



MEMORANDUM FOR RECORD

TO: Gladys Robinson, Senate Democrat Work Group Chairwoman
Dan Blue, Minority Leader

FROM: Don Davis, Senate Democrat Education Work Group Chairman

DATE: April 14, 2020

RE: Senate Democratic Education Work Group Report

Attached, you will find our highest legislative priorities in response to the novel coronavirus pandemic impacting our residents. As we prepare for the April 28, 2020 legislative session, these legislative priorities include recommendations from the North Carolina General Assembly staff. Also, they are a reflection of on-going communication with the North Carolina Department of Public Instruction, the North Carolina Association of Educators, the North Carolina Community College System, the North Carolina Independent Colleges and Universities, the University of North Carolina System, the North Carolina Education Lottery, the North Carolina Department of Health and Human Services, and representatives of the early childhood community. Plus, there has been on-going communication with the House Education Work Group and the Senate Education Oversight Committee chairwoman.

Currently, there are 5 requests for emergency appropriations totaling \$205.4 million in non-recurring funds and 30 special provisions. These special provisions are exclusively those statutory provisions which the state of emergency will make difficult if not impossible to implement. Conversations about this year's school calendar and instructional days are still taking place. Traditional areas of interest for the Senate Democratic Caucus include Read to Achieve, Innovative School Districts, and protecting early childhood funds. There is still monitoring of the federal guidelines associated with the Coronavirus Aid, Relief, and Economic Security Act. Lastly, the North Carolina Association of Educators are much interested in hazardous duty pay for non-certified school personnel implementing the School Meal Program.

EDUCATION COVID-19 RELIEF HIGHEST PRIORITIES

APPROPRIATIONS

Item	Appropriation	Description
1	\$25M NR	NCCCS Reserve Funds--N.C. Community College System for loss in student receipts
2	\$10M NR	NCIGU Emergency Student and Family Fund
3	\$37.4M NR	UNC--Emergency Assistance Fund--Assist with unanticipated cost of transitioning to online learning, PPE, reimbursements, mandatory employees overtime, and work study programs
4	\$8M NR	UNC-Digital Learning Enhancements--Additional online transition (summer courses beginning)
5	\$125M	<u>Emergency Child Care Economic Support Funds-- Child Care Emergency Funds for PPE, supplies, etc. and to assure child care for essential workers.</u>
Total	\$205.4 M	

