

Guilford County Board of Education
LEGISLATIVE COMMITTEE MEETING

November 21, 2019, 2:30 p.m.

Swann Room, GCS Administrative Offices



Committee Members: Linda Welborn, Chairperson Nora Carr, Staff Liaison
Darlene Garrett
Khem Irby
Pat Tillman

AGENDA	
Welcome and Introductions	<i>Discussion Leader: Linda Welborn</i>
Review of Minutes (October 15, 2019)	<i>Discussion Leader: Linda Welborn</i>
2020 Legislative Agenda <ul style="list-style-type: none">• Updates from last meeting• NCSBA Legislative Update Review (2019)	<i>Discussion Leaders: Linda Welborn, Sharon Contreras</i>
NCSBA Legislative Agenda	<i>Discussion Leaders: Linda Welborn</i>
NCSBA – Resolution Urging the State to Take Action to Remit Civil Penalties Unconstitutionally Withheld from North Carolina’s Public Schools	<i>Discussion Leaders: Linda Welborn</i>
North Carolina School Boards Action Center (NCSBAC) 2019-2020 Contribution	<i>Discussion Leaders: Linda Welborn and Dr. Sharon Contreras</i>
Other Business	<i>Discussion Leader: Linda Welborn</i>
Next Meeting: <i>Thursday, December 18, 2019</i>	
Adjournment	

Guilford County Board of Education
LEGISLATIVE COMMITTEE MEETING

October 15, 2019, 2:30 p.m.

Swann Room, GCS Administrative Offices



Members Present: Linda Welborn, Darlene Garrett, Khem Irby

Members Absent: Pat Tillman

Staff Present: Sharon L. Contreras, PhD, Nora K. Carr, EdD, Angie Henry, Kim Hipp

The Committee approved the September 19, 2019 meeting minutes.

2020 Legislative Agenda Discussion

- Bus driver shortage – possible areas of Legislative Relief
 - The Superintendent asked staff to include an increase in bus driver pay (\$15.00 per hour) in the district's 2020 Legislative Agenda.
 - Committee member Garrett will reach out to NC Senator Garrett about supporting proposed legislative item.
 - Committee member Garrett will reach out to NC Senator Garrett's office about Guilford County Schools becoming a NCDOT approved site to administer the knowledge portion of the NC School Bus Driver Test.
 - The Committee asked staff to investigate utilizing vans to transport students, e.g., Students in Transition (SIT).
- Items to carry forward from the 2019 Legislative Agenda.
 - Nora Carr will incorporate the Committee's recommended changes to the following 2019 Legislative Agenda items for carry over to the 2020 Legislative Agenda: Career and Technical Education; Teacher, Employee and Principal Pipeline; Early Childhood; Statewide Bond Issue; Transparency in Government; Lottery. The Committee approved the remaining 2019 Legislative Agenda items for carry over to the 2020 Legislative Agenda.
- Nora Carr will follow up on the following Legislative Agenda items per the Committee's request:
 - K-3 Class Size – Have staff attend the November 21 Committee meeting to discuss current impacts to the district and the status of waivers.
 - Teacher, Employee and Principal Pipeline – Impacts of breaks in service, e.g., FMLA, maternity leave, etc.; status of student loans.
 - Bus driver pay increase.

North Carolina School Boards Action Center (NCSBAC) 2019-2020 Contribution

- Committee member Irby asked staff to obtain a detailed list of what the NCSBAC provides to districts that contribute.
- The Committee would like to review again at the November 21 meeting.

Next Meeting

November 21, 2019

Submitted by:

Nora K. Carr, EdD

Chief of Staff, Guilford County Schools

< GCS logo>

Board of Education

2020 Legislative Agenda

STATE ISSUES

K-3 Class-Size Reduction-Mandate

- Repeal the K-3 class-size reduction-mandate (HB 1030 and HB 13) and restore flexibility in adjusting class sizes to meet local staffing needs and concerns.

Career and Technical Education

- Provide remaining \$1.5 million to GCS to support the innovative Signature Career Academies launched in the fall of 2019.

Teacher, Employee and Principal Pipeline

- Address personnel shortages by removing the six-month wait-period for state retirees and eliminating the health insurance penalty for state retirees.
- Increase teacher and principal pay to the national average within four years and provide incentives to recruit and retain personnel for difficult-to-fill positions.
- Hold veteran teachers and principals harmless from salary reductions.
- Provide more competitive pay scales for classified employees.
- Create student loan forgiveness program and other financial incentives to encourage top-performing high school and college graduates to pursue teaching as a profession, particularly in STEM subjects and hard-to-fill positions.

School Bus Driver Shortage

- Increase state pay scales for school bus drivers to competitive market rates for Commercial Driver Licenses (CDLs).
- Provide recruitment and retention bonuses for school bus drivers.
- Expand number of CDL training classes and/or seats available in each county.
- Offer CDL training classes and examinations (written and driving) 12 months per year.
- Allow Guilford County Schools the opportunity to partner with Department of Transportation to provide more local CDL training and examinations for school bus drivers.
- Waive state CDL fees for new applicants who successfully complete all requirements and agree to serve as a school bus driver for a North Carolina public school district for at least three years.

Early Childhood

- Increase the number of NC PreK seats available to serve all eligible three- and four-year-olds and eliminate NC Pre-K waiting lists.
- Increase the hours of a full-day, NC PreK program from six to nine hours to make it easier for working parents to access NC PreK for their children.
- Provide funding for NC Pre-K transportation.
- Support research-based intervention programs and services for parents of young children, from prenatal to age three so more students enter kindergarten ready to learn.

School Safety

- Increase funding to secure facilities, upgrade safety-related technologies, provide more training and add more safety- and security-related personnel.
- Increase allocations for school-based and community-based mental health personnel and services.

- Oppose arming teachers or other school personnel other than sworn law-enforcement personnel.
- Strengthen background checks and processes for all firearm purchases.
- Restrict access to automatic weapons, bump stocks and related equipment to on-duty military and law-enforcement personnel.

School Funding Formula and Tax-Free Status

- Provide a simplified, flexible and more streamlined approach to funding schools that increases state funding to public schools and that weights allocations based on poverty, disability, English Language status and other student needs.
- Oppose funding formula changes that reduce current levels of funding to public school districts like GCS that serve large numbers of students who are poor, disabled, English language learners, or have other significant needs.
- Restore tax-free status to all local education agencies and traditional public schools.
- Oppose portability proposals that leave too few dollars in schools with the highest concentrations of student poverty.

Statewide Bond Issue

- Support a statewide bond issue to supplement (not supplant) local dollars for K-12 capital improvement projects.

College Access

- Ensure all eligible high school graduates become productive citizens and contributing members of our economy by joining 21 other states in allowing undocumented students who graduate from local public high schools to pay in-state tuition at North Carolina public community colleges, colleges and universities.

Charter Schools

- Hold charter school management companies and operators to the same level of public transparency in reporting management and school salaries, budgets, expenses, contracts, and other public information as other public schools and school districts.
- Place on cap on charter school growth in Guilford County.
- Oppose legislation that would give charter schools access to other local education agency's Fund 8 accounts, which include competitive grant awards and private, philanthropic donations that charters can apply for and already have access to.

Lottery

- Change legislation to ensure that lottery funding supplements rather than supplants existing revenue sources for PreK-12 public schools.
- Decrease the percentage of the lottery budget spent on marketing and increase the percentage of lottery proceeds spent on PreK-12 public education.
- Ensure lottery funds allocated to county governments for K-12 facilities supplement rather than supplant county funding allocations for capital needs, including maintenance of existing facilities.
- Ensure lottery funds allocations to county governments for K-12 facilities are not used for debt service for voter-approved bonds or to reduce taxes, but rather to build, renovate and maintain new facilities, technology and other capital expenses outlined in state statutes.

FEDERAL ISSUES

- Fuel economic growth by providing low-interest bond dollars or other federal infrastructure funding for public school capital needs; prioritize funding by student poverty rates.
- Maintain categorical funding for Title I, Title II, Title III and Title IV based on high concentrations of poverty, disability and other student needs.

- Maintain public schools' ability to seek Medicaid reimbursement for IEP-required health and related services for students with disabilities.
- Oppose portability proposals that leave too few dollars in public schools with the highest concentrations of poverty, disability, English Language learners and other student needs.
- Oppose any dismantling of key protections and rights provided to students with disabilities under the Individuals with Disabilities Education Act and the Americans with Disabilities Act.
- Oppose policies that reduce funding for public schools that serve the highest concentrations of poverty and other student needs, or that negatively impact public school educators, students or families.
- Restore federal guidance letters on the Nondiscriminatory Administration of School Discipline dated January 8, 2014 and Overview of the Supportive School Discipline Initiative Dates January 8, 2014 that were rescinded on December 21, 2018.
- Support universal prekindergarten for students ages 3 to 5 to ensure that more students enter kindergarten ready to learn.
- Streamline the pathway to citizenship for GCS and other recent public high school graduates who previously qualified for, or would qualify, for DACA (Deferred Action for Childhood Arrivals).

