



SREB

2015 Legislative Briefing

Summary

All SREB states held regular sessions during the winter and spring of 2015, with North Carolina continuing its session well into September. States already are gearing up for 2016 sessions — a number have interim studies underway and governors' budget proposals will begin coming out late in the fall. State general fund budgets for 2015-16 again rose in most cases, as did K-12 and higher education budgets. A few states were able to provide funds for some pay raises for teachers and higher education faculty.

A year ago, the most debated issues across the SREB region seemed to relate to college- and career-readiness standards and assessments. This year, several states are reviewing their standards and legislation addressed the assessment of those standards by limiting testing, verifying the validity and reliability of the assessments, or calling for policies relative to contracting with test developers.

States continue to implement and refine educator effectiveness programs. Actions this year also call for improvements to teacher preparation programs and professional development for those teachers already in the classroom. Work is underway in several states to explore creative ways to attract high-quality teachers to areas of critical need.

Several states targeted efforts to assist students. About a third of SREB states took action to strengthen the quality of their prekindergarten and early childhood programs through increased oversight and accountability. Three states will expand or ensure the provision of dual credit for high school students taking postsecondary courses. Two states passed bills to provide scholarships for special needs students to attend nonpublic schools. Six states hope to provide all students access to a quality education by improving chronically low-performing schools. To provide options for students, several states passed or refined laws expanding charter schools and some provided flexibility to schools to permit innovation.

A summary of each state's legislative and budget actions is included in the 2015 *Final Legislative Report*, available at www.sreb.org.

State and education budgets and related legislation

U.S. economic indicators continue to rise. A recent report points to increases in leading economic indicators in several recent months and predicts continued moderate, though not exceptional, growth into 2016. (The Conference Board Leading Economic Index is available at <https://www.conference-board.org/data/bciarchive.cfm?cid=1>). SREB states continue to wrestle with balancing the growing need for services and programs with slow to moderate growth in revenues.

During 2015 sessions, legislatures adopted state budgets that for most provided increases for state operations for 2015-16. Budgets in Alabama, Delaware, Kentucky, Maryland, Oklahoma, Virginia and West Virginia rose by up to 3 percent. Arkansas, Florida, Georgia, Mississippi, North Carolina, South Carolina and Tennessee approved increases of 3 to 5 percent. Texas' budget for the 2016-17 biennium is 12.5 percent above the prior biennium. Louisiana's budget is about 3.9 percent lower than 2014-15.

State funding for elementary and secondary education also increased in most cases. While Oklahoma's budget for public schools remains at the prior year level and West Virginia's decreased, Alabama, Arkansas, Kentucky, Louisiana, Maryland, Tennessee and Virginia saw increases of up to 3 percent. Delaware, Florida and Mississippi increased funding for schools by 3 to 5 percent. Larger increases were approved by Georgia, North Carolina and South Carolina. The biennial budget in Texas will provide nearly 10 percent more than in the prior biennium.

State funds for higher education rose by up to 3 percent in Alabama, Delaware, Kentucky, Louisiana and Virginia as well as for Georgia technical colleges, Mississippi universities, North Carolina community colleges and Tennessee Board of Regents institutions. Legislatures approved increases of 3 to 5 percent for Mississippi community colleges, Maryland universities, the University of North Carolina system and the University of Tennessee system. Budgets are providing larger increases in Florida and South Carolina as well as for the University System of Georgia. Texas' biennial budget provides a two-year increase of 10.5 percent. Decreases were approved in Oklahoma, West Virginia and for community colleges in Maryland. Funding in Arkansas remained unchanged from the prior year.

A few states made changes impacting tax collections and funding. Relative to public school funding and taxes, Texas provided an increase for its school funding formula to offset local tax relief. Mississippi voters will weigh in on two ballot initiatives in November relating to the support of public schools. One initiative requires the state to provide and the Legislature to fund an adequate and efficient system of public schools that would authorize chancery courts to enforce the measure. The second is an alternative measure without the judicial enforcement provision. In adopting its general fund budget, Alabama permanently redistributed some tax revenues from the Education Trust Fund (that supports education budgets) to the general fund and took action to increase the revenues that go to the ETF.

