

## 16 NCAC 06C .0101, .0220. - .0225

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Agency:	North Carolina Department of Public Instruction Division of Educator and Student Advancement Office of Licensure and Educator Preparation
Rule Citation(s):	<b>16 NCAC 06C .0101; .0220–.0225: Educator Preparation Program Accountability</b>
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Rulemaking Authority:	§ 115C-269.35 (a) Performance Measures. – The State Board shall adopt rules necessary to establish standards of performance to govern the continuing accountability of all EPPs.
Impact Summary:	State Government: Yes Local Government: Possible, but unlikely Private Sector: Yes Substantial Impact: No

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### Introduction and Purpose

Educator Preparation Programs (EPPs) are authorized by the North Carolina State Board of Education to prepare, train, and recommend teachers for licensure.<sup>1</sup> Licensure from the state is required for any K-12 grade level teacher to work in a public or charter school setting (§ 115C-296). As a requirement to maintain that authorization, EPPs are held annually to specific standards of performance and reporting outlined in law to assure that the quality and preparation of teacher candidates is meeting expectations (§ 115C-269.35) and North Carolina State Board of Education (NCSBE) policy (TCED-008 and TCED-013).

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<sup>1</sup> Session Law 2017-189, § 115C-269.1(10).

With the passage of Session Law 2017-189, the NCSBE is directed to adopt rules necessary to establish standards of performance to govern the continuing accountability of all educator preparation programs (EPPs) (§ 115C-269.35). While accountability measures have been in place for EPPs for many years, the overhaul of educator preparation and licensure law in 2017-189 brings new expectations for accountability and sanctions for EPPs not used before. Language within this law is quite proscriptive and narrow about what metrics are to be used for accountability purposes and what criteria need to be met to warrant various sanctions. Where flexibility lies within this law for the NCSBE to establish rules lies in establishing the conditions or thresholds of each prescribed accountability measure and establishing exactly what each sanction requires of the EPP where it is applied.

The establishment of performance standards is critical to assure that authorized EPPs are providing a minimum standard of quality in the preparation of teacher candidates and ultimately positively impact the quality of the instruction those teachers provide children in North Carolina public and charter schools. Non-compliance of these standards places EPPs on a trajectory to revocation if not reversed which also protects the quality of the teacher workforce.

The proposed rules were developed with careful consideration of maintaining high expectations in the teacher work force, the impact on the teacher pipeline, and the limited resources available at the NCDPI.

- The role of the department is to publicly report accountability measures, assign sanctions based on the approved rules, and monitor action plans of EPPs out of compliance. Law does not require NCDPI to be responsible for an EPP's return to compliance, and current staffing would not enable that level of support to the field.
- A number of different performance threshold levels were explored to come to the proposed rules.
- Where the thresholds are set for issuing sanctions impacts not only the quality of the candidates, but also the number of candidates entering the profession and consequentially the number of qualified educators available to public and charter schools to fill needed positions in schools.

## **Description of Proposed Rules (full proposed rule text is provided in Appendix A)**

### **16 NCAC 06C .0101 DEFINITIONS**

- Readopts existing definitions rule with changes to include applicable statutory references for terms used in these rules.
- Defines “beginning teacher.”

### **16 NCAC 06C .0220 EPP ACCOUNTABILITY MEASURES**

- Requires North Carolina Department of Public Instruction (NCDPI) to collect data for accountability from authorized Educator Preparation Programs (EPPs).
- NCSBE has authority to establish pass rates for each accountability measure.

## **16 NCAC 06C .0221 ANNUAL BEGINNING TEACHER EVALUATION**

- Defines the North Carolina Educator Evaluation System (NCEES) and procedure for how the measure is calculated for the purposes of accountability.

## **16 NCAC 06C .0222 STUDENT GROWTH**

- Defines the North Carolina Education Value Added Assessment System (EVAAS) and procedure for how the measure is calculated for the purposes of accountability.

## **16 NCAC 06C .0223 RECENT GRADUATE SURVEY**

- Defines the Recent Graduate Survey and procedure for how the measure is calculated for the purposes of accountability.
- Requires that all public school units with a Beginning Teacher Support Program require their beginning teachers to participate in the Recent Graduate Survey.

## **16 NCAC 06C .0224 SYSTEM FOR EVALUATING EPP EFFECTIVENESS**

- Establishes a four-level system for evaluating EPPs and the calculation criteria for each level.
- Sets the conditions for each of the three accountability measures for standard measurement.

## **16 NCAC 06C .0225 EPP SANCTIONS**

- Establishes conditions under which each measure is calculated, minimum sample size, and assessment for programs that fall below the minimum sample size.
- Establishes Warned, Probation, or Revoked sanction in conjunction with a level 1 designation on assessment criteria.
  - Criteria for issuing a warned sanction and additional requirements on the EPP when under warned status.
  - Criteria for issuing a probation sanction and additional requirements on the EPP when under probation status.
  - Criteria for issuing a revoked sanction and additional requirements on the EPP when under revoked status.

## **Context: North Carolina Educator Preparation Program Landscape**

- Across North Carolina there are 56 EPPs (15 UNC public system, 32 private programs and 9 alternative programs or programs that lead to licensure but not a degree).
- The size of cohort completers in EPPs vary with the smallest producing one program completer in 2021 and the largest producing 728.

- The cohort of completers represents just a portion of candidates in the pipeline in various stages of development. In 2021 there were a total of 16,452 candidates in educator preparation programs across the state. The largest program housed 2,885 candidates and the smallest reported only 1 candidate.
- Faculty sizes also vary greatly with the smallest schools maintaining 3 or fewer full-time faculty and the largest employing more than 100.
- According to the U.S. Bureau of Labor Statistics, in 2023 the mean salary of a full-time education program faculty member in North Carolina was \$71,160<sup>2</sup>.
- The redesign of educator preparation and licensure statute with the passage of session law 2017-189 allowed for no formal sanctions to be issued until 2021-2022. At that time, State Board shall only assign the accountability statuses of "warned" and "probation" during the 2021-2022 and 2022-2023 school years. The State Board cannot assign the accountability status of "revoked" until 2023-2024 school year.