Sharon L. Contreras, Ph.D., Superintendent of Schools

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<Note to designer: include all info below if space allows use full listing; if space doesn't allow, simply list District # and Name, Address and Contact Info>

DISTRICT 1

T. Dianne Bellamy Small

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3211 Delmonte Dr., Greensboro, NC 27406

Phone: 336-580-4655

Allen Middle, Andrews High, Fairview Elementary, Frazier Elementary, Greene Education Center, Haynes-Inman Education Center, Jamestown Middle, Kirkman Park Elementary, The Middle College at GTCC-High Point, The Middle College at GTCC-Jamestown, Millis Road Elementary, Montlieu Elementary, Parkview Elementary, Penn-Griffin School for the Arts, Ragsdale High, Sedgfield Elementary, Triangle Lake Montessori, Union Hill Elementary and Welborn Middle.

DISTRICT 2

Anita Sharpe

sharpeaw@hotmail.com

5521 Drake Rd., Greensboro, NC 27406

Phone: 336-294-5238

The Kearns Academy at Central, Allen Jay Elementary, Allen Jay Preparatory Academy, Ferndale Middle, High Point Central High, Jamestown Elementary, Johnson Street Global Studies, Morehead Elementary, Oak Hill Elementary, Pilot Elementary, Pleasant Garden Elementary, Pruette SCALE, Shadybrook Elementary, Southern Elementary, Southern High, Southern Middle and Sumner Elementary.

DISTRICT 3

Pat Tillman

tillmap@gcsnc.com

Phone: 336-580-9270

105 Homewood Ave., Greensboro, NC 27403

Brooks Global Studies, The Early College at Guilford, Guilford Elementary, Jefferson Elementary, Kiser Middle, Lindley Elementary, The Middle College at UNC-G, Northwest High, Northwest Middle, Oak Ridge Elementary, Pearce Elementary, Sternberger Elementary and Stokesdale Elementary.

DISTRICT 4

Linda Welborn

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4903 Warfield Dr., Greensboro, NC 27406

Phone: 336-674-8504

Alamance Elementary, Brown Summit Middle, Eastern High, Eastern Middle, Gibsonville Elementary, Madison Elementary, McLeansville Elementary, Monticello-Brown Summit Elementary, Nathanael Greene Elementary, Northeast High, Northeast Middle, Northern Elementary, Reedy Fork Elementary, Sedalia Elementary, Southeast High and Southeast Middle.

DISTRICT 5

Darlene Garrett

dygarr@aol.com

8003 Willow Glen Trail, Greensboro, NC 27455

Phone: 336-643-6070

Claxton Elementary, Cone Elementary, General Greene Elementary, Greensboro College Middle College, Grimsley High, Irving Park Elementary, Jesse Wharton Elementary, Joyner Elementary, Kernodle Middle, Mendenhall Middle, Northern High, Northern Middle, Page High, Summerfield Elementary and Weaver Academy.

DISTRICT 6

Khem Irby

1414 Adams Farm Pkwy., Apt. G

Greensboro, NC 27407

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Colfax Elementary, Florence Elementary, Newcomers School, Northwood Elementary, Oak View Elementary, Southwest Elementary, Southwest High, Southwest Middle, Western Middle and Western High.

DISTRICT 7

Byron Gladden

gladdeb@gcsnc.com

1506 Canton Ave., Greensboro, NC 27405

Phone: 336-690-9610

Bessemer Elementary, Bluford Elementary, Brightwood Elementary, Dudley High, Falkener Elementary, Gateway Education Center, Hairston Middle, Herbin-Metz Education Center, Lincoln Academy, McNair Elementary, The Middle College at GTCC-Greensboro, Peeler Elementary, Rankin Elementary, SCALE – Greensboro, Simkins Elementary and Vandalia Elementary.

DISTRICT 8

Deena A. Hayes, Chairperson

hayesd@gcsnc.com

454 Gorrell St., Greensboro, NC 27406

Phone: 336-690-9516

The Academy at Smith, Alderman Elementary, Archer Elementary, Erwin Montessori, Foust Elementary, Gillespie Park Elementary, Hunter Elementary, Jackson Middle, Jones Spanish Immersion, The Middle College at Bennett, The Middle College at NC A&T, Murphey Elementary, Peck Elementary, Smith High, The STEM Early College at NC A&T, Swann Middle School, Washington Montessori and Wiley Elementary.

AT-LARGE

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At-Large represents all GCS schools.

<mandatories>

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PUBLIC EDUCATION: NORTH CAROLINA'S BEST INVESTMENT

2019 LEGISLATIVE SUMMARY

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FY 2019-21 EDUCATION APPROPRIATIONS BILLS

K-12 PUBLIC EDUCATION	FY 19-20		FY 20-21	
Base Budget	\$9,586,373,370		\$9,647,732,595	
HB 226 Pay Increases/State Employees (S.L. 2019-209)				
DPI Salary Increases: 2.5% salary increase in each year of the biennium	\$1,373,857	R	\$2,747,714	R
Retirement Contribution – LEA personnel: Actuarial Contribution	\$75,775,896	R	\$190,128,275	R
Retirement Contribution – DPI personnel: Actuarial Contribution	\$500,772	R	\$1,258,462	R
State Health Plan Contribution – LEA personnel	\$31,246,247	R	\$83,993,624	R
State Health Plan Contribution – DPI personnel	\$147,529	R	\$396,576	R
Short-Term Disability – LEA personnel	\$3,289,417	R	\$3,289,417	R
Short-Term Disability – DPI personnel	\$21,773	R	\$21,773	R
HB 75 School Safety Funds, Programs, and Reports (S.L. 2019-222)				
Additional funding for the Instructional Support Allotment to increase school mental health support personnel.	\$20,000,000	R	\$23,000,000	R
Continued funding for School Safety Equipment Grants.	\$6,100,000	NR		
Continued funding of School Safety Training Grants.	\$4,500,000	NR		
Continued funding for Students in Crisis Grants.	\$4,500,000	NR		
Additional funding for School Resource Officer Grants.	\$3,000,000	R	\$6,000,000	R

HB 377: Teacher Step Act (S.L. 2019-247)				
Principal Pay: A revised principal salary schedule, effective July 1, 2019, provides a 6.2% growth in base pay.	\$15,000,000	R	\$15,000,000	R
Principal Recruitment: Funding for salary supplements to recruit up to 40 principals to work in schools with performance scores in the bottom 5% of all schools in the State. Eligible principals must come from schools that have Exceeded Growth. The supplements are provided to selected school districts for a 3-year period at \$30,000 annually.	\$1,300,000	R	\$1,300,000	R
SB 61 Community College Budget/2019-2021 Biennium (S.L. 2019-235)				
Career Coaches	\$1,733,413	R	\$2,300,000	R

Public/Statewide Legislation

House Bills

HB 57: Create Term for Public Schools & Codify NCVPS (S.L. 2019-51)

Section 1. Defines a public school unit as a local school administrative unit, a charter school, a regional school, or a school providing elementary or secondary instruction operated by the State Board of Education (SBE), such as innovative schools and schools for students with visual and hearing impairments, or the University of North Carolina, such as the NC School of the Arts high school, NC School of Science and Mathematics, and UNC Laboratory Schools.

G.S. 115C-5

Section 2.1. Codifies the North Carolina Virtual Public School (NCVPS) by creating a statute that includes definitions, administration, allotments, advisory council, and reporting requirements of the NCVPS.

G.S. 115C-238.74 – 238.79

HB 75: School Safety Funds, Programs, and Reports (S.L. 2019-222)

Section 1. Appropriates \$38,833,333 for the 2019-2020 fiscal year and \$29,800,000 for the 2020-2021 fiscal year for the costs associated with implementing the school safety provisions.

Section 2. Requires the Center for Safer Schools to conduct an annual census of school resources officers (SROs) located in each public school unit that includes (i) total number of SROs in the State and in each public school unit, (ii) data on SROs' education and experience, (iii) training required and completed by SROs, (iv) funding source for all SROs, (v) location of SROs, (vi) percentage of SROs assigned to more than one school, and (vii) law enforcement affiliation of SROs. Requires the report based on the census to be submitted by March 1 of each year to the Joint Legislative Education Oversight Committee and the SBE.

G.S. 115C-105.57

Section 3. Provides funding and program guidelines for the following:

	FY 2019-2020		FY 2020-2021	
Continued funding for School Safety Equipment Grants	\$6,100,000	NR		
Continued funding of School Safety Training Grants	\$4,500,000	NR		
Continued funding for Students in Crisis Grants	\$4,500,000	NR		
Additional funding for School Resource Officer Grants	\$3,000,000	R	\$6,000,000	R

G.S. 115C-Article 8C

Section 4. Requires 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, to develop a recommended program for facilitating the temporary transfer of school mental health support personnel from a participating unit to a requesting unit during or after a crisis. Requires DPI to submit a report on the recommended program to the Joint Legislative Oversight Committee on Health and Human services no later than March 15, 2020.