*Budgets continue
to rise in
most states*

Louisiana passed measures to raise revenue by increasing the cigarette tax from 36 cents to 86 cents and levying a tax on vapor products, capping film tax credit payouts for three years, and reducing exclusions and deductions from corporate gross income by 28 percent. The new Student Assessment for a Valuable Education (SAVE) plan involves levying a fee against postsecondary educational students and providing a tax credit in an equal amount — revenues will benefit higher education.

North Carolina modified the corporate income tax rate as planned in 2013 legislation, expanded the corporate tax base and repealed the bank privilege tax. It also expanded the sales tax base to apply the tax to repair, maintenance and installation services; redistributed some sales taxes to rural counties to support economic development, public education and community colleges; will reduce personal income taxes beginning in 2017; and raised drivers' license fees.

Postsecondary tuition and required fees

The cost of attending a postsecondary institution continues to rise, though concern for keeping increases as low as possible was at the forefront of discussions in many states. The Board of Trustees of the University of Tennessee, for example, limited the increase in tuition to 3 percent at all campuses, its lowest undergraduate increase in 30 years.

Arkansas now requires the Department of Higher Education to annually report to the education committees in both the House and Senate on tuition and mandatory fees, including any changes for each state-supported postsecondary institution.

Arkansas, Maryland, Mississippi, North Carolina and Tennessee passed bills to provide in-state tuition to United States armed forces veterans and their dependents. A bill in Florida expands its existing veterans' tuition program to include all students who are eligible for and using educational assistance from the United State Department of Veterans Affairs.

The Louisiana Legislature granted public postsecondary education management boards the authority to establish new fees for the 2015-16 and 2016-17 academic years. While the GRAD Act, passed in 2010, allows certain fee increases if an institution meets performance goals established in an agreement with the Board of Regents, fees assessed under the bill are exempt from those performance goal requirements.

Postsecondary student financial assistance

Postsecondary affordability is at the forefront of discussions in many states and while there are many factors that influence affordability, student financial assistance is an important part of the overall picture. West Virginia increased the annual amount of assistance under the Underwood-Smith Teacher Loan Assistance Program from \$2,000 to \$3,000 and expanded eligibility for the program to teachers serving in schools and geographic areas of critical need.

*Veterans may
qualify for
in-state tuition*

**Estimated Changes to Tuition and Required Fees
In-State Undergraduates at Public Institutions, SREB States, 2015-16**

	Two-year colleges	Four-year colleges
Alabama	Up to 2.5%	-0.3% to 8.9%
Arkansas	-0.9% to 15.9%	Up to 6.8%
Delaware	2.8%	1.4% to 3%
Florida		
State University System		Up to 1.1%
Florida College System	Up to 7.35%*	0%*
Georgia	0%*	2.5% to 9%
Kentucky	0%	2.9% to 5%
Louisiana	NA	Up to 10%*
Maryland	Up to 20.1%	0.5% to 7%
Mississippi	0 to 13.3%	Up to 5%*
North Carolina	0%*	2.3% to 7.3%
Oklahoma	3.2% to 4.9%	4.5% to 5%
South Carolina	2.6% to 7.3%	Up to 5.3%
Tennessee		
University of Tennessee		3%*
Board of Regents Colleges	3.1% to 3.8%	2.6% to 6.3%
Texas	3.8% average**	4.5% average
Virginia	4.8% ***	6% average
West Virginia	0.5% to 9.8%	4% to 9.7%

* Tuition only

** For students residing within community college districts.

*** Community college system only, does not include the 9.9 percent increase at Richard Bland College

NA indicates information not available

Alabama, Louisiana, North Carolina and Tennessee actions addressed assistance for particular students. In Alabama, the new Fostering Hope Scholarship program will pay tuition and mandatory fees for current and former foster children to attend public post-secondary colleges and universities or obtain job training and certifications. Louisiana will require recipients of the merit-based TOPS-Tech awards who graduate from high school in 2016-17 or after to enroll in programs aligned with state workforce priorities. North Carolina will extend its National Guard member education assistance to include graduate degree programs. Students in Tennessee who receive the HiSET high school equivalency credential now qualify for the merit-based HOPE Scholarship.

Legislation in Louisiana authorizing institutions to establish new fees for two years specifies that 5 percent of revenues from the new fees must go to need-based financial assistance for students eligible for the Pell Grant.

