

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 107
Committee Substitute Favorable 3/5/19
Committee Substitute #2 Favorable 3/26/19
PROPOSED SENATE COMMITTEE SUBSTITUTE H107-PCS40496-BE-28

Short Title: PED Oversight/EPP Changes.

(Public)

Sponsors:

Referred to:

February 20, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CHANGES TO THE EDUCATOR PREPARATION PROGRAM
3 PERFORMANCE STANDARDS AND DATA REPORTING SYSTEM.

4 The General Assembly of North Carolina enacts:

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

6 "§ 115C-269.35. **Accountability for educator preparation programs.**

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

11 (1) Performance based on the standards and criteria for annual evaluations of
12 licensed employees.

13 (2) Proficiency and growth of students taught by educators holding an initial
14 professional license, to the extent practicable. When available, EVAAS data
15 shall be used to measure student proficiency and growth.

16 (3) Results from an educator satisfaction survey, developed by the State Board
17 with stakeholder input, performed at the end of the educator's first year of
18 teaching after receiving an initial professional license.

19 (4) ~~Quality of students entering the EPP, including the average grade point~~
20 ~~average and average score on preprofessional skills tests or college entrance~~
21 ~~exams that assess reading, writing, mathematics, and other competencies.~~
22 The two-year retention rate for individuals who completed an EPP and became
23 initially licensed and employed in a North Carolina public school.

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

29 (1) Performance data from subsection (a) of this section.

30 (2) Data related to the EPP's compliance with requirements for field supervision
31 of students during their internship and residency experiences.

32 (3) The following information, disaggregated by race, sex, and ethnicity:

33 a. ~~The number of students who apply.~~ apply to candidacy of the EPP.

34 b. ~~The number of students admitted.~~ admitted as candidates of the EPP.



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- 1 c. ~~The number of students retained.~~The number of students completing
2 the program.
- 3 d. ~~The number of students completing the program.~~The number of
4 graduates of the EPP licensed in North Carolina.
- 5 e. ~~The number of students employed as beginning teachers under initial~~
6 ~~professional licenses by not later than the first anniversary of~~
7 ~~completing the program.~~The number of graduates of the EPP
8 employed in North Carolina.
- 9 f. ~~The amount of time required by students employed as beginning~~
10 ~~teachers under residency licenses to be issued initial professional~~
11 ~~licenses.~~The number and percentage of students who convert from a
12 residency license to either an initial professional license or a
13 continuing professional license.
- 14 g. ~~The number of students retained in the profession.~~Any other
15 ~~information required by federal law.~~information required by federal law.
- 16 h. ~~Any other information required by federal law.~~
- 17 (4) ~~The ratio of field supervisors to students completing an internship or~~
18 ~~residency.~~Quality of students entering the EPP, including the average grade
19 point average and average score on preprofessional skills tests or college
20 entrance exams that assess reading, writing, mathematics, and other
21 competencies.
- 22 (5) Graduation rates.
- 23 (6) Time-to-graduation rates.
- 24 (7) ~~Average scores~~Pass rates of graduates on professional, pedagogy, and content
25 area examinations for the purpose of licensure.
- 26 (8) Percentage of graduates receiving initial professional licenses.
- 27 (9) ~~The extent to which the activities offered by the program that are designed to~~
28 ~~prepares~~prepare educators, including general education teachers and special
29 education teachers, to effectively teach the following:
30 a. Students with disabilities.
31 b. Students of limited English proficiency.
- 32 (10) The activities offered by the program that are designed to prepare educators
33 to do the following:
34 a. Integrate technology effectively into curricula and instruction,
35 including activities consistent with the principles of universal design
36 for learning.
37 b. Use technology effectively to collect, manage, and analyze data to
38 improve teaching and learning for the purpose of increasing student
39 academic achievement.
- 40 (11) The ~~perseverance~~retention of beginning educators in the ~~profession,~~ as
41 ~~determined on the basis of the number of beginning educators who maintain~~
42 ~~status as active contributing members in the North Carolina State Employee~~
43 ~~Retirement System~~ profession for at least ~~three~~two years after licensure ~~in~~
44 ~~comparison to similar programs.~~licensure.
- 45 (12) The results of surveys given to school principals that involve evaluation of the
46 program's effectiveness in preparing participants to succeed in the classroom,
47 based on experience with employed program participants.
- 48 (13) Any other information necessary to enable the State Board to assess the
49 effectiveness of the program on the basis of educator retention and success
50 criteria adopted by the State Board.

