



SENATE BILL 599: Excellent Educators for Every Classroom.

2017-2018 General Assembly

Committee:	Date:	August 25, 2017
Introduced by:	Prepared by:	Brian Gwyn
Analysis of:	S.L. 2017-189	Staff Attorney

OVERVIEW: *S.L. 2017-189 restructures the way teachers are educated and supported in the following ways:*

Professional Educator Preparation and Standards (PEPS) Commission

The act establishes the PEPS Commission, which will be independent of the State Board of Education (SBE) and must recommend standards for educator preparation, licensure, continuing education, and conduct to the SBE.

Educator Preparation Program (EPP) Approval Process

The act creates explicit definitions for certain words, including:

- *EPPs: Any entity approved by the SBE rather than only institutions of higher education.*
- *Approved EPPs: EPPs that have met the requirements of the SBE in lieu of national accreditation.*
- *Initially Authorized EPP: An EPP that has been approved by the SBE or nationally accredited, but lacks the data to meet all of the accountability standards.*
- *Authorized EPP: An EPP that has met accountability standards and has been approved by the SBE or nationally accredited.*
- *Recognized EPP: An EPP that is either initially authorized or authorized, and has the authority to recommend students for educator licensure.*
- *Clinical intern: Individual who would have been previously called a student teacher.*
- *Resident: Individual who formerly would have received a lateral entry license.*
- *Clinical mentors: On-site teachers who would serve as mentors to residents.*

The SBE has the authority to recognize EPPs that meet the statutory standards, thus allowing the EPPs to recommend candidates for licensure. Additionally, the act includes the minimum standards EPPs must meet in order to be approved, which mirror those set out by the Council for the Accreditation of Educator Preparation (CAEP). The act identifies the process EPPs must go through in order to recommend students for educator licensure. To be initially authorized or authorized, EPPs must be approved by the SBE or accredited by CAEP, and they must satisfy the performance standards in such a way that their status is not revoked.

The minimum admissions requirements still include a passing score or prescribed minimum score set by the SBE on a preprofessional skills test. However, since there is no longer a separate distinction for lateral entry candidates, having a bachelor's degree could also be used to satisfy this requirement. The 2.7 grade point average (GPA) requirement (with an average of at least 3.0 for each cohort), remains the same, but individuals with at least 10 years of relevant experience are exempted from the individual GPA requirement. Additionally, individuals applying to a Career and Technical Education program can be exempted from the individual GPA requirement with at least 5 years of relevant experience.

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The act adds EPP content requirements, such as:

- *Instruction related to the skills and responsibilities of teachers.*
- *The expectations for student performance based on State standards.*
- *The current supply of and demand for educators in the State.*
- *The State's framework for appraisal of educators.*

Middle and high school teacher EPPs must also include adequate coursework in the relevant content area and in the teaching of the relevant content area.

The act recodifies existing clinical practice requirements with updated terminology. In addition, requirements for residencies are listed, which include:

- *Residencies must last for a minimum of one year.*
- *EPPs must provide ongoing support to the resident.*
- *A clinical mentor must be assigned to the resident.*
- *Prior to the residency, the resident must complete preservice requirements set by the SBE.*

The act also requires clinical educators to be "proficient" rather than "accomplished." Schools must prioritize "distinguished" and "accomplished" teachers unless there is a particular reason for selecting a "proficient" teacher that is documented. The clinical mentors are held to the same standards as clinical educators.

EPP Accountability System

The act requires the SBE to take action against an EPP when the EPP fails to meet standards on the following indicators, broken down by race, sex, and ethnicity:

- *Performance of EPP graduates on annual teacher evaluations.*
- *Proficiency and growth of students taught by EPP graduates.*
- *Satisfaction of EPP graduates after their first year of teaching.*
- *Quality of students entering the EPP.*

The act also requires additional data that must be reported to the SBE and ultimately included in the EPP's report card, such as:

- *The extent to which the program prepares educators to effectively teach students with disabilities and students of limited English proficiency.*
- *The number of EPP graduates who continue teaching at least three years after licensure.*

The act requires the SBE to annually evaluate an EPP's performance and assign an appropriate accountability status, if necessary, based on an EPP meeting one of the following criteria:

- *Warned*
 - *Overall student performance standard is not met on at least one indicator in any one year.*
 - *Any two race, sex, or ethnicity demographic groups' performance standards are not met on at least one indicator for any one year.*

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- *Any single race, sex, or ethnicity demographic groups' performance standards are not met on at least one indicator for any two consecutive years.*
- *SBE determines a law or rule violation merits warned status.*
- **Probation**
 - *Overall student performance standard is not met on at least one indicator in two consecutive years.*
 - *Any three race, sex, or ethnicity demographic groups' performance standards are not met on at least one indicator for any one year.*
 - *Any single race, sex, or ethnicity demographic groups' performance standards are not met on at least one indicator for any three consecutive years.*
 - *SBE determines a law or rule violation merits probation status.*
- **Revoked**
 - *EPP has been on probation status for three consecutive years.*
 - *EPP has been on probation status one year, but SBE determines revoked status is reasonably necessary.*

If an EPP is in revoked status, its approval to recommend students for educator licensure is revoked. Other identified sanctions may be implemented at the SBE's discretion, such as:

- *Requiring the EPP to obtain technical assistance.*
- *Requiring the EPP to obtain professional services from another entity.*
- *Appointing a monitor to oversee and report to the SBE.*
- *Managing the EPP's enrollment.*

Any costs associated with the sanctions must be covered by the EPP.

Lateral Entry

The act replaces the lateral entry license with the residency license. Individuals who already have a bachelor's degree may enroll in an EPP and be employed to teach at the same time.

School Administrators

The act clarifies that retired principals or retired assistant principals may be employed as interim principals, regardless of licensure status. Additionally, it recodifies a prior provision related to the standards of approval for school administrator preparation programs and places it among the other statutes related to school administrator preparation.

Mentor Teachers

The act allows teachers rated as "proficient" or higher to be mentors. Additionally, retired teachers are eligible to be mentors. Priority consideration will still be given to teachers rated as "distinguished" or "accomplished."

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Licensure Requirements

The act recodifies existing licensure requirements, as well as makes the following changes:

- *Defines various teacher licenses:*
 - *Continuing professional license: Five-year renewable license.*
 - *Emergency license: One-year nonrenewable license for individual who holds a bachelor's degree with relevant coursework, but who is not eligible for a residency license.*
 - *Initial professional license: Three-year nonrenewable license for individual who has completed a recognized EPP.*
 - *Lifetime license: License issued after 50 or more years of teaching that requires no renewal.*
 - *Residency license: One-year license (renewable twice) issued to an individual who has:*
 - *A bachelor's degree with either coursework relevant to the requested licensure area or successful completion of the relevant content area examination.*
 - *Enrolled in a recognized EPP.*
 - *Has completed preservice field experience and coursework.*
 - *Retirement license: Five-year renewable license issued to a teacher who retired with 30 or more years of teaching experience in North Carolina and who has served as a substitute teacher or part-time provider of certain educational services since retirement.*
- *Removes requirement for middle school teachers to complete continuing education credits related to literacy.*
- *Exempts members of the General Assembly who are teachers from continuing education credit requirements upon notice by the member to the Department of Public Instruction.*

The act authorizes the SBE to continue to issue lateral entry licenses through the 2018-2019 school year.

Reading Improvement Commission

The act requires the Reading Improvement Commission to study and recommend improvements to professional development for teachers in fourth through twelfth grades in the area of literacy.

Recognition Program

The act requires the Superintendent of Public Instruction to create a recognition program for teachers with 40 or more years of licensed teaching experience.

Teacher Suspensions

The act authorizes a superintendent, prior to suspending a teacher who is incarcerated or in custody without pay, to provide written notice of the charges, an explanation of the basis for the charges, and an opportunity to respond in writing, rather than meeting with the teacher in person. Additionally, it requires

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local boards of education to report to the SBE when a teacher's resignation was related to criminal history, regardless of whether dismissal proceedings had begun or the teacher had resigned without permission. The same requirement applies to charter and regional schools.

Teacher Vacancy Report

The act requires the SBE to compile an annual report on teaching positions that local boards of education are unable to fill by the 40th instructional day. Additionally, it recodifies reporting requirements related to the state of the teaching profession.