Charter schools, school choice and other educational opportunities

Issues surrounding charter schools resulted in legislation in several states in 2015. Alabama approved the School Choice and Opportunity Act, allowing for the creation of charter schools. Local school boards may authorize public charter schools, while the newly created Alabama Public Charter School Commission can hear appeals from applicants rejected by local boards.

Maryland will allow greater operating flexibility for a charter school in existence for five or more years with a demonstrated history of fiscal management and student achievement. The school and local school district may agree on exemptions from specified requirements. An application to establish a charter school must include a plan for a rigorous program of instruction that includes an equivalent method for satisfying any requirements from which the applicant intends to seek a waiver.

Oklahoma removed the previous population threshold that limited which school districts could authorize charter schools and allowed the conversion of traditional public schools to charter schools (previous law only permitted startup charter schools). State colleges, universities and community colleges may now authorize charter schools, and the state Board of Education may approve a charter school whose application was denied by a local board. Authorizers are now prohibited from renewing the charters of schools whose student academic performance is in the bottom 5 percent of public schools.

North Carolina established an Office of Charter Schools under the state Board of Education, which will provide technical assistance and guidance to charter schools within the state and to nonprofit organizations seeking to operate charter schools. It also will provide or coordinate training for charter schools approved by the state Board of Education.

Mississippi requires school districts to provide locally raised ad valorem tax funds to charter schools by January 16 annually, and will redirect state formula funding in the same amount from the district to the charter school in districts that fail to provide the funding on time. Louisiana requires charter schools to enroll special education students in proportion to the percentage of such students enrolled in the local school district.

South Carolina specified that charter school board members and employees are subject to state ethics and accountability laws, and that charter school employees are public employees. Texas provided charter schools and their associated personnel with immunity from liability and lawsuits in the same manner as school districts and their associated personnel. Delaware placed a moratorium on the establishment of new charter schools until June 2018 or until the state Board of Education develops a strategic plan for the number of public schools in the state.

States also took other approaches toward providing school districts with operating flexibility. Mississippi and Texas allowed for the creation of districts of innovation. The state Board of Education will provide approved districts in Mississippi with flexibility from select regulations and policies for five-year periods. Texas districts of innovation will enact local plans that may include alternative approaches to curriculum, scheduling, campus

States provide flexibility and technical assistance

*Actions address
unique needs
of students*

governance, parental involvement, budgetary matters and program funding, or may establish assessment measures that exceed state and federal requirements.

Arkansas will allow each school district to petition for the same waivers provided to charter schools that draw students from that district. Alabama will require every school district to offer virtual school options to high school students by 2016-17, while Oklahoma required its Statewide Virtual Charter School Board to provide a list of high-quality and standards-aligned supplemental online courses, with emphasis on science, technology, engineering and mathematics (STEM), foreign language and Advanced Placement classes, and to negotiate contracts with supplemental course providers.

Students with special needs

Actions in several states address the unique needs of at-risk and special education students. Mississippi's Equal Opportunity for Students with Special Needs Act establishes a five-year pilot program to furnish education savings accounts to eligible students with special needs. Each account will receive \$6,500 in 2015-16 to pay for educational expenses; the program is open to 500 new participants per year. In Tennessee, the Individualized Education Act creates education accounts for students with eligible disabilities to use per-pupil state and local funds to obtain nonpublic school educational services, beginning in 2016-17. Florida established a five-year Literacy Jump Start Pilot Project in one county to provide speech- and language-development instruction to low-income, at-risk children who are two or three years of age.

Delaware enacted the recommendations of its Individualized Education Program (IEP) Task Force to improve the creation of IEPs for students with disabilities and make the IEP creation process more collaborative. Maryland established the Task Force to Study the Implementation of a Dyslexia Education Program.

To improve reading proficiency in early grades, Oklahoma approved legislation requiring individualized remediation programs for first- and second-grade students not reading at grade-level. The law requires schools to retain students in the third grade who score below proficient on the reading portion of the state student assessment.

The Maryland General Assembly established the Higher Education Outreach and College Access Pilot Program to encourage more high school graduates from low-income families to attend and complete college. The state will provide grants to nonprofit organizations that provide college outreach services to students from low-income families.

North Carolina repealed its requirement that schools develop a personal education plan for students at risk of academic failure.

Help for low-performing schools

With an eye toward ensuring that all students have access to a quality education, laws designed to provide pathways for improving chronically low-performing schools passed in Alabama, Georgia, Louisiana, Mississippi, North Carolina, Texas and West Virginia.

