

§ 115C-311. Teacher compensation models and advanced teaching roles.

(a) Purpose. – The State Board of Education shall establish a program (program) to develop advanced teaching roles and organizational models that link teacher performance and professional growth to salary increases for classroom teachers in selected local school administrative units. For the purposes of this section, a classroom teacher is a teacher who works in the classroom providing instruction at least seventy percent (70%) of the instructional day and who is not instructional support personnel. The purpose of the program shall be to do the following:

- (1) Allow highly effective classroom teachers to teach an increased number of students by assuming accountability for additional students, by becoming a lead classroom teacher accountable for the student performance of all of the students taught by teachers on that lead classroom teacher's team, or by leading a larger effort in the school to implement new instructional models to improve school-wide performance.
- (2) Enable local school administrative units to provide salary supplements to classroom teachers in advanced teaching roles. Selection of an advanced teaching role classroom teacher and award of related salary supplements shall be made on the basis of demonstrated effectiveness and additional responsibilities.
- (3) Enable local school administrative units to create innovative compensation models that focus on classroom teacher professional growth that lead to measurable improvements in student outcomes.
- (4) Utilize local plans to establish organizational changes related to compensation in order to sustain evidence-based teaching practices that have the capacity to be replicated throughout the State.

(b) Request for Proposal. – By September 15, 2020, and annually thereafter, the State Board of Education shall issue a Request for Proposal (RFP) for the program. Local boards of education shall submit their proposals by October 15. The RFP shall require that proposals include the following information at a minimum:

- (1) Description of the program structure, including both of the following:
 - a. The process for teacher advancement based on performance, professional growth, or the specific teacher roles assumed by the teacher.
 - b. Plans for how the local school administrative unit will utilize and train classroom teachers in advanced teaching roles. These plans shall draw a direct correlation between the proposed use and training of classroom teachers in advanced teaching roles and improved student outcomes.
- (2) Descriptions of the advanced teaching roles, including minimum qualifications for the positions that shall include at least two of the following:
 - a. Advanced certifications, such as National Board for Professional Teaching Standards Certification, or a master's degree in the area in which the classroom teacher is licensed and teaching.
 - b. A rating of at least accomplished on each of the Teacher Evaluation Standards 1-5 on the North Carolina Teacher Evaluation instrument.
 - c. Evidence that the teacher has an average Education Value-Added Assessment System (EVAAS) student growth index score from the three previous school years of 1.5 or greater and no individual EVAAS student growth index score below zero.

- d. Equivalent demonstrated mastery of teaching skills as required by the new local compensation model.
- (3) Job responsibilities that include at least one of the following:
- a. Teaching an increased number of students and being accountable for their performance as the teacher of record for those students.
 - b. Becoming a lead classroom teacher among a group of teachers and participating in EVAAS according to a model developed by the Department of Public Instruction. The model shall be published and explained on the Department's Web site no later than August 1, 2020, and, thereafter, within 30 days of any change made to the model.
 - c. Leading a school-wide effort to implement data-driven instructional models that include blended learning environments, utilizing digital learning and resources, and focusing on methods of improvement for school-wide performance issues.
 - d. Providing in-house professional development or functioning as an instructional content area coach or a coach in another professional development area following the completion of certification training. The training shall ensure that the professional development or coaching the teacher provides is faithfully implemented in the classroom.
- (4) Description of how the local school administrative unit will inform all employees and the public on the criteria and selection for the advanced teaching roles, the continued eligibility requirements for the advanced teaching roles, and how the individuals selected for the advanced teaching roles will be evaluated.
- (5) Description of how the local school administrative unit will inform all employees and the public on the criteria for movement on the proposed new local compensation model.
- (6) The process for the voluntary relinquishment of an advanced teaching role, including the associated additional duties. Voluntary relinquishment of the advanced teaching role shall not be considered a demotion under Part 3 of Article 22 of Chapter 115C of the General Statutes.
- (7) Salary supplement information including the following:
- a. The amount of the salary supplements that will be provided to those selected for the advanced teaching roles. The supplements may be up to thirty percent (30%) of the State teacher salary schedule.
 - b. A statement by the local school administrative unit that the salary supplements will be paid as a supplement to the classroom teacher's regular salary and not be included in the average salary calculation used for budgeting State allotments.
 - c. A statement by the local school administrative unit that if a classroom teacher in an advanced teaching role (i) fails to maintain the minimum criteria established for the position, (ii) is not successfully performing the additional duties associated with the advanced teaching role, or (iii) voluntarily relinquishes the advanced teaching role, the teacher shall only be paid the salary applicable to that individual on the State teacher salary schedule and any other local supplements that would otherwise apply to the classroom teacher's compensation.
 - d. Loss of an advanced teaching role shall not be considered a demotion under Part 3 of Article 22 of Chapter 115C of the General Statutes.