### **Understanding Accountability Thresholds**

This section explains the threshold setting process envisioned by the NCSBE for EPP accountability and is ultimately what framed the proposed rules for program accountability.

As was stated earlier, the measures for accountability are legislatively identified. According to §115C-269.35, EPPs are to be assessed on three measures:

- (1) Performance based on the standards and criteria for annual evaluations of licensed employees.
- (2) Proficiency and growth of students taught by educators holding an initial professional license, to the extent practicable. When available, EVAAS data shall be used to measure student growth.
- (3) Results from an educator satisfaction survey, developed by the State Board with stakeholder input, performed at the end of the educator's first year of teaching after receiving an initial professional license.

With the measures already identified, the thresholds at which a program could fall into sanction are left to the NCSBE to establish in the proposed rules. For the purposes of accountability standard measurement, the NCSBE approved these parameters for setting thresholds:

- The mean for Annual Teacher Evaluation and Student Growth is to be calculated using data of all beginning teachers in North Carolina. Standard deviations are then calculated using the aggregate of beginning teachers at each educator preparation program.
- The graduate survey includes a set of 25 items asking "how well did your teacher preparation program prepare you to..." and the response categories are 'not addressed, not well, somewhat well, well and very well.' For each item, it is determined whether the respondent said 'well' or 'very well.' Then, for each respondent, the percentage of

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<sup>2</sup> U.S. Bureau of Labor Statistics, Occupational Employment and Wages, May 2023: 25-1081 Education Teachers, Postsecondary <https://www.bls.gov/oes/current/oes251081.htm#nat>

'well' or 'very well' responses is calculated of those 25 items. Individual percentage of 'well' or 'very well' are then aggregated to the program level.

Next, accountability thresholds are created using a four-point level system for the purposes of public reporting by the NCDPI:

- Level 4 are those EPPs that perform more than one standard deviation above the mean.
- Level 3 are those EPPs that perform between 0 and 1 standard deviation above the mean.
- Level 2 are those EPPs that perform between -1 and 0 standard deviations below the mean.
- Level 1 are those EPPs that perform more than one standard deviation below the mean. Failure to exceed the Level 1 range for any overall group or subgroup can result in program sanctions.

The performance value for each level is then empirically derived from the performance data of all the state's recognized EPPs during the 2017-18 academic year and the two preceding years (2015-16 and 2016-17). Performance values established from this calculation then remain constant for five years. After five years, NCDPI will re-estimate performance levels based on data from the state's recognized EPPs. Holding the performance values stable over time prevents the inevitable outcome of always having a portion of EPPs in level 1 based on the way the thresholds are set. Revisiting thresholds every 5 years promotes continuous growth and improvement in EPPs as that new assessment will move the performance expectations higher.

According to law, the accountability standard thresholds must be met or exceeded by each EPP's graduates at the overall level as well as each of the disaggregated subgroups including gender (male/female), and race/ethnicity (American Indian, Asian, Black, Hispanic, Multiracial, Pacific Islander, White) where sample sizes of those subgroups are sufficient. NCSBE set the minimum sample size at 10 in compliance with the small group exception language in section c1 of § 15C-269.35.

Because North Carolina has some programs that produce very few program completers annually, the NCSBE examines EPP outcomes over three years in aggregate. This helps increase the number of program overall completers and in some cases subgroups for the purposes of assessment. If an EPP has no subgroups in a performance indicator that meet the minimum sample size over three years, the assessment is conducted only at the overall, aggregate level. If the overall aggregate measure of an indicator falls below the designated sample size, the three-year cumulated overall performance will still be measured against the standards, regardless of how small the cumulated number of group members may be. This is to make sure even the smallest programs are held to the same accountability as larger programs.

### **Understanding Sanctions**

§115C-269.35 is also very proscriptive in its language around sanction designations and what criteria warrant the issuance of a sanction. Here, the law enables the NCSBE to create the rules

associated with leveraging the performance indicator thresholds to trigger the sanctions as well as the consequences of sanction designations.

According to law, An EPP is assigned warned status if the program meets any of the following criteria:

- a. Fails to meet the performance standards set by the NCSBE for the overall performance of all its students on any of the three performance indicators in any one year.
- b. Fails to meet the performance standards in any two sex, race, or ethnicity demographic groups on any of the three performance in any one year.
- c. Fails to meet the performance standards for any one sex, race, or ethnicity demographic group on any of the performance indicators set for two consecutively measured years, regardless of whether the deficiency is in the same standard.
- d. The NCSBE determines that the EPP has violated applicable laws or rules that should result in warned status.

Also outlined in law, an EPP shall be assigned probation status if the program meets any of the following criteria:

- a. Fails to meet the performance standards set by the State Board for the overall performance of all its students on any of the indicators for two consecutively measured years.
- b. Fails to meet the performance standards in any three sex, race, or ethnicity demographic groups on any of the performance indicators in any one year.
- c. Fails to meet the performance standards for any one sex, race, or ethnicity demographic group on any of the performance indicators for three consecutively measured years, regardless of whether the deficiency is in the same standard.
- d. The NCSBE determines that the EPP has violated applicable laws or rules that should result in probation status.

An EPP is assigned revoked status and its approval to recommend students for educator licensure revoked if it meets any of the following criteria:

- a. Is assigned probation status for three consecutively measured years.
- b. Has been on probation status for one year and the State Board determines that revoking the program's approval is reasonably necessary to achieve the purposes of this Article.

