



SENATE BILL 343: Various Education Law Changes.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	July 8, 2019
Introduced by:	Sen. Ballard	Prepared by:	Samantha Yarborough*
Analysis of:	Fourth Edition		Staff Attorney

OVERVIEW: *Senate Bill 343 would make changes to various education reports including date changes, repeals of certain reports, and modifications of information to be reported. It would also (i) clarify the Education Workforce Innovation Commission's membership, (ii) stagger the appointments to the Professional Educator Preparation and Standards Commission, and (iii) exempt the State Board's charter actions from contested case provisions.*

CURRENT LAW and BILL ANALYSIS:

PART I. REPEAL CERTAIN EDUCATION REPORTS

Section 1.1 repeals an annual report required from the Education Cabinet on STEM education activities.

Section 1.2 repeals an annual report from The Education Cabinet on the School Connectivity Initiative. The State Board of Education (SBE) would still submit its annual report on school connectivity.

Section 1.3 repeals an annual report required from the Education Cabinet on the First in America Innovative Education Initiatives Act from 2004.

Section 1.4 repeals a report from the State Board of Community Colleges (SBCC) on start-up funds for high cost workforce courses because the funds were re-allocated per the SBCC and the Community College System Office's request in 2018.

Section 1.5 repeals an annual report from the SBCC on all new programs it approves, the progress made on implementing regional programs, and program terminations. The SBCC is directed to consider whether a regional approach can be used in developing new programs and initiate regional programs to the extent possible. The SBCC would now collect data annually on new programs, program terminations, and any regionalization of programs, including the specific reasons for which each program was approved or terminated.

PART II. REPORT DATE CHANGES

Section 2.1 changes the date for the submission of the annual report from the SBE on testing from November 1 to December 15.

Section 2.2 changes the date for the submission of the annual report from the SBE on charter schools from January 15 to February 15.

Section 2.3 directs the Community College System Office rather than the SBCC to report on the Customized Training Program by September 1 of each year.

Section 2.4 directs the Community College System Office rather than the SBCC to report to the State Building Commission on certain capital projects by October 1 of each year.

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Section 2.5 changes the quarterly report required from the Governmental Data Analytics Center on the Longitudinal Data System to an annual report and change the annual due date to July 1.

PART III. VARIOUS EDUCATION REPORT CHANGES

Section 3.1 combines two reports on students with disabilities into one report that would be due annually on October 15.

Section 3.2 combines the SBE report on the number of students in career and technical education courses who earned community college credit and related industry certifications and credentials with the SBE report on the impact of awarding college and career endorsements on the high school diplomas on high school graduation, college acceptance and remediation, and post-high school employment rates.

Section 3.3 requires the annual report on the evaluation of cooperative innovative high schools to be combined with the annual report on Career and College Promise, including the College Transfer pathway and the Career and Technical Education pathway.

Section 3.4 directs the Community College System Office rather than the SBCC to report on the number and types of tuition waivers granted.

Section 3.5 establishes the date for the submission of the annual report from the Apprenticeship Council as September 1, and provides that the report no longer has to be submitted to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources or the chairs of the House and Senate Appropriations Committees on Agriculture and Natural and Economic Resources. The report would still be submitted to JLEOC and the chairs of the House and Senate Appropriations Committee on Education.

Section 3.6 requires Teach for America, Inc. (TFA) to report annually to the President Pro Tempore of the Senate and the Speaker of the House, the Senate Appropriations/Base Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Joint Legislative Education Oversight Committee, and the Fiscal Research Division various information about the program, including the percentage of candidates who are North Carolina residents and become principals in a North Carolina public school following the initial TFA two-year commitment period. This section repeals the quarterly updates that TFA is required to submit in addition to the annual report.

Section 3.7 directs the Community College System Office and the Department of Public Instruction to report to the Office of State Human Resources on the voluntary shared leave program instead of the SBCC and the SBE.

PART IV. REPORT ON SCHOOL START AND END DATES

Section 4 requires local boards of education to report annually by April 1 to the State Superintendent and the SBE on the start and end dates of the instructional calendar for students. In this report, local boards of education must identify the statutory exception that authorizes an earlier start date for all schools that begin earlier than the Monday closest to August 26. The SBE must then report this information to JLEOC by June 15 of each year. Local boards of education must report the information for the 2019-2020 school year by June 1, 2019, and the SBE must report to JLEOC by July 1, 2019.

PART V. CLARIFY EDUCATION WORKFORCE INNOVATION COMMISSION MEMBERSHIP

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G.S. 115C-64.15(b) states that the Education Workforce Innovation Commission has 14 members including the Secretary of Commerce, the State Superintendent of Public Instruction, the Chair of the SBE, and the President of the North Carolina Community College System.

Section 5 allows the above members to have their designees as members of the Education Workforce Innovation Commission.

PART VI. STAGGER PROFESSIONAL EDUCATOR PREPARATION AND STANDARDS COMMISSION APPOINTMENTS

G.S. 115C-268.1 requires members of PEPSC to serve for two year terms, with the first terms beginning September 1, 2017.

Section 6 changes the initial term for some of the members from two years to three years in order to create a board with staggered terms. Once the initial terms expire, all new appointments would be for two year terms.

PART VII. EXEMPT STATE BOARD CHARTER ACTIONS FROM CONTESTED CASE PROVISIONS

Under Article 3 of Chapter 150B of the General Statutes, disputes between a State agency and another person must first be reviewed by the Office of Administrative Hearings (OAH). The decision by OAH can then be reviewed in superior court under G.S. 150B-45. Therefore, if the board of directors of a charter school disagrees with the final action of the State Board regarding disapproval, termination, or nonrenewal of a charter, the board of directors must petition OAH for a hearing before an administrative law judge before seeking review in superior court.

Section 7 exempts State Board actions related to disapproval, termination, renewal, or nonrenewal of charters from the type of contested case that could be subject to the jurisdiction of OAH.

EFFECTIVE DATE: Senate Bill 343 would be effective when it becomes law.

**Drupti Chauhan and Brian Gwyn, attorneys with the Legislative Analysis Division, substantially contributed to this summary.*