Section 5. Requires the superintendent of each Local Education Agency (LEA) to submit a report by February 15 of each year on the total number and types of school mental health support personnel employed in their LEA and the difference from the previous school year. Requires the Superintendent of Public Instruction to report by March 15 of each year to the Joint Legislative Education Oversight Committee and the Fiscal Research Division the difference in the total number of each type of school mental health support personnel that are funded exclusively from the instructional support allotment in each LEA. Expresses the intention of the General Assembly that additional funds provided for instructional support personnel be used to fund additional school mental health support personnel.

	FY 2019-2020		FY 2020-2021	
Additional funding for the Instructional Support Allotment to increase school mental health support personnel	\$20,000,000	R	\$23,000,000	R

G.S. 115C-316.2

Section 6. Requires DPI to study and report on school psychologist and school counselor positions, including (i) the number of school psychologist and counselor positions in the State and in each LEA, (ii) the allocation of school psychologists and counselors in each LEA and among schools within each LEA, (iii) the average salary of school psychologist and counselor positions funded with State dollars and non-State dollars, and (iv) job descriptions posted for school psychologist and counselor positions as compared to the actual duties. Requires the report to be submitted to the Joint Legislative Education Oversight Committee and the Fiscal Research Division by April 1, 2020.

Section 7. Provides for eight additional agents of the State Bureau of Investigation to support the Behavioral Threat Assessment program.

Section 8. Repeals corresponding sections included in HB 966: 2019 Appropriations Act if that act becomes law.

HB 82: Railroad Crossings/ On-Track Equipment (S.L. 2019-36)

Section 3. Requires school bus drivers to stop at railroad grade crossings if on-track equipment (any railcar, rolling stock, equipment, vehicle, etc.) is approaching. (Previous language only mentioned approaching train.)

G.S. 20-142.3

HB 107: PED Oversight/EPP Changes (S.L. 2019-149)

Section 1. Removes the requirement that the quality of students entering the educator preparation program (EPP) be a performance measure for EPPs. Amends the list of indicators to be included in the EPP annual performance reports as follows:

- Number and percentage of students who convert from a residency license to either an initial professional license (IPL) or a continuing professional license (CPL),
- Quality of students entering the EPP (was previously a performance measure),
- Pass rates of graduates (previously average scores), and
- Retention rates of beginning educators in the profession for at least two year after licensure in NC (was three years).

G.S. 115C-269.35

Section 1.5. Requires the SBE to adopt rules necessary for the sanction of EPPs that do not meet accountability standards. The rules include the assignment of warned, probation, or revoked statuses according to certain criteria.

G.S. 115C-269.45(a)

Sections 2 and 4. Require the SBE to adopt a rule creating a small group reporting exception any time data are at risk of being individually identifiable by October 1, 2019.

G.S. 115C-269.45

Sections 3.(a)-(b). Require the SBE to develop a formulaic, performance-based weighted model that compares EPPs and report it to the Joint Legislative Education Oversight Committee.

Section 3.5. Requires the SBE to study the inclusion of two-year retention rates of EPP completers initially licensed and employed in a NC public school as a performance measure for EPPs. Requires the SBE to submit a report on the study by February 15, 2020.

Section 5. Clarifies that Section 1 applies to (i) EPPs authorized by the SBE on or after the date the act becomes law and (ii) reports submitted to the SBE and reviews by the SBE of an EPP beginning with those based on data from the 2019-20 school year.

HB 362: 15-Point Scale for School Performance Grades (S.L. 2019-154)

Section 1. Makes permanent the 15-point scale for school performance grades.

G.S. 115C-83.15(d)

Sections 2.(a)-(b). Modify the SBE adoption of rules by allowing interim rules to be adopted as emergency rules by August 9, 2019 and emergency rules to be adopted as permanent rules by May 30, 2020. Previously, permanent rules had to be adopted by May 30, 2019.

Section 27.(b) of S.L. 2018-114

Section 3. Requires the SBE and the Superintendent of Public Instruction to study (i) the weighting of school achievement and school growth in the calculation of the overall school performance score to best reflect school performance and progress and (ii) the reporting methods used for school accountability purposes on the North Carolina annual report cards. Requires a

final report to be submitted to the Joint Legislative Education Oversight Committee by February 15, 2020.

HB 377: Teacher Step Act (S.L. 2019-247)

Section 1. Appropriates \$16.3 million in recurring funds for the 2019-20 and FY 2020-21 fiscal years for the principal salary increases in Sections 2.3 and 2.5.

Section 2.1. Provides the step increase for personnel paid on the teacher salary schedule beginning July 1, 2019. All other components of how to pay employees on the teacher salary schedule remain the same (i.e. school psychologists et al, hold harmless for longevity, etc.). Additionally, the step amounts remain the same as the 2018-19 school year.

Section 2.2. Continues salary supplements for those that meet the standards of highly qualified NC teaching graduates entering the profession.

Section 2.3. Provides the salary schedule for principals for the 2019-20 school year. Beginning this fiscal year, there are new ranges for ADM at the top and bottom of the schedule. Continues that the ADM number is adjusted on January 1, 2020. Payment is retroactive to July 1, 2019.

ADM	Base		Met Growth		Exceeded Growth	
	18-19	19-20	18-19	19-20	18-19	19-20
0-200	\$ 66,010	\$ 68,125	\$ 72,611	\$ 74,938	\$ 79,212	\$ 81,750
201-400	\$ 66,010	\$ 71,531	\$ 72,611	\$ 78,684	\$ 79,212	\$ 85,837
401-700	\$ 69,311	\$ 74,938	\$ 76,242	\$ 82,432	\$ 83,173	\$ 89,926
701-1,000	\$ 72,611	\$ 78,344	\$ 79,872	\$ 86,178	\$ 87,133	\$ 94,013
1,001-1,600*		\$ 81,750		\$ 89,925		\$ 98,100
1601+*		\$ 85,156		\$ 93,672		\$ 102,187

In 2018-19 * ranges were 1,001-1,300 and 1,300+.

Section 2.4. Continues the principal bonuses for the top 50% in school growth but increases the amounts for those in the top 10% or above. The double bonus for those in a D or F school is eliminated. If the person is no longer employed as a principal prior to November 1, 2019, then that person is not eligible. The bonus shall be paid no later than November 30, 2019. The bonus does not count as compensation for TSERS.

	2018-19	2019-20
Top 5%	\$10,000	\$15,000
Top 10%	\$7,500	\$10,000
Top 15%	\$5,000	\$5,000
Top 20%	\$2,500	\$2,500
Top 50%	\$1,000	\$1,000

Section 2.5. Establishes a principal recruitment bonus for principals paid on the exceeded growth column to become principals at low performing schools that were in the bottom 5% of all schools in the State the previous school year. The bonus is set at \$30,000 per year paid on a monthly basis up to 36 months.

G.S. 115C-285.1

Section 2.6. Provides the step increase for assistant principals beginning July 1, 2019. Continues that assistant principals are to be paid off the teacher salary schedule with a 19% differential. Continues the grandfathering of longevity.

HB 411: Modify School Qual./Student Success Indicator (S.L. 2019-142)

Section 1. Requires the SBE to combine the career and college readiness measures to allow a high school to receive one point on its school achievement score for each percent of students that are career or college ready.

G.S.115C-83.15(b)(2)

Section 2. Requires the SBE to combine the career and college readiness measures for the purpose of compliance with federal law.

G.S.115C-83.16(a)(2)

Section 3. Requires the SBE to include career and college readiness percentages on annual report cards.

G.S.115C-12(9)c1

Section 4. Adds a career and college readiness scores subsection to “School achievement, growth, performance scores, and grades”.

G.S.115C-83.15

HB 529: Utilities/Water and Wastewater Consumption (S.L. 2019-88)

Sections 2.(a)-(b). Add “artificial swimming lagoons” to the list of terms included under “public swimming pool”, which already includes pools at schools.

G.S. 130A-280

Section 3. Instructs the Commission for Public Health to study the requirement that all swimming pools have a telephone permanently affixed to a location in the pool enclosure that is capable of directly dialing 911 or other emergency notification systems. Requires the Commission to examine the need for this telephone in light of widespread cellular telephone availability and submit a report to the Joint Legislative Oversight Committee on Health and Human Services no later than March 1, 2020.

15A NCAC 18A-2530(f)

HB 646: ID Approval/Flex Muni One-Stop (S.L. 2019-22)

Section 3. Amends the approval process used by the State Board of Elections (State Board) to approve employee identification cards issued by a state or local government entity (including public and charter schools) for voting identification. New requirements include (1) employee identification cards must contain a frontal image photograph representing accurate likeness of the employee; (2) if the photograph used was not produced by the state or local government entity, the entity must certify the method of confirming employee identity; (3) identification cards must contain a date of expiration; and (4) the state or local government entity must provide the State Board with copies of employee identification cards to assist in training purposes. Changes the requirement that the equipment used to produce the identification cards be restricted through security measures, versus kept in a secure location. Requires the State Board to establish a schedule for submissions and approvals of employee identification cards, after which approval will be valid for the period from January 1 of an odd-numbered year through December 31 of the next even-numbered year. Requires the State Board to publish sample cards for participating local governments.