In the proposed rules, the threshold for potential sanction is met when an EPP falls into a level 1 designation on any of the three performance indicators, or at least 1 standard deviation away from the mean. EPPs assigned a sanction will be subject to additional reporting obligations and remediation to support the program back into compliance. Those additional requirements vary depending on the sanction imposed and the duration the sanction remains in place (Table 1).

Table 1: EPP Remediation Obligations Under Sanction

Year One	Year Two	Year Three	Year Four
<p><b>Warning</b> status assigned</p> <p>Action plan for continuous improvement and to move to Level 2 or higher (self-assessed with peer review optional)</p>	<p><b>Warning</b> status assigned</p> <p>Action plan for continuous improvement and to move to Level 2 or higher (peer reviewed by an EPP with an overall rating of Level 3 or higher in the area of deficiency)</p>	<p><b>Probation</b> status assigned</p> <p>Third-party entity assistance</p> <p>Action plan for continuous improvement and moving to Level 2 or higher</p>	<p><b>Revocation</b> status assigned with SBE approval</p> <p>An EPP shall remain on revoked status for two years. At the end of the two years, the EPP may seek initial authorization to prepare educators for licensure.</p>
<p><b>Probation</b> status assigned</p> <p>Action plan for continuous improvement and moving to Level 2 or higher</p> <p>Peer technical assistance (selected with NCDPI consultation)</p>	<p><b>Probation</b> status assigned</p> <p>Action plan for continuous improvement and moving to Level 2 or higher</p> <p>Peer technical assistance (selected with NCDPI consultation)</p> <p>NCDPI on-site review</p>	<p>NCDPI on-site review</p> <p>Notification to all enrolled students of potential revocation status and the EPPs plan for supporting students through the licensure process.</p>	
	<p><b>*Revocation</b> status assigned if the State Board determines it is necessary</p>		

**Impact Analysis**

For the purposes of this fiscal note, the analysis below will explore the economic implications of these accountability rules as required. It will examine the impact on the field if those rules were to be implemented using 2021-2022 program data.

**Proposed Rules Impact on EPPs**

Were the proposed rules imposed using the latest data (2021-2022) collected, an accurate impact on the EPP landscape can be determined. A total of 10 programs (18 percent) would receive either a warning (5) or probation (5). Table 2 provides the scale of the impact on faculty and student populations that would be impacted by the rules. This includes 6 of the 32 private institutions; 1 of the 15 public institutions; and 3 of the 9 alternative programs.

Table 2: EPPs Potentially Impacted and Scope of Impact by Proposed Rules

Programs Falling into Sanction Using Proposed Rules	Reason for Sanction	# Faculty			# Students	
		Full Time	Part time in Education/Full Time at Institution	Part Time	Full Time	Part Time
		Warning				
Central Carolina Teaching Initiative	Fails to meet overall one year	2	0	7	0	103
Fayetteville State University	Fails to meet one subgroup two consecutive years	17	13	7	348	49
St Augustine's University	Fails to meet overall one year	6	0	0	1	0
Teachers of Tomorrow*	Fails to meet overall one year	34	16	0	0	1896
Lenoir-Rhyne	Fails to meet two subgroups in one year	6	0	3	68	43
<b>Warning Totals</b>		65	29	17	417	2091
		Probation				
Pathways to Practice**	Fails to meet overall two consecutive years	2	0	10	0	354
Brevard	Fails to meet overall two consecutive years	2	1	6	20	5
Wake Forest	Fails to meet overall two consecutive years	15	6	4	61	17
Queens	Fails to meet overall two consecutive years	5	0	7	178	13
Shaw	Fails to meet overall two consecutive years	5	2	4	15	0
<b>Probation Totals</b>		29	9	31	274	389
<b>Grand Totals</b>		<b>94</b>	<b>38</b>	<b>48</b>	<b>691</b>	<b>2480</b>

\* This program is a fully online program originating out of state. It is unlikely that their faculty are located in North Carolina. While students are more than likely in North Carolina, the lack of a physical brick and mortar presence of the program would not draw students to a particular locale like a traditional program.

\*\* This is a fully online program operating out of the Raleigh/Durham area. While students are more than likely in North Carolina, the lack of a physical brick and mortar presence of the program would not draw students to a particular locale like a traditional program.

Because the thresholds are only adjusted every five years, it is anticipated that this number of programs impacted would decline following the first year as programs worked to meet or exceed



the established criteria. Adjustment of thresholds at the 5-year increment mark using standard deviations would result in about the same proportion of EPPs falling into sanction in the first year of any new threshold setting. By approaching sanctions in this manner, the model promotes continuous improvement in the field.

Assignment of a formal sanction begins an EPP's path to potential revocation and is therefore motivating to mitigate as quickly as possible. It is unclear to what extent mitigation activity would involve additional expenditure by the institution. It is likely, given budget constraints, that sanctioned EPPs would seek changes to their program curriculum, student supports, and offerings leveraging existing budgets and resources. The possibility also exists for the institutional leadership to consider closing their EPP altogether if sanctions are levied or progress towards revocation.

### State Government Impact

The proposed rules associated with educator preparation program accountability impose tasks that fall within the general obligations of current NCDPI staffing. As such, there should be no costs associated with additional staffing needs. NCDPI is already required under law to annually collect data and publicly report its findings regardless of issuing sanctions, so there should be no additional opportunity (time) costs to state staff associated with requirements for data collection and reporting. However, there are likely to be opportunity costs associated with implementation of the new system of sanctions, as follows:

- For EPPs issued warning sanctions, NCDPI collects the action plans for how to move back into compliance and supports peer EPP collaboration if there is interest.
- For EPPs falling into a probation status, collaboration with a peer school is required in addition to submitting an action plan for return to compliance.
- If a school remains under probation for multiple years, the Director of Educator Preparation at NCDPI will conduct an on-site review of the EPP. With 5 programs identified as falling into probation under the proposed rules this year, it is anticipated that only a portion of them (2) would require a site visit the following year. The expected annual need for on-site visits is low as programs identified as under sanction would actively work to improve their outcomes. The reassessment of sanction thresholds every five years would likely start this process over cyclically.

