

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2367

Short Title: School Imp. Act/Funds.

(Public)

Sponsors: Representatives Nesbitt; Anderson, Barnes, Barnhill, Beard, Bowen, Buchanan, Burke, B. Ethridge, Fitch, Fussell, Gist