G.S.163A-1145.3

Section 4. Extends the deadline for approving state or local government issued employee identification cards from March 15, 2019 to November 1, 2019 for use in the 2020 election.

Section 5. Clarifies that a state or local government issued employee identification card without an expiration date shall be accepted for use during the 2020 elections only.

Section 6. Allows employee identification cards approved by the State Board by March 15, 2019 to be used through December 31, 2022. If a card is denied by the State Board by March 15, 2019, a revised application may be submitted by November 15, 2019.

G.S. 163A-1145.3

HB 770: Freedom to Work/Occupational Licensing Board (OLB) Reform (S.L. 2019-91)

Section 2. Defines a State agency licensing board as a State agency staffed by full-time State employees that issues licenses. Provides a nonexclusive list of qualifying State agency licensing boards that includes the licensing of teachers, principals, and superintendents under the SBE and DPI.

G.S. 93B-1

Section 3. Requires State agency licensing boards to include the following information in the annual report they file with the Secretary of State, the Attorney General, and the Joint Legislative Administrative Procedure Oversight Committee : (i) the number of applicants for a license and the number granted a license; and (ii) the number of applicants with a conviction record, the number granted a license, the number denied a license for any reason, and the number denied a license because of a conviction.

G.S. 93B-2

Section 4. Prevents State agency licensing boards from denying an applicant on the basis of a conviction of a crime unless (i) federal law governing a particular board requires the denial,

(ii) the applicant's conviction history is directly related to the duties and responsibilities for the licensed occupation, or (iii) the crime is violent or sexual in nature.

Adds two new factors for a board to consider before denying an applicant a license due to a criminal conviction: (i) the completion of, or active participation in, rehabilitative drug or alcohol treatment and (ii) a Certificate of Relief granted pursuant to G.S. 15A-173.2 before denying an applicant a license due to a criminal conviction. Requires the board to record written findings that specify the factors deemed relevant for denial of a license.

Requires each board to include in its application for licensure (i) whether consent to a criminal history record check is required, (ii) factors considered by the board when making determination of licensure, and (iii) the appeals process if the board denies an applicant licensure because of a criminal conviction.

Requires a board to provide an applicant with (i) access to or a copy of their criminal history record, (ii) written notification of specific issues that will or may prevent the board from issuing a license, and (iii) 30 days to respond by correcting an inaccuracy in their record or submitting evidence of mitigation or rehabilitation.

Following a hearing denying an applicant licensure, requires a board to provide a written order specifically referencing (i) any criminal conviction(s) considered as any basis for the denial, (ii) rationale for the denial, and (iii) reference to the appeal process. Prohibits a board from restricting an applicant from reapplying for licensure for a period exceeding two years.

Allows an individual with a criminal history to petition a board at any time for a predetermination of whether the individual's criminal history will likely disqualify them from obtaining a license. Requires the board to inform the individual of its determination within 45 days of receiving the petition. Allows the board to charge up to \$45.00 for each petition. If the board determines an applicant would likely be denied licensure, requires the board to notify the individual of the grounds for the predetermination and the rights of the petitioner.

G.S. 93B -8.1

HB 871: Fair Contracts (S.L. 2019-92)

Section 1. Prohibits requiring one party to indemnify, hold harmless, or defend the other party, its independent contractors, employees, or any other person or entity for engineering, architectural, landscape architectural, or surveying services. Applies to any contracts entered into, renewed, or amended on or after October 1, 2019.

G.S. 22B-1

HB 886: Study Participation of Operators in NC Pre-K (S.L. 2019-87)

Section 1. Requires the Division of Child Development and Early Education of the Department of Health and Human Services (DHHS) to complete (i) a statewide study of operators of four- and five- star centers that are currently not participating in the North Carolina Pre-K program to identify the perception of challenges associated with participating and (ii) a county-by-county study of local challenges. Requires that a report with recommendations be

submitted to the Joint Legislative Oversight Committee on Health and Human Services and the Joint Legislative Education Oversight Committee by February 1, 2020.

HB 922: Enhance Insurance Coverage/Education Buildings (S.L. 2019-176)

Sections 1.(a)-(b). Require LEAs to insure and keep insured buildings owned by the LEA to the extent of not less than 80% (previously not less than 75%) of the current insurable value against loss by an insurable hazard such as fire, lightning, windstorm, hail, explosion, aircraft or vehicles, riot or civil commotion, smoke, vandalism, sprinkler leakage, sinkhole collapse, volcanic action, falling objects, weight of snow, ice or sleet, or water damage. Require LEAs to insure and keep insured adequately the equipment and contents of the buildings. When property of the LEA is located in the 100-year flood plain on the latest Flood Insurance Rate Map, require that local school board insure or keep insured to the extent of not less than 80% of the current insurable value for flood damage to buildings and their contents. Require county commissioners to appropriate the necessary funding for compliance. Allow LEAs to purchase insurance from companies duly licensed and authorized to sell insurance in this State or to obtain insurance in accordance with the provisions of Article 31A of Chapter 58 of the General Statutes. Permit the Commissioner of Insurance to order a civil penalty for each separate violation by any person that willfully fails to comply with these provisions (every 24 hours without such insurance constitutes a separate violation).

G.S. 115C-523.1 & 523.2

Section 1.(c). Adds “property insurance” to the powers and duties of the board of directors of regional schools.

G.S. 115C-238.66

Sections 3.(a)-(f). Transfer the School Insurance Fund Section of DPI (except for one position that will continue to administer workers compensation at DPI) and the balance of the Public School Insurance Fund to the Department of Insurance (DOI).

HB 924: Teacher Contract Changes (S.L. 2019-82)

Section 1.(a). Clarifies eligibility for extended teacher contracts by defining a year of employment as not less than 120 workdays performed as a teacher in a full-time permanent position (which had previously been the standard for career status). If a LEA policy states that the three years of employment to be eligible for an extended teacher contract must be consecutive, that LEA is required to state that if the teacher did not work a full 120 workdays because of approved or legally entitled leave, that year must not (i) be deemed to constitute a year of employment nor (ii) be considered a break in the continuity of consecutive years of teacher employment. A suspension shall not constitute approved or legally entitled leave.

G.S. 115C-325.3

Section 2. Establishes the completion of an Economics and Personal Finance (EPF) course as a public high school graduation requirement beginning with the freshman class of 2020-21. Requires EPF teachers to receive professional development and to take an EPF

professional development course at a North Carolina Council of Economic Education-approved location, to the extent possible.

G.S. 115C-81.65

Section 3.(a). Makes changes to statutes requiring instruction in civic and citizenship education to update language and organization of standard course of study requirements for middle school and high school social studies.

G.S. 115C-81.45

Section 4.(d). Requires charter schools to provide financial literacy instruction and EPF teacher professional development pursuant to G.S. 115C-81.65.

G.S. 115C-218.85(a)

Section 5. Requires the SBE to (i) review the k-12 standard course of study for social studies in the 2019-20 school year, (ii) revise the high school standard course of study in accordance with the requirements for the EPF course and the civic literacy course, (iii) determine the high school grade level during which the two courses may be completed, and (iv) not require more than four full-course credits in social studies for high school graduation.

Senate Bills

SB 88: Electrician Requirements for Certain Orgs. (S.L. 2019-78)

Section 1. Clarifies that the licensure exemption of a person who does electrical work on their own property does not limit the ability of a LEA from employing personnel who are licensed to perform maintenance and repairs on property owned or possessed by that LEA.

G.S. 87-43.1

Section 2. Clarifies that a licensee who is regularly employed by a LEA may maintain an individual license and may contract with or work at the discretion of the LEA for any building or facility owned or possessed by the LEA, regardless of whether all or a portion of that building or facility is being leased or provided for another entity or event.

G.S. 87-43.2

Section 3. Allows LEAs to employ personnel who are licensed as electrical contractors pursuant to Article 4 of Chapter 87 of the General Statutes.

G.S. 115C-524

SB 199: Child Sex Abuse/Strengthen Laws (S.L. 2019-245)

Section 1. Expands the duty to report crimes against juveniles by requiring any adult who knows or should have reasonably known a juvenile has been or is a victim of a violent offense, sexual offense, or misdemeanor child abuse to immediately report the case to the appropriate law enforcement agency. The report may be made by telephone or in person. The statute further delineates what must be reported. Failure to report is a Class 1 misdemeanor.

G.S. 14-318.6

Section 2. Expands the statute of limitations to 10-years for (1) abuse, neglect, dependency or death due to maltreatment; (2) sexual battery; (3) indecent liberties between children; (4) misdemeanor child abuse, and (5) failure to report crimes against juveniles.

