from year to year. Additionally, this section appropriates \$20 million for the 2019-2020 fiscal year and \$23 million for the 2020-2021 fiscal year to the Instructional Support Allotment, with the intent that these additional funds be used for additional school mental health support personnel.

This section of the act became effective July 1, 2019. (BG)

Principal Recruitment Supplement

S.L. 2019-247, Sec. 2.5 (HB 377, Sec. 2.5) directs the Department of Public Instruction (DPI) to establish the Principal Recruitment Supplement Program (Program) in order to provide time-limited salary supplements to qualifying principals of qualifying schools. A qualifying principal who accepts a position as a principal at a qualifying school will receive an annual salary supplement of \$30,000 as long as the principal stays with that school up to a maximum period of 36 months subject to the following requirements:

- A qualifying principal is not to be excluded in future years from contracting with the same eligible employer or a different eligible employer for another salary supplement.
- A qualifying principal who works at a qualifying school will continue to receive the salary supplement for up to 36 months even if one or more of the following occur:
 - The principal no longer meets the definition of a qualifying principal.
 - The school is no longer an eligible school that meets the definition of a qualifying school.
- The salary supplements are not considered compensation under the Teachers' and State Employees' Retirement System.

To the extent that funds are available for the Program, DPI must notify eligible employers with one or more eligible schools that they may be selected to participate in the Program and the eligible employers must notify DPI that they wish to be in the Program. DPI must then notify the eligible employer with a qualifying school that the school can be in the Program, up to a statewide total of 40 schools. DPI must prioritize eligible schools with the lowest overall school performance scores. Eligible employers will then execute contracts with qualifying principals and notify DPI of the principals, schools, and the length of time the qualifying principal will receive the salary supplement. The principals must begin employment no later than August 1, 2020.

The salary supplements under this Program are to supplement and not supplant State and non-State funds already provided for principal compensation. By March 15, 2021, and every year thereafter in which funds are expended under the Program, DPI must report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly on the Program. The report must include:

- The impact of the Program on school performance, including the performance of schools receiving a principal in the Program and schools that lost a principal due to the Program.
- The number of principals participating in the Program.
- The identity of the schools participating in the Program.
- The length and rate of retention of principals within the Program and at specific schools within the Program.

This section of the act became effective July 1, 2019. (DC)

Innovative School District

S.L. 2019-248, Sec. 1 (SB 522, Sec. 1) makes changes related to the selection of schools for the Innovative School District (ISD). The section changes the definition of a qualifying school

to be a school governed by a local board of education (LBE) with a school performance score that is in the lowest performing 5% of school performance scores of all schools receiving Title I funds. However, this does not include alternative schools, cooperative innovative high schools, schools in their first or second year of operation, or newcomers schools for students who are recently-arrived English language learners.

The section requires, for each year from 2021-2022 through 2022-2023, that the State Board of Education (SBE) transfer to the ISD the lowest scoring qualifying school in the State, based on the school performance score.

The section requires the SBE, beginning with selection of schools for the 2023-2024 school year, to place qualifying schools on three progressive lists (qualifying, watch, and warning) before being transferred into the ISD.

The section also does the following:

- Makes additional changes to the ISD statutes.
- Requires additional reporting by local boards of education to county commissioners on the academic performance of certain schools.
- Requires additional study on changes to the ISD and statutes related to low-performing schools.

This section of the act became effective November 11, 2019, and applies beginning with schools identified as qualifying schools for the 2019-2020 school year, based on the data from the 2018-2019 school year. (BG)

Advanced Teaching Roles Changes

S.L. 2019-248, Sec. 2 (SB 522, Sec. 2) eliminates the cap on local boards of education that can participate in the Advanced Teaching Roles Pilot Program and exempts participating schools from class size requirements.

This section of the act became effective November 11, 2019. (BG)

Higher Education

myFutureNC/Postsecondary Attainment Goal

S.L. 2019-55 (HB 664) establishes the postsecondary educational attainment goal for the State that, by the year 2030, 2,000,000 residents between the ages of 25 and 44 will have completed a high quality credential or postsecondary degree, and requires annual reporting by the myFutureNC Commission to the General Assembly and the Joint Legislative Education Oversight Committee on progress towards the goal.