1 (c) Submission of Annual Performance Reports. – Performance reports shall be provided
2 annually to the following:

3 (1) The State Board.

4 (2) The board of trustees or board of directors of the entity submitting the report.

5 (d) Information Requests by EPPs. – The State Board of Education shall annually
6 provide, upon request, the data required to be included in an EPP's annual performance report
7 related to subdivisions ~~(1) and (2)~~ (1), (2), and (4) of subsection (a) of this section and subdivision
8 ~~(11) of subsection (b) of this section~~. The State Board of Education shall provide this information
9 to an EPP as aggregate data and disaggregated by race, sex, and ethnicity. Notwithstanding
10 Article 21A of this Chapter, local school administrative units shall provide to the State Board of
11 Education for the purposes of these information requests any North Carolina Educator Evaluation
12 System effectiveness status assigned to teachers based on queries from the State Board. The State
13 Board of Education shall not report aggregated or disaggregated data to the EPP that reveals
14 confidential information in a teacher's personnel file, as defined by Article 21A of this Chapter,
15 such as making the effectiveness status personally identifiable to an individual teacher."

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

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

22 (1) Warned. – An EPP shall be assigned warned status if the program meets any
23 of the following criteria:

24 a. Fails to meet the performance standards set by the State Board for the
25 overall performance of all its students on any of the indicators set forth
26 in G.S. 115C-269.35(a) in any one year.

27 b. Fails to meet the performance standards in any two sex, race, or
28 ethnicity demographic groups on any of the indicators set forth in
29 G.S. 115C-269.35(a) in any one year.

30 c. Fails to meet the performance standards for ~~a~~ any one sex, race, or
31 ethnicity demographic group on any of the indicators set forth in
32 G.S. 115C-269.35(a) for two consecutively measured years,
33 regardless of whether the deficiency is in the same ~~demographic group~~
34 ~~or~~ standard.

35 d. The State Board determines that the EPP has violated applicable laws
36 or rules that should result in warned status.

37 (2) Probation. – An EPP shall be assigned probation status if the program meets
38 any of the following criteria:

39 a. Fails to meet the performance standards set by the State Board for the
40 overall performance of all its students on any of the indicators set forth
41 in G.S. 115C-269.35(a) for two consecutively measured years.

42 b. Fails to meet the performance standards in any three sex, race, or
43 ethnicity demographic groups on any of the indicators set forth in
44 G.S. 115C-269.35(a) in any one year.

45 c. Fails to meet the performance standards for ~~a~~ any one sex, race, or
46 ethnicity demographic group on any of the indicators set forth in
47 G.S. 115C-269.35(a) for three consecutively measured years,
48 regardless of whether the deficiency is in the same ~~demographic group~~
49 ~~or~~ standard.

50 d. The State Board determines that the EPP has violated applicable laws
51 or rules that should result in probation status.

- 1 (3) Revoked. – An EPP shall be assigned revoked status and its approval to
2 recommend students for educator licensure revoked if it meets any of the
3 following criteria:
4 a. Is assigned probation status for three consecutively measured years.
5 b. Has been on probation status for one year and the State Board
6 determines that revoking the program's approval is reasonably
7 necessary to achieve the purposes of this Article."

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

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

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

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

48 **SECTION 3.(b)** By February 15, 2020, the State Board, in consultation with the
49 Department and PEPSC, shall report to the Joint Legislative Education Oversight Committee on
50 (i) the development of the formulaic, performance-based weighted model for EPPs as required
51 by subsection (a) of this section, (ii) recommendations on the purposes and uses of the weighted

1 model, (iii) recommendations on the time line for possible implementation of the weighted
2 model, and (iv) any legislative changes needed for implementation of the model. The State Board
3 shall not implement the weighted model without express authorization from the General
4 Assembly.

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

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