

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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HOUSE BILL 200

Short Title: Education Report Changes.-AB (Public)

Sponsors: Representatives Hurley, Johnson, Horn, and Elmore (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Education - K-12, if favorable, Rules, Calendar, and Operations of the House

February 27, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY VARIOUS EDUCATION REPORT DATES AND TO COMBINE  
3 OTHER EDUCATION REPORTS, AS RECOMMENDED BY THE STATE BOARD OF  
4 EDUCATION, THE DEPARTMENT OF PUBLIC INSTRUCTION, AND THE STATE  
5 SUPERINTENDENT OF PUBLIC INSTRUCTION.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Eliminate Report by School System on the Adopted Schedule of Fees.  
8 – G.S. 115C-47(6) reads as rewritten:

9 "(6) To Regulate Fees, Charges and Solicitations. – Local boards of education shall  
10 adopt rules and regulations governing solicitations of, sales to, and  
11 fund-raising activities conducted by, the students and faculty members in  
12 schools under their jurisdiction, and no fees, charges, or costs shall be  
13 collected from students and school personnel without approval of the board of  
14 education as recorded in the minutes of said board; provided, this subdivision  
15 shall not apply to such textbooks fees as are determined and established by the  
16 State Board of Education. ~~All schedules of fees, charges and solicitations~~  
17 ~~approved by local boards of education shall be reported to the Superintendent~~  
18 ~~of Public Instruction."~~

19 **SECTION 2.** Modify Comprehensive Plan for Reading Achievement Report Date.  
20 – G.S. 115C-83.4(b) reads as rewritten:

21 "(b) The State Board of Education shall report biennially to the Joint Legislative Education  
22 Oversight Committee by ~~October 15~~ December 15 of each even-numbered year on the  
23 implementation, evaluation, and revisions to the comprehensive plan for reading achievement  
24 and shall include recommendations for legislative changes to enable implementation of current  
25 empirical research in reading development."

26 **SECTION 3.(a)** Modify Schools Allotment Transfer Report/Access to DPI  
27 Allotment Transfer Report. – G.S. 115C-105.25 reads as rewritten:

28 "**§ 115C-105.25. Budget flexibility.**

29 ...  
30 (c) To ensure that parents, educators, and the general public are informed on how State  
31 funds have been used to address local educational priorities, each local school administrative unit  
32 shall publish information from the prior fiscal year on its Web site by October 15 of each year,  
33 as follows:



- 1 (1) A description of each program report code, written in plain English, and a  
 2 summary of the prior fiscal year's expenditure of State funds within each  
 3 program report code.
- 4 (2) A description of each object code within a program report code, written in  
 5 plain English, and a summary of the prior fiscal year's expenditure of State  
 6 funds for each object code.
- 7 (3) A description of each allotment transfer that increased or decreased the initial  
 8 allotment amount by more than five percent (5%), including all of the  
 9 following information:
- 10 a. The amount of the transfer.
- 11 b. The allotment category into which the funds were transferred.
- 12 ~~e. The purpose code for the funds following the transfer.~~
- 13 ~~d. A description of any teacher positions fully or partially funded as a~~  
 14 ~~result of the transfer, including all subject areas taught by the teacher~~  
 15 ~~in the position.~~
- 16 ~~e. The educational priorities that necessitated the transfer.~~
- 17 f. Any additional information required by the Department of Public  
 18 Instruction for the purpose of increasing the transparency of transfers  
 19 and expenditures through the financial transparency dashboard  
 20 operated by the Department.
- 21 (4) Repealed by Session Laws 2017-57, s. 7.13(b), effective July 1, 2018.
- 22 (5) A chart that clearly reflects how the local school administrative unit spent  
 23 State funds.

24 (d) The local school administrative unit shall maintain information published pursuant to  
 25 subsection (c) of this section on its Web site for at least three years after it is published.

26 (e) No later than December 1 of each year, the Department of Public Instruction shall  
 27 ~~collect report~~ the information ~~reported by local school administrative units pursuant to required~~  
 28 ~~by subsection (c) of this section and report the aggregated information, including available data~~  
 29 ~~from the two previous fiscal years, to the Joint Legislative Education Oversight Committee and~~  
 30 ~~the Fiscal Research Division on the Department's financial transparency dashboard."~~

31 **SECTION 3.(b)** This section applies beginning with information for the 2018-2019  
 32 fiscal year.