SPECIAL PROVISIONS

Item	Short Title	Statutory Requirement	Statute	Recommendation
1	CPR	Graduation requires CPR	115C-12[9d]a.1; 115C-81.25(c)(10)	Waive CPR requirement for seniors
2	Summative Assessments	Federally required 3-8 grade test and ACT for 11th grade	115C-174.11(c)	Waive federally required test and ACT for '19-20
3	Formative & Diagnostic Tests	Formative and diagnostic assessment required for K-3	115C-174.11(a)	Waive K-3 formative/diagnostic test not completed for 19-20
4	WorkKeys	WorkKeys required for CTE high school concentrators	115C-174.25	Waive WorkKeys for spring 2020 semester
5	Performance Scores and Grades	Summative assessments required to calculate school performance scores and grades	115C-12[24];115C.83.15; 115C.83.16	Waive calculation of school performance scores and grades for 19-20
6	Annual Report Card	School report cards are required to be published based on performance grades	115C-12[9]c1,c3;115C-218.65;115C-238.66(11);116-239.8(14)	Waive report card publication for 19-20 school year
7	Low-Performing Schools	Required annual identification of continually and low-performing schools	115C-105.37,115C-105.37A,115C-105.39A,115C-218.94	Continue identifications on 18-19 and none based on 19-20 school year
8	Innovative School District	One school required to be selected in 20-21 and assess on 3-yr cycle beginning 18-19	115C-75.57,2019-248,Sec.10	No school selected in 20-21 and exempt 19-20 from 3-yr cycle assessment
9	K-3 Reading Diagnostics/EVAAS	Requirements for K-3 reading diagnostics using EVAAS for analysis for student instruction and summer reading camps	115C-83.6(a),(a1),(a2)	Waive K-3 reading diagnostic tests not completed for 19-20 school year
10	Third grade promotion	Third graders promoted based on reading EOG	115C-83.7(a),(b)(1-5),(c),C1-2);115C-83.9(a),(b),(c),(d)	Principals to promote same as other grades for 19-20 school year
11	Summer Reading Camps	Summer reading camps must be offered to students retained in grade 3 or below grade level in 1-2	115C-83.8(a),(b),(c),(e);115-83.11(a),(b)	Waive reading camps for 2020 but require 4th grade assessment in 20-21 school year
12	RTA accountability measures	Schools required to publish proficiency rates and reading camp eligibility (1-3) and 3rd grade promotion/retention	115C-83.10(a),(a1),(b),(b1),(c),(d),(e),Sl. 2018-5	Waive RTA reporting for 19-20 school year
13	Principal Recruitment Bonuses	Low-performing schools (lowest 5%) eligible for recruitment bonus for qualifying principals	115C-285.1	Base eligibility for 20-21 on the 18-19 data
14	Advanced Math Placement	Students scoring at highest level of math EOC/EOG required placement in advanced math courses	115C-81.36	For 20-21 school year, course placement same as other courses
15	Notice of EVAAS Data	Annually principals are required to notify teachers of EVAAS data availability	115C-333.2	For 19-20, waive notice requirement
16	Teacher Attrition Effectiveness Data	Schools are required to report annually on teacher effectiveness using EVAAS data	115C-295.5(d)	Waive report issued in Dec '20
17	Teacher Licensure Exams	Teachers who attempt licensure exam in 1st year have up to 3rd yr to pass, some in 4th yr given until June 30 to pass	115C-270.15	One-year extension to pass all licensure exams
18	Teacher Licensure Renewal	Teachers required to earn 8 continuing education credits prior to renewal--at least 3 credits in subject area	115C-270.30	One-year extension to existing license
19	School Admin. Licensure	School administrator licensure candidates required to pass an exam, internship, and portfolio	115C-284	Program granted ability to waive internship if meet capacity requirements; portfolio prior to graduation if practicable and complete exam in 1st yr
20	School Admin. Licensure Renewal	Licensure renewal requires continuing education in digital teaching and learning	115C-284(c3)	May need to provide one-year extension to existing license
21	Licensure of Other Personnel	Professionals other than teachers and administrators must pass exam for licensure	115C-315(d)	Allow licensure and complete exam within 1st year of licensure
22	Employee Evaluations	Annual evaluations required for employees at L-PS, teachers >3yrs at non-L-PS, career status/4-yr contract, principals & APs	115C-333(a);115C-333.1(a),115C-286.1,115C-276(s),115C-288(f)	Evaluation based on observations by school closure and artifacts/evidence shared with evaluator
23	Classroom Observations	Four annual observations for teachers with >3 consecutive years	115C-333(a), 115-333.1(a)	Waive observations not completed at school closure
24	Multiyear Contracts	Teachers must receive proficient evaluation for a multiyear contract	115C-32.2(b)	Clarify this requirement is based on recent evaluation and must include principal's endorsement
25	Minimum Admissions to EPP	For EPP admissions, students must pass Praxis Core, min. 2.7 GPA, and overall cohort a 3.0 GPA	115C-269.15	Waive Praxis Core requirement for 2020, allow students wit GPA less than 2.7 if they have 2.7 before beginning student-teaching, and waive cohort GPA for 2020
26	Clinical Internships	Teacher candidates must complete 16-week student-teaching or 1-yr residency	115C-269.25(d)(1)	Waive min. requirement if EPP ensures students meets requirements on certificate of teacher capacity; students to engage in remote learning
27	Pedagogy Assessments	Teacher candidates must complete pedagogy assessments prior to completing EPP	115C-269.25(g)	Pedagogy assessments required 1st yr of licensure instead of graduation requirement for this cohort
28	EPP Performance Data	Collection of data for three high stakes EPP performance measures required; and reporting	115C-269.35	Waive high stakes performance measures and require other performance indicators as practicable
29	EPP Sanctions	EPPs not meeting performance standards (warned, probation or revoked) and must participate in improvement activities	115C-269.45	Hold EPPs harmless for indicators that are waived
30	EPP Report Card	Annual EPP report cards issued based on performance reports	115C-269.50	Waive EPP report cards for publication--keep reporting requirements to NCGA