Table 3: Estimated cost of an on-site visit

Director of Educator Preparation compensation \$164,216.17/year	Estimate 260 work days a year	Director compensation equates to \$623.91/day*
2 days preparation time (opportunity cost)	\$1,247.82	
1 day of on-site visit (opportunity cost)	\$623.91	
2 days follow up work derived from the on-site visit (opportunity cost)	\$1,247.82	
Mileage and personal vehicle cost to travel to site	Unquantifiable due to lack of estimated mileage data.	

\* Director compensation estimate was developed using the NC OSHR: Total Compensation Calculator and includes salary plus benefits.

- For revocation, NCDPI removes the EPP authorization status. Upon assignment of revoked status of EPP approval, the EPP shall not admit new students but may complete the training of students already admitted by the program and recommend them for licensure. If necessary, the NCSBE and other EPPs shall cooperate to assist the previously admitted students of the revoked EPP to complete their training.
- Faculty job loss would have a small impact on state tax collections and would vary depending on the number of programs revoked and the size of each of those programs. At this time, anticipating the number of EPPs that would ultimately fall into a revocation status is not possible.

Risk for impact on UNC System schools and/or community colleges that offer an EPP program exist, and these two groups are also a function within state government. The proposed rules as designed (and using 2021-22 data) would result in the sanctioning of one public UNC system school (Fayetteville State University) in the first year. It should be noted here that the largest programs in the state exist within the UNC system. An argument can be made that way the law is written to include race, gender/ethnicity subgroups in the accountability model places more opportunities for the largest programs to be assigned a sanction. This is because they are likely to have more subgroups that meet the threshold for consideration than much smaller programs.

Once assigned a sanction, it is anticipated that the program would implement strategies within its existing resources to mitigate the sanction. In the worst-case scenario, if that program was not able to improve its outcomes and ultimately fall into revocation, there would be a negative financial impact to the university in the form of lost student revenue and faculty.

It is important to know that there are many factors at play prior to the scenario outlined above. The institution has multiple years to introduce a different strategy to return to compliance and avoid this outcome. As was mentioned earlier, the likelihood of this outcome is anticipated to be very low. The more likely outcome is that sanctioned EPPs would seek to avoid revocation by

making changes to their program curriculum, student supports, and offerings using their existing budgets and resources. It is inherently in their interest to seek improvement to maintain their very existence.

Another important resource in mitigating sanctions for the public institutions in North Carolina is the UNC-General Administration who supports and monitors the activity of all public EPPs. Sanctioned schools would also be receiving additional support from UNC-GA to return to compliance and also promote engagement with other public school programs to share best practices with struggling programs.

Additionally, examination of proposed rules for warned and probation status sanctions further illustrates the intent of the rule making to encourage and promote improvement and an effort to avoid an EPP falling into revocation. At the warned status, a designated EPP must develop a self-assessed action plan to return to compliance. That level of sanction includes the option to partner with a peer EPP to develop that plan. The department's careful monitoring of program accountability measures will help to identify programs across the state that are thriving in specific areas the sanctioned program is struggling in to help benefit from their successful program implementation. At the probation sanction level, programs must submit an improvement plan with peer support guided by department consultation. Additionally, the department is engaged to conduct an on-site review to offer deeper support in their improvement planning.

Sanctions do require additional effort on the part of the EPP to meet expectations, but the additional burden is focused on program improvement the program need to return to compliance. It is this combination of sanctions promoting improvement and available supports that make the possibility of revocation unlikely.

### Local Government Impact

There are no EPPs run by local government, so there would be no direct or opportunity costs to local governments as a result of the proposed rules.

In the unlikely event that an EPP is revoked, there could be an impact to the local economy. The size of the impact would depend on the size of the EPP program and the size of the local government. Revoked programs would have a small impact on the local economy with the loss of faculty positions as those programs were discontinued. Students who might otherwise move to the local area for training will look to pursue their training in other locales. Commerce in the local area traditionally supported by the student presence could be negatively impacted.

While the revocation of a program has a negative impact on the program itself, the faculty associated with its implementation would potentially lose their jobs, and the students being served would either seek educator preparation elsewhere or reconsider the education profession altogether. Public and charter schools that historically have relied on teachers entering the profession from their community EPP(s) may find it considerably more challenging to fill teacher vacancies. This, in turn, can negatively impact the quality of education of children in the community if alternative teacher pathways are not readily available to mitigate the loss.

One positive externality with the revocation of a program is a potential increase in attendance for those EPPs in the region who are not revoked. They may find an increase in applications and/or enrollment due to the loss of competition in the economic space.

### Private Sector Impact

As was mentioned earlier in the report, there are a total of 32 private colleges and universities with EPP authorization as well as for-profit organizations providing the EPP service (seven of the nine alternative programs) that fall within the Private Sector. Revocation of an EPP program in a private university would obviously have an impact on the staff cut and revenue to the institution based on tuition. In the case of alternative programs, revocation may result in the closure of the entire business.

For those programs operating in a traditional brick and mortar educational space, loss of staffing and students in the area would also have a negative impact on private business in the broader community. The revocation of an entirely online program would not have the same financial impact on a local community as the stakeholders are not restricted to any one locale.

Similar to previous discussion, program revocation of one EPP may actually increase attendance in other EPPs and their surrounding communities.

When applied using 2021-22 data, the proposed rules implemented as designed would identify a total of 9 private programs (6 traditional institutions and 3 alternative programs) that would fall into sanction. Like the programs falling under state government mentioned earlier, it is in the interest of self-preservation of the EPP to return to compliance and the proposed rules promote program improvement when sanctions are assigned. This combined with the manner in which the rules are written that promote a return to compliance make the eventual outcome of revocation highly unlikely.