Effective Date

The act became effective July 27, 2017 and applies beginning with the 2017-2018 school year. The act will be phased in such that:

- *EPPs approved by the State Board prior to July 1, 2017 will be considered initially authorized until the earlier of June 30, 2020, or the date of its five-year renewal. EPPs not approved as of that date will first be eligible to open during 2018-2019 school year.*
- *Reporting requirements begin with the 2018-2019 school year.*
- *No EPP may be assigned a "revoked" accountability status prior to the 2023-2024 school year.*

PART I

G.S. 115C-269.1 establishes the PEPS Commission, which is independent of the State Board of Education (SBE) and recommends standards for educator preparation, licensure, continuing education, and conduct to the SBE.

PART II

EPP APPROVAL PROCESS

CURRENT LAW: Under G.S. 115C-296.8, the SBE may approve any institution of higher education as an EPP, provided that it meets standards required by statute and rule. The statutory standards require that the EPP:

- Either be State-approved or nationally accredited.
- Maintain minimum admission standards, such as satisfactory scores on the Praxis I and a minimum GPA of 2.7 (with an average GPA of at least 3.0 for each cohort).
- Provide instruction in certain areas, such as the identification of children with disabilities, positive behavior management, and digital instruction. Additional instruction is required for particular licensure areas.
- Require students to participate in field experiences each semester, gradually increasing in time and intensity as each semester goes on. Student teaching must take place for a minimum of 16 weeks.
- Require that clinical educators, who supervise student teachers, be licensed, have a minimum of 3 years of experience in a teaching role, and be rated as accomplished on the NC evaluation system.
- Maintain a collaborative partnership with elementary schools and secondary schools and enter into a memorandum of understanding (MOU) with local school administrative units where students are placed, defining joint expectations for a collaborative process.

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BILL ANALYSIS: G.S. 115C-269.1 creates explicit definitions for words used throughout Article 20A. Particularly relevant changes include:

- EPPs: Any entity approved by the SBE rather than only institutions of higher education.
- Approved EPPs: EPPs that have met the requirements of the SBE in lieu of national accreditation.
- Initially Authorized EPP: An EPP that has been approved by the SBE or nationally accredited, but lacks the data to meet all of the accountability standards.
- Authorized EPP: An EPP that has met accountability standards and has been approved by the SBE or nationally accredited.
- Recognized EPP: An EPP that is either initially authorized or authorized, and has the authority to recommend students for educator licensure.
- Clinical intern: Individual who would have been previously called a student teacher.
- Resident: Individual who formerly would have received a lateral entry license.
- Clinical mentors: On-site teachers who would serve as mentors to residents.

G.S. 115C-269.5 gives the SBE the authority to recognize EPPs that meet the standards set out in Article 20A, thus allowing the EPPs to recommend candidates for licensure. Additionally, the statute lays out the minimum standards EPPs must meet in order to be approved, which mirror those set out by the Council for the Accreditation of Educator Preparation (CAEP). G.S. 115C-269.10 identifies the process EPPs must go through in order to recommend students for educator licensure. To be initially authorized or authorized, EPPs must be approved by the SBE or accredited by CAEP, and they must satisfy the performance standards in a way that their status is not revoked under G.S. 115C-269.45.

As under prior law, the minimum admissions requirements outlined in G.S. 115C-269.15 still include a satisfactory Praxis I score. However, since there would no longer be a separate distinction for lateral entry candidates, having a bachelor's degree could also be used to satisfy this requirement. The 2.7 GPA requirement (with an average of at least 3.0 for each cohort), remains the same, but individuals with at least 10 years of relevant experience are exempted from the individual GPA requirement. Additionally, individuals applying to a CTE program can be exempted from the individual GPA requirement with at least 5 years of relevant experience.

G.S. 115C-269.15 leaves intact the EPP content requirements in current statute, but adds additional requirements, such as:

- Instruction related to the skills and responsibilities of teachers.
- The expectations for student performance based on State standards.
- The current supply of and demand for educators in the State.
- The State's framework for appraisal of educators.

Middle and high school teacher EPPs must also include adequate coursework in the relevant content area and in the teaching of the relevant content area.

G.S. 115C-269.25 recodifies existing clinical practice requirements with updated terminology. In addition, the statute lists requirements for residencies, which include:

- Residencies must last for a minimum of one year.
- EPPs must provide ongoing support to the resident.
- A clinical mentor must be assigned to the resident.
- Prior to the residency, the resident must complete preservice requirements set by the SBE.