SENATE DEMOCRATS COVID-19 EDUCATION WORK GROUP

CATEGORY	H	ITEM	SHORT TITLE	ACTION
Public Schools:				
<i>Grad. Req.</i>	X	1	Graduation Requirements	Modify graduation requirements for seniors
	X	2	Accountability	Suspend or modify statutory provision related to public school accountability, testing, and EOG exams
	X	3	ACT Administration	Approve carryout of the 2019-20 funds for students who were absent on Feb 25 and did not take the ACT as well as four schools who were approved not to take the test
	X	4	Read to Achieve	Suspend or restructure summer camps, third grade retention/promotion, and transitional fourth grade; EVAAS data for teachers
	X	5	School Performance Grades/SAT	Suspend or modify the A-F designation of each school based on accountability measures and address alternative school accountability
	X	6	Low-Performing Schools Identification	Suspend or modify identification of low-performing schools, continually low-performing schools, low-performing school administration units and low-performing charter schools
	X	7	N.C. Innovative School Districts	Further delay N.C. Innovative School District--without test data and growth data, there is not a way to identify qualifying schools for ISD as required in fall 2020
	X	8	EVAAS Data	Suspend or modify principals requirement to notify teachers that EVAAS data has been updated
	X	9	Teacher Bonuses	Suspend elementary and middle school teacher reading and math bonuses based on test score growth and consider alternatives such as high-demand subjects or hard-to-staff areas
	X	10	Principal Bonuses	Suspend or adjust principal bonuses based on growth
	X	11	CTE Bonuses	Career Technical Education Division bonuses based on students' earned credentials
	X	12	Teacher Attrition Data	Suspend or modify teacher attrition disaggregated by effectiveness data
	X	13	Attendance	Waive compulsory attendance requirements; authorize to be met through remote learning
	X	14	Career and Tech Education	Waive minimum hours required
	X	15	Advanced Math Course	Advanced courses in math based on high performance on EOG and EOC
	X	16	Required Parental Notifications	Suspend or modify notification requirements to parents and guardians on K-3 assessments
<i>Licensure</i>	X	17	Continuing Professional Education	Waive any continuing professional educational requirements for one year not to interfere with renewal
<i>Evaluation</i>	X	18	Performance Evaluations & Observations	Use digital or alternative means for completing performance evaluations and observations for K-12
<i>EPP</i>	X	19	Educator Preparation Program	Suspend or modify proficiency and growth of students taught by educator preparation program completers
<i>Other:</i>	X	20	School Meal Program Hazardous Duty Pay	Appropriate funds for hazardous duty pay for noncertified school personnel administering the School Meal Program--hourly, \$250 stipend, or a pro rata stipend
	X	21	Calendar Flexibility	Allow school calendar flexibility allowing LEAs to set the start and end dates of school
	X	22	Instructional Days	Uniform calendar policy response to COVID-19--extend requirement beyond Jun 30, waive, or reduce the 185 day/1,025 hours requirement
	X	23	Remote Learning--Instructional Days	Authorize the use of virtual or remote learning to meeting the instructional days requirement (assuming compliance with special education laws)
	X	24	Distance Learning Taskforce	Establish a taskforce to focus on distance learning in NC meeting three core components: (1) Internet access, (2) professional development, (3) special education laws
	X	25	Digital Transition Resource Fund	Establish distance learning grant for classroom technology, instructional management, digital content & curriculum, professional development, and human resources management (video teleconferencing)
	X	26	PPE--School Meal Program	Appropriate funds for PPE for school personnel essential to sustaining the school meal program
	X	27	Social Distancing Policy	LEAs to implementing a social distancing and sanitation policy for essential school personnel during the state of emergency consistent with CDC and DHHS guidance
	X	28	NC Child Nutrition Program	Legislation that encourages LEAs to broadly communicate with local community about meal programs via phone, email, broadcast, website, media, etc. and work with local human services organizations
	X	29	Internet Access	Appropriate funds to extend broadband access or the extend services (park and learn/drive in)
	X	30	Summer Distance Learning Opportunities	Optional summer distance learning courses for at-risk students and students upon parental request; notice to at-risk students and post on district website
	X	31	Remote Learning Plans	Require LEA's to complete and periodically update a remote learning plan
	X	32	Pandemic Response Plan	Requires institutions of higher education to submit a sustained COVID-19 response plan to DHHS every three years beginning August 1
	X	33	Freeze Student Debt	Temporarily freeze the collection of any outstanding student debt for six months after the state of emergency (K-12)
	X	34	Student Vaccinations	Suspend or modify student suspensions due to statutory mandatory vaccinations and discuss the requirement of a future COVID-19 vaccination
Higher Education:				
<i>CC</i>	X	35	NCCCS Reserve Funds	\$25 million non-recurring for N.C. Community College System for loss in student receipts
<i>NCICU</i>	X	36	NCICU Emergency Student and Family Fund	Appropriate \$20m for N.C. Needs-Based scholarships, \$10m nonrecurring emergency funds for students/families, or restore eligibility for NCICU students to receive funds for the NC Lottery (\$5m)
	X	37	NCICU Economic Stabilization Funds	Appropriate \$36 million nonrecurring for economic stabilization funds (match the federal funds under the CARES Act)
<i>UNC</i>	X	38	UNC--Emergency Assistance Fund	Appropriate \$37.4 million to assist with unanticipated cost of transitioning to online learning, PPE, reimbursements, mandatory employees overtime, and work study programs--NC Arboretum
	X	39	UNC--Digital Learning Enhancements	Appropriate \$8 million for additional online transition (summer courses beginning)
	X	40	UNC--Repayment of State Financial Aid	Waive repayment of state financial aid due to COVID-19
	X	41	UNC--Interest Payments	Waive associated interest on student balances, parking, and fees (UNCS has ability to waive penalties)
	X	42	UNC--Health Care Workers	Waive a short-term six-month waiver for healthcare practitioners (break in service pension plan requirements)
<i>General</i>	X	43	State Student Loans	Suspend payment and collection of student loans due to the state duration of state of emergency and 360 days after its expiration--interest will no accrue or additional fees imposed.
	X	44	Wartime Veteran Scholarships	Extend eligibility for one year for all eligible recipients of the Wartime Veterans Scholarship
	X	45	Performance Evaluations & Observations	Use digital or alternative means for completing performance evaluations and observations for NCCCS and UNCS
Early Ed (DHHS):				
	X	46	Emergency Child Care Economic Support Funds	Appropriate \$125 million for Child Care Emergency Funds for PPE, supplies, etc. and to assure child care for essential workers
	X	47	Child Care Stabilization Fund	Appropriate \$50 million for the stabilization fund for assisting child care centers to re-open
	X	48	Background Checks	Temporarily extend background check renewals from three years to four to sunset in a year
General Gov't:				
	X	49	N.C. Education Lottery	N.C. Education Lottery to report to Education Oversight Committee on the Impact of COVID-19 (Possibly a gap between \$27-53 million)
	X	50	Electronic Meetings	Authorizes public bodies to hold meetings electronically during a state of emergency
	X	51	Constitutional Amendment	Constitutional amendment authorizing the N.C. General Assembly to conduct session in alternative method other than being present for votes during a declared state of emergency

