



LEGISLATIVE NEWSLETTER LEGISLATIVE NEWSLETTER

March 20, 2017, #668

What's Up

NCACTE Legislative Policy Seminar on March 28th: Please plan to attend our annual legislative day, which this year begins at 9 a.m. in the front lobby of the NC Legislative Building, 16 West Jones St., in Raleigh. NCACTE representatives, including students, will provide timely info to lawmakers about CTE, including the exceptionally high graduation rates for high school students involved in CTE career pathways in the state's public schools. This year's format is simple: Show up at 9 a.m. on March 28th, we will give you the info to visit your lawmakers. Special thanks to Allison Dees, chair of the NCACTE Legislative Committee, and other committee members for their work to date on this project.

State Board of Education Update: The clash between the State Board of Education and state superintendent over should control the state's public school system continues at a time when it's up in the air about whether an agreement can be struck outside the court. WRAL News reports that state Superintendent of Public Instruction Mark Johnson said the board is suing him and the General Assembly to block a new law passed in December that transfers many of the board's powers to the superintendent.

Still, a lawyer for the state board said they are not suing the superintendent – that they instead added Johnson's name to the lawsuit last week at his request so he could join as a party. Johnson said he has "presented the idea of mediating this situation" with State Board Chair Bill Cobey. "But he has made it clear that the state board will not budge on them having the authority to appoint the top leadership at the department," Johnson said.

Background: The new law has been temporarily blocked until a three-judge panel is to make a final decision in June. It would give Johnson more authority to hire and fire senior level employees and more flexibility in managing the state's education budget. Previously such authority has been under the State Board of Education.

"I am working with the state board as they go through and decide who they want to hire to fill key roles," Johnson said. "Unfortunately, things like a chief of staff, that role is still unfilled, and they have made it clear that they are not going to let me choose who my chief of staff will be. That will be a decision that they will make."

With negotiations in limbo and court proceedings moving ahead, Johnson said he plans to continue working with the state board, even though they disagree on who should be in charge. "Chairman Cobey made it clear that the state board believes it is their right to be able to appoint the top leadership at the Department of Public Instruction," Johnson said. "I do not believe that is correct, and I do not believe that is what the Constitution intends."

CTE Clarification Legislation Moving: [House Bill 359](#), "CC/High School Enrollment in CTE Courses," was filed last week and referred to the House Committee on Education. The bill, cosponsored by Reps. Clampitt (R119); Brody (R55); Stevens, S. (R90), would make amendments here:

SECTION 1. *G.S. 115D-5(b)(12) reads as rewritten:*

"(12) All ~~curriculum~~ courses taken by high school students at community colleges, in accordance with G.S. 115D-20(4) and this section."

SECTION 2. *G.S. 115D-20(4)a.2. reads as rewritten:*

"2. Academic transition pathways for qualified junior and senior high school students that lead to a career technical education ~~certificate or diploma~~ certificate, diploma, or State or industry-recognized credential and academic transition pathways for qualified freshmen and sophomore high school students that lead to a career technical education certificate or diploma in (i) industrial and engineering technologies, (ii) agriculture and natural resources, or (iii) transportation technology."

The bill, if it receives a favorable report in House Education would next be referred to the House Education - Community Colleges.

Other Legislation Moving

Testing, Mentoring: House legislators are moving forward with several bills designed to ease testing and other requirements for teachers in North Carolina, including a plan to end statewide final exams. One bill that passed the House K-12 Education Committee last week, and later the full House, would change the formula used to calculate school letter grades. Under current law, the score is based 80 percent on schools' student proficiency on standardized tests. The remaining 20 percent involves year-over-year student growth.

[House Bill 322](#) would change the formula to 50/50. "In my view, education is growth," said sponsor Rep. Craig Horn, R-Union. "Proficiency rewards schools for the students they take in, but not necessarily for how well they teach students."