G.S. 15-1

Section 3. Protects children from online high-risk sex offenders by delineating online activities that high-risk sex offenders are not allowed to participate in.

G.S. 14-202.5 & G.S. 14-202.5A

Section 4.1. Extends the statute of limitations for a plaintiff until he/she is 28, who was under the age of 18 to make a claim related to sexual assault.

Sections 4.4(a) and (f). Require local boards of education to adopt and implement a child sexual abuse and sex trafficking training program for school personnel who work directly with students in K-12 grades. School personnel is defined as teachers, instructional support, principals, and assistant principals. At the discretion of the LEA, the term may also include others who work directly with students (i.e. TAs, bus drivers, etc.). The statute further delineates what needs to be included in the training. Provide immunity protection. Program needs to be adopted by January 1, 2020 and training of personnel begins with the 2020-21 school year.

G.S. 115C-47 and 115C-375.20

Section 8. Amends the definition of school for purposes of the sex offender residential restrictions to include any construction project designated by the governing body as a public school and the sheriff(s) with jurisdiction has been notified.

G.S. 14-208.16(b)

SB 219: Modify Teacher Licensing Requirements (S.L. 2019-71), as amended by SB 621: Testing Reduction Act of 2019 (S.L. 2019-212)¹

Part I. Modifications to Initial Professional Licenses

Extends the timeframe to pass testing requirements for a continuing professional license (CPL) from two to three years. Requires DPI to monitor compliance and notify the teacher if they are out of compliance. Specifically disallows DPI to convert an initial professional license (IPL) or a residency license (RL) to a CPL until testing requirements are fulfilled. Provides a one-year IPL, lateral entry license, or RL extension for elementary and special education teachers whose licenses are set to expire on June 30, 2019.

G.S. 115C-270.15

¹ Section 8 of SB 621: Testing Reduction Act of 2019 (S.L. 2019-212) expands teacher licensure requirements to apply to residency licenses (RL): extends the timeline from two to three years for RLs to pass any necessary licensure tests, adds RLs to the list of individuals who are eligible for a limited license if they failed to fulfill examination requirements after three years of licensure, and provides a one-year lateral entry license or RL extension for elementary and special education teachers whose licenses are set to expire on June 30, 2019.

Part II. Creation of Limited Licenses

Creates a three-year nonrenewable limited license for

- Individuals who were issued an IPL or a RL but have not yet qualified for a CPL;
- Out-of-state applicants who do not have an IPL or a CPL, but have a current teacher license in good standing and at least three years of teaching experience; and
- A military spouse who holds a current teaching license in another state.

Requires the LEA who currently employs an applicant who was issued an IPL or a RL but has not yet qualified for a CPL to submit an affidavit stating that the teacher is currently employed by that LEA, is an effective teacher, and will be encouraged to continue to pursue a CPL.

Requires the LEA who is seeking to employ an out-of-state applicant to submit an affidavit stating that the LEA is seeking 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. Only allows an individual's limited license to be used in the LEA that requested it.

G.S. 115C-270.20(a)

Part III. Pay for Newly Employed Teachers with Experience Credit

Authorizes LEAs to determine experience credit for teachers from other states and to pay them at the commensurate level on the State salary schedule during the first year of the license. If done in good faith and a mistake is made, the LEA is not responsible for repayment of State funds.

G.S. 115C-302.1

Part IV. Modifications of Lifetime Teaching Licenses

Reduces the number of years required to get a lifetime teaching license from 50 to 30 years.

G.S. 115C-270.20(a)(4)

Part V. Emergency Rule-Making Authority

Authorizes emergency rulemaking by the SBE to implement the requirements of the bill in accordance with its timeline.

SB 227: TP3/Principal Fellows Consolidation (S.L. 2019-60)

Sections 1.(a)-(k). Maintain the existing Transforming Principal Preparation Grant Program (TP3) administration for current grant recipients until 2021. Repeal the transfer of the TP3 program to the Principal Fellows Commission that would have been effective on July 1, 2019.

G.S. 116-209.70 - 76

Sections 1.(l)-(r). Merge the TP3 and the Principal Fellows Commission on July 1, 2021 to become the North Carolina Principal Fellows and TP3 Commission.

G.S. 116-74.41; 116-74.41A; 116-74.41B; 116-74.42-49

Sections 1.(s)-(aa). Eliminate the Principal Fellows Program effective July 1, 2021. Make conforming changes.

G.S. 116-204; 116-209.28; 116-74.41A; 116-74.41B; 116-74.44

SB 230: NC Military and Veteran Act of 2019 (S.L. 2019-201)

Part 1. Allows students a minimum of two excused absences per academic year if the student is not at risk of academic failure because of unexcused absences and their parent or legal guardian is an active duty member of the uniformed services that has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting.

G.S. 115C-379

SB 301: Regional School Modifications (S.L. 2019-184)

Section 1. Establishes a mandatory process for participating units seeking withdrawal from a regional school. Requires a participating unit to adopt and submit to the regional school board of directors a resolution that requests withdrawal and explains a withdrawal plan. Requires the board of directors to provide an opportunity for public comment on the resolution. If the participating unit receives conditional approval to withdraw with a 2/3 vote from the board of directors, the SBE is required to provide an opportunity for public comment on the resolution and grant final approval of the withdrawal resolution. Prohibits a participating unit from withdrawing without approval from the regional school's board of directors.

G.S. 115C-238.62

Section 2. Clarifies that Section 1 applies to participating units in regional schools and any action by a LEA to withdraw from or terminate participation in a regional school except as provided in Section 1 is deemed null and void.

SB 343: Various Education Law Changes (S.L. 2019-165)

Section 4. Requires each LEA to annually report the instructional calendar start and end dates to the Superintendent of Public Instruction and the SBE by April 1. Requires the SBE to annually report the dates to the Joint Legislative Education Oversight Committee by June 15. For the 2019-20 school year, requires that each LEA submit its report by August 1, 2019 and the SBE submit its report by September 1, 2019.

G.S. 115C-84.2

Sections 1.1-1.5. Repeal an annual report from the Education Cabinet on the School Connectivity Initiative and an annual report from the Education Cabinet on the First in America Innovative Education Initiatives Act.

S.L. 2007-323, Section 7.28(g); G.S. 116C-4(c)

Sections 2.1-2.5. Change the following report submission dates:

- The annual SBE report on testing from November 1 to December 15.
- The annual SBE report on charter schools from January 15 to February 15.
- The quarterly Governmental Data Analytics Center report on the Education Longitudinal Data System is modified to become an annual report due by July 1.

G.S. 115C-174.12(e); 115C-218.110(b); 116E-4(c)

Sections 3.1-3.7. Make the following education report changes:

- Combines two annual reports on students with disabilities (one by DPI and one by SBE) into one SBE report.
- Combines the annual SBE report on students in career and technical education courses who earned community college credit and related industry certifications and credentials with the annual SBE report on the addition of college, career, and college and career endorsements on high school diplomas.
- Combines the annual report on the evaluation of cooperative innovative high schools with the annual report on the evaluation of the Career and College Promise Program.
- Requires DPI and the Community College System Office (instead of the SBE and the State Board of Community Colleges) to report to the Office of State Human Resources on the voluntary shared leave program.

G.S. 115C-107.5; 115C-156.2(b); 115C-238.55; 126-8.3(c)

Section 5. Clarifies that Education Workforce Innovation Commission membership is extended to designees.

G.S. 115C-64.15(b)

Section 6. Staggers Professional Educator Preparation and Standards Commission appointments.

G.S. 115C-268.1

Section 7. Exempts SBE charter actions from contested case provisions.

G.S. 150B-1(e)

SB 366: 9th/10th Grade/College Transfer Pathways (S.L. 2019-185)

Section 1. Extends the participation in college transfer pathways and enrollment in college courses to include qualified freshmen and sophomores who

- Are determined to be academically gifted, have demonstrated readiness for course material, and have the maturity to justify admission to the community college by (i) the community college president, (ii) the student's high school principal or equivalent administrator, and (iii) the academically gifted coordinator, if employed by the high school or LEA;
- Participate in academic advising focused on being admitted to college early with representatives from the high school and the community college; and
- Have been given consent for participation from their parent or guardian.

G.S. 115D-20(4)a.

Section 2.(a). Requires that the criteria for adjunct career and technical education (CTE) instructors weigh work experience and industry recognized licenses or credentials over educational attainment level. Prohibits an adjunct CTE instructor from being employed for more

than 20 hours per week or more than five full consecutive months of employment. Prohibits adjunct CTE instructors from being eligible to earn paid leave, participate in the Teachers' and State Employee' Retirements System, or receive or purchase health benefits through the State Health Plan for Teachers and State Employees.

G.S. 115C-157.1

Section 2.(b). Requires the SBE to develop and report to the Joint Legislative Education Oversight Committee by April 15, 2020 the minimum criteria that requires work experience and industry recognized licenses or credentials of adjunct CTE instructors to outweigh educational attainment level.

