

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1340

Short Title: School-Based Accountability.

(Public)

Sponsors: Representatives Cooper, B. Ethridge; and Bowman.

Referred to: Education.

April 18, 1989

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A SCHOOL-BASED ACCOUNTABILITY AND  
3 FLEXIBILITY PROJECT GRANTS PROGRAM FOR LOCAL SCHOOLS AND  
4 SCHOOL ADMINISTRATIVE UNITS.

5 The General Assembly of North Carolina enacts:

6 Section 1. Chapter 115C of the General Statutes is amended by adding a new  
7 Article to read:

8 **“ARTICLE 6A.**

9 **“SCHOOL-BASED ACCOUNTABILITY AND FLEXIBILITY GRANTS.**

10 **“§ 115C-60. School-Based Accountability and Flexibility Project Grants Program.**

11 (a) Objectives.

12 (1) The development of educational goals regarding student success and  
13 outcomes in individual schools and local school administrative units;

14 (2) The assessment of the educational progress of school programs and  
15 student success and outcomes;

16 (3) The promotion and facilitation of school-based decision making by  
17 faculty and administrators of local schools and school administrative  
18 units;

19 (4) The restructuring of the school workplace to provide educators with  
20 responsibilities and authority commensurate with their status as  
21 professionals.

22 (b) The School-Based Accountability and Flexibility Project Grants Program  
23 shall be administered by the State Department of Public Instruction. Any local school  
24 administrative unit may submit an application to the State Department of Public

1 Instruction to receive a grant under the School-Based Accountability and Flexibility  
2 Project Grants Program.

3 (c) Application. To be eligible for funding, a local school administrative unit's  
4 application shall include the following:

5 (1) A description of a process to formulate and adopt district and  
6 individual school building educational goals regarding student success  
7 and outcomes which relate to but are not limited to:

8 a. Class size and teaching loads;

9 b. Staff turnover;

10 c. Teachers assigned out of their area of certification;

11 d. Educational measures which take into account the family  
12 income and education level of parents;

13 e. Ability and willingness of the school district to provide  
14 financial support for the schools;

15 f. Student progress on school district or State assessments, or  
16 both;

17 g. Attendance and drop-out rates;

18 h. Student conduct and disciplinary actions;

19 i. Follow-up measures of student success in post-secondary  
20 programs;

21 j. Student expectations and attitudes toward learning;

22 k. Demonstrated problem-solving, thinking, and decision-making  
23 skills;

24 l. Creativity and appreciation of creativity;

25 m. Concern, respect, understanding, and tolerance for fellow  
26 human beings; and

27 n. Maintenance and enhancement of the self-esteem and  
28 emotional, intellectual, and physical well-being of students.

29 (2) A description of how the proposed project will address the identified  
30 professional growth needs of educators in the school and local school  
31 administrative unit.

32 (3) Certification by the local school administrative unit that none of the  
33 monies received under this section will be used to supplant  
34 expenditures for existing local programs.

35 (4) A description of how the local school administrative unit will evaluate  
36 the effectiveness of its School-Based Accountability and Flexibility  
37 Project based upon established educational goals and learning  
38 conditions.

39 (5) A written statement of concurrence from the local superintendent, the  
40 local school administrative unit council, and the local school council as  
41 substantiated by a majority vote of the local project school faculty.

42 (6) Any school in a local school administrative unit may apply and  
43 participate in the School-Based Accountability and Flexibility Program  
44 with the approval of the local school administrative unit council and

1           the State School Based Accountability and Flexibility advisory  
2           council. Participation of a local school in the School Based  
3           Accountability and Flexibility Program is not contingent upon the  
4           participation of all local schools in the same school administrative unit.

5           (7) Each project plan shall include strategies for the coordination of  
6           education goals with State accreditation standards and methods to meet  
7           or exceed the student performance standards contained in those  
8           accreditation standards.

9           (d) Approval.

10           (1) The Superintendent of Public Instruction shall appoint a State School-  
11           Based Accountability and Flexibility Project advisory council to  
12           establish and monitor rules for the submission and approval of grants  
13           under this section.

14           (2) The advisory council shall include teachers, administrators, and local  
15           school board members selected by their constituent education  
16           organizations. Currently employed teachers shall compose a majority  
17           of the council membership.

18           (3) In the first year of implementation of this section, the deadline for  
19           applications submitted by local school administrative units shall be  
20           September 1 of the school year for which they are proposed. The State  
21           School-Based Accountability and Flexibility Project advisory council  
22           shall review all applications for 1989-90 and shall approve or reject  
23           them no later than November 1 of the school year for which they are to  
24           be implemented. Thereafter, the respective application deadlines shall  
25           be June 1 and August 1.