Color-coded priorities: Green - Level 1, Yellow - Level 2, and Red - Level 3.

(Current as of: April 13, 2020 at 6:09 p.m.)

Graduation Requirements and Testing – Statutes, Consequences, and Possible Approaches

Graduation Requirements

	Concern	Description	NCGA Action needed?	Statute	Possible Approach
1	Will high school seniors be unable to graduate if they have not completed CPR instruction?	Statutes require that SBE set graduation requirements that must include successful completion of CPR instruction.	Yes – Current statutes require students complete CPR training to graduate.	115C-12(9d)a.1. 115C-81.25(c)(10)	For 2020, waive CPR requirement for seniors who have fulfilled all other graduation requirements.
2	Will high school seniors be unable to graduate due to not receiving a passing grade in the Founding Principles course?	Statutes require that SBE set graduation requirements that must include receiving a passing grade in the Founding Principles history course.	No. SBE guidance on graduating seniors should address this issue to allow for grades in this course for all students.	115C-12(9d)a.2. 115C-81.45(d)(1)	

Tests					
	Concern	Description	NCGA Action needed?	Statute	Possible Approach
3	Will school closures impact administration of statutorily required summative assessment testing in 3-12?	<p>State law requires the following summative assessment tests be administered annually:</p> <ul style="list-style-type: none"> Federally required tests for 3rd-8th grade and some high school course. ACT for 11th graders. <p>These tests are used for teacher and student data, as well as for annual school report cards.</p> <p>All of these tests have been either waived by the federal government or partially administered in the 19-20 school year.</p>	NCGA could waive testing requirements for clarity.	115C-174.11(c)	Waive requirements for any federally required tests and ACT for 19-20 school year.
4	Will school closures impact administration of statutorily required formative/diagnostic testing in K-3?	<p>State law requires that formative and diagnostic assessments be given in grades K-3 to align with the standard course of study and Read to Achieve.</p> <p>These tests are used for teacher and student data.</p> <p>Statutes do not require multiple administration of the assessments, but SBE policy does.</p>	NCGA could waive assessment requirements for clarity.	115C-174.11(a)	Waive requirements for K-3 formative/diagnostic tests not yet completed for 19-20 school year.
5	Will school closures impact administration of Pre-ACT/PSAT diagnostics?	<p>State law requires certain students take the Pre-ACT/PSAT diagnostics.</p> <p>These tests were all administered in the fall.</p>	No NCGA action is needed at this time.	115C-174.22 115C-174.18	
6	Will school closures impact administration of WorkKeys?	<p>State law requires that WorkKeys be offered to CTE concentrators in high school.</p> <p>WorkKeys is also a datapoint for school report cards.</p>	Yes. Administration of WorkKeys to CTE completers in spring semester required by statute is not possible due to school closures.	115C-174.25	Waive requirement to administer WorkKeys for the spring 2020 semester.