Section 2.(c). For the 2019-20 school year, allows an individual without an associate or baccalaureate degree to be deemed to meet the minimum criteria for an adjunct CTE instructor if the individual (i) can demonstrate a minimum of six years in the last ten years of professional experience in the relevant skill or trade and (ii) has a recognized industry credential or active professional license in each subject area.

SB 391: Expand Youth Internship Opportunities (S.L. 2019-166)

Section 1. Provides a limited exception to the prohibition of youth who are 16 to 18 years old and participating in supervised, practice experiences with employers in occupations designated by the Commissioner of Labor to be detrimental to the health and well-being of youth. Requires the Commissioner of Labor to determine if (i) the youth is enrolled in a public or nonpublic school that is partnering with the employer to offer supervised, practice experience for the occupation and (ii) the employer has submitted to the Commissioner of Labor a written agreement between the employer and the school where the youth is enrolled that governs the supervised, practice experience. Establishes requirements for the written agreement, including that the agreement be consistent with the guidance provided in Child Labor Bulletin 101, published by the US Department of Labor, Wage and Hour Division.

G.S. 95-25.5

SB 399: Rehire High-Need Teachers (S.L. 2019-110), as amended by SB 621: Testing Reduction Act of 2019 (S.L. 2019-212)

Section 1. Defines a high-need retired teacher as a beneficiary of the Teachers' and State Employees' Retirement System (TSERS) who (a) retired on or before February 1, 2019 after attaining (i) the age of at least 65 with five years of creditable service, (ii) the age of at least 60 with 25 years of creditable service, or (iii) 30 years of creditable service and (b) is reemployed by a LEA to provide classroom instruction as a teacher for at least 30 hours a week for nine months or more.² Defines a high-need school as a Title I school or a school with an overall school performance grade of D or F, on or after July 1, 2017. States that a high-need retired teacher will be paid on the first step of the teacher salary schedule, except for STEM or special

² Section 7 of SB 621: Testing Reduction Act of 2019 (S.L. 2019-212) changes the definition of a high-need retired teacher from one that is reemployed by a LEA to teach at a high-need school to one that works at least 30 hours a week for 9 months or more. This clarification allows the rehiring of retired teachers under the earnings cap, as long as they do not work more than 30 hours a week for 9 months or more.

education teachers who will be paid on the sixth step of the teacher salary schedule. Does not allow high-need retired teachers to receive State salary supplements or increases in salary but does allow them to receive local salary supplements. Requires a contract between a LEA and a high-need retired teacher to be for a term of no more than one school year. Requires the Superintendent of Public Instruction to identify and provide LEAs with a list of STEM and special education licensure areas that qualify for reemployment of a high-need retired teacher.

G.S. 115C-302.4

Section 2. Prohibits a beneficiary of the TSERS to receive retirement credit while the beneficiary is employed to teach as a high-need retired teacher. Requires LEAs to inform the Retirement System, no later than September 15 annually, if it will not employ high-need retired teachers for that school year. Allows the continuation of retirement allowance for beneficiaries who retired on an early or service retirement who are reemployed as high-need retired teachers.³

G.S. 135-3(8)

Sections 5.(a)-(d). Require this act to be repealed within 30 days if the IRS determines that the TSERS would be jeopardized by allowing retired teachers to return to work in high-need schools while receiving retirement benefits. If repealed, require the State Treasurer to notify all LEAs of the repeal (and LEAs would notify all high-need retired teachers) and publicly post the information on the Department of the State Treasurer website. Clarify that any beneficiary employed by a LEA to teach as a high-need teacher would not be eligible to elect into a position that would lead him or her to be able to accrue any additional TSERS benefits.

Effective July 1, 2019 and expires June 30, 2021.

*Note: It is important that LEAs closely follow guidance released from NCSBA, the Retirement Division of the Treasurer's Office, and DPI.

SB 448: Amend Appt For Compact on Education/Military (S.L. 2019-38)

Section 1. Requires that an individual appointed by the Governor as Compact Commissioner represent at least one LEA with a high concentration of military children. Removes the requirement that the individual be a licensed NC attorney.

G.S. 115C-407.7

SB 500: Modify Advanced Math Course Enrollment (S.L. 2019-120)

Section 1.(a). Requires, when practicable, LEAs to offer advanced learning opportunities in mathematics for grades three through five and advanced courses in mathematics for grades six and higher. Refers to advanced learning opportunities as services and curricular modifications in mathematics for academically or intellectually gifted students approved as part of the local plan, as required by G.S. 115C-150.7.

³ Section 7 of SB 621: Testing Reduction Act of 2019 (S.L. 2019-212) adds the annual requirement that LEAs inform the Retirement System if it will employ high-need retired teachers for that school year and the continuation of retirement allowance for beneficiaries who retired on an early or service retirement who are reemployed as high-need retired teachers.

Sections 1.(a1)-(b). Require that any student in grades three through five who scores at the highest level on the EOG to be provided advanced learning opportunities in mathematics approved for that student's grade level. Maintain the requirement that any student in grades six and higher who scores at the highest level on the EOG or EOC must be enrolled in the advanced mathematics course for that student's grade level. Allow LEAs to provide supplemental content enrichment, such as administration of diagnostic assessments, to students in grades six and higher who are enrolled in a high school level mathematics course. Require a parent or guardian to be informed that their student's placement in an advanced learning opportunity or course in mathematics was determined by the student's achievement at the highest level on the previous EOG or EOC before that parent or guardian can provide written consent for their student to be excluded or removed from the advanced placement.

Section 1.(c). Requires DPI to submit a report containing data on the number and demographics of students eligible for and placed in advanced math courses to the Joint Legislative Education Oversight Committee by December 15, 2020, and annually thereafter.

Section 1.(d). Requires DPI to provide guidance to LEAs on how to best develop programming and courses to ensure rigorous and academically appropriate instruction in mathematics.

Sections 2-3. Do not require (but allow) schools that did not offer Math I to eighth grade students during the 2018-19 school year to offer it for the 2019-20 school year. Require LEAs to develop and submit an implementation plan by January 15, 2020.

Section 4. Requires the Superintendent of Public Instruction to compile implementation plans submitted by LEAs into a summary report, along with any recommended changes, to be submitted to the Joint Legislative Education Oversight Committee by March 15, 2020.

G.S. 115C-81.36

SB 522: Low-Performing Schools/Advanced Teaching Roles (S.L. 2019-248)

Part 1: Innovative School District (ISD)

Section 1.(a). *Qualifying Schools*: Changes the definition of a qualifying school as one governed by a LEA that is in the lowest performing 5% of all Title I schools (old definition included lowest 5% of schools with all or part of K-5). However, it excludes from consideration alternative schools, cooperative innovative high schools, schools in their first or second year of operation, and newcomers schools. Restart schools are now eligible for selection to the Innovative School District (ISD). Requires Local Boards of Education (LBE) to identify and engage in strategies for comprehensive support and improvement of qualifying schools.

The State Board of Education (SBE) will eventually transfer up to five schools each year into the ISD. It had previously been capped at five schools total.

Selection Process & Board Action: Requires the SBE to transfer the lowest scoring school in the State for school years 2019-20 and 2020-21 to the ISD in the 2021-22 and 2022-23 school years respectively.

Establishes a multi-year selection process beginning in the 2019-20 school year with up to five schools selected to the ISD for the 2023-24 school year and annually thereafter (Process is below – years in parenthesis will change with each new school year).

Year 1 (2019-20) – Qualifying List: Notice will be given to the superintendent and the LBE by November 15. The LBE must notify parents of:

- (1) the school’s status on the qualifying list,
- (2) potential impacts of the designation,
- (3) plans for improvement, and
- (4) any additional information deemed necessary by the LBE.

Year 2 (2020-21) – Watch List: If a school that was on the qualifying list in the prior year still meets the definition of a qualifying school, the school is moved to the watch list. Notice will be given to the superintendent and the LBE by November 15. The LBE must notify parents of (1) – (4) listed under Year 1.

Year 3 (2021-22) – Warning List: If a school that was on the watch list in the prior year still meets the definition of a qualifying school, the school is moved to the warning list. The LBE will hold a public hearing (only in the school’s first year on the warning list) and present at a public meeting to the county commissioners. Provides a list of information and data to be shared with the community and commissioners.

A school shall remain on the ISD warning list until it is either no longer a qualifying school or is transferred to the ISD.

Year 4 (2022-23) – Selection List: A qualifying school will be selected by the SBE as an innovative school if it was on the warning in list the prior year and is one of the five lowest performing eligible schools in the state. Selected schools will be transferred to the ISD in the following school year (2023-24).

Requires that a LBE member with an immediate relative at a qualifying school recuse him or herself from any Board action directly related to that qualifying school.

Allows teachers with career status that teach in an innovative school to return to the same LEA with career status, if an appropriate position is available.

Voluntary Selection: If fewer than five schools are selected to the ISD in any given year, a LBE, upon the recommendation of the ISD Superintendent, may request that the SBE select a qualifying school for transfer to the ISD.