This act became effective June 26, 2019. (KM)

TP3/Principal Fellows Consolidation

S.L. 2019-60 (SB 227) maintains the existing administration of the Transforming Principal Preparation Grant Program (TP3) for current grant recipients until 2021, expands the Principal Fellows Commission to include TP3, and repeals the Principal Fellows Program in 2021.

Maintaining Existing Administration of TP3 for Grant Recipients Until 2021 – The current administration of TP3 will continue until 2021 for current grant recipients. The transfer of TP3 to the Principal Fellows Commission that was set to take place on July 1, 2019, is repealed. The nonprofit contracted to administer TP3 can continue to enter into and execute new contracts, but is prohibited from awarding new grants or renewing existing grants. Existing TP3 grantees are required to facilitate the execution of promissory notes between the State Education Assistance

Authority (SEAA) and the program participants for forgivable scholarship loans. The forgivable scholarship loans offered to TP3 participants can be up to \$40,000. The loans can be forgiven through service as a school administrator in North Carolina. For every year of service at a high-need school, the school administrator would have 50% of the total loan amount forgiven. For every year of service at a North Carolina public school that is not a high-need school, the school administrator would have 25% of the total loan amount forgiven. The date of repeal of the existing TP3 is July 1, 2021.

Expanding the Principal Fellows Commission to Include TP3 – A new North Carolina Principal Fellows and TP3 Commission (Commission) is created by expanding the current Principal Fellows Commission to 15 members. The Commission is responsible for appointing the director of the Principal Fellows Program and for developing and enforcing requirements related to the disbursement of the forgivable scholarship loans. Existing TP3 grantees are authorized to apply to the Commission for grant renewal. Any existing TP3 grantees with grants extending beyond July 1, 2021, are subject to the provisions of Article 5C of Chapter 116 as they existed before this act for the remainder of the grant. Eligibility for forgivable scholarship loans applies beginning with program participants starting on or after June 1, 2020.

Repealing the Principal Fellows Program in 2021 – The Principal Fellows Program is repealed effective July 1, 2021. The Commission is authorized to make its final scholarship loan awards for the Principal Fellows Program for the 2021 spring academic semester. The SEAA is required to administer any outstanding scholarship loans previously awarded by the Principal Fellows Program.

The repeal of the July 1, 2019, transfer of TP3 to the Principal Fellows Commission became effective June 30, 2019. The existing TP3 will be repealed July 1, 2021. The elimination of the Principal Fellows Program will be effective July 1, 2021. The remainder of the act became effective June 27, 2019. (SY)

Various Higher Education Changes

S.L. 2019-139, Parts I-III (HB 668, Parts I-III) make various changes to higher education laws.

The North Carolina Community College System — Part I of the act allows the State Board of Community Colleges and local boards of trustees to determine and use adequate insurance coverage in place of bonds for employees handling institutional funds and property.

The University of North Carolina System — Part II of the act changes the name of the Center for Public Television to the Center for Public Media, and broadens its mission to include noncommercial educational media programming. This Part also gives the Board of Governors of The University of North Carolina the authority to establish policies to purchase or finance the purchase of computers, computer hardware, computer software, and emergency management equipment such as power generators through lease purchase or installment purchase contracts. Those contracts would be subject to State appropriations and would not pledge the taxing power of the State. No deficiency judgment could be rendered against the Board of Governors or the State for breach of a contractual obligation pursuant to those contracts.

Residency Status for Tuition Purposes — Part III of the act allows evidence of North Carolina high school graduation for students to reinforce or rebut the presumption that the student's residence is the parent's residence for establishing residency for in-State tuition purposes for North Carolina community colleges and universities.

These parts of the act became effective July 19, 2019. (DC)

Various Education Law Changes

S.L. 2019-165, Parts I-III (SB 343, Parts I-III) make various changes to education laws.

Repeal Certain Education Reports — Part I of the act repeals the following reports:

- An annual report from the Education Cabinet on STEM education activities.
- An annual report from the Education Cabinet on the School Connectivity Initiative.
- An annual report from the Education Cabinet on the First in America Innovative Education Initiatives Act of 2004.
- A report from the State Board of Community Colleges (SBCC) on start-up funds for high-cost workforce courses because the funds were re-allocated per the SBCC and the Community College System Office's request in 2018.
- An annual report from the SBCC on all new programs it approves, the progress made on implementing regional programs, and program terminations.