Many of the private programs are also members of a supporting umbrella organization called the North Carolina Independent Colleges and Universities (NCICU). Similar to UNC-GA, this group would provide the similar supports to improve sanctioned schools and collaborate with partner programs to promote best practice,

### **Benefits**

The importance of developing, attracting, and retaining high quality teachers cannot be overstated. A growing body of literature over the past two decades indicates that high quality teachers have a critical impact on student achievement, student motivation, and lifetime earning potential (Oppen, 2019; Goldhaber, 2016; Gershenson, 2016). In fact, among school-related factors, the teacher matters most to a student's academic performance (Chetty, Friedman & Rockoff, 2014).

Coupled with these findings, North Carolina (as well as the entire nation), have a long history of inequitable distribution of high-quality teachers.

Low-salary districts serve students with higher needs, offer poorer working conditions, and hire teachers with significantly lower qualifications, who typically exhibit higher turnover. Those districts serving the highest proportions of minority and low-income students have about twice as many uncredentialed and inexperienced teachers as do those serving the fewest (Adamson & Darling-Hammond, 2012).

This combination of teacher quality and inequitable access presents challenges for consistently producing the best student outcomes for all of North Carolina's learners.

The establishment of a rigorous set of accountability rules on the expectations of educator preparation programs – those programs that produce the next generation of classroom teachers – will not solve the teacher quality issues of the state in isolation. They can, however, assure that those teacher candidates entering the profession are of a consistently high skill level and can deliver quality instruction to all students. In turn, that consistently higher quality instruction can enable students to have a stronger opportunity to produce their best work and ultimately positively contribute to society in across North Carolina.

## **Alternatives**

For the purposes of the proposed rules, the Professional Educator Preparation and Standards Commission (PEPSC) recommended and NCSBE ultimately voted to set the threshold for sanctions at those programs that perform more than one standard deviation below the mean of EPPs across the state. In a normal distribution, the portion of population falling below one standard deviation from the mean would capture roughly 16 percent of the population. NCSBE determined that this percentage of the EPP population should be required to improve their practices. This decision resulted in 10 programs falling into either a warned or probation level sanction, which represents 18.9 percent of the EPPs operating across the state.

PEPSC also considered setting the threshold at a more rigorous threshold of those falling below .5 standard deviations below the mean to issue sanctions. This threshold would have captured about 33 percent of EPPs in sanction. Putting a third of programs into sanction was not something the commission was willing to do. There was concern that a bar too high may have unintended consequences that limit an already diminished pipeline.

There was also a consideration of setting the threshold at two standard deviations below the mean. With only about 2.5 percent of EPPs receiving sanction, the commission felt the system would not function as a vehicle to stimulate program improvement because it would impact too few programs.

## **Summary**

The permanent adoption of rules associated with EPP accountability will help to maintain a quality teacher pipeline and ultimately serve to better educate the children of North Carolina. Assignment of sanctions to an EPP that begins the path to revocation of program authorization

would stimulate the program to work to return to compliance. It remains unclear to what extent that effort would include additional expenditures or perhaps manifest in changes in existing work assignments, curriculum design, and/or practice.

The proposed rules are expected to have little to no fiscal impact on local government unless the progression of sanctions leads to program revocation, which is unlikely. The proposed rules will result in small opportunity costs to DPI to administer the new system of sanctions.

By setting the accountability standard every five years based off of standard deviation, a portion of programs (16 percent) will likely be identified as falling into some sort of sanction at the end of the first year of following standards setting. Without improvement on the part of the EPP, initial sanctions will lead to revocation. That said, the likelihood of initial sanctions resulting in revocation is very low given that programs will have multiple years to improve their practice, the rule requirements are designed to promote improvement, and the inherent desire of every program to continue to avoid revocation. The intent is to provide a motivation for programs to continuously reflect on their practice and improve. These rules, as designed, are not expected to cause substantial fiscal impact on the field over time in terms of loss of programs due to revocation. Instead, they are expected to stimulate the field at large to continuously improve their offerings and supports of candidates throughout their development.

In the very unlikely event that a program falls into revocation, factors like EPP size, size of the local community, and competition in the surrounding area all would determine the impact of this outcome. The larger the size of the program, the larger disruption to the educator preparation pipeline, the greater the challenge for public and charter schools to recruit teachers that were supplied by the EPP. Loss of a revoked EPP in an area with smaller local government and commerce may have a proportionately greater financial impact than an EPP in a higher population and income community. Program loss can also indirectly boost competition in the surrounding region as prospective teachers seek different programs to meet their educator preparation requirements.

The hope is that establishing thresholds for accountability will lead to incremental improvement in the quality of educators entering the teaching profession from authorized EPPs across the state over time. The improved quality of beginning teachers could then, over time, lead to better student outcomes.

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## Appendix A: Proposed Rule Text

16 NCAC 06C .0101 is proposed for re-adoption as follow:

### SUBCHAPTER 06C PERSONNEL

#### SECTION .0100 GENERAL PROVISIONS

#### 16 NCAC 06C .0101 DEFINITIONS

As used in this ~~Subchapter:~~ Subchapter, the following definitions apply:

- (1) ~~"Convicted" or "Conviction" means and includes the entry of:~~
  - (a) ~~a plea of guilty;~~
  - (b) ~~a verdict or finding of guilt by a jury, judge, magistrate, or other duly constituted, established, and recognized adjudicating body, tribunal, or official, either civilian or military; or~~
  - (c) ~~a plea of no contest, nolo contendere, or the equivalent.~~
- (2) ~~"Institution of higher education" (IHE) means a senior college or university.~~
- (3) ~~"Instructional personnel" means all teachers as defined by G.S. 115C 325, with the exception of supervisors, and non teaching principals, assistant principals, social workers, counselors and psychologists. The term includes principals, assistant principals, or counselors who teach any part of the day, librarians and instructional aides, except that:~~
  - (a) ~~aides are not included for the purpose of applying Rule .0403 of this Subchapter; and~~
  - (b) ~~aides are not included for the purpose of applying Rule .0301 of this Subchapter.~~
- (1) "Administrator" is defined in G.S. 115C-270.1(1).
- (2) "Administrator license" is defined in 115C-270.20(b)(1).
- (3) "Classified personnel" means a person employed by the governing body of a public school unit who does not hold a professional educator license.
- (4) "Approved EPP" is defined in G.S. 115C-269.1(1).
- (5) "Authorized EPP" is defined in G.S. 115C-269.1(2).
- (6) "Beginning teacher" means a professional educator who holds a license other than a CPL or an LL.
- (7) "Clinical educator" is defined in G.S. 115C-269.1(4).
- (8) "Clinical intern" or "intern" is defined in G.S. 115C-269.1(5).
- (9) "Clinical internship" or "internship" is defined in G.S. 115C-269.1(6).
- (10) "Clinical mentor" or "mentor" is defined in G.S. 115C-269.1(7).
- (11) "Clinical residency" or "residency" is defined in G.S. 115C-269.1(8).
- (12) "Clinical resident" is defined in G.S. 115C-269.1(9).
- (13) "Continuing education unit" or "CEU" means credit earned by a professional educator for the purpose of renewing the educator's license.



- (14) "Continuing professional license" or "CPL" is defined in 115C-270.20(a)(1).
- (15) "Educator preparation program" or "EPP" is defined in G.S. 115C-296.1(10).
- (16) "Emergency license" or "EL" is defined in 115C-270.20(a)(2).
- (17) "EVAAS" means the Education Value-Added Assessment System.
- (13) "Field experience" is defined in G.S. 115C-269.1(11).
- (14) "Field supervisor" is defined in G.S. 115C-269.1(12).
- (15) "Initial professional license" or "IPL" is defined in 115C-270.20(a)(3).
- (16) "Initially authorized EPP" is defined in G.S. 115C-269.1(13).
- (4) (17) "License" has the same meaning as the term "certificate" as used in 16 NCAC 1A .0001(2). means a professional educator license issued by the State Board of Education in accordance with this Subchapter and Chapter 115C, Article 17E of the General Statutes.
- (18) "Lifetime license" is defined in 115C-270.20(d).
- (19) "Limited license" or "LL" is defined in 115C-270.20(a)(4a).
- (5) ~~"National Teachers' Examination" (NTE) means the standard examination adopted by the SBE pursuant to G.S. 115C-284(e), 115C-296 and 115C-315(d).~~
- (6) ~~"Other personnel" means those persons not included within the definition of instructional personnel.~~
- (7) (20) "Part-time employee" means a person employed for at least 20 hours per ~~week.~~ week but fewer than the number of hours per week of a full-time employee in a similar position.
- (21) "Partner school" is defined in G.S. 115C-296.1(14).
- (8) (22) "Permanent employee" means a person who is ~~not a student enrolled in the school system who is employed;~~ employed by a local board of education:
- (a) other than on an interim basis, to fill a position which is to become permanent if current needs and funds continue; or
- (b) for at least six months under one contract, to replace one or more employees who are on leave without pay.
- (9) ~~"Professional public school employee" means and includes:~~
- (a) ~~teachers;~~
- (b) ~~administrators (superintendents, assistant or associate superintendents, principals, assistant principals, and supervisors); and~~
- (c) ~~education specialists (counselors, school social service workers, curriculum instructional specialists, school psychologists, and media personnel).~~
- (23) "Provisional assistant principal license" is defined in 115C-270.20(b)(2).
- (10) ~~"Renewal credit" means credit earned by a certificated employee for certificate renewal purposes.~~
- (24) "Recognized EPP" is defined in G.S. 115C-269.1(15).
- (25) "Residency license" or "RL" is defined in 115C-270.20(a)(5).
- (11) (26) "SACS" "SACSCOC" means the Southern Association of Colleges and Schools. Schools Commission on Colleges.
- (12) ~~"Substitute" means a person who holds a teacher's certificate, or who is a college graduate, or who has been determined by a local board to be capable of performing the duties of a substitute teacher.~~

- (27) "Student services personnel" is defined in G.S. 115C-270.1(4).
- (28) "Student services personnel license" is defined in 115C-270.20(b1).
- (29) "Teacher" is defined in G.S. 115C-270.1(5).
- (13) ~~"Teacher education program" means the curriculum, instructional resources and faculty that contribute to the quality of instruction and the acquisition of knowledge, skills and competencies required for professional personnel to perform effectively in the public schools.~~

*History Note: Filed as a Temporary Amendment Eff. October 10, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*

*Authority N.C. Constitution, Article IX, Sec. 5;*

*Eff. July 1, 1986;*

*Amended Eff. August 1, 1987;*

*ARRC Objection Lodged February 22, 1990;*

*Amended Eff. June 1, 1996; July 1, 1995; August 1, 1990.*

*Readoption Eff. July 1, 2025.*

16 NCAC 06C .0220 is proposed for adoption as follow:

#### **SECTION .0200 – TEACHER EDUCATION**

##### **16 NCAC 06C .0220 EPP ACCOUNTABILITY MEASURES**

(a) Each recognized EPP shall report annual data to the Department of Public Instruction by September 1 of each year for the purpose of calculating and evaluating the following EPP accountability measures:

- (1) Annual Teacher Evaluation, in accordance with 16 NCAC 06M .0203;
- (2) Student Growth, in accordance with 16 NCAC 06M .0204; and
- (3) Recent Graduate Survey; in accordance with 16 NCAC 06M .0205.

(b) The State Board of Education shall determine the accountability threshold, below which the EPP may be subject to sanctions under Rule .0207 of this Section, for each of the three accountability measures.

