

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 101*

Short Title: PED Oversight/EPP Changes. (Public)

Sponsors: Senators Waddell, D. Davis, Foushee (Primary Sponsors); and Smith.

Referred to: Rules and Operations of the Senate

February 21, 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, AS
4 RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION
5 OVERSIGHT COMMITTEE.

6 The General Assembly of North Carolina enacts:

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

8 **"§ 115C-269.35. Accountability for educator preparation programs.**

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

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

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

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

21 (3a) Employment of EPP completers, including the number of students employed
22 as beginning teachers under initial professional licenses within the first year
23 of completing the program, the number of students retained in the profession,
24 and the perseverance of beginning educators in the profession, as determined
25 on the basis of the number of beginning educators who maintain status as
26 active members in the North Carolina Teachers' and State Employees'
27 Retirement System at least three years after licensure.

28 (4) Quality of students entering the EPP, including the average grade point
29 average and average score on preprofessional skills tests or college entrance
30 exams that assess reading, writing, mathematics, and other competencies.

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

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



- 1 (2) Data related to the EPP's compliance with requirements for field supervision
2 of students during their internship and residency experiences.
- 3 (3) The following information, disaggregated by race, sex, and ethnicity:
4 a. The number of students who apply.
5 b. The number of students admitted.
6 c. The number of students retained.
7 d. The number of students completing the program.
8 e. ~~The number of students employed as beginning teachers under initial
9 professional licenses by not later than the first anniversary of
10 completing the program.~~
11 f. The amount of time required by students employed as beginning
12 teachers under residency licenses to be issued initial professional
13 licenses.
14 g. ~~The number of students retained in the profession.~~
15 h. Any other information required by federal law.
- 16 (4) The ratio of field supervisors to students completing an internship or
17 residency.
- 18 (5) Graduation rates.
- 19 (6) Time-to-graduation rates.
- 20 (7) Average scores of graduates on professional, pedagogy, and content area
21 examinations for the purpose of licensure.
- 22 (8) Percentage of graduates receiving initial professional licenses.
- 23 (9) The extent to which the program prepares educators, including general
24 education teachers and special education teachers, to effectively teach the
25 following:
26 a. Students with disabilities.
27 b. Students of limited English proficiency.
- 28 (10) The activities offered by the program that are designed to prepare educators
29 to do the following:
30 a. Integrate technology effectively into curricula and instruction,
31 including activities consistent with the principles of universal design
32 for learning.
33 b. Use technology effectively to collect, manage, and analyze data to
34 improve teaching and learning for the purpose of increasing student
35 academic achievement.
- 36 ~~(11) The perseverance of beginning educators in the profession, as determined on
37 the basis of the number of beginning educators who maintain status as active
38 contributing members in the North Carolina State Employee Retirement
39 System at least three years after licensure in comparison to similar programs.~~
- 40 (12) The results of surveys given to school principals that involve evaluation of the
41 program's effectiveness in preparing participants to succeed in the classroom,
42 based on experience with employed program participants.
- 43 (13) Any other information necessary to enable the State Board to assess the
44 effectiveness of the program on the basis of educator retention and success
45 criteria adopted by the State Board.
- 46 (c) Submission of Annual Performance Reports. – Performance reports shall be provided
47 annually to the following:
48 (1) The State Board.
49 (2) The board of trustees or board of directors of the entity submitting the report.
- 50 (d) Information Requests by EPPs. – The State Board of Education shall annually
51 provide, upon request, the data required to be included in an EPP's annual performance report

1 related to subdivisions ~~(1) and (2)~~ (1), (2), and (3a) of subsection (a) of this ~~section and~~
2 ~~subdivision (1) of subsection (b) of this section.~~ The State Board of Education shall provide this
3 information to an EPP as aggregate data and disaggregated by race, sex, and ethnicity.
4 Notwithstanding Article 21A of this Chapter, local school administrative units shall provide to
5 the State Board of Education for the purposes of these information requests any North Carolina
6 Educator Evaluation System effectiveness status assigned to teachers based on queries from the
7 State Board. The State Board of Education shall not report aggregated or disaggregated data to
8 the EPP that reveals confidential information in a teacher's personnel file, as defined by Article
9 21A of this Chapter, such as making the effectiveness status personally identifiable to an
10 individual teacher."