Part I directs the SBCC to consider whether a regional approach can be used in developing new programs and to initiate regional programs, to the extent possible. The SBCC must collect data annually on new programs, program terminations, and any regionalization of programs, including the specific reasons each program was approved or terminated.

Report Due Date Changes — Part II of the act makes changes to the dates that various education reports are due:

- The due date for the annual report from the State Board of Education (SBE) on testing moves from November 1 to December 15.
- The due date for the annual report from the SBE on charter schools moves from January 15 to February 15.
- The Community College System Office, rather than the SBCC, must report on the Customized Training Program by September 1 of each year.
- The Community College System Office, rather than the SBCC, must report to the State Building Commission on certain capital projects by October 1 of each year.
- The quarterly report required from the Governmental Data Analytics Center on the Longitudinal Data System becomes an annual report and the due date is changed to July 1.

Various Education Report Changes — Part III of the act makes changes to the reporting requirements for certain education reports:

- Two reports on students with disabilities are combined into one report that is due annually on October 15.
- The SBE report on the number of students in career and technical education courses who earned community college credits and related industry certifications and credentials is combined with the SBE report on the impact of awarding college and career endorsements on high school diplomas on high school graduation, college acceptance and remediation, and post-high school employment rates.
- The annual report on the evaluation of cooperative innovative high schools is combined with the annual report on Career and College Promise, including the College Transfer pathway and the Career and Technical Education pathway.
- The Community College System Office, rather than the SBCC, must report on the number and types of tuition waivers granted.
- The Apprenticeship Council must submit its annual report on September 1 and no longer has to submit it to Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources or the chairs of the House and Senate Appropriations Committees on Agriculture and Natural and Economic Resources.
- Teach for America, Inc. (TFA) must report annually to the President Pro Tempore of the Senate and the Speaker of the House, the Senate Appropriations/Base Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Joint Legislative Education Oversight Committee, and the Fiscal Research Division on various information about the program, including the percentage of candidates who are North Carolina residents and become principals in a North Carolina public school following the initial TFA two-year commitment period. Quarterly updates no longer have to be submitted.

- Instead of the SBCC and the SBE, the Community College System Office and the Department of Public Instruction must now report to the Office of State Human Resources on the voluntary shared leave program.
These parts of the act became effective July 19, 2019. (DC)

Eligibility Criteria for Children of Wartime Veterans Scholarships

S.L. 2019-201, Sec. 4 (SB 230, Sec. 4) expands the definition of "child" for the purposes of determining college scholarship eligibility for children of North Carolina war veterans to include stepchildren, adopted children, and certain illegitimate children, and requires the Department of Military and Veterans Affairs to report certain scholarship data to the Joint Legislative Oversight Committee on General Government by March 30, 2020.

This section of the act became effective August 23, 2019. (BG)

In-State Tuition for Certain Veterans and Other Individuals

S.L. 2019-201, Sec. 5 (SB 230, Sec. 5) allows military veterans and other individuals to be charged the in-State tuition rate, regardless of the 12-month residency requirement, to the extent required by federal law.

This section of the act became effective August 23, 2019, and applies to qualifying veterans and other individuals who are enrolled or who enroll on or after August 23, 2019. (BG)

Veterans' Children/Short-Term Workforce Training.

S.L. 2019-214, Sec. 1, (SB 600, Sec. 1) allows children of wartime veterans receiving a Class I-A, I-B, or IV children of wartime veterans scholarship to use those funds to cover the cost of short-term workforce training courses leading to industry credentials.

This act became effective September 4, 2019. Section 1 of the act applies to scholarships awarded beginning with the 2019-2020 school year. (KM)

Waive Tuition/Dependents of Fallen Correctional Officers

S.L. 2019-235, Sec. 3.5 (SB 61, Sec. 3.5) waives tuition at public universities and community colleges for spouses and dependents of correctional officers killed or permanently disabled in the line of duty.

This section of the act became effective July 1, 2019, and applies beginning with the 2019-2020 academic year. (KM)

Education Lottery Scholarship Modifications

S.L. 2019-235, Sec. 4.1 (SB 61, Sec. 4.1) increases the threshold for students who are eligible for education lottery scholarships in North Carolina. Under this section, students are considered "needy North Carolina students" if their expected family contribution under federal methodology does not exceed \$6,000. Additionally, this section increases the limit on annual scholarship awards from \$4,000 to \$5,100, including any federal Pell Grant.