Accountability Measures					
	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
7	How will school performance scores and grades be calculated if State and federal summative assessments scores are unavailable?	Statutes require use of summative assessments to calculate the school performance scores and grades.	Yes. Grades cannot be calculated without summative assessments under current statutes.	115C-12(24) 115C.83.15 115C.83.16	Waiver of calculation of school performance scores and grades for 19-20 school year for all public schools.
8	How will schools issue an annual report card if there are no school performance grades?	Statutes require publication of report cards for all types of public schools that are based on school performance grades.	Yes. Report cards cannot be published without school performance grades under current statutes.	115C-12(9)c1, c3 115C-218.65 115C-238.66(11) 116-239.8(14)	Waive publication of report cards for 19-20 school year for all public schools.
9	How will low-performing schools be identified if there are no school performance grades?	Statutes require identification of low-performing and continually low-performing schools and units annually based at least in part on the prior year's school performance grades.	Yes. Low-performing schools cannot be identified under current statutes without school performance grades.	115C-105.37 115C-105.37A 115C-105.39A 115C-218.94	Continue current identifications for all schools and units based on 18-19 school year. No new identifications based on 19-20.
10	How will schools be identified as qualifying or for selection into the Innovative School District (ISD) if there are no school performance scores?	Session law requires a school to be selected to enter the ISD in the 20-21 school year based on 19-20 school performance scores. Statutes also require schools to be assessed on a 3 year cycle, which began with school performance scores from 18-19, for determination of selection into the ISD.	Yes. Schools cannot be identified under current law for ISD selection without school performance scores.	115C-75.7 S.L. 2019-248, Sec. 1.(c)	No school selected to enter the ISD in 20-21. For 3 year cycle assessment, exempt 19-20 school year data.

Read to Achieve (RtA)					
	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
11	Will school closures impact developmental screening and the kindergarten entry assessment (KEA)?	Statutes requires students entering kindergarten be given a developmental screening and kindergarten entry assessment to inform instruction.	No. NCGA action is not needed for 19-20 school year as the KEA has been administered.	115C-83.5	
12	Will school closures impact K-3 reading diagnostics and EVAAS Analysis?	Statutes require that K-3 reading diagnostics that can be analyzed by EVAAS be completed to inform student instruction and identify students for summer reading camps. SBE policy requires 3 assessments at the beginning, middle, and end of the school year. K-3 reading diagnostics were completed through March.	NCGA could waive assessment requirements for clarity.	115C-83.6.(a),(a1), (a2)	Waive requirements for K-3 reading diagnostic tests not yet completed for 19-20 school year.
13	How will 3rd grade promotion decisions be made if 3rd grade Reading EOGs are unavailable?	Statutes require that students in 3rd grade may be promoted only following demonstration that the student reads at grade level on the 3rd grade Reading EOG or an alternate assessment, or fits into certain exceptions. Students who are not promoted are provided various supports and opportunities for retesting.	Yes. 3rd grade promotion decisions under current statute are based on testing data or alternate assessments.	§ 115C-83.7 (a), (b) (b1-5), (c), (c1-2) § 115C-83.9 (a), (b), (c), (d)	Allow principals to promote for 3rd grades in same way as for other grades in 19-20, including consideration of all available data on student.
14	Will summer reading camps be provided in 2020 due to school closures and issues with identification of eligible students?	Statutes require summer reading camps be offered to students retained in grade 3 or reading below grade level in grades 1-2. Students are identified for camps through reading diagnostics during the school year and the 3rd grade Reading EOG test.	Yes. Identification of students under current statutes relies on data that will be limited due to federal waivers and school closures.	115C-83.8 (a), (b), (c), (e) 115C-83.11 (a), (b)	Waive reading camps for 2020, but require reading assessments for all 4th grade students in 20-21 to provide additional supports.
15	How will RtA accountability measures be reported if underlying data is unavailable?	Statutes require schools to publish information on proficiency rates and reading camp eligibility in grades 1-3, and information related to promotion and retention rates for 3rd graders.	Yes. Data required under current statutes relies on information limited by federal waivers and school closures.	115C-83.10 (a), (a1), (b), (b1), (c), (d), (e), SL 2018-5	Waive RtA reporting requirements for 19-20 school year.