33 **SECTION 4.(a)** Combine Reports for Career and Technical Education Outcomes. –  
 34 G.S. 115C-156.2(b) reads as rewritten:

35 "(b) Beginning in ~~2017, 2019,~~ the State Board of Education shall report to the Joint  
 36 Legislative Education Oversight Committee by November 15 of each year on the following  
 37 information:

- 38 (1) The number of students in career and technical education courses who earned  
 39 (i) community college credit and (ii) related industry certifications and  
 40 credentials.
- 41 (2) Implementation of high school diploma endorsements, including adding (i)  
 42 college, (ii) career, and (iii) college and career endorsements to high school  
 43 diplomas, through evaluation of at least the following data:
- 44 a. Impact on the rates of high school graduation, college acceptance and  
 45 remediation, and post-high school employment.
- 46 b. Beginning with the 2019-2020 school year, the number of students  
 47 who had to retake a nationally norm-referenced college admissions test  
 48 to meet the reading benchmark score required by G.S. 115C-12(40) to  
 49 receive a high school diploma endorsement and the number of students  
 50 who were not awarded a high school diploma endorsement solely

1 because of the inability to meet the benchmark score for reading  
2 required by G.S. 115C-12(40)."

3 **SECTION 4.(b)** Section 1(b) of S.L. 2013-1, as amended by Section 16.1 of S.L.  
4 2013-410, Section 89 of S.L. 2014-115, and Section 48(d) of S.L. 2017-102, reads as rewritten:

5 "**SECTION 1.(b)** The State Board of Education shall make high school diploma  
6 endorsements, as provided under this section, available to students graduating from high school  
7 beginning with the 2014-2015 school year. The State Board of Education shall report to the Joint  
8 Legislative Education Oversight Committee on the progress toward establishing specific college  
9 and career endorsements for high school diplomas and for awarding these endorsements by  
10 February 1, 2014. ~~The State Board of Education shall submit the report on the impact of awarding~~  
11 ~~the high school endorsements on high school graduation, college acceptance and remediation,~~  
12 ~~and post high school employment rates by November 15, 2016, and annually thereafter."~~

13 **SECTION 4.(c)** G.S. 115C-12(40) reads as rewritten:

14 "(40) To Establish High School Diploma Endorsements. – The State Board of  
15 Education shall establish, implement, and determine the impact of adding (i)  
16 college, (ii) career, and (iii) college and career endorsements to high school  
17 diplomas to encourage students to obtain requisite job skills necessary for  
18 students to be successful in a wide range of high-quality careers and to reduce  
19 the need for remedial education in institutions of higher education. These  
20 endorsements shall reflect courses completed, overall grade point average,  
21 reading achievement, and other criteria as developed by the State Board of  
22 Education. A student shall only receive a high school diploma endorsement if  
23 that student receives on a nationally norm-referenced college admissions test  
24 for reading, either administered under G.S. 115C-174.11(c)(4) or as an  
25 alternative nationally norm-referenced college admissions test approved by  
26 the State Board, at least the benchmark score established by the testing  
27 organization that represents the level of achievement required for students to  
28 have approximately a fifty percent (50%) chance of obtaining a grade B or  
29 higher or a seventy-five percent (75%) chance of obtaining a grade C or higher  
30 in a corresponding credit-bearing, first-year college course. A student may  
31 retake a nationally norm-referenced test as many times as necessary to achieve  
32 the required benchmark score for reading in order to receive a high school  
33 diploma endorsement prior to the student's graduation. The State Board of  
34 Education shall report annually to the Joint Legislative Education Oversight  
35 Committee on ~~(i) the impact of awarding these endorsements on high school~~  
36 ~~graduation, college acceptance and remediation, and post high school~~  
37 ~~employment rates; (ii) the number of students who had to retake a nationally~~  
38 ~~norm referenced college admissions test to meet the reading benchmark score~~  
39 ~~required by this subdivision to receive a high school diploma endorsement;~~  
40 ~~and (iii) the number of students who were not awarded a high school diploma~~  
41 ~~endorsement solely because of the inability to meet the benchmark score for~~  
42 ~~reading as required by this subdivision.~~high school diploma endorsements in  
43 accordance with G.S. 115C-156.2."