This section of the act became effective July 1, 2019, and applies beginning with the award of scholarships for the 2020-2021 academic year. (BG)

Community Colleges

Codify Reorganization Authority of Community Colleges System Office

S.L. 2019-235, Sec. 3.1 (SB 61, Sec. 3.1) codifies the authority of the President of the North Carolina Community College System to reorganize the Community College System Office in accordance with recommendations and plans submitted to and approved by the State Board of Community Colleges, and requires reports on such reorganizations to be made by June 30 in years when reorganization occurs to the Joint Legislative Education Oversight Committee and Fiscal Research Division.

This section of the act became effective July 1, 2019. (KM)

Community College Tuition Waiver/Campus Police of Private Institutions of Higher Education

S.L. 2019-235, Sec. 3.2 (SB 61, Sec. 3.2) allows the State Board of Community Colleges to provide waivers of tuition and registration fees to the campus police agencies of private institutions of higher education that have been certified by the Attorney General to be campus police agencies in accordance with the law.

This section of the act became effective July 1, 2019, and applies beginning with the 2019-2020 school year. (SY)

NC Career Coaches/Local Matching Funds

S.L. 2019-235, Sec. 3.3 (SB 61, Sec. 3.3) changes the matching funds requirement for the North Carolina Career Coach Program. Previously, local funds were matched on a dollar-for-dollar basis. This section requires the match amount to be determined based on the local development tier designation of the county in which the local school administrative unit (LEA) is located where the career coach is assigned on the date of the award of funds by the State Board of Community Colleges according to the following:

- If the LEA is located in a tier one county, then no local match is required.
- If the LEA is located in a tier two county, then one dollar of local funds for every two dollars of State funds is required.
- If the LEA is located in a tier three county, then one dollar of local funds for every one dollar of State funds is required.

This section of the act became effective July 1, 2019. (BG)

Community Colleges Earn FTE for Instruction in Local Jails

S.L. 2019-235, Sec. 3.4 (SB 61, Sec. 3.4) allows community colleges to earn regular budget full-time equivalents for instruction offered in local jails beginning with the 2019-2020 academic year.

This section of the act became effective July 1, 2019. (DC)

Community College System Transition

S.L. 2019-235, Sec. 3.8 (SB 61, Sec. 3.8) requires the Community College System Office to enter into a memorandum of understanding with the Department of Information Technology to coordinate information technology systems and policies. This section repeals a report due by

October 1, 2019, and instead requires a report on the memorandum of understanding by February 1, 2020, from the Community College System Office and State Chief Information Officer to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division. This section of the act became effective July 1, 2019. (SY)

Universities

Repeal Tuition Surcharge

S.L. 2019-68 (SB 225) repeals the 50% tuition surcharge imposed on students who take more than 140 degree credit hours to complete a baccalaureate degree in a four-year program or more than 110% of the credit hours to complete a baccalaureate degree in a five-year program.

Additionally, it clarifies that the fixed tuition period can be tolled if the student can demonstrate that any of the following have substantially disrupted or interrupted the student's pursuit of a degree: (i) a military service obligation; (ii) serious medical debilitation; (iii) a short-term or long-term disability; and (iv) other extraordinary hardship.

This act became effective July 1, 2019, and applies beginning with the 2019-2020 academic year. (BG)

Studies

Referrals to Departments, Agencies, Etc.

15-Point Scale for School Performance Grades

S.L. 2019-154 (HB 362) codifies the 15-point scale for assignment of A-F school performance grades. Additionally, it requires the State Board of Education (SBE), in consultation with the Superintendent of Public Instruction, to study (i) the weighting of the school achievement score and the school growth score in calculation of the overall school performance score to best reflect performance and progress for each school and (ii) the reporting methods used to meaningfully differentiate schools on the North Carolina annual school report cards. The SBE must report on recommendations to the Joint Legislative Education Oversight Committee by February 15, 2020.

The act also revives interim rules for the SBE until August 9, 2019, requires the SBE to adopt those rules as emergency rules by that date, and requires adoption of the emergency rules as permanent rules by May 30, 2020.

This act became effective July 22, 2019, and the codified 15-point grading scale applies beginning with the 2019-2020 school year. (BG)

Testing Reduction Act of 2019

S.L. 2019-212, Parts V-VI (SB 621, Parts V-VI) make changes related to education laws in the State.