Bonuses					
	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
16	How will teacher bonuses for teachers in AP, IB, AICE, and CTE be determined?	<p>In prior years, session laws have provided bonuses to teachers of certain courses (AP, IB, AICE, and CTE) based on student performance on examination results and certifications achieved from those programs.</p> <p>There is no currently enacted session law to award bonuses based on performance for the 19-20 school year.</p>	None at this time.		
17	How will teacher and principal bonuses based on growth from assessments be awarded?	<p>In prior years, session laws have provided bonuses to principals and teachers of certain courses in grades 3-8 based on student growth measured by federally required summative assessments.</p> <p>There is no currently enacted session law to award bonuses based on performance for the 19-20 school year.</p>	None at this time.		
18	How will principal recruitment bonuses be determined?	Schools designated as low-performing schools in the lowest 5% of all schools in the state for school performance scores are eligible to participate in a program to provide recruitment bonuses for qualifying principals.	Yes. Current statute requires that a school be determined eligible based on the prior school year data.	115C-285.1	Eligibility for use of the program in the 20-21 school year based off of 18-19 data.

Other Testing Related Items					
	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
19	How will advanced math placement based on EOC/EOG scores be made if those scores are not available?	Statutes require students to be placed in an advanced math courses if the student scores at the highest level on the prior year's math EOC/EOG.	Yes. Students will not be able to be placed in courses as required by statute if EOC/EOG scores are unavailable.	115C-81.36.	For 20-21 math course placement, schools will make placement decisions in the same manner as for other courses.
20	How will principals notify teachers of EVAAS data?	Principals are required to annually notify teachers when EVAAS data becomes available based on standardized assessments.	Yes. EVAAS data will not be available to share with teachers as required by statute due to testing waivers.	115C-333.2	For 19-20, waive principal notification requirement for EVAAS data.
21	How will effectiveness data on teacher attrition be reported?	As part of the annual report on the state of the teaching profession, schools are required to report information on the effectiveness, based on EVAAS data, of teachers who have left the profession in the last year.	Yes. EVAAS data will not be available to report as required by statute due to testing waivers.	115C-299.5(d)	Waive inclusion of data on teacher effectiveness in the teacher attrition report issued in Dec. '20

Licensure – Statutes, Consequences, and Possible Approaches

Teacher Licensure					
	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
1	Will COVID-19 keep teachers from completing their licensure exams?	<p>State law requires that teachers pass certain licensure exams. Teachers have until the end of their third year of licensure to pass the exams, provided that they attempted the exams at least once during their first year of licensure.</p> <p>Sec. 1.2 of S.L. 2019-71 gave certain teachers a one-year extension, so some teachers are in their fourth year of teaching and are required to pass licensure exams by June 30, 2020.</p>	<p>Yes, NCGA action would likely be needed, since testing centers are closed due to COVID-19.</p> <p>Without passing the exams, teachers whose deadline for passing the licensure exams is June 30, 2020, would see their teaching license expire.</p> <p>Additionally, teachers in their first year of teaching who have not taken their licensure exams would be out of compliance with State law.</p>	115C-270.15	Provide one additional year for individuals whose license would expire on June 30, 2020 for failing to meet licensure exam requirements – 1st yrs have to attempt by end of 2nd year, 3rd and 4th get one-year extension to pass test.
2	Will COVID-19 impact teacher licensure renewal?	<p>State law requires teachers on continuing licenses to earn 8 continuing education credits prior to licensure renewal, with at least 3 credits being in the teachers' subject area. For elementary school teachers, at least 3 credits must be related to literacy.</p>	<p>Possibly. NCGA action may be required depending on policy decision regarding teachers who are up for renewal this year and are not able to complete their continuing education credits.</p>	115C-270.30	Provide one-year extension to existing license in order to fulfill continuing education requirement.