The statute also requires clinical educators to be "proficient" rather than "accomplished". Schools have to prioritize "distinguished" and "accomplished" teachers unless there is a particular reason for selecting a "proficient" teacher. The clinical mentors are held to the same standards as clinical educators.

EPP ACCOUNTABILITY SYSTEM

CURRENT LAW: G.S. 115C-296.13 requires EPPs to submit annual performance reports to the SBE. The statute outlines the minimum data that must be submitted with the report, but provides the SBE with discretion to add additional

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requirements. The SBE can take action against an EPP if it fails to meet any of the criteria outlined in G.S. 115C-296.8, which includes:

- Failing to report required information to the SBE.
- Offering misleading or false information about approved programs.
- Accepting students into any part of an EPP that is not approved by the SBE.
- Failing to comply with the EPP review process.
- Failing to meet standards for approval set forth by the SBE.

BILL ANALYSIS: G.S. 115C-269.35 modifies permissive accountability language by requiring the SBE to take action against an EPP when the EPP fails to meet standards on the following indicators, broken down by race, sex, and ethnicity:

- Performance of EPP graduates on annual teacher evaluations.
- Proficiency and growth of students taught by EPP graduates.
- Satisfaction of EPP graduates after their first year of teaching.
- Quality of students entering the EPP.

G.S. 115C-269.45 requires the SBE to annually evaluate an EPP's performance and assign an appropriate accountability status, if necessary, based on an EPP meeting one of the following criteria:

- Warned
 - Overall student performance standard is not met on at least one indicator in any one year.
 - Any two race, sex, or ethnicity demographic groups' performance standards are not met on at least one indicator for any one year.
 - Any single race, sex, or ethnicity demographic groups' performance standards are not met on at least one indicator for any two consecutive years.
 - SBE determines a law or rule violation merits warned status.
- Probation
 - Overall student performance standard is not met on at least one indicator in two consecutive years.
 - Any two race, sex, or ethnicity demographic groups' performance standards are not met on at least one indicator for any one year.
 - Any single race, sex, or ethnicity demographic groups' performance standards are not met on at least one indicator for any three consecutive years.
 - SBE determines a law or rule violation merits probation status.
- Revoked
 - EPP has been on probation status for three consecutive years.
 - EPP has been on probation status one year, but SBE determines revoked status is reasonably necessary.

If an EPP is in revoked status, its approval to recommend students for educator licensure is revoked. Other identified sanctions may be implemented at the SBE's discretion, such as:

- Requiring the EPP to obtain technical assistance.
- Requiring the EPP to obtain professional services from another entity.
- Appointing a monitor to oversee and report to the SBE.
- Managing the EPP's enrollment.

Any costs associated with the sanctions must be covered by the EPP.

G.S. 115C-269.35 also requires additional data that must be reported to the SBE and ultimately included in the EPP's report card, such as:

- The extent to which the program prepares educators to effectively teach students with disabilities and students of limited English proficiency.
- The number of EPP graduates who continue teaching at least three years after licensure.

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LATERAL ENTRY

CURRENT LAW: Under G.S. 115C-296.12, individuals with a bachelor's degree may start teaching without having completed an EPP. Eligible individuals receive an initial teaching license and may teach for three years while also completing a program of study designed to prepare the lateral entry teachers for continuing licensure. Lateral entry requirements can be completed at North Carolina colleges and universities, as well as local community colleges.

BILL ANALYSIS: S.L. 2017-189 replaces the lateral entry license with the residency license. Individuals who already have a bachelor's degree may enroll in an EPP and be employed to teach at the same time. As stated above, G.S. 115C-269.1 outlines the requirements for residencies, which include:

- Residencies must last for a minimum of one year.
- EPPs must provide ongoing support to the resident.
- A site-based clinical mentor must be assigned to the resident.
- Prior to the residency, the resident must complete requirements set by the SBE for field experience and coursework.

SCHOOL ADMINISTRATORS

CURRENT LAW: Under G.S. 115C-284(e), school boards may only employ principals who either hold or are qualified to hold a principal's license.