Louisiana now allows a local school board that oversees one or more low-performing schools to enter into agreements with the board of a better-performing school system to manage and operate any or all of the low-performing schools.

Georgia laid a framework to establish a statewide Opportunity School District (OSD), which would assume the supervision, management and operation of failing public elementary and secondary schools. The legislation requires a constitutional amendment that will go before voters during the 2016 general election. Conversely, Virginia passed legislation abolishing its Opportunity Educational Institution (OEI), which a 2014 court decision ruled unconstitutional.

Mississippi allows the state Board of Education (BOE) to abolish or assume control of low-performing schools. New legislation allows the BOE, when it determines that a district is within one year of returning to local control, to appoint a new five-member district school board to serve in an advisory capacity to the BOE in its first year of service.

North Carolina is making plans to improve low-performing schools located in school districts that are not classified as low-performing. Low-performing schools will notify parents and guardians within 30 days of being classified as such. In addition, the state Board of Education will identify low-performing districts annually. Local officials will then develop, implement and monitor plans for improvement.

Texas established a new school turnaround model that streamlines the sanctions and intervention process for low-performing public and charter schools. It requires campuses to develop turnaround plans that may include partnerships with regional education service centers or institutions of higher education. If the commissioner of education determines that the plan likely will result in the campus meeting state accountability standards, the district will implement the plan, otherwise the commissioner must appoint a board of managers to govern the district, designate an alternative campus management system, or close the campus.

A few states discussed the classification of schools as low-performing or failing. A new, broadened accountability system in Texas will focus on performance indicators, including community and student engagement, industry certifications awarded, military enlistment, dropout rates and closing academic achievement gaps. The state will now assign A-F letter grades at the individual campus level.

Alabama redefined “failing school” as one listed in the lowest 6 percent of public schools based on state assessment scores, or designated as “failing” by the state superintendent of education. Also, nonpublic schools serving Alabama Opportunity Scholarship recipients must administer the state assessments or nationally recognized norm-referenced tests. The state Department of Revenue will select an independent research organization to analyze the test results to measure academic performance of scholarship recipients.

*States move
to improve
low-performing
schools*

Student health and safety

A number of states addressed child abuse, sexual abuse, depression and suicide by establishing awareness programs and providing information for teachers, other school staff and students. Alabama legislation created a task force to adopt guidelines for curriculum to use in classrooms and requires all K-12 public schools to provide sexual abuse prevention instruction to students. Beginning in 2016-17, North Carolina will provide information to students on sex trafficking prevention and awareness. West Virginia requires middle grades and high schools to disseminate suicide prevention awareness information to students annually. Oklahoma allows schools to implement an annual abuse prevention program for students — schools may not require students to participate in the program.

Delaware, Kentucky, Oklahoma and Texas bills called for training for teachers and other personnel in the recognition of child abuse and suicide prevention. Delaware public schools will provide its employees with training on suicide prevention annually. Texas will require all school district and open-enrollment charter school educators to take a suicide prevention training. Kentucky's Department of Education will develop and maintain a list of approved child abuse recognition training programs; all administrative and instructional personnel must complete one of the training programs by January 2017. Oklahoma districts will offer annual training on child sexual abuse recognition, reporting and available resources.

Relative to higher education, Louisiana public postsecondary institutions will administer an annual anonymous sexual assault climate survey to students and work with local law enforcement to combat sexual assault. In addition, the Board of Regents will establish uniform policies and best practices on preventing and responding to sexual assault and providing aid to victims. In Maryland, each institution of higher education will administer a biennial sexual assault climate survey, will adopt written policies on sexual assault and will pursue agreements with law enforcement and organizations who aid victims of sexual assault. West Virginia requires institutions of higher education to advise students and staff on available suicide prevention resources, and incoming freshmen will receive depression and suicide prevention awareness information.

Student safety continues as a topic of discussion in states. Local boards of education in Kentucky will identify the best available severe weather safe zones in each school. Louisiana allows local school boards to provide firearm accident prevention instruction to elementary school students. In Oklahoma, licensed security guards and certified reserve peace officers may carry a handgun on school property. North Carolina requires each school to hold a safety exercise at least annually and requires the development of a statewide School Risk and Response Management System.