- e. The amount of the salary supplements at all levels of the proposed new compensation model in relation to the State teacher salary schedule.
 - (8) The implementation plan, including the number of schools in the local school administrative unit that will have advanced teaching roles and any new proposed compensation model, the number of advanced teaching roles at each of those schools, the number of students whose teacher of record will be a teacher in an advanced teaching role, and the number of teachers overall who would be eligible for the proposed new compensation model.
 - (9) Plans for long-term financial sustainability once any grant money that may be awarded to the local school administrative unit is no longer available. This plan shall include a description of how the unit intends to provide supplemental compensation for teachers in an advanced teaching role without grant money.
 - (10) A description of how the local school administrative unit could partner with local educator preparation programs, institutions of higher education, or community colleges to improve teacher effectiveness and student outcomes.
- (c) Selection by State Board of Education. – By December 15, 2020, and annually thereafter, the State Board of Education shall review proposals and select local school administrative units to participate in the program, beginning in the subsequent school year, in accordance with the following criteria:
- (1) Selected local school administrative units must meet minimum criteria established by the State Board of Education consistent with this section.
 - (2) Repealed by Session Laws 2021-180, s. 7.38(a), effective November 18, 2021.
 - (3) The State Board shall approve the proposal of any local school administrative unit that is submitted by October 15, 2020, if the following criteria are met:
 - a. The local school administrative unit is participating in an approved advanced teaching roles program pursuant to Section 8.7 of S.L. 2016-94 in the 2020-2021 school year.
 - b. The application of a local school administrative unit is not inconsistent with this section.
- (d) Advanced Teaching Roles Designation. – Any local board of education that is selected to participate in the program pursuant to subsection (c) of this section shall designate participating schools within the unit as "Advanced Teaching Roles" schools. Advanced Teaching Roles schools shall receive class size flexibility subject to subsection (i) of this section and budget flexibility subject to subsection (j) of this section.
- (e) Material Revisions of Plans. – Material revisions of a plan submitted to the State Board of Education by a local board of education with at least one Advanced Teaching Roles school shall be made only upon the approval of the State Board of Education.
- (f) Renewal and Termination of Program Participation. – The initial selected local school administrative units shall implement their approved plans beginning with the 2021-2022 school year. Every five years after a local school administrative unit begins implementing its plan, the State Board of Education shall review the unit to ensure the unit is complying with the approved plan. As part of the review, the State Board shall consider at least the following information:
- (1) The number of teachers in advanced teaching roles in the unit and the number of students receiving instruction from those teachers.
 - (2) Growth scores for students calculated pursuant to G.S. 115C-83.15.
 - (3) Achievement scores for students calculated pursuant to G.S. 115C-83.15.
 - (4) Retention of effective teachers.
 - (5) Results of the Teacher Working Conditions Survey.
 - (6) Ratings of teachers through the North Carolina Teacher Evaluation System.

After the review, the State Board may, in its discretion, renew or terminate the plan of any local school administrative unit that fails to meet criteria established by the State Board in accordance with this section and may renew or terminate the Advanced Teaching Roles designation of any school within that unit. Throughout the program, a local school administrative unit shall provide any information or access requested by (i) the State Board of Education or (ii) the independent research organization selected by the State Board of Education to evaluate the program pursuant to this section.