44 **SECTION 5.** Modify Statewide Administration of Testing Program Report Date. –  
45 G.S. 115C-174.12(e) reads as rewritten:

46 "(e) ~~By November 1~~December 15 of each year, the State Board of Education shall submit  
47 a report to the Joint Legislative Education Oversight Committee containing information  
48 regarding the statewide administration of the testing program, including the number and type of  
49 tests and the testing schedule, and a summary of any local testing programs reported by local  
50 boards of education to the State Board of Education in accordance with subsection (d) of this  
51 section."

1           **SECTION 6.** Modify Charter School Educational Effectiveness Report Date. –  
2 G.S. 115C-218.110(b) reads as rewritten:

3           "(b) The State Board of Education shall review and evaluate the educational effectiveness  
4 of the charter schools authorized under this Article and the effect of charter schools on the public  
5 schools in the local school administrative unit in which the charter schools are located. The Board  
6 shall report annually no later than ~~January 15~~ February 15 to the Joint Legislative Education  
7 Oversight Committee on the following:

8           (1) The current and projected impact of charter schools on the delivery of services  
9 by the public schools.

10           (2) Student academic progress in the charter schools as measured, where  
11 available, against the academic year immediately preceding the first academic  
12 year of the charter schools' operation.

13           (3) Best practices resulting from charter school operations.

14           (4) Other information the State Board considers appropriate."

15           **SECTION 7.(a)** Joint Submission of Cooperative Innovative High School and  
16 Career and College Promise Reports. – G.S. 115C-238.55 reads as rewritten:

17 **"§ 115C-238.55. Evaluation of cooperative innovative high schools.**

18 The State Board of Education and the governing Boards shall evaluate the success of students  
19 in cooperative innovative high schools approved under this Part. Success shall be measured by  
20 high school retention rates, high school completion rates, high school dropout rates, certification  
21 and associate degree completion, admission to four-year institutions, postgraduation employment  
22 in career or study-related fields, and employer satisfaction of employees who participated in and  
23 graduated from the schools. The Boards shall jointly report by March 15 of each year to the Joint  
24 Legislative Education Oversight Committee on the evaluation of these schools. The report may  
25 be submitted jointly with the evaluation of the Career and College Promise Program required by  
26 G.S. 115D-5(x)."

27           **SECTION 7.(b)** G.S. 115D-5(x) reads as rewritten:

28           "(x) In addition to the evaluation of cooperative innovative high schools by the State Board  
29 of Education pursuant to G.S. 115C-238.55, the State Board of Community Colleges, in  
30 conjunction with the State Board of Education and the Board of Governors of The University of  
31 North Carolina, shall evaluate the success of students participating in the Career and College  
32 Promise Program, including the College Transfer pathway and the Career and Technical  
33 Education pathway. Success shall be measured by high school retention rates, high school  
34 completion rates, high school dropout rates, certification and associate degree completion,  
35 admission to four-year institutions, postgraduation employment in career or study-related fields,  
36 and employer satisfaction of employees who participated in the programs. The Boards shall  
37 jointly report by March 15 of each year to the Joint Legislative Education Oversight Committee.  
38 The report may be submitted jointly with the evaluation of cooperative innovative high schools  
39 required by G.S. 115C-238.55."

40           **SECTION 8.** Modify Educator Preparation Program Report Date. –  
41 G.S. 115C-269.50 reads as rewritten:

42 **"§ 115C-269.50. EPP report cards.**

43 The State Board shall create an annual report card for each EPP that, at a minimum,  
44 summarizes the information collected in the annual performance reports, as set forth in  
45 G.S. 115C-269.35(b). The report cards shall provide user-friendly access to the public, and shall  
46 provide the ability to easily compare annual report card information between EPPs, including  
47 performance and other data reported by each EPP, as provided in G.S. 115C-269.35(b). The State  
48 Board shall make the report cards available to the public through the State Board's Internet Web  
49 site on an annual basis beginning ~~December 15, 2019~~, April 15, 2020, and shall submit the report  
50 to the Joint Legislative Education Oversight Committee annually by that date."

