

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021**

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**HOUSE BILL 1139**

Short Title: Student Tutoring Investment & Assistance Act. (Public)

Sponsors: Representatives John, Ball, and Gill (Primary Sponsors).

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Appropriations, if favorable, Rules, Calendar, and Operations of the House

May 31, 2022

A BILL TO BE ENTITLED  
AN ACT TO ADDRESS K-12 PANDEMIC LEARNING LOSS THROUGH HIGH-IMPACT  
TUTORING.

The General Assembly of North Carolina enacts:

**SECTION 1.** The Department of Public Instruction shall establish a High-Impact Tutoring Grant Program (Program) for the 2022-2023 school year to enable public school units to provide tutors for students to address learning loss resulting from the COVID-19 pandemic. The Program aims to serve as many students as possible, including low-income, underserved, and rural students, by providing high-impact tutoring services that will improve academic performance.

**SECTION 2.(a)** The Department of Public Instruction shall develop an application process for the Program. All public school units may apply for the Program. As part of the application process, the Department shall require each applicant to provide at least the following information:

- (1) A high-impact tutoring plan as described in subsection (b) of this section.
- (2) The methods that will be used to determine which students will participate in the tutoring program.
- (3) The number of students expected to be served by the tutoring program.
- (4) The projected cost of implementing the tutoring program.
- (5) The methods to be used for measuring student academic progress and other tutoring program outcomes.
- (6) Whether the public school unit will create its own tutoring program or partner with existing tutoring providers.
- (7) The academic subjects that will be the focus of the tutoring program.
- (8) The methods to be used for recruiting and supporting tutors.
- (9) The ways in which tutoring will be delivered, including how the delivery will accommodate remote learning.
- (10) An overview of the curriculum tutors will be required to use, if any.
- (11) The ways in which the tutoring program will provide ongoing professional training and development for tutors.
- (12) A schedule showing how the tutoring session will be completed during existing class time.

**SECTION 2.(b)** The high-impact tutoring plan required by subsection (a) of this section shall include an explanation as to the manner in which the public school unit will accomplish, or the reason the unit would not be able to accomplish, all of the following:



- 1 (1) Tutoring in groups of four or fewer students.
- 2 (2) Ensuring students have the same tutor throughout the school year.
- 3 (3) Providing tutoring a minimum of three times each week with at least 30 to 50
- 4 minutes of instruction per tutoring session.
- 5 (4) Implementing tutoring throughout the school day instead of as a before- or
- 6 after-school program, supplementing core academic instruction, and creating
- 7 the opportunity for enrichment, not replacement, of instruction.
- 8 (5) Providing high-quality trained tutors, including former teachers,
- 9 paraprofessionals, teaching candidates, recently retired teachers, community
- 10 providers, AmeriCorps members, current teachers, and other individuals who
- 11 have received tutoring training.
- 12 (6) Emphasizing student attendance and educator support.
- 13 (7) Using a high-quality curriculum that is aligned with academic standards and
- 14 practices.
- 15 (8) Prioritizing coordination between classroom educators, tutors, and school
- 16 leaders.
- 17 (9) Providing data-driven tutoring with interim assessments to monitor student
- 18 progress.
- 19 (10) Providing ongoing professional training and development for tutors.
- 20 (11) Adjusting the tutoring program to achieve maximum student outcomes.

21 **SECTION 2.(c)** The Department shall prioritize awarding grants to applicant  
22 public school units that demonstrate at least one of the following:

- 23 (1) A need for financial support to aid students in addressing learning loss and
- 24 unfinished learning resulting from the COVID-19 pandemic.
- 25 (2) Enrollment of a high percentage of low-income or underserved students.
- 26 (3) The unit has one or more schools located in a rural area that could not
- 27 otherwise afford to have a tutoring program.

28 **SECTION 3.** To the extent funds are made available for this Program, the  
29 Department shall determine the amount and duration of grants to public school units.

30 **SECTION 4.** Funds awarded pursuant to the Program may be used for any of the  
31 following purposes:

- 32 (1) Hiring tutors or contracting with persons to serve as tutors.
- 33 (2) Stipends or other incentives to paraprofessionals, retired teachers, Americorps
- 34 members, current teachers, or community organizations to ensure there are
- 35 sufficient qualified tutors to provide tutoring services in the manner and at the
- 36 level described in the high-impact tutoring plan submitted by the public school
- 37 unit pursuant to subsection (a) of Section 2 of this act.
- 38 (3) Costs associated with renting or purchasing physical space for tutoring.
- 39 (4) Administrative expenses.
- 40 (5) Any other purpose approved by the Department that increases the
- 41 effectiveness of the high-impact tutoring program.

42 **SECTION 5.** A school participating in the Program may use up to 36 hours of  
43 high-impact tutoring time towards the instructional hours required for the school calendar  
44 pursuant to G.S. 115C-84.2, 115C-218.85, 115C-238.53, and 115C-238.66.

45 **SECTION 6.** Participant schools shall provide information to tutors about potential  
46 pathways into the teaching profession, including any opportunities for tutors to work toward  
47 educator licensure while providing high-impact tutoring services. The Department of Public  
48 Instruction shall create uniform materials containing information on these opportunities for  
49 public school units to distribute to their tutors.

50 **SECTION 7.** Any person hired to serve as a tutor under the provisions of this act  
51 shall comply with all State and federal laws relating to health, safety, and antidiscrimination.

1           **SECTION 8.** No later than April 15, 2023, and every year thereafter that funds are  
2 made available for the Program, the Department of Public Instruction shall report to the Joint  
3 Legislative Education Oversight Committee the following information:

- 4           (1) A list of the schools participating in the Program.
- 5           (2) The total number of students participating in the Program.
- 6           (3) Non-identifying demographic information on participating students.
- 7           (4) Any adjustments made to the high-impact tutoring plan submitted pursuant to  
8 subsection (b) of Section 2 of this act, and the reason for those adjustments.
- 9           (5) The ways the school maintained consistent access to noncore-academic  
10 instruction for participating students.
- 11           (6) All expenditures of grant funds.
- 12           (7) Any amounts needed to fund the program beyond the grant funds.
- 13           (8) The academic achievement measures and other criteria used to identify  
14 students to receive high-impact tutoring.
- 15           (9) The academic achievement measures and other criteria used to measure  
16 student outcomes associated with the program.
- 17           (10) The public school unit's intent and reasoning to either continue or discontinue  
18 the high-impact tutoring program beyond 2024-2025 fiscal year.

19           **SECTION 9.** There is appropriated from the General Fund to the Department of  
20 Public Instruction the sum of eight million eight hundred thousand dollars (\$8,800,000) in  
21 nonrecurring funds for the 2022-2023 fiscal year to allow students in public school units to access  
22 high-impact tutoring pursuant to the Program.

23           **SECTION 10.** This act becomes effective July 1, 2022.