Student health was the subject of bills in a few states. West Virginia updated the list of immunizations required for students to enroll in public schools; the commissioner of public health may grant, renew, condition, deny, suspend or revoke exemptions to the immunization requirements on a statewide basis. Oklahoma enacted the Tobacco-free Schools Act, prohibiting the use of tobacco products in or on a pre-K-12 school property or facility, at a school-sanctioned event or in a school vehicle. Maryland replaced a previous policy advisory council with the Maryland Council on Advancement of School-Based Health

Centers and requires the council to make recommendations for improving the health and education outcomes of students served by the centers. North Carolina now requires students enrolling in school in the state for the first time (previously, only students entering kindergarten) to show evidence of a health assessment performed within the prior 12 months.

In other actions, Florida requires schools to immediately notify a student's parent or guardian when the student is removed from school, school transportation or a school-sponsored activity for an involuntary mental health examination; the facility doing the examination also must notify the parents or guardians. The Virginia Board of Education will adopt policies on elementary and secondary schools' use of restraint and seclusion. The regulations must follow federal Department of Education guidelines and address distinctions between general and special education students, and elementary and secondary school students. Maryland will require a school counselor seeking renewal of his or her certificate to obtain the knowledge and skills necessary to respond to the social, emotional and personal development of students, to recognize the indicators of mental illness and behavioral distress in students, and to identify professional resources to help students in crisis.

Standards and assessments

Actions in states highlight efforts underway to limit testing and to determine the appropriateness of assessments. Delaware, Florida, Maryland and Texas all either enacted hard caps on the amount of time dedicated to testing, or established commissions to review current practice and develop policy recommendations. Delaware's Department of Education will coordinate an inventory of all assessments required at the state, district, and school level and submit a final report to the state Board of Education, governor, and House and Senate Education Committees that includes any proposals to eliminate particular assessments. A commission in Maryland will recommend ways to improve the administration of mandatory assessments and provide adequate time both for administering assessments and for instruction.

The aim in Texas is that 85 percent of students in grades three through five finish state assessment instruments within two hours and students in grades six through eight, within three hours. The amount of time allowed for test administration shall not exceed eight hours, and tests must be administered within one day. Barring a few exceptions, Florida schools must now confine the administration of statewide, standardized assessments and district-required local assessments to 5 percent of a student's total school hours. The state also will implement a new uniform calendar that includes administration and reporting schedules for statewide standardized assessments.

Florida and Texas will seek independent verification of the validity and reliability of statewide student assessments. In Florida, any use of K-12 testing for the determination of school grades or teacher and administrator evaluations will depend upon this verification. The Texas Education Agency will ensure that all statewide standardized exams assess the curriculum standards identified by the state Board of Education for the subject and grade level tested.

Policies limit student testing

*States review
and revise
standards*

Louisiana, Tennessee and Texas are actively engaged in ongoing reviews or revisions to their state standards and curriculum. Tennessee previously established two committees to review the state's English and mathematics standards, and recently added an additional Standards Review Committee to which each will report before the Board of Education ultimately adopts new standards. Texas will conduct a review of the state's standards.

The Louisiana Board of Elementary and Secondary Education (BESE) will review and develop statewide content standards and post them online by February 2016 before final adoption in March 2016. BESE must submit each proposed rule regarding state content standards to the House and Senate Education Committees for review. The governor or the Legislature may only suspend or repeal a rule concerning the standards in its entirety.

Louisiana, Texas and Arkansas implemented new policies relating to state contracting with test-developers. For the 2015-16 school year, the Louisiana Department of Education entered into a one-year contract for English and mathematics assessments in grades three through eight. Less than 50 percent of the questions on the exams may include Partnership for Assessment of Readiness for College and Careers (PARCC) consortium intellectual property and may not base any questions on any property developed by a consortium of states funded predominantly by political advocacy organizations. Arkansas has prohibited the state Board of Education from renewing its participation in the PARCC consortium or from entering a state testing contract of more than one year after 2015-16. The Board of Education also must consider any recommendations made by the Governor's Council on Common Core. The Texas Education Agency will develop a comprehensive methodology for auditing and monitoring performance under testing contracts to verify compliance.