1           **SECTION 9.** Modify State of the Teaching Profession Report Date. –  
2 G.S. 115C-299.5(b) reads as rewritten:

3           "(b) State of the Teaching Profession Report. – The State Board of Education shall monitor  
4 and compile an annual report by ~~December 15~~ February 15 annually on the state of the teaching  
5 profession in North Carolina that includes data on the decisions of teachers to leave the teaching  
6 profession and vacancies in teaching positions as provided in subsections (c) and (e) of this  
7 section. The State Board shall adopt standard procedures for each local board of education to use  
8 in requesting information required by this report and shall require each local board of education  
9 to report the information to the State Board in a standard format adopted by the State Board."

10           **SECTION 10.(a)** Combine State Board Reports on School Waivers. –  
11 G.S. 115C-301(g) reads as rewritten:

12           "(g) Waivers and Allotment Adjustments. – Local boards of education shall report  
13 exceptions to the class size requirements set out for kindergarten through third grade and  
14 significant increases in class size at other grade levels to the State Board and shall request  
15 allotment adjustments at any grade level, waivers from the requirements for kindergarten through  
16 third grade, or both. Within 45 days of receipt of reports, the State Board of Education, within  
17 funds available, may allot additional positions at any grade level. The State Board shall not grant  
18 waivers for excess class size in kindergarten through third grade, except under the following  
19 circumstances:

- 20           (1) Emergencies or acts of God that impact the availability of classroom space or  
21 facilities.
- 22           (2) An unanticipated increase in student population of an individual school in  
23 excess of two percent (2%) of the average daily membership of that school.
- 24           (3) Organizational problems in geographically isolated local school  
25 administrative units in which the average daily membership is less than one  
26 and one-half per square mile.
- 27           (4) Classes organized for a solitary curricular area.
- 28           (5) A charter school closure.

29           The State Board shall report on all waivers to the Joint Legislative Commission on  
30 ~~Governmental Operations within 30 days of the grant of the waiver. Operations and the Joint~~  
31 Legislative Education Oversight Committee by October 15 of each year in accordance with  
32 G.S. 115C-105.26(h). The report shall include the local school administrative unit, school, and  
33 class or classes for which the waiver was granted, the statutory grounds for the waiver, and the  
34 terms of the waiver. ~~waiver for excess class size in kindergarten through third grade shall not~~  
35 ~~become effective until the State Board submits the report to the Joint Legislative Commission on~~  
36 ~~Governmental Operations.~~

37           Upon notification from the State Board that the reported exception does not qualify for an  
38 allotment adjustment or a waiver, the local board of education shall take action to correct the  
39 exception within 30 days. Within 60 days of notification by the State Board, the Superintendent  
40 of Public Instruction shall request an updated report from the local board of education on the size  
41 of each class in kindergarten through third grade for each school within the local school  
42 administrative unit. If the Superintendent of Public Instruction finds that a local board of  
43 education is continuing to exceed class size requirements, the State Board may impose the  
44 penalty set forth in subsection (j) of this section until such time the schools in the unit meet the  
45 class size requirements for kindergarten through third grade."

46           **SECTION 10.(b)** G.S. 115C-105.26(h) reads as rewritten:

47           "(h) By October 15 of each year, the State Board shall report to the Joint Legislative  
48 Commission on Governmental Operations and the Joint Legislative Education Oversight  
49 Committee with a list of the specific waivers granted in the prior school year to each local board  
50 of education under this section. If applicable, the report shall include the information on class

1 size waivers required by G.S. 115C-301(g). The State Board may include any legislative  
2 recommendations identified under subsection (g) of this section in its report."

3 **SECTION 11.** Extend Learning and Integrated Student Supports Competitive Grant  
4 Program Final Report Date. – Section 7.24(e) of S.L. 2017-57 reads as rewritten:

5 "**SECTION 7.24.(e)** The Department of Public Instruction shall provide an interim report  
6 on the Program to the Joint Legislative Education Oversight Committee by September 15, 2018,  
7 with a final report on the Program by ~~September 15, 2019.~~ November 15, 2019. The final report  
8 shall include the final results of the Program and recommendations regarding effective program  
9 models, standards, and performance measures based on student performance, leveraging of  
10 community-based resources to expand student access to learning activities, academic and  
11 behavioral support services, and potential opportunities for the State to invest in proven models  
12 for future grants programs."

