

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2017

Proofed
SPECIAL PROVISION



2017-DPI-H70-P

Department of Public Instruction
House Appropriations, Education

Requested by

1 ***ESTABLISH B-3 INTERAGENCY COUNCIL***

2 SECTION #.(a) Chapter 115C of the General Statutes is amended by adding a new
3 Article to read:

4 "Article 6D.

5 "B-3 Interagency Council.

6 **"§ 115C-64.25. Establishment and membership of B-3 Interagency Council.**

7 (a) There is established the B-3 Interagency Council. The Council is a joint council
8 between the Department of Health and Human Services and the Department of Public
9 Instruction and shall consist of 12 voting members and four nonvoting advisory members as
10 follows:

- 11 (1) The Superintendent of Public Instruction or the Superintendent's designee
12 shall serve ex officio, with the same rights and privileges, including voting
13 rights, as other members.
- 14 (2) The Associate Superintendent of Early Education at the Department of
15 Public Instruction shall serve ex officio, with the same rights and privileges,
16 including voting rights, as other members.
- 17 (3) The Secretary of Health and Human Services or the Secretary's designee
18 shall serve ex officio, with the same rights and privileges, including voting
19 rights, as other members.
- 20 (4) The Deputy Secretary of Human Services at the Department of Health and
21 Human Services shall serve ex officio, with the same rights and privileges,
22 including voting rights, as other members.
- 23 (5) Four public members appointed by the Speaker of House of Representatives
24 who represent organizations that focus on early childhood education and
25 development such as Smart Start and First School.
- 26 (6) Four public members appointed by the President Pro Tempore of the Senate
27 who represent organizations that focus on early childhood education and
28 development such as Smart Start and First School.
- 29 (7) Two members of the House of Representatives appointed by the Speaker of
30 the House of Representatives to serve as nonvoting advisory members.
- 31 (8) Two members of the Senate appointed by the President Pro Tempore of the
32 Senate to serve as nonvoting advisory members.

33 The Deputy Secretary of Human Services and the Associate Superintendent of Early
34 Education shall serve as cochairs of the Council. Members of the Council shall receive per
35 diem, subsistence, and travel allowance as provided in G.S. 120-3.1, 138-5, or 138-6, as
36 appropriate.

37 (b) Terms for all public members and advisory members except for the initial
38 appointments shall be for four years. Two of the public members appointed by the Speaker of
39 the House of Representatives pursuant to subdivision (5) of subsection (a) of this section and
40 one of the advisory members appointed by the Speaker of the House of Representatives

1 pursuant to subdivision (7) of subsection (a) of this section shall be appointed for an initial term
2 of two years. Two of the public members appointed by the President Pro Tempore of the Senate
3 pursuant to subdivision (6) of subsection (a) of this section and one of the advisory members
4 appointed by the President Pro Tempore of the Senate pursuant to subdivision (8) of subsection
5 (a) of this section shall be appointed for an initial term of two years. Terms for members shall
6 begin on November 1. Members shall serve until their successors are appointed. Any vacancy
7 in the membership of the Council shall be filled in the same manner as the original
8 appointment.

9 (c) The Council shall have as its charge establishing a vision and accountability for a
10 birth through grade three system of early education that addresses all of the following:

- 11 (1) Standards and assessment.
- 12 (2) Data-driven improvement and outcomes, including shared accountability
13 measures such as the NC Pathways to Grade-Level Reading.
- 14 (3) Teacher and administrator preparation and effectiveness.
- 15 (4) Instruction and environment.
- 16 (5) Transitions and continuity.
- 17 (6) Family engagement.
- 18 (7) Governance and funding.

19 **"§ 115C-64.26. Powers and duties of B-3 Interagency Council.**

20 The B-3 Interagency Council shall have the following powers and duties:

- 21 (1) Facilitating the development and implementation of an interagency plan for
22 a coordinated system of early care, education, and child development
23 services with a focus on program outcomes in satisfying the developmental
24 and educational needs of all children from birth to eight years of age that
25 includes at least the following:
 - 26 a. Any recommendations to the Secretary of Health and Human
27 Services and the Superintendent of Public Instruction on necessary
28 organizational changes needed within the Departments of Health and
29 Human Services and Public Instruction to be more responsive to and
30 supportive of the birth to grade three continuum of early learning and
31 development in an effort to optimize learning gains realized in the
32 prekindergarten years.
 - 33 b. An early childhood information system that facilitates and
34 encourages the sharing of data between and among early childhood
35 service providers and State agencies.
 - 36 c. An early childhood accountability plan that includes identification of
37 appropriate population indicators and program and system
38 performance measures of early success of children such as the NC
39 Pathways to Grade-Level Reading
- 40 (2) Implementing a statewide longitudinal evaluation of the educational progress
41 of children from prekindergarten programs through at least grade three.
- 42 (3) Collaborating with the Department of Public Instruction, the Department of
43 Health and Human Services, the North Carolina Partnership for Children,
44 and other relevant early childhood stakeholders, including members of the
45 North Carolina Early Childhood Advisory Council, to achieve the goal of a
46 coordinated system of early care, education, and child development services
47 for children from birth to eight years of age.