Other Licensed Positions					
	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
3	Will COVID-19 affect the initial licensure of school administrators?	State law requires individuals seeking school administrator licensure to pass a standardized exam, complete a year-long internship, and develop a portfolio as evidence of applying their training to actual school needs and challenges.	Possibly. NCGA action may be required if individuals are not able to complete these requirements due to school and testing site closures.	G.S. 115C-284	Waive remainder of internship requirement if program ensures the principal candidates meet capacity requirements. Students should continue to work with LEAs to engage in remote learning as practicable. Complete portfolio prior to graduation to the extent practicable. Allow principal candidates to be licensed and complete exam requirement within first year of licensure.
4	Will COVID-19 affect licensure renewal of school administrators?	State law requires continuing education in digital teaching and learning as a requirement for licensure renewal. Other licensure renewal requirements for school administrators are set by the State Board.	Possibly. NCGA action may be required depending on policy decision regarding school administrators who are up for renewal this year and are not able to complete continuing education in digital teaching and learning. However, many school administrators have likely had some continuing education in this area (either formally or informally) as a result of the transition to distance learning.	G.S. 115C-284(c3)	Provide one-year extension to existing license in order to fulfill continuing education requirement.
5	Will COVID-19 affect initial licensure of other personnel, such as counselors and social workers?	State law requires individuals in professional positions other than teachers and school administrators to pass a relevant standardized exam prior to licensure. Other licensure requirements are set by the State Board.	Possibly. NCGA action may be required if individuals are not able to complete this requirement due to testing site closures.	G.S. 115C-315(d)	Allow licensure candidates to be licensed and complete exam requirement within first year of licensure.

Evaluations – Statutes, Consequences, and Possible Approaches

Evaluation and Observation Requirements					
	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
1	Will school closures impact employee evaluations for the 2019-2020 school year?	<p>State law requires annual evaluations for all of the following:</p> <ul style="list-style-type: none"> • Licensed employees assigned to low-performing schools • Teachers employed less than 3 consecutive years at non-low-performing schools • Career status teachers or teachers on 4-year contract assigned to non-low-performing schools (unless local board requires more or less frequent) • Principals and assistant principals <p>Evaluations rely on, but are separate from, classroom observations. Areas not observed in class can be evaluated through other evidence and artifacts.</p>	<p>Possibly. NCGA action may be needed, depending on policy decision.</p> <p>Without action, the evaluation requirement would still be in place and it may be unclear how to conduct teacher evaluations if classroom observations were not complete at the time of school closure.</p> <p>NOTE: State Board is currently advising districts not to use evaluation tool to assess remote instruction</p>	<p>115C-333(a) 115C-333.1(a) 115C-286.1 115C-276(s) 115C-288(i)</p>	Require evaluation to be based on observations completed by the time of school closure and other artifacts and evidence shared with the evaluator.
2	Will school closures impact classroom observations for the 2019-2020 school year?	<p>State law requires that teachers who have been employed less than three consecutive years be observed at least 4 times annually.</p>	<p>Yes, NCGA action is needed, because it is very likely that many of these required observations were not completed at the time of school closures.</p>	<p>115C-333(a) 115C-333.1(a)</p>	Waive any observations not completed at the time of school closure.

Statutes That Rely on Evaluations					
	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
3	If an evaluation is not available for a teacher for 19-20, will that affect the teacher's ability to be placed on a multiyear contract?	State law requires that teachers be evaluated as at least proficient in order to be offered a multiyear contract.	Possibly. NCGA action may be needed depending on policy decision regarding evaluations and whether schools interpret the requirement to allow evaluations for the 2018-2019 school year to suffice.	115C-325.3(b)	Clarify that the requirement is based on most recent evaluation and must include the principal's endorsement.
4	If an evaluation is not available for a teacher for 19-20, will that affect the teacher's ability to renew their license?	State law requires teachers to be evaluated as at least proficient in order to renew their license.	No, NCGA action is not needed because this requirement is based on the most recent formal evaluation. If no evaluation is available, the State Board would look at the 18-19 evaluation.	115C-270.30	None.
5	If an evaluation is not available for a teacher for 19-20, will that affect that teacher's ability to be a mentor teacher?	State law requires mentor teachers to be evaluated as at least proficient in order to be a mentor teacher.	No, NCGA action is not needed because the statute only says it must be based on formal evaluations.	115C-300.1	None.