(g) Term; Use of State Funds. – Any funds awarded to a local school administrative unit pursuant to this section shall be subject to availability and awarded for a term of up to three years, in the discretion of the State Board. A local school administrative unit shall not be eligible to receive funding for more than two terms. The State Board of Education shall authorize a second term of State funds in accordance with subsection (g1) of this section. The State Board shall award funds to local school administrative units as follows:

- (1) The State Board shall prioritize the award of available State funds for the following categories of local school administrative units:
 - a. Up to five units with an average daily membership from the previous school year of 4,000 or fewer students.
 - b. Up to five units with an average daily membership from the previous school year of between 4,001 and 20,000 students.
 - c. Up to five units with an average daily membership from the previous school year of 20,001 or more students.
- (2) State funds shall be used for any of the following purposes, as defined by the State Board:
 - a. Development of advanced teaching role plans.
 - b. Development of professional development courses for teachers in advanced teaching roles that lead to improved student outcomes.
 - c. Transition costs associated with designing and implementing advanced teaching role models. Transition costs may include employing staff members or contractors to assist with design and implementation of the plan.
 - d. Development of the design and implementation of compensation plans that focus on teacher professional growth and student outcomes and the transition costs associated with designing and implementing new compensation plans, including employing staff members or contractors to assist with design and implementation of the plan.

(g1) Renewal of Award of State Funds. – A local school administrative unit that received an initial award of State funds pursuant to subsection (g) of this section may apply to the State Board of Education for an award of State funds for a second term of up to three years, in the discretion of the State Board. The local school administrative unit may apply at any time (i) after the initial award of State funds expires or (ii) within 90 days prior to the date the initial award of State funds is set to expire. Upon receipt of an application for renewal of State funds from a local school administrative unit, the State Board shall do the following:

- (1) Review the unit to ensure the unit is complying with the approved plan and criteria established by the State Board.
- (2) Grant or deny the application within 60 days of its receipt.

(h) Program Evaluation. – The State Board of Education shall evaluate how the advanced teaching roles and new compensation plans have accomplished, at a minimum, the following:

- (1) Improvement in the quality of classroom instruction and increases in school-wide growth or the growth of teachers who are mentored or impacted by a teacher in an advanced teaching role.

- (2) An increase in the attractiveness of teaching.
- (3) Recognition, impact, and retention of high-quality classroom teachers.
- (4) Assistance to and retention of beginning classroom teachers.
- (5) Improvement in and expansion of the use of technology and digital learning.
- (6) Improvement in school culture based on school climate survey results.

The State Board shall contract with an independent research organization to perform this evaluation in the first two years of the program and provide reports no later than October 15 in 2022, 2023, and 2024. The State Board shall perform the evaluation and provide the report beginning October 15, 2025, and annually thereafter. The State Board shall provide any report required in accordance with this subsection to the offices of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Senate Appropriations/Base Budget Committee, the House Committee on Appropriations, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Fiscal Research Division, and the Joint Legislative Education Oversight Committee.

(i) Class Size Flexibility. – Notwithstanding G.S. 115C-301, with the approval of the State Board of Education, Advanced Teaching Roles schools selected to participate in the program may exceed the maximum class size requirements for kindergarten through third grade during any term of up to three years in which State funds are awarded to the local school administrative unit where the school is located. At the conclusion of the term, any class size flexibility approved for an Advanced Teaching Roles school pursuant to this subsection shall expire.

(j) Budget Flexibility. – Subject to the budget flexibility limitations identified in G.S. 115C-105.25(b), the State Board of Education shall authorize local boards of education participating in the program to use any available State funds to provide salary supplements to classroom teachers in an advanced teaching role as long as the local school administrative unit complies with policies of the State Board of Education, federal law, and any State programs with specific restrictions on the use of funds, including bonus and grant programs. (2020-78, s. 2.6(b); 2021-180, s. 7.38(a); 2022-71, s. 5(a).)