Other bills call for the development of alternative graduation pathways. The first cohort of students to take the State of Texas Assessments of Academic Readiness (STAAR) tests reached their senior year in 2014-15. Given the number of students not on track to graduate, each Texas high school will establish an individual high school graduation committee for any student who fails one or two end-of-course assessments. The committee will conduct a review and determine if the student should be awarded a high school diploma. Georgia eliminated the Georgia High School Graduation Test and permitted former students who did not pass the test to petition their local board of education for a high school diploma based on other graduation requirements in effect when they entered ninth grade.

Prekindergarten and early childhood

Several states have taken action to strengthen the quality of their early childhood and pre-K programs. In exchange for meeting specific quality measures, independent school districts and open-enrollment charter schools in Texas may opt-in to a high-quality prekindergarten grant program by meeting specified criteria. The Texas Education Agency will develop a new prekindergarten teacher training course and will conduct a joint study with the Department of Family and Protective Services to develop recommendations regarding optimal class sizes and student to teacher ratios.

Kentucky established a new quality-based early childhood rating system for licensed child care and certified family child care homes, publicly funded pre-K, and Head Start

*Laws strengthen
early childhood
programs*

facilities. The system focuses on classroom and instructional quality, leadership practices, staff qualifications, professional development, and family and community engagement. Louisiana adopted new registration standards for the oversight of family child care and in-home providers.

Actions also adjusted various timelines for plan implementation, oversight and accountability for certain state early childhood initiatives. South Carolina extended to January 2016 (from March 2015) the deadline for a study committee, established in 2014 to perform a review of the state's First Steps early childhood education initiative, to complete its work. The state also extended a deadline for the state Board of Education to approve the State Reading Proficiency Plan from February 2015 to June 2015.

Louisiana designated 2015-16 as an academic learning year. BESE will develop a practice performance profile for each early childhood education program and network based on a three-tier rating system that does not use letter grades. BESE may not use the ratings for consequences and must report the results to the Legislature before the 2016 session.

Oklahoma legislation focused on standards for early childhood education. The state Board of Education will develop early childhood standards that align with newly adopted subject-matter standards for later grades.

Public school and higher education governance and authority

Bills in North Carolina, Oklahoma and Tennessee address public school governance and authority. North Carolina allows the state Board of Education to consolidate or merge neighboring county boards of education. Oklahoma now permits the boards of the school districts in Oklahoma City and Tulsa to contract with nonsectarian entities to provide educational or administrative services for the district. Tennessee changed the name of the Board of Vocational Education to the Board of Career and Technical Education.

Relative to higher education, Alabama established the independent Alabama Community College System governed by a Board of Trustees, dedicated solely to the governance of community and technical colleges. Legislation there also established the Alabama Aviation College, formerly the Alabama Aviation Center at Enterprise State Community College, as a separate institution within the system.

Both Arkansas and Louisiana will study various aspects of higher education. Arkansas created a legislative task force to study redundancies in the higher education system, determine mechanisms available to increase financial efficiency, and increase postsecondary institutional accountability to, and communication with, the General Assembly. Louisiana's Board of Regents will re-examine the state's public postsecondary education system and make recommendations to the Legislature regarding the appropriate role, scope and mission for each institution to ensure the system is coordinated, comprehensive and meets the needs of students as well as the state's economic and workforce needs.

*Actions call for
studies of
higher education*

*Some states provide
teacher and faculty
pay raises*

Compensation and benefits

Relative to compensation, West Virginia will provide an additional \$2,000 per year beyond the \$3,500 paid annually to a teacher who obtains National Board Certification, if he or she teaches in a persistently low-performing school and mentors other teachers at the school. Arkansas will allow teachers in grades seven through 12 to voluntarily give up their planning period to teach another class and receive additional compensation, without violating the state's standards of accreditation if the teachers exceed the maximum allowed students per day.

The second year (2015-16) of Kentucky's biennial budget provides teachers with pay raises averaging 2 percent, while those in Tennessee will receive raises averaging 4 percent (higher education faculty will receive 1.5 percent). Mississippi legislation passed in 2014 included pay raises of \$1,000 for teachers in 2015-16. In its budget, North Carolina included support for experienced-based salary increases for teachers, to raise beginning teacher pay to \$35,000 per year (up from \$33,000) and to provide a \$750 bonus in December 2015 to teachers, state employees, and University of North Carolina and community college employees. Funds also were provided to North Carolina community colleges for salary increases for their state-funded employees — the colleges have flexibility in allocating these funds.