48 **"§ 115C-64.27. Reporting requirement.**

49 The Deputy Secretary of Human Services and the Associate Superintendent of Early
50 Education shall report on a quarterly basis to the Secretary of Health and Human Services and

1 the Superintendent of Public Instruction on the progress and implementation of any of the
2 duties and responsibilities of the Council as set forth in this Article.

3 **"§115C-64.28. Establish position of Associate Superintendent of Early Education to serve**
4 **as chief academic officer of early education.**

5 (a) There is established within the Department of Public Instruction the position of
6 Associate Superintendent of Early Education who shall serve as the chief academic officer of
7 early education. The Associate Superintendent shall have professional, administrative,
8 technical, and clerical personnel as may be necessary to assist in carrying out his or her duties.
9 The Associate Superintendent shall co-lead the work of the B-3 Interagency Council and
10 oversee the Department of Public Instruction's prekindergarten through third grade initiatives.

11 (b) The Associate Superintendent shall be appointed by the Superintendent of Public
12 Instruction at a salary established by the Superintendent of Public Instruction within the funds
13 appropriated for that purpose. The Associate Superintendent may be removed from the position
14 by the Superintendent of Public Instruction in the event of the Associate Superintendent's
15 incapacity to serve. The Associate Superintendent shall be exempt from the provisions of
16 Chapter 126 of the General Statutes, except for Articles 6 and 7 of Chapter 126 of the General
17 Statutes.

18 All other staff shall be appointed, supervised, and directed by the Associate Superintendent
19 and shall be subject to the provisions of Chapter 126 of the General Statutes. Except for the
20 Associate Superintendent, salaries and compensation of all staff personnel shall be fixed in the
21 manner provided by law for fixing and regulating salaries and compensation by other State
22 agencies."

23 **SECTION #.(b)** G.S. 126-5(c1) is amended by adding a new subdivision to read:

24 **"(35) The Associate Superintendent of Early Education who serves as chief**
25 **academic officer of early education."**

26 **SECTION #.(c)** The B-3 Interagency Council, established under G.S. 115C-64.25,
27 as enacted by this section, shall undertake a rigorous review of the recommendations developed
28 by the Departments of Health and Human Services and Public Instruction, pursuant to Section
29 12B.5 of S.L. 2016-94, on (i) the development and implementation of a statewide vision for
30 early childhood education and (ii) the development and implementation of a program for
31 transitioning children from preschool to kindergarten. In its review, the B-3 Interagency
32 Council shall report to the General Assembly and the Governor suggested modifications, if any,
33 to those recommendations. The B-3 Interagency Council shall also, if deemed necessary, make
34 suggestions on alternative organizational structures to achieve greater efficiency and effective
35 delivery of early childhood services, including a consolidation and restructuring of State
36 agency divisions and offices located within the Department of Public Instruction and the
37 Department of Health and Human Services into a centralized agency or office. The Council
38 shall consider at least the following in conducting the review and study:

- 39 (1) The delivery of educational services to young children and their families to
40 ensure optimal learning for each young child.
- 41 (2) The collaboration and sharing of data elements necessary to perform quality
42 assessments and longitudinal analysis across early childhood education and
43 development services.
- 44 (3) The coordination of a comprehensive statewide system of professional
45 development for providers and staff of early care and education and child
46 development programs and services.
- 47 (4) Areas of duplication in regulating and monitoring of early care and
48 education and child development programs and services.
- 49 (5) The coordination and support of public and private partnerships to aid early
50 childhood initiatives.

1 **SECTION #.(d)** By April 15, 2018, the B-3 Interagency Council shall submit a
2 report to the Joint Legislative Education Oversight Committee, the Joint Legislative Oversight
3 Committee on Health and Human Services, and the Joint Legislative Commission on
4 Governmental Operations on the initial results of the review and study required under
5 subsection (c) of this section. By February 15, 2019, the B-3 Interagency Council shall submit a
6 report to the Joint Legislative Education Oversight Committee, the Joint Legislative Oversight
7 Committee on Health and Human Services, and the Joint Legislative Commission on
8 Governmental Operations on (i) the final results of the review and study, including its
9 recommendations and any proposed legislation, and (ii) progress on the development and
10 implementation of a plan for a coordinated system of early care, education, and child
11 development services and any other activities prescribed under G.S. 115C-64.26, as enacted by
12 this section.

13 **SECTION #.(e)** Notwithstanding G.S. 115C-64.28, the Superintendent of Public
14 Instruction shall appoint an Associate Superintendent of Early Education within 60 days of the
15 date this section becomes law.

16 **SECTION #.(f)** Notwithstanding G.S. 115C-64.27, as enacted by this section, the
17 B-3 Interagency Council shall submit its initial quarterly report to the Superintendent of Public
18 Instruction and the Secretary of the Department of Health and Human Services by May 15,
19 2018.