13 **SECTION 12.(a)** Extend Reporting Dates for Teacher Bonus Programs. – Section  
14 8.8(d) of S.L. 2016-94, as amended by Section 8.8B(a) of S.L. 2017-57, reads as rewritten:

15 "**SECTION 8.8.(d)** The State Board of Education shall study the effect of the program on  
16 advanced course teacher performance and retention. The State Board shall report the results of  
17 its findings and the amount of bonuses awarded to advanced course teachers, including the  
18 amount awarded for Advanced Placement courses, the amount awarded for International  
19 Baccalaureate Diploma Programme courses, and the amount awarded for Cambridge AICE  
20 program courses, to the President Pro Tempore of the Senate, the Speaker of the House of  
21 Representatives, the Joint Legislative Education Oversight Committee, and the Fiscal Research  
22 Division by ~~March~~ April 15 of each ~~year~~ year bonuses are awarded."

23 **SECTION 12.(b)** Section 8.9(c) of S.L. 2016-94, as amended by Section 8.8B(b) of  
24 S.L. 2017-57, reads as rewritten:

25 "**SECTION 8.9.(c)** The State Board of Education shall study the effect of the program on  
26 teacher performance and retention. The State Board shall report the results of its findings, the  
27 amount of bonuses awarded to teachers who teach students earning approved industry  
28 certifications or credentials, and the type of industry certifications and credentials earned by their  
29 students to the President Pro Tempore of the Senate, the Speaker of the House of Representatives,  
30 the Joint Legislative Education Oversight Committee, and the Fiscal Research Division by ~~March~~  
31 April 15 of each ~~year~~ year bonuses are awarded."

32 **SECTION 12.(c)** Section 8.8C(c) of S.L. 2017-57, as amended by Section 2.10(b)  
33 of S.L. 2017-197, reads as rewritten:

34 "**SECTION 8.8C.(c)** The State Board of Education shall study the effect of the bonuses  
35 awarded pursuant to this ~~section and Section 9.7 of S.L. 2016-94,~~ section, as amended by Section  
36 8.8B of this act, on teacher performance and retention. The State Board shall report the results of  
37 its findings, the distribution of statewide bonuses as among local school administrative units, and  
38 the distribution of bonuses within local school administrative units as among individual schools  
39 to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the  
40 Joint Legislative Education Oversight Committee, and the Fiscal Research Division by ~~March~~  
41 April 15 of each ~~year~~ year bonuses are awarded."

42 **SECTION 12.(d)** Section 8.8D(c) of S.L. 2017-57, as amended by Section 8.11(a)  
43 of S.L. 2018-5, reads as rewritten:

44 "**SECTION 8.8D.(c)** The State Board of Education shall study the effect of the bonuses  
45 awarded pursuant to this section on teacher performance and retention. The State Board shall  
46 report the results of its findings, the distribution of statewide bonuses as among local school  
47 administrative units, and the distribution of bonuses within local school administrative units as  
48 among individual schools to the President Pro Tempore of the Senate, the Speaker of the House  
49 of Representatives, the Joint Legislative Education Oversight Committee, and the Fiscal  
50 Research Division by ~~March~~ April 15 of each year bonuses are awarded."

1           **SECTION 12.(e)** Section 8.8E(c) of S.L. 2017-57, as amended by Section 8.12(a)  
2 of S.L. 2018-5, reads as rewritten:

3           **"SECTION 8.8E.(c)** The State Board of Education shall study the effect of the bonuses  
4 awarded pursuant to this section on teacher performance and retention. The State Board shall  
5 report the results of its findings, the distribution of statewide bonuses as among local school  
6 administrative units, and the distribution of bonuses within local school administrative units as  
7 among individual schools to the President Pro Tempore of the Senate, the Speaker of the House  
8 of Representatives, the Joint Legislative Education Oversight Committee, and the Fiscal  
9 Research Division by ~~March~~ April 15 of each year bonuses are awarded."

10           **SECTION 12.(f)** This section applies to reports due on or after the effective date of  
11 this act.

12           **SECTION 13.** Except as otherwise provided, this act is effective when it becomes  
13 law.