As part of its budget, Tennessee appropriated \$30 million to increase the state's share of teacher health insurance costs. West Virginia raised the retirement age to 62 (from 60) for teachers hired on or after July 1, 2015 and specified that for those teachers, accrued sick leave and annual leave do not count toward retirement service credit.

In other actions, Arkansas waived the qualifications to serve as commissioner of education as long as a deputy commissioner meets the education and experience requirements. Charges of sexual misconduct against a teacher in Oklahoma will require a district superintendent to forward to the state Board of Education (BOE) any recommendation to dismiss or not re-employ a teacher as a result of those charges. The BOE must keep such recommendations confidential, except when requested by a school district considering the employment of a teacher, and must notify the teacher of any such requests. South Carolina requires that physical exams administered to public school bus drivers at the time of hiring and every two years afterward meet Federal Motor Carrier Safety Regulations requirements. North Carolina repealed provisions that allowed the state Board of Education to provide performance recognition awards to K-12 personnel who achieved a level of growth above the expected growth level determined by the board.

Educator effectiveness, preparation and licensure

In recognition that high-quality educators are key to an effective education system, states continue to develop and refine educator evaluation systems. Louisiana expanded the authority of the Teacher Evaluation Advisory Subcommittee to advise BESE as to whether adjustments to regulations proposed by the state Department of Education should be adopted, rejected or modified.

Oklahoma delayed the full implementation of its Teacher and Leader Effectiveness Evaluation System (TLE) until 2016-17 and will not use the TLE for employment decisions until 2017-18. Until then, school districts will evaluate teachers and administrators using the quantitative portion of the TLE to establish baseline data, but will base the evaluation rating on the qualitative portion. The TLE commission must recommend various methods for quantitatively evaluating teachers in grades and subjects with no state-mandated test.

Interest in improving teacher preparation and professional development is on the rise. Louisiana's BESE, in coordination with other state agencies, will study educator preparation programs and report to the Legislature before the 2016 legislative session. North Carolina requires the state Board of Education, in cooperation with postsecondary agencies, to establish standards for approval of educator preparation programs and specifies requirements for program admissions, content and pedagogy, student internships and residencies, lateral entry and program reporting. A Texas bill lowers, from 2.75 to 2.5, the required undergraduate grade point average for an individual entering a teacher preparation program, but also requires an overall GPA of at least 3.0 for each incoming class of students. Texas' State Board for Educator Certification also will develop rules that establish standards for the approval and renewal of each educator preparation program.

Texas also re-established Literacy and Mathematics Achievement Academies to provide high-quality professional development for public school teachers in kindergarten through third grade, with priority going to educators in schools with an economically disadvantaged population of 50 percent or greater. Another Texas bill will establish reading-to-learn academies for teachers in grades four and five.

Work is underway in several states to explore creative ways to bring high-quality, effective teachers to classrooms in areas of critical need. Maryland required its Board of Education, the Professional Standards and Teacher Education Board, and at least two local school districts to develop an alternative teacher certification program for areas experiencing critical teacher shortages. West Virginia's alternative certification program also requires teachers to serve in positions of critical need or shortages. Louisiana is exploring ways to recruit quality teachers for critical shortage areas and has directed BESE to study certain issues related to educator preparation programs and, among other charges, explore creative options for recruiting high-performing students into the teaching profession.

Three states passed bills addressing technical aspects of teacher licensure. Delaware legislation established a one-time \$100 fee for first-time educator licensure in Delaware to be paid by the applicant. Oklahoma will allow the state Board of Education to certify a teacher who holds out-of-state certification. West Virginia modified several aspects of the state's alternative teacher certification process. Under the legislation, regional education service agencies (RESAs) no longer can establish an alternative certification program alone but, with state Board of Education approval, a school or group of schools may form a partnership with a RESA, an accredited college or university, or the state Department of Education to offer a program.

*Interest rises in
improving teacher
preparation
programs*

*Work will
explore creative
ways to attract
effective teachers*

In other actions, North Carolina requires an applicant for a professional counselor associate license who applies after February 2016 to have earned graduate training hours at an institution accredited by the Council for Accreditation of Counseling and Relative Educational Programs. Also in North Carolina, the state Board of Education will report annually on the state of the teaching profession, including specified information on individuals leaving the profession.