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

12 "(c1) **Small Group Exception.** – Notwithstanding the provisions of subsection (a) of this
13 section, the State Board of Education shall adopt a rule to establish a small group exception for
14 circumstances in which disaggregation of performance data with respect to race, sex, or ethnicity
15 is not possible due to the small number of program participants in a demographic group. The rule
16 shall include the number of students necessary to qualify for the exception and the alternative
17 method of performance assessment and assignment of sanctions. The rule may provide for
18 measuring performance of small student groups cumulatively over multiple years for EPP
19 accountability purposes."

20 **SECTION 3.** G.S. 115C-269.50 reads as rewritten:

21 **"§ 115C-269.50. EPP report cards.**

22 The State Board shall create an annual report card for each EPP that, at a minimum,
23 summarizes the information collected in the annual performance reports, as set forth in
24 G.S. 115C-269.35(b). The report cards shall provide user-friendly access to the public, and shall
25 provide the ability to easily compare annual report card information between EPPs, including
26 performance and other data reported by each EPP, as provided in ~~G.S. 115C-269.35(b).~~
27 G.S. 115C-269.35(b), through the use of a formulaic, performance-based weighted model
28 adopted by the State Board. The State Board shall make the report cards available to the public
29 through the State Board's Internet Web site on an annual basis beginning December 15, 2019,
30 and shall submit the report to the Joint Legislative Education Oversight Committee annually by
31 that date."

32 **SECTION 4.(a)** The State Board of Education, in consultation with the Department
33 of Public Instruction and the Professional Educator Preparation and Standards Commission
34 (PEPSC), shall develop a formulaic, performance-based weighted model for the purposes of
35 comparing the annual report card information between each educator preparation program (EPP)
36 pursuant to G.S. 115C-269.50, as amended by this act. The State Board, in consultation with the
37 Department and PEPSC, shall do at least the following in designing the weighted model:

- 38 (1) Identify what information should be included in the weighted model to most
39 effectively achieve the following:
 - 40 a. Meet federal and State law requirements.
 - 41 b. Hold EPPs accountable for established standards.
 - 42 c. Assist EPPs in improving performance.
 - 43 d. Communicate EPP performance to policymakers and the public.
- 44 (2) Identify and select measures for each performance domain specified in State
45 law to be used in the weighted model.
- 46 (3) Assign weight to each performance domain and the respective measures
47 within each domain, including making rounding decisions for awarding
48 points.
- 49 (4) Determine the number of years of data that will be used to calculate measures,
50 such as three or five years.

- 1 (5) Examine potential reasons for excluding EPPs from the reporting, including
2 if there are missing or too few data points for a certain number of measures in
3 the domains.
- 4 (6) Establish targets and minimum standards based on the ninetieth and tenth
5 percentile or on other criteria.
- 6 (7) Consider whether the weighted model shall be used solely for public
7 accountability and to inform policymakers or if the weighted model may also
8 be used as a corrective or compliance tool.
- 9 (8) Identify any necessary changes to State law to enable transition to the new
10 weighted model.
- 11 (9) Examine how an information dashboard system could be used as part of the
12 reporting system, including any challenges related to integrating data from
13 both public and private EPPs in one information dashboard system.

14 **SECTION 4.(b)** By November 15, 2019, the State Board, in consultation with the
15 Department and PEPSC, shall report to the Joint Legislative Education Oversight Committee on
16 the development of the formulaic, performance-based weighted model for EPPs as required by
17 subsection (a) of this section and any legislative recommendations regarding implementation of
18 the model.

19 **SECTION 5.** By October 1, 2019, the State Board of Education shall adopt the rule
20 required by G.S. 115C-269.45(c1), as enacted by this act. The State Board shall apply the rule
21 beginning with data collected from the 2018-2019 academic year for the purposes of the annual
22 report made available to the public by December 15, 2020, and annually thereafter, pursuant to
23 G.S. 115C-269.50.

24 **SECTION 6.** Section 3 of this act becomes effective July 1, 2020, and applies
25 beginning with data from the 2020-2021 academic year. The remainder of this act is effective
26 when it becomes law. Section 1 of this act applies to (i) educator preparation programs (EPP)
27 authorized by the State Board of Education on or after the date this act becomes law and (ii)
28 reports submitted to the State Board and reviews by the State Board of an EPP beginning with
29 the 2019-2020 academic year.