BILL ANALYSIS: S.L. 2017-189 clarifies that retired principals or retired assistant principals may be employed as interim principals, regardless of licensure status.

S.L. 2017-189 recodifies G.S. 115C-296.10(b), which addresses the standards of approval for school administrator preparation programs, as G.S. 115C-284.1, placing it among the other statutes related to school administrator preparation.

PART III

CURRENT LAW: G.S. 115C-296 requires the SBE to develop a mentor program for new teachers. Mentors must meet criteria established by the SBE, which must at least include being rated as "accomplished" and having met expectations for student growth.

BILL ANALYSIS: G.S. 115C-300.1 allows teachers rated as "proficient" or higher to be mentors. Additionally, retired teachers would be eligible to be mentors. Priority consideration would still be given to teachers rated as "distinguished" or "accomplished."

G.S. 115C-270.1 – 115C-270.35 recodify existing licensure requirements, as well as make the following changes:

- Define various teacher licenses:
 - Continuing professional license: 5-year renewable license.
 - Emergency license: One-year nonrenewable license for individual who holds a bachelor's degree with relevant coursework, but who is not eligible for a residency license.
 - Initial professional license: 3-year nonrenewable license for individual who has completed a recognized EPP
 - Lifetime license: License issued after 50 or more years of teaching that requires no renewal
 - Residency license: One-year license (renewable twice) issued to an individual who has:
 - Bachelor's degree with either coursework relevant to the requested licensure area or successful completion of the relevant content area examination.
 - Enrolled in a recognized EPP.
 - Has completed preservice field experience and coursework.

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- Retirement license: 5-year renewable license issued to a teacher who retired with 30 or more years of experience and who has served as a substitute teacher or part-time provider of certain educational services since retirement.
- Remove requirement for middle school teachers to complete continuing education credits related to literacy.
- Exempt members of the General Assembly who are teachers from continuing education credit requirements.

Section 3.(d) of S.L. 2017-189 authorizes the SBE to continue to issue lateral entry licenses through the 2018-2019 school year.

Section 3.(f) of S.L. 2017-189 requires the Reading Improvement Commission to study and recommend improvements to professional development for teachers in grades 4 – 12 in the area of literacy.

Section 3.(g) S.L. 2017-189 requires the Superintendent of Public Instruction to create a recognition program for teachers with 40 or more years of licensed teaching experience.

PART IV

CURRENT LAW: G.S. 115C-325 and G.S. 115C 325.5 require, prior to suspending a teacher without pay, a superintendent to meet with the employee and give the employee written notice of the charges, an explanation of the basis for the charges, and an opportunity to respond.

G.S. 115C-325 and G.S. 115C 325.9 require that a teacher who has been recommended for dismissal and chooses to resign without the written agreement of the superintendent, be reported to the SBE, and be deemed to have voluntarily surrendered his or her license pending an investigation by the SBE. If a teacher who is not recommended for dismissal resigns without giving at least 30 days' notice, the local board may request that the SBE of Education revoke the teacher's license for the remainder of that school year.

BILL ANALYSIS: S.L. 2017-189 authorizes a superintendent, prior to suspending a teacher who is incarcerated or in custody without pay, to provide written notice of the charges, an explanation of the basis for the charges, and an opportunity to respond in writing, rather than meeting with the teacher in person. Additionally, it requires local boards of education to report to the SBE when a teacher's resignation was related to criminal history, regardless of whether dismissal proceedings had begun or the teacher had resigned without permission. The same requirement applies to charter and regional schools.

PART V

S.L. 2017-189 requires a report on teaching positions that local boards of education are unable to fill by the 40th instructional day. Additionally, it would recodify reporting requirements related to the state of the teaching profession.

PART VI

Part VI of S.L. 2017-189 makes various conforming changes.

EFFECTIVE DATE: The act became effective July 27, 2017 applies beginning with the 2017-2018 school year. The act would be phased in such that:

- EPPs approved by the SBE prior to July 1, 2017 will be considered initially authorized until the earlier of June 30, 2020, or the date of its five-year renewal. EPPs not approved as of that date will first be eligible to open during 2018-2019 school year.

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- Reporting requirements will begin with the 2018-2019 school year.
- No EPP may be assigned a "revoked" accountability status prior to the 2023-2024 school year.