Innovation Zones: Enables a LBE that transfers a qualifying school to the ISD to ask the SBE to create an innovation zone. The number of schools an LEA can place in the innovation zone depends on the percentage of low performing schools in the district.

Eliminates the requirement that a low performing school in an innovation zone that did not exceed expected growth during the final two years in the zone become an innovative school.

Establishes local innovation zone offices with a leader selected in consultation with the ISD Superintendent, to be appointed by the local board of education, and approved by the State Board of Education.

Study: Requires the State Superintendent and the ISD Superintendent to study options for innovative schools and reform of low-performing school models with recommendations and suggested legislative changes submitted to the Joint Legislative Education Oversight Committee by March 15, 2020.

Section 1.(b). Requires LEAs to provide school performance information to county commissioners when submitting its annual budget.

Part II: Advanced Teaching Roles

Section 2.(a). Eliminates the cap of LBEs that can participate in the program. Exempts all participating schools from class size requirements.

G.S. 115C-75.5, 75.7, 75.8, 75.11, 75.12, 75.13; 115C-429(a); S.L. 2018-97; 2017-57; 2016-94; 2018-145

SB 556: GSC People First Language 2019 (S.L. 2019-76)

Changes all references of “mental retardation” throughout the general statutes to “intellectual disability” or “intellectual or other developmental disability”. Makes other technical changes.

SB 584: Criminal Law Reform (S.L. 2019-198)

Section 4. Requires every county with population over 20,000, city or town with population over 1,000, or metropolitan sewerage district that has enacted an ordinance punishable pursuant to G.S. 14-4(a) to submit a report of a list of applicable ordinances and a description of conduct subject to criminal punishment to the Joint Legislative Administrative Procedure Oversight Committee no later than November 1, 2019.

S.L. 2018-69, Section 3

Section 5. Prohibits an ordinance adopted on or after January 1, 2020 and before January 1, 2022 from being subject to the criminal penalty provided by G.S. 14-4, unless the report was submitted on or before November 1, 2019.

Section 6. Requires the General Statutes Commission to study the reports received and make recommendations regarding whether any conduct currently criminalized should have criminal penalties provided by a generally applicable State law. Requires the Commission to report to the 2020 Regular Session of the 2019 General Assembly and the Joint Oversight Committee on General Government on or before May 1, 2020.

SB 621: Testing Reduction Act of 2019 (S.L. 2019-212)

Section 1. Eliminates the NC Final Exam beginning with the 2020-21 school year. Requires the SBE and DPI to submit a plan by March 15, 2020 to the Joint Legislative Education Oversight Committee on how to use other means to accomplish the purposes for which data is collected by the NC Final Exam.

Section 2. Promotes the goal of implementing a through-grade assessment model. Requires the Superintendent of Public Instruction to report by November 15, 2020, and annually thereafter until November 15, 2024, to the Joint Legislative Education Oversight Committee on the progress of the North Carolina Personalized Assessment Tool (NCPAT) pilot, including replacing the End-of-Grade and End-of-Course assessments. Permits the SBE and the Superintendent of Public Instruction to supervise and administer the NCPAT pilot in fulfillment of the State's Innovative Assessment Demonstration Authority granted by the United States Department of Education.

Section 3. Establishes plans to reduce standardized testing by LEAs by requiring local boards of education, in each even-numbered year, to review locally required standardized tests in order to determine (i) the number of tests administered and (ii) the number of hours required to complete the tests. If the average number of tests administered or number of hours required to complete the tests exceeds the State average over the prior two-year period, requires a local board of education to submit to DPI and the SBE, by October 1 of the even-numbered year, a plan to eliminate certain local standardized testing to ensure that the State average is met. Allows the SBE to waive the requirement if it finds that a local board has made significant progress toward reducing local testing to the State average. Requires the Superintendent of Public Instruction to publish on the DPI website a summary of the nature and extent of local testing, including the average number of tests administered and the average number of hours required to complete the tests over the prior two-year period. The first report will be issued in 2020 and will be based on the 2019-20 school year testing data.

G.S. 115C-174.12

Section 4. Requires reimbursement of up to \$75.00 for expenses related to graduation projects for any economically disadvantaged student in a LEA that has a graduation project requirement.

G.S. 115C-47

Section 5. Requires DPI to examine the third grade English Language Arts End-of-Grade assessment to ensure alignment with Read to Achieve. Requires DPI to report to the Joint Legislative Education Oversight Committee on the results of its examination and any developed modifications by March 15, 2020.

Section 6. Requires the SBE to determine and analyze the necessary steps to transition to a competency-based assessment and teaching model for all elementary and secondary students. Requires the SBE to submit a report of its analysis and recommended transition steps to the Joint Legislative Education Oversight Committee by May 15, 2020.

Section 7.(a). Clarifies that the definition of a high-need retired teacher in SB 399: Rehire High-Need Teachers (S.L. 2019-110) is one that works at least 30 hours a week for 9 months or more. This clarification allows the rehiring of retired teachers under the earnings cap, as long as they do not work more than 30 hours a week for 9 months or more. Requires LEAs to inform the Retirement System, no later than September 15 annually, if it will not employ high-need retired teachers for that school year. Allows the continuation of retirement allowance for beneficiaries who retired on an early or service retirement who are reemployed as high-need retired teachers.

S.L. 2019-110, G.S. 115C-302.4, and G.S. 135-3(8)g

Section 8. Expands SB 219: Modify Teacher Licensing Requirements (S.L. 2019-71) to apply to residency licenses (RL). Extends the timeline from two to three years for RLs to pass any necessary licensure tests. Adds RLs to the list of individuals who are eligible for a limited license if they failed to fulfill examination requirements after three years of licensure.

S.L. 2019-71, G.S. 115C-270.15, and G.S. 115C-270.20(a)(4a)

Local Legislation

House Bills

HB 134: Filling Vacancy/Onslow County Board of Comm. (S.L. 2019-102)

Section 2.(a). Changes the election method for the Stokes County Board of Education from nonpartisan to partisan. Beginning in 2020, elections shall be held in each even-numbered year. Requires elected members of the Board to take office on the first Monday of December immediately following their election.

Section 2.(b). In 2020, and quadrennially thereafter, requires that three members be elected to the Board for four-year terms. In 2022, and quadrennially thereafter, requires that two members be elected to the Board for four-year terms. Beginning in 2020, requires that vacancies on the Board for seats elected on a partisan basis be filled by the nominee of the relevant political party's county executive committee, in accordance with G.S. 115C-37.1. Requires that Board vacancies for seats elected on a nonpartisan basis in 2016 or 2018 be filled on a nonpartisan basis, in accordance with G.S. 115C-37(f).

Section 2.(d). Adds "Stokes" to the list of counties in G.S. 115C-37.1(d) titled "Vacancies in offices of county boards elected on partisan basis in certain counties", effective the first Monday in December 2020.

Section 2.(e). Repeals all laws and clauses of laws in conflict with these provisions.

HB 181: Yanceyville/Greensboro/McDowell County Bd Ed. (S.L. 2019-234)

Section 3. Changes the residency districts for the McDowell County Board of Education. Provides for the staggering of terms. To be eligible for election, a candidate must reside in the attendance zone. If there is a vacancy, requires that the replacement must reside in the attendance zone of the departing member. Clarifies that a change in the legal name of an elementary school shall be reflected in policy.

S.L. 1987-322, Section 3

HB 383: Topsail Charter/Pender Board Vacancies (S.L. 2019-44)

Section 1.5. Repeals Chapter 1008 of the 1989 Session Laws, which required the Pender County Board of Education to take office at the first meeting in July following its election. This means that members will now be seated at the first meeting in December.

Senate Bills

SB 312: Relief to Ocracoke School/Hurricane Dorian (S.L. 2019-238)⁴

Section 1.(a). Grants LEAs calendar flexibility for schools that were closed for more than 18 days during the months of September 2019 and October 2019 due to Hurricane Dorian in the following ways:

- 1) Make up any number of the instructional days or equivalent hours missed
- 2) Deem as completed any number of instructional days or equivalent hours missed, up to a total of 20 days
- 3) Implement any combination of both (1) and (2)

Section 1.(b). All LEA employees assigned to a school which was closed for more than 18 days in September 2019 and October 2019 due to Hurricane Dorian will be compensated in the same manner on the instructional days missed and not made up as they otherwise would have had they worked on those days.

SB 478: Modify Appointment Reporting (S.L. 2019-167)

Section 1. Requires the clerk of the appointing authority of city boards of education to submit a report to the Secretary of State by September 1 of each year that discloses (i) the number of appointments made during the preceding year and (ii) the number of appointments of each gender made.

G.S. 143-157.1

*Note: This session law applies to the Asheville City Board of Education and the Thomasville City Board of Education.