Rep. Debra Conrad, R-Forsyth, argued that the focus should remain on how well students perform at grade level. "We want to keep the bar high and encourage the teachers that this is our goal," Conrad said. "You do want children to grow, but you don't want to mask the fact that

they're not reaching grade level." Conrad, a committee co-chair, was the lone no vote as the bill passed on a voice vote.

Another measure, [HB 235](#), that passed the committee, and then the House last week, would allow teachers rated as "proficient" to serve as mentors. Currently, teachers must be rated either "distinguished" or "accomplished" -- the highest and second-highest categories, respectively -- to be able to serve as mentors to beginning teachers.

Still, a recent report from the state Department of Public Instruction showed that 41 schools in the state have no teachers who would qualify as mentors. Many other schools have fewer mentors than needed to pair with peers in their first three years in the classroom, according to the report. House Bill 235 would allow principals to designate "proficient" teachers as mentors if no higher-rated teachers are available. It would also allow retired teachers to serve as mentors. Conrad, the bill's sponsor, said it was recommended by the State Board of Education.

A third bill, [HB 90](#), currently in House Education – K-12, was discussed but not voted on last week. It would do away with statewide final exams in most courses, returning instead to teacher-generated exams except where standardized tests are federally required, such as end-of-course tests in 10th grade English, math 1 and biology.

HB 90 also would ease assessment requirements for teachers in non-core courses like the arts. Supporters of the bill said teachers are no longer being evaluated on their students' statewide final exam grades, so it would have little impact on teacher assessment. But other committee members expressed skepticism.

"We would prevent ourselves, for example in U.S. history, from being able to compare performance across the state on an exam that everybody got," said Rep. Hugh Blackwell, R-Burke. "We'd have all sorts of apples and oranges and things that we would simply, I guess, ignore going forward." HB 90 could be back before the committee for a vote this week.

Other Developments

State of the State: Gov. Roy Cooper struck a conciliatory tone in making his first State of the State address on March 13 to the GOP-run legislature. Overall, Cooper stressed their shared interests and not the high-profile battles of his first 2 1/2 months in office. Still, the governor refused to make concessions on House Bill 2, the law rolling back LGBT discrimination protections.

Concerning public schools, Cooper told lawmakers his proposed budget funds teacher pay increases and he said it takes steps toward putting the state in the top 10 best-educated states through early childhood education, increasing preschool enrollment, improving the high school graduation rate and ensuring more adults obtain advanced degrees. "Yes, there's a price tag on these investments in education," Cooper said. "But now that the economy is rebounding, it's time to make smart, strategic investments in our people."

Cooper's audience in the standing-room-only House chambers included members of the Senate and House, along with state Supreme Court justices, members of the Council of State and his Cabinet. Some of the guests seated in the House gallery who were recognized by Cooper during his address included Jasmine Lauer, a Sanderson High School teacher in Raleigh who uses her own money to buy classroom supplies; Sabrina Peacock from Guilford County, a former participant in the N.C. Teaching Fellows scholarship program who teaches third grade in a school with students from poor families; and Wendell Tabb, a 30-year veteran teacher in Durham.

GOP Response: Senate leader Phil Berger, in his televised rebuttal that was taped before the governor's 7 p.m. live address, made little mention of the Democratic governor, instead touting that the N.C. General Assembly had done under the GOP watch. Berger, an Eden Republican, used the first six minutes of a speech that lasted less than nine minutes to the issues Republican lawmakers made priorities when they took control of the legislature six years ago.

"Across the state, Republican legislators received hundreds of thousands more votes than their Democratic opponents," Berger said. "Yet Roy Cooper, who squeaked into office by a mere ten thousand votes, has treated his election as a mandate to fight Republicans rather than an opportunity to work together." Berger called Cooper's vision for the state "a mirage," and "a retreat to our troubled past."

Quote of the Week

"Common sense isn't that common these days."

- Overheard

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