Third Grade Reading Assessments Aligned with Read to Achieve — Part V of the act requires DPI to study the third grade end-of-grade reading assessment to check for alignment with the Read to Achieve alternative assessment. Based on its examination, DPI is required to modify the third grade reading assessment and report on those modifications by March 15, 2020, to the JLEOC.

Competency-Based Assessments and Teaching Model — Part VI of the act directs the SBE to determine and analyze how to transition to a competency-based assessment and teaching model for all elementary and secondary school students in the State. The SBE must recommend transition steps that accomplish the following competency-based objectives:

- Students advance upon mastery.
- Competencies are broken down into explicit and measurable learning objectives.
- Assessments are meaningful and accomplish the goals of the statewide testing program for measuring student achievement and student growth and also comply with federal funding conditions.
- Students receive differentiated support based on their learning needs.
- Learning outcomes emphasize competencies that include the application and creation of knowledge.

The SBE must also examine (i) competency-based assessments in other states; (ii) the relationship between competency-based assessments and innovative teaching methods used in North Carolina schools; and (iii) any other considerations that the SBE deems relevant to transitioning to a competency-based assessment and teaching model. The SBE must report to the JLEOC by May 15, 2020, on its analysis and recommended transition steps.

Except as otherwise provided, this act became effective September 4, 2019. (DC)

Census of School Resource Officers

S.L. 2019-222, Sec. 2.1 (HB 75, Sec. 2.1) directs the Center for Safer Schools (Center) to conduct an annual census of school resource officers located in each public school unit. The Center must submit this information to the Joint Legislative Education Oversight Committee by March 1 of each year. The report must include the following information:

- The total number of school resource officers in the State and in each public school unit.
- Data regarding school resource officers' education levels, years as sworn law enforcement officers, and years as school resource officers.
- Training required of school resource officers and training actually completed by school resource officers, including training specific to the position of school resource officer and other advanced or additional training.
- The funding source for all school resource officers.
- The location of school resource officers, differentiated by grade levels and type of public school unit.
- The percentage of school resource officers assigned to more than one school.
- The law enforcement affiliation of school resource officers.

This section of the act became effective July 1, 2019. (DC)

School Mental Health Crisis Response Program

S.L. 2019-222, Sec. 4.1 (HB 75, Sec. 4.1) directs the Department of Public Instruction (DPI) and the Center for Safer Schools, in consultation with the Department of Health and Human Services and the Department of Public Safety, Division of Emergency Management, to develop a recommended program to facilitate the transfer of school mental health support personnel between school districts during or after a crisis. No later than March 15, 2020, DPI is required to submit a report on the recommended program to the Joint Legislative Education Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services that includes, at a minimum, all of the following: (i) a suggested protocol for receiving and relaying requests for additional school mental health support personnel, (ii) anticipated costs associated with temporary transfers of personnel, (iii) information about any similar programs in other states, and (iv) any

additional recommendations for improving how local school administrative units can share school mental health support personnel.

This section of the act became effective July 1, 2019. (SY)

School Psychologists and School Counselor Position Study

S.L. 2019-222, Sec. 6.1 (HB 75, Sec. 6.1) directs the Department of Public Instruction (DPI) to study and report on school psychologist and school counselor positions. The study and report must include a review of at least the following:

- The number of school psychologist and school counselor positions in the State and in each local school administrative unit (LEA).
- The allocation of school psychologists and school counselors in each LEA among schools within those units.
- The methodology each LEA uses to determine the allocation of school psychologists and school counselors within the LEA.
- The density of school psychologists and school counselors in each geographic region of the State.
- The number, percentage, and average salary of school psychologist and school counselor positions funded with State dollars and funded with non-State dollars.
- The extent to which LEAs provide school psychologists and school counselors with local salary supplements and the amounts of those salary supplements.
- Job descriptions posted for school psychologist and school counselor positions as compared to actual duties of school counselors.

DPI must submit a survey to LEAs no later than November 1, 2019, on any of the topics identified above that can be answered by an LEA. LEAs must respond to the survey by January 31, 2020. DPI must consolidate the information reported by the LEAs, provide context and analysis, as necessary, and report the results of its study to the Joint Legislative Education Oversight Committee and the Fiscal Research Division no later than April 1, 2020.

This section of the act became effective July 1, 2019. (DC)