*History Note: Authority G.S. 115C-12; 115C-269.35; 115C-269.40; 115C-269.45;*

*Eff. July 1, 2025.*

16 NCAC 06C .0221 is proposed for adoption as follow:

##### **16 NCAC 06C .0221 ANNUAL BEGINNING TEACHER EVALUATION**

(a) The Department of Public Instruction shall utilize data from the North Carolina Educator Evaluation System ("NCEES") for the purpose of calculating and evaluating the Annual Teacher Evaluation accountability measure.

(b) The supervising principal shall conduct an annual NCEES Evaluation for each beginning teacher. using the North Carolina Professional Teaching Standards, as defined in 16 NCAC 06C .0385.

(c) The principal shall provide one of the following ratings for each beginning teacher based on the principal’s personal observation of the beginning teacher’s classroom teaching:

- (1) Developing
- (2) Proficient
- (3) Accomplished
- (4) Distinguished

(d) To determine the Annual Teacher Evaluation accountability measure for a recognized EPP, DPI shall calculate the percentage of the teachers in North Carolina who completed that EPP and received a rating of Proficient, Accomplished, or Distinguished on each of the five NCEES Evaluation Standards during each of their first three years of employment as a professional educator.

(e) If a beginning teacher does not receive an annual NCEES Evaluation in any of the beginning teacher's first three years of teaching, that teacher shall not be included in the calculation of the Annual Teacher Evaluation accountability measure for the EPP that the teacher completed.

*History Note: Authority G.S. 115C-12; 115C-269.35; 115C-269.40; 115C-269.45;*

***Eff. July 1, 2025.***

16 NCAC 06C .0222 is proposed for adoption as follow:

#### **16 NCAC 06C .0222 STUDENT GROWTH**

(a) The Department of Public Instruction shall utilize data from the North Carolina Education Value Added Assessment System (“EVAAS”) for the purpose of calculating and evaluating the Student Growth accountability measure.

(b) The EVAAS Student Growth indicator measures the instructional impact of teachers and schools on the academic progress of students assigned to them over the term of a single course or grade level, based on quantitative assessments such as the End-of-Grade test or End-of Course test.

(c) To determine the Student Growth measure for a recognized EPP, DPI shall calculate the percentage of the teachers in North Carolina who completed that EPP and received a growth rating of “Meets Expected Growth” or “Exceeds Expected Growth” on EVAAS, provided that DPI shall only use an individual teacher’s EVAAS ratings for the grade level(s) and subject area(s) in which the teacher received preparation by the recognized EPP.

(d) In calculating the Student Growth accountability measure, DPI shall not utilize school-level EVAAS data for an individual teacher.

(e) If a beginning teacher is not assigned an EVAAS growth rating, that teacher shall not be included in the calculation of the Student Growth accountability measure for the EPP that the teacher completed.

*History Note: Authority G.S. 115C-12; 115C-269.35; 115C-269.40; 115C-269.45;*

Eff. July 1, 2025.

16 NCAC 06C .0223 is proposed for adoption as follow:

**16 NCAC 06C .0223 RECENT GRADUATE SURVEY**

(a) The Department of Public Instruction shall utilize data from the Recent Graduate Survey for the purpose of calculating and evaluating the Recent Graduate Survey accountability measure.

(b) The Recent Graduate Survey consists of 25 questions designed to capture a beginning teacher's perception of how well the teacher's EPP prepared the teacher to enter the education profession. The questions shall be divided into three broad topical areas—Instruction, Supportive Learning Environments, and Teaching—and assess how well the EPP prepared the teacher to:

- (1) Set challenging and appropriate goals for student learning and performance;
- (2) Empower students to become self-directed and productive learners;
- (3) Maintain discipline and an orderly, purposeful learning environment;
- (4) Develop positive and supportive relationships with students;
- (5) Create an environment of high expectations for all students;
- (6) Teach in ways that support English Language Learners;
- (7) Teach in ways that support students with diverse ethnic, racial, cultural and socioeconomic backgrounds;
- (8) Teach in ways that support special education students;
- (9) Teach in ways that support academically gifted students;
- (10) Develop a classroom environment that promotes respect and group responsibility;
- (11) Teach the concepts, knowledge, and skills of your discipline(s);
- (12) Align instruction with state standards;
- (13) Relate classroom teaching to the real world;
- (14) Develop lessons that build on students' experiences, interests, and abilities;
- (15) Develop a variety of assessments (e.g. tests, observations, portfolios, performance tasks);
- (16) Provide purposeful feedback to students to guide their learning;
- (17) Differentiate instruction;
- (18) Use technology in the classroom to improve learning outcomes;
- (19) Help students think critically and solve problems;
- (20) Develop students' questioning and discussion skills;
- (21) Analyze student performance data (e.g. formative and summative assessments, standardized tests, performance tasks, etc.) to improve instruction;
- (22) Adapt practice based on research and student performance data;
- (23) Self-assess and reflect on own practices;
- (24) Collaborate with colleagues to improve student learning; and
- (25) Work with parents and families to better understand students to support their learning.

(c) In response to each question, the survey respondent shall select one of the following options:

- (1) Not addressed.
- (2) Not well.
- (3) Somewhat well.
- (4) Well.
- (5) Very well.

(d) To determine the Recent Graduate Survey accountability measure for a recognized EPP, DPI shall first calculate the percentage of questions for which each survey respondent responded "well" or "very well." DPI shall then calculate the average of the percentages for all survey respondents who completed the EPP.

(e) All public school units with a Beginning Teacher Program, as described in 16 NCAC 06C .0381, shall require each beginning teacher to participate in the Recent Graduate Survey during the beginning teacher's first year of employment as a professional educator upon completion of a North Carolina authorized educator preparation program. If a beginning teacher does not respond to the Recent Graduate Survey, that teacher shall not be included in the calculation of the Recent Graduate Survey accountability measure for the EPP that the beginning teacher completed.