26           (e) Evaluation. Each project school and local school administrative unit shall  
27           conduct an annual evaluation of their project. The Department of Public Instruction,  
28           with the assistance of the State School-Based Accountability and Flexibility Project  
29           advisory council, shall be responsible for collecting and compiling a comprehensive  
30           evaluation of all local school administrative unit projects under this section and shall  
31           report its findings to the General Assembly.

32           **"§ 115C-61. School and local school administrative unit councils.**

33           (a) School Councils.

34           (1) Each school, by majority vote of the faculty of the school and  
35           concurrence of the principal, may apply to the local school  
36           administrative unit council to be a school-based accountability project  
37           school. A school council shall be established in each project school  
38           which shall adopt operating procedures concerning such matters as  
39           council agenda, meeting schedules, staff communications, and modes  
40           of decision-making. The operating procedures for the school council  
41           shall be submitted to the local school administrative unit council for  
42           approval and, upon approval, the school council shall adopt the  
43           procedures. The school council shall meet regularly to address and  
44           decide on such matters as: educational goals; school organization and

1 climate; released time for council representatives; classroom  
2 instruction; assignment, supervision, evaluation, and development of  
3 personnel; student achievement and behavior; community relations;  
4 curriculum; and instructional materials.

5 (2) Decisions made by the school council may be appealed to the local  
6 school administrative unit council by a member or members of the  
7 school council who dissented from the decision made, or by any other  
8 member of the faculty or administration of the school. On matters  
9 appealed from the local school councils, the decision of the  
10 superintendent, with the advice of local school administrative unit  
11 council, shall be final.

12 (3) Teachers, and administrators who serve on a school council shall be  
13 selected by the direct election of peers, through a process described in  
14 an administrative unit's grant application, under the following  
15 conditions:

16 a. A majority of a school council shall be classroom teachers.

17 b. The principal of a school or the principal's designee shall be a  
18 member of a school council.

19 c. The duties of a school council under this act shall include the  
20 development of an accountability plan to improve the  
21 instructional program and educational outcomes for students.

22 d. No later than May 15 of each school year the faculty of each  
23 project school shall by a majority vote, decide whether to  
24 continue or discontinue the project.

25 (b) Local School Administrative Unit Council. The faculty of project schools  
26 within each local school administrative unit in which a school-based accountability and  
27 flexibility project is established shall elect a local school administrative unit council, the  
28 membership of which shall be proportionately representative of the teaching and  
29 administrative staff within the project schools of the local school administrative unit.  
30 The local superintendent or his designee shall serve on the local school administrative  
31 unit council. The duties and responsibilities of the administrative unit council are as  
32 follows:

33 (1) Adopt an annual accountability and flexibility plan which specifies  
34 measurable educational goals regarding student success and outcomes;

35 (2) Specify the strategies, resources, and local school administrative unit  
36 structure and timetable which the local school administrative unit will  
37 use to achieve such education goals;

38 (3) Submit the local school administrative unit accountability and  
39 flexibility plan to the local school administrative unit project school  
40 faculty for approval by a majority vote prior to implementation; the  
41 plan shall also be approved by the local superintendent and the local  
42 board of education;

43 (4) Develop and implement procedures for the local school administrative  
44 unit council's operation;

1           (5) Review for approval, and monitor approved school council operating  
2           procedures;

3           (6) Serve as a review panel on matters appealed from local school  
4           councils; and

5           (7) Conduct a vote of project school faculty of the local school  
6           administrative unit no later than June 15 of each school year in order to  
7           determine if the project is to be continued or discontinued.

8           (c) Schools or local school administrative units may not adopt procedures, make  
9           decisions, or take any action which abrogates the rights of school employees, students,  
10          or parents of students, provided by law, by the North Carolina Constitution or by the  
11          United States Constitution.

12          (d) Schools or local school administrative units may not adopt procedures, make  
13          decisions, or take any action which is in conflict with the provisions of North Carolina  
14          law, except where waivers or other suspension of the provisions of North Carolina law  
15          are applicable and have been granted. Educators who participate in the school-based  
16          accountability and flexibility project may not be subjected to reprisals of any kind as a  
17          result of actions, statements, or positions arising from their participation or failure to  
18          participate in the project.

19          (e) State funds allocated to local school administrative units for staff  
20          development shall be used by the local school administrative units to provide staff  
21          orientation to school-based accountability and flexibility projects."

22                 Sec. 2. There is appropriated from the General Fund to the Department of  
23 Public Education the sum of six million dollars (\$6,000,000) for the 1989-90 fiscal year,  
24 and the sum of twelve million dollars (\$12,000,000) for the 1990-91 fiscal year, to be  
25 allocated to local school administrative units that establish school-based accountability  
26 and flexibility projects. Allocations to the local school administrative units shall be  
27 made pro rata based upon the number of educators within each local school  
28 administrative unit.

29                 Sec. 3. This act shall become effective July 1, 1989.