SB 674: Surry Co./Mt. Airy/Elkin City/Bd. Ed Partisan (S.L. 2019-63)

Sections 1.(a), 1.(c), 2.(a), and 3.(a). Change the election method for the Boards of Education of Surry County, Mount Airy City Schools Administrative Unit, and Elkin City Administrative Unit from nonpartisan to partisan. The terms are for four years and beginning in 2020 elections shall be held in each even-numbered year. Beginning in 2020, require that vacancies on Boards for seats elected on a partisan basis be filled by a majority vote of Board members, and that the Board appoint the relevant political party's county executive committee's nominee, in accordance with G.S. 115C-37.1. Require that Board vacancies for seats elected on a

⁴ This bill is not technically a local bill, but only affects one district

nonpartisan basis in 2016 or 2018 be filled on a nonpartisan basis, in accordance with G.S. 115C-37(f).

Section 4. Adds “Surry” to the list of counties in G.S. 115C-37.1(d) titled “Vacancies in offices of county boards elected on partisan basis in certain counties”, effective the first Monday in December 2020.

Makes conforming changes for implementation.

From: [Hipp, Kimberly A](#)
To: [Hipp, Kimberly A](#)
Subject: FW: Action Needed - Draft Resolution re: School Technology
Date: Monday, November 18, 2019 12:42:31 PM

From: NCSBA Governmental Relations Team <NCSBA@embrams-mail.com>
Sent: Tuesday, November 12, 2019 12:35 PM
To: Nolen, Lisa <nolenl@gcsnc.com>
Subject: Action Needed - Draft Resolution re: School Technology

School Board Members, Board Assistants, and Superintendents:

NCSBA has been hard at work trying to formulate a responsible payment option for the unpaid \$730 million that the State still owes to public schools per a 2008 court judgment. The judge ruled that those funds should have been used exclusively for school technology but were instead unconstitutionally diverted to other purposes. Please click [here](#) to read more background on the case.

The General Assembly announced its intentions to reconvene in January 2020. We believe this provides a unique opportunity for them to put a plan in place months before they work on the next budget during the short session. Attached you will find a sample resolution that NCSBA requests that your board pass at its November meeting (December will work if November is not an option).

There are a few blank spots in the resolution that YOU NEED TO FILL IN. Please be sure this is done and that you DO NOT transmit the attachments.

We ask that once you pass the resolution to please send a signed and dated copy to the following:

1. Rebekah Howard, NCSBA Governmental Relations Research Specialist, rhoward@ncsba.org. It is important that you send this directly to Rebekah so that we can keep a running list of resolutions. Please don't send it to other NCSBA employees as this could delay districts from being added to the list.
2. Your entire legislative delegation that represents any part of your county. Click [here](#) and scroll down to find your county's House member(s) and [here](#) for your state Senator(s). It is important to send a copy of the resolution to your entire delegation and not just those that reside in the county in which your school district is located.
3. Senator Berger and Speaker Moore and their Chief's of Staff appropriate staff.

- a. Senator Phil Berger - Phil.Berger@ncleg.net
- b. Andrew Tripp (Sen. Berger's Chief of Staff) - Andrew.Tripp@ncleg.net
- c. Speaker Tim Moore - Tim.Moore@ncleg.net
- d. Bart Goodson (Speaker Moore's Chief of Staff)
- Bart.Goodson@ncleg.net

4. Senior Appropriations Chairs

- a. Senator Harry Brown - Harry.Brown@ncleg.net
- b. Senator Kathy Harrington - Kathy.Harrington@ncleg.net
- c. Senator Brent Jackson - Brent.Jackson@ncleg.net
- d. Representative Jason Saine - Jason.Saine@ncleg.net
- e. Representative Donny Lambeth - Donny.Lambeth@ncleg.net
- f. Representative Linda Johnson - LindaP.Johnson@ncleg.net

5. Governor Cooper's staff

- a. Geoff Coltrane - Geoff.Coltrane@nc.gov

Please reach out to us if you would like to include in your resolution the amount of funds that your LEA could potentially receive for school technology.

Let us know if you have any questions or concerns.

NCSBA Governmental Relations Team

Resolution Urging the State to Take Action to Remit Civil Penalties Unconstitutionally Withheld from North Carolina's Public Schools

Whereas, the North Carolina Supreme Court ruled that under Article IX, Section 7 of the NC Constitution that the public schools are entitled to the clear proceeds of specific civil penalties collected by various state agencies, including the Department of Revenue (DOR), Department of Transportation (DOT), the campuses of the University of North Carolina (UNC), the Department of Commerce (DOC), the Employment Security Commission (ESC), state owned psychiatric institutions in the Department of Health and Human Services (DHHS), and the Department of Environment and Natural Resources (DENR, now DEQ); and

Whereas, in 1997, the General Assembly created the Civil Penalty and Forfeiture Fund in G.S. 115C-457.1 and provided that the clear proceeds of all civil penalties collected by state agencies should be paid into the fund; and

Whereas, in 2008, the NC Superior Court upon remand from the NC Supreme Court ruled that state agencies were in clear violation of the State Constitution by improperly withholding \$747,883,074 that should have been paid to the Civil Penalty and Forfeiture Fund from January 1996 through June 2005; and

Whereas, the 2008 court order lists the amount to be paid by each state agency to public schools: DOR \$583,340,162; DOT \$104,071,323; UNC \$42,368,982; ESC \$18,017,467; DHHS \$53,955; DOC \$10,404; DENR/DEQ \$20,781; and

Whereas, the legislature declared that such funds should be used exclusively for school technology and appropriated to the individual public-school units on a per pupil basis; and

Whereas, public school units are in dire need of additional technology funding; and

Whereas, according to the Department of Public Instruction (DPI), only 38% of North Carolina's 115 local school districts in 2018-19 reported having achieved the State's 4-year replacement goal for student devices (Chromebook, iPad, laptop, etc.); and

Whereas, more than 30% of school districts in 2018-19 reported having no resources budgeted for replacement devices; and

Whereas, investing in current technology is necessary to achieve a 21st century education that utilizes innovative, collaborative, and learner centered experiences; and

Whereas, since 2008, the public schools have received only \$18.1 million, approximately 2.5% of the total amount owed; and

Whereas, the defendants have not fulfilled their constitutional obligation to make up for the remaining \$729,699,823 that was diverted from public schools; and

Whereas, on March 6, 2019, a consent order was entered to extend the enforceability of the existing unpaid 2008 judgement to prevent it from expiring; and

Whereas, the plaintiffs have tried to work with state leaders for almost fifteen years to find an amicable resolution to this matter; and

Whereas, the plaintiffs continue to seek a win/win outcome and remain willing and ready to work on a mutually beneficial resolution.

Therefore, be it resolved that _____ Board of Education respectfully requests the General Assembly to approve during its January 2020 session a multiyear plan to pay the remaining \$729.7 million judgment for civil penalties that should have gone to public school units for school technology but were diverted to other purposes in violation of the North Carolina Constitution.

Adopted by the _____ Board of Education this ____ day of _____, 2019.

NORTH CAROLINA SCHOOL BOARDS ACTION CENTER (NCSBAC)

Benefits

- **Larger Advocacy Team:** NCSBAC provides the necessary funding for NCSBA to employ a 3rd lobbyist – a 50% increase in human capital advocating on behalf of local school boards. Under IRS rules for a 501(c)(3), NCSBA is only allowed 2 lobbyists without the Action Center. By comparison:
 - NC Charter Schools: 12+ registered lobbyists
 - NC Assn. of County Commissioners: 5 registered lobbyists
 - NC League of Municipalities: 9 registered lobbyists
 - NC Assn. of School Administrators: 4 registered lobbyists
- **Support on Local Issues:** With the increase in manpower, the NCSBA Governmental Relations team is now advocating on local issues for LEAs who participate in the Action Center. Lobbying efforts include testifying during committees and speaking with legislators. This is a new service/benefit beginning with this legislative biennium. Historically, NCSBA would only become directly involved in a local issue if it was precedent setting.
- **Video Campaigns:** NCSBAC contributions allow NCSBA to produce videos that motivate people to act. They have proven to be an effective advocacy tool particularly when time is of the essence and the issue is not well known or understood.
 - [This video](#) was used to combat a charter school funding bill that would have forced LEAs to share gifts, grants, indirect costs, federal reimbursements, and other additional funds with charter schools. Between Facebook, Twitter, and YouTube, it was viewed more than 31 thousand times.
 - NCSBA quickly created and promoted [this video](#) to combat county commissioners' efforts to take away the voice of local school boards in negotiations over school capital. Word spread and the provision was removed from the 2019 state budget.
- **Marketing/Social Media:** NCSBAC funds have been used to create issue specific websites, e.g. local control of the school calendar, state support for school construction, and charter school funding. The funds also allow the Governmental Relations team to reach more stakeholders and advocates through targeted paid social media efforts.
- **Updated Bill Tracking Service:** NCSBAC funds played a role in allowing NCSBA to upgrade to a user-friendly and more efficient bill tracking system for our members.

Facts

NCSBAC's sole purpose is to enhance the advocacy efforts of the NCSBA in promoting its legislative agenda. There is absolutely no involvement in political campaigns, elections, endorsements, PACs, etc.