*History Note: Authority G.S. 115C-12; 115C-269.35; 115C-269.40; 115C-269.45;*

*Eff. July 1, 2025.*

16 NCAC 06C .0224 is proposed for adoption as follow:

#### **16 NCAC 06C .0224 SYSTEM FOR EVALUATING EPP EFFECTIVENESS**

(a) The Department of Public Instruction shall utilize the following four-level system to evaluate the effectiveness of each North Carolina recognized EPP, beginning one year after the EPP's first cohort of individuals has completed the program following initial authorization by the SBE:

- (1) Level 4 – an EPP that performs more than one standard deviation above the mean.
- (2) Level 3 – an EPP that performs at or between zero and one standard deviation above the mean.
- (3) Level 2 – an EPP that performs below zero but at or above one standard deviation below the mean.
- (4) Level 1 – an EPP that performs more than one standard deviation below the mean.

(b). To calculate the mean value for each accountability measure, DPI shall utilize data for all beginning teachers. To calculate the standard deviation for each accountability measure, DPI shall utilize aggregate data for all professional educators who completed a recognized EPPs.

- (1) DPI shall utilize the same standard deviation for each accountability measure for five years, beginning April 15, 2026, and concluding on April 14 every fifth year thereafter. At the conclusion of each five-year cycle, DPI shall re-calculate the standard deviation for each accountability measure based on data from the three most recent years. The new standard deviation for each accountability measure shall remain in effect for the next five years.
- (2) To calculate the initial standard deviation for each accountability measure, DPI shall utilize data from all beginning teachers during the 2015-2016, 2016-2017, and 2017-2018 school years.

(c) DPI shall measure the performance of each recognized EPP on each of the accountability measures using aggregate data from all individuals in North Carolina who completed the EPP within the last three years.

(d) DPI shall measure EPP performance on each of the accountability measures using disaggregated data for different demographic groups, including:

(1) Gender, including the following subgroups:

(A) Male

(B) Female

(C) Other

(2) Race or Ethnicity, including the following subgroups:

(A) American Indian

(B) Asian

(C) Black

(D) Hispanic

(E) Multiracial

(F) Pacific Islander

(G) White

(e) The minimum sample size for each subgroup shall be 10.

(f) If an EPP has no subgroups that meet the minimum sample size over three years, DPI shall measure the EPP's performance only at the aggregate level.

(g) If an EPP's total number of individuals who complete the program over a three-year period is fewer than 10, then DPI shall measure the aggregate performance of all the EPP graduates in that period, regardless of sample size.

*History Note: Authority G.S. 115C-12; 115C-269.35; 115C-269.40; 115C-269.45;*

*Eff. July 1, 2025.*

16 NCAC 06C .0225 is proposed for adoption as follow:

#### **16 NCAC 06C .0225 EPP SANCTIONS**

(a) The State Board of Education may impose sanctions on a recognized EPP by assigning the EPP to one of the following statuses:

(1) Warned Status

(2) Probation Status

(3) Revoked Status

(b) Warned Status

(1) The SBE may assign an EPP to Warned Status if the Department of Public Instruction designates the EPP at Level 1 based on the performance on the accountability measures of:

(A) All individuals who completed the EPP in the aggregate over one year;

(B) Any two demographic subgroups over one year; or

- (C) Any one demographic subgroup over two years.
- (2) If the SBE assigns an EPP to Warned Status, the EPP shall develop and provide to the SBE an action plan setting forth a plan of improvement and return to compliance, meaning a Level 2 or higher.
- (3) If DPI designates the EPP at Level 1 based on the accountability measure performance of any one demographic subgroup over two years, the action plan must be reviewed and endorsed by another EPP that has been designed by DPI as a Level 3 or higher on the relevant accountability measure(s).

(c) Probation Status

- (1) The SBE may assign an EPP to Probation Status if the Department of Public Instruction designates the EPP at Level 1 based on the performance on the accountability measures of:
  - (A) All individuals who completed the EPP in the aggregate over two consecutive years; or
  - (B) Any three demographic subgroups over one year.
- (2) If the SBE assigns an EPP to Probation Status, the EPP shall:
  - (A) Develop and provide to the SBE an action plan setting forth a plan of improvement and return to compliance, meaning a Level 2 or higher; and
  - (B) Participate in a technical assistance consultation program with other EPPs and DPI to reflect on potential causes of the EPP's deficiencies, identify best practices, and adopt strategies to improve performance on each of the accountability measures.
- (3) If the SBE assigns an EPP to Probation Status following two previous years of Warned Status, the EPP shall also:
  - (A) Participate in an onsite review by DPI staff; and
  - (B) Notify all individuals currently enrolled in the EPP of the possibility that it could enter Revoked Status and the EPP's plan for supporting those individuals in seeking a professional educator license from the SBE.

(c) Revoked Status

- (1) The SBE may assign an EPP to Revoked Status if the EPP has been in Probation Status for three consecutive years.
- (2) If the SBE assigns an EPP to Revocation Status, the EPP shall:
  - (A) Develop and provide to the SBE an action plan setting forth a plan of improvement and return to compliance, meaning a Level 2 or higher;
  - (B) Participate in an onsite review by DPI staff; and
  - (C) Notify all individuals currently enrolled in the EPP of its Revoked Status and the EPP's plan for supporting those individuals in seeking a professional educator license from the SBE.
- (3) The EPP may continue to admit new individuals to its program, provided that it agrees to pay for the cost of the North Carolina New Teacher Support Program for each individual who completes the program and who the EPP recommends for a professional educator license.
- (4) If an EPP remains on revoked status for two or more years, the EPP shall not recommend individuals who completed its program for a professional educator license. The State Board of Education, at its

discretion, may license individuals who have completed a program in an EPP on revoked status provided the conditions of (3) are met.

*History Note: Authority G.S. 115C-12; 115C-269.35; 115C-269.40; 115C-269.45; 115C-300.1;*  
*Eff. July 1, 2025.*