Protecting student data and privacy

Over the last few years, concerns over the use of student data and privacy issues resulted in a number of states passing bills to address those concerns. This year, Delaware and Maryland adopted student data privacy acts. In Delaware, the state Department of Education will develop a detailed security plan and establish policies that protect student data. The bills in Delaware and Maryland prohibit providers of educational digital applications and services from using student data to engage in targeted advertising, create profiles of students for noneducational purposes, or sell or otherwise disclose student information for noneducational purposes.

Louisiana previously passed privacy legislation. A 2015 bill loosens state restrictions on the collection and sharing of student information to allow schools and agencies to contract with public entities with conditional access to student data, fulfill federal obligations and respond to financial audits.

Arkansas prohibits either its Board of Education or the state Department of Education from providing a student's individually identifiable data to the federal Department of Education or any of its partners without express written consent from the student's parent or guardian.

Other K-12 and higher education issues

Several states addressed school calendar issues. Kentucky and Texas bills allow the commissioner of education to waive time requirements in the case of emergencies or due to natural disasters. Texas also will allow districts to add time to their normal school hours if the commissioner does not waive the time requirements, and it changed the requirement that districts provide 180 instructional days per school year in favor of 75,600 minutes of instruction. South Carolina school districts may waive up to three missed days, and the state Board of Education may waive up to three additional days.

Both Virginia and West Virginia Boards of Education may approve alternatives to normal instructional time requirements to optimize student learning. Virginia may reduce instructional time in core academic areas required for a student to receive a standard unit of credit if it provides to the Board of Education proof that students have learned the content in the applicable Standards of Learning.

Legislation in Arkansas and Tennessee focused on teaching and learning in science-related subjects. Arkansas now requires each public high school and charter school to offer a computer science course and created a task force to recommend strategies to meet workforce needs in the state. Tennessee created a network to promote and expand the

teaching of STEM in public schools. The law also calls for the development of STEM hubs in rural areas and a middle grades curriculum, available on the Internet, to educate students on the benefits of a STEM career.

In other K-12 education actions, Mississippi created a task force to study gifted student education and recommend ways to improve access, diversify educational opportunities, and determine and implement best practices. Maryland established a grant program to assist with the facility needs of districts experiencing rapid growth or student overcrowding. Kentucky clarified that schools may not charge tuition to a student who is permitted to enroll in school prior to meeting the minimum age requirement for enrollment.

Three states will expand or ensure the provision of dual credit for high schools students who complete postsecondary courses. Georgia students who have completed their core course requirements in grades nine and 10 and who have been accepted to a nonprofit postsecondary institution may receive dual credit in eligible fields of study identified by the State Board of the Technical College System. Texas will prohibit the Texas Education Agency from limiting the number of dual credit courses or hours for which a high school student may enroll, or the grade levels in which a high school student is eligible for dual enrollment. Virginia permits local school boards to enter into agreements with postsecondary institutions to provide career and technical dual enrollment options for high school students.

North Carolina requires the State Board of Community Colleges to provide, beginning in 2016-17, remediation in mathematics and English to high school seniors and establishes a career coach program to assist students determine their career goals and to help them identify community college programs that can help them meet those goals.

Legislatures took up online postsecondary courses and programs in several states. Maryland, Mississippi and Tennessee bills authorize participation in the State Authorization Reciprocity Agreement (SARA), which establishes national standards for interstate online education courses and programs. A Virginia bill requires the secretary of education and the director of the State Council of Higher Education for Virginia to develop a plan for a cooperative online degree program with tuition costing no more than \$4,000 (or the lowest price possible) per year.

In other higher education actions, Kentucky provided bond funding for a medical research center at the University of Kentucky. North Carolina passed a bill calling for voter approval in March 2016 for the sale of \$2 billion in bonds — a portion of the proceeds will support higher education capital projects. Tennessee will create a higher education foundation investment pool that will allow any foundation established by a nonprofit college or university to invest in the pool that the state treasurer will manage and administer. Texas' new Governor's University Research Initiative will award matching grants for universities to recruit distinguished researchers. A new Maryland task force will study exemptions from higher education ethics requirements and procurement rules to facilitate technology transfer.

*States expand
dual credit options
for students*

More detailed information on legislation passed during 2015 sessions is available in SREB's 2015 *Final Legislative Report*. These summaries of SREB states' final legislative actions are available upon request. All SREB reports are available at www.sreb.org.

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