Educator Preparation Programs (EPPs) – Statutes, Consequences, and Possible Approaches					
	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
1	Will COVID-19 impact approval and/or accreditation of EPPs?	State law requires EPPs to be authorized based on approval by State Board or accreditation by CAEP.	No NCGA action needed at this time. While there are EPPs being considered for approval, according to DPI, that approval should not be impacted by COVID-19.	115C-269.5 115C-269.10	None.
2	Will COVID-19 impact the satisfaction of minimum admissions requirements to EPPs?	State law requires students to pass a basic skills test (Praxis Core) and have a minimum GPA of 2.7 to be admitted to an EPP. EPPs must ensure that the overall admitted cohort has a GPA of at least 3.0.	Possibly. NCGA action may be needed, depending on policy decision. Some students may not have been able to complete the Praxis Core this spring. If colleges and universities give pass/fail grades for spring 2020, students would have had one less semester to bring their GPA up.	115C-269.15	Waive Praxis Core requirement for 2020 EPP admissions. For individual GPA requirement (2.7), allow students to be admitted for 2020 with a GPA less than 2.7, provided they have a 2.7 before beginning their clinical internship (student-teaching). Waive the cohort GPA requirement for 2020.
3	Will COVID-19 interfere with required instruction at EPPs?	State law requires EPPs to cover certain topics at some point in the program.	No, this is not likely to be necessary, provided that EPPs are still delivering instruction online.	115C-269.20	None.

	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
4	Will school closures impact the clinical internship requirement?	State law requires teacher candidates to complete either a 16-week clinical internship (student-teaching) or a year-long residency.	Yes, NCGA action is needed as school closures will prevent teacher candidates from being able to satisfy the 16-week minimum requirement.	115C-269.25(d)(1)	Waive minimum requirement if EPP ensures the students meet the requirements on certificate of teacher capacity. Students should continue to work with LEAs to engage in remote learning as practicable.
5	Will school closures decrease the number of qualified clinical educators to supervise interns?	State law requires clinical educators to be rated as at least proficient on their most recent teacher evaluation.	No NCGA action needed at this time, regardless of whether evaluations are completed for the 2019-2020 school year, since it is based on the most recent evaluation.	115C-269.25(e)	None.
6	Will school closures affect teacher candidates' ability to complete their required pedagogy assessment?	State law requires teacher candidates to complete a pedagogy assessment (edTPA/PPAT) prior to completing the EPP. This is a portfolio-based assessment that the teacher candidate completes during the clinical internship.	Yes, NCGA action is needed for teacher candidates who will not be able to complete edTPA/PPAT due to school closures.	115C-269.25(g)	Make the edTPA/PPAT a requirement during first year of licensure instead of a graduation requirement for this cohort of teacher candidates.
7	Will COVID-19 impact the collection of EPP performance data?	State law requires the collection of data for three high stakes EPP performance measures, including the proficiency and growth of students taught by EPP completers. State law also requires EPPs to report on other performance indicators that are not directly tied to sanctions.	Yes, NCGA action is likely needed, as at least one performance measure will be unavailable due to school closures and other impacts of COVID-19.	115C-269.35	Waive high stakes performance measures. Require other performance indicators to be reported as practicable.

	Concern	Description	NCGA Action Needed?	Statutes	Possible Approach
8	Will COVID-19 impact which EPPs are sanctioned based on data from the 2019-2020 school year?	<p>State law requires EPPs that do not meet performance standards to be assigned an accountability status of either “Warned,” “Probation”, or “Revoked.”</p> <p>Additionally, the State Board can require EPPs that do not meet performance standards to participate in various improvement activities.</p> <p>These sanction requirements were enacted in 2017 and are being gradually phased in over time.</p>	<p>Possibly. NCGA action may be needed depending on the policy decision of whether the State Board should be allowed to require improvement activities for low-performing EPPs. Some measures and indicators required by law may be unavailable or impacted by COVID-19.</p> <p>NCGA action would not be needed to address the accountability statuses because these will not be phased in until 2021-2022.</p>	115C-269.45	<p>Hold EPPs harmless for any indicators from 115C-269.35 that are waived.</p> <p>State Board would not be able to impose a sanction on an EPP (such as requiring the EPP to obtain technical assistance) based on an indicator for which the EPP is held harmless.</p>
9	Will COVID-19 impact EPP report cards?	<p>State law requires the State Board to issue publicly available annual EPP report cards based on performance reports submitted by the EPP to the State Board.</p>	<p>Possibly. NCGA may be needed depending on policy decision as to whether the 2019-2020 EPP data should be publicly reported or just shared with the State Board.</p> <p>State Board would receive the performance data under 115C-269.35 but it would not be summarized and publicly available on DPI’s website or dashboard.</p>	115C-269.50	<p>Waive EPP report card requirement for publication – keep reporting requirements to NCGA.</p>