

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 1741 (First Edition)

SHORT TITLE: Teacher's Duty to Prepare Portfolios Limited

SPONSOR(S): Representatives Shubert, et al

FISCAL IMPACT					
	Yes (x)	No ()	No Estimate Available ()		
	<u>FY 2002-03</u>	<u>FY 2003-04</u>	<u>FY 2004-05</u>	<u>FY 2005-06</u>	<u>FY 2006-07</u>
REVENUES					
EXPENDITURES					
General Fund	(\$1,874,755)	(\$2,035,161)	(\$2,810,291)	(\$3,001,514)	(\$3,210,353)
Federal/Local	(\$796,471)	(\$816,116)	(\$237,730)	(\$261,506)	(\$287,657)
POSITIONS:	(10)	(10)	(10)	(10)	(10)
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: North Carolina Department of Public Instruction and Local School Administrative Units					
EFFECTIVE DATE: July 1, 2002					

BILL SUMMARY: *TO LIMIT THE NUMBER OF PORTFOLIOS THAT TEACHERS ARE REQUIRED TO PREPARE.* Amends GS 115C-296(b) to provide that teachers shall not be required to prepare or submit portfolios for continuing certification at the state level or for renewal of state teacher certificates. Also provides that portfolios may not be used in the state certification process. Amends GS 115C-307(i) (concerning the duties of teachers) to provide that a teacher may prepare a portfolio of a student's work if the teacher determines that it will benefit the student to do so. Provides that a teacher may not be required to prepare student portfolios except for students with special needs. Any portfolio prepared must be shared with the student's parents or guardian. Directs the State Board of Education to use any savings in state funds enjoyed by the limitation on the preparation of portfolios by teachers (estimated at \$450,000) to offset base budget reductions in the State Public School Fund for fiscal 2002-2003. Directs the State Board of Education to request permission to use any savings in federal funds to offset base budget reductions in the State Public School Fund for fiscal 2002-2003. Effective July 1, 2002.

ASSUMPTIONS AND METHODOLOGY:

1. Removes authority of State Board of Education to require portfolios of teachers' work as part of the licensure process. Currently teachers receive a three-year initial license; this must be converted to a continuing license within three years to continue teaching.
2. Teachers in their second year of teaching (paid at experience level 1) are scheduled to have their Performance Based Licensure (PBL) product completed in June. If the teacher does not obtain the required minimum total score, the teacher has until December 15, of that year, to resubmit those components scored below the minimum individual score. If the teacher still fails to meet the minimum score requirement, the teacher has until June 15, of the following year, to rework and resubmit the areas not previously accepted.
3. To accomplish the requirements of PBL, teachers are required to build portfolios that document the components of teaching. It is difficult to establish a specific amount of time a teacher will spend on completing the PBL requirements since the PBL process is designed to be completed over the course of the school year to present evidence that reflects teaching (for example lesson plans for the subject they are teaching). To complete the PBL portfolio, the North Carolina Department of Public Instruction has documented that a teacher will spend between 25 and 100 hours. The average is around 40 hours. The assigned mentors would also spend time with the PBL teachers and their involvement is estimated to be around 50% of the PBL teacher's time (20 hours). Since this time is a part of the employee's work schedule, no cost savings will occur in employee time not spent on portfolio preparation.
4. The change in Section 1 would remove any requirement for portfolios of work products from the Performance Based Licensure adopted by the State Board in response to legislative directives in the Excellent Schools Act (passed in 1997).
5. Savings from elimination of PBL portfolio assessments will not affect the General Fund until two years out, since federal funds are available for the next two years. These funds are used to pay assessors trained to review portfolios. General Fund savings in the third year are estimated at \$600,000 annually.
6. The Department of Public Instruction has been using 10 teachers-on-loan to train assessors, teachers, and mentors in the Performance Based Licensure process. Therefore, the savings from the enactment of this bill include 10 teachers-on-loan. These savings are included in the estimates in the fiscal note (increased annually for a 5% salary increase), but Fiscal Research would expect these resources to be assigned elsewhere without a specific budget reduction.
7. In the 2001 Session Appropriations Bill (SECTION 28.19(b) of SB 1005), initially certified teachers were allowed three (3) days of approved leave to complete the portfolio during the year the portfolio is to be completed. 87.16% of all second year teachers are paid from State funding. Estimated savings in substitute teacher cost reflect the estimated cost to hire substitutes for three days for all teachers with one year of experience (Step 1 on the teacher salary schedule) and 25% of the teachers on Step 2 of the salary schedule. Substitute cost is based on 80% of the substitute teachers being certified (which does not reflect current substitute employment where the majority of substitutes are not certified).

8. Future costs or savings will be dependent on the policies adopted by the State Board of Education in response to this legislation if enacted. No estimate of these costs is included in this fiscal note. Individual observation of initially licensed teachers could cost substantially more than the current portfolio plan, but no assumptions are made about the future response of the State Board.
9. There are no additional costs associated with Section 2's requirement that teachers can be required to prepare portfolios for students with special needs, since this is the current policy (Individual Education Plan).

SOURCES OF DATA: Data on cost estimates and positions extracted from information submitted from the Department of Public Instruction.

TECHNICAL CONSIDERATIONS: Section 2 removes the authority of the local school system to require teachers to prepare portfolios for students other than students with special needs, leaving that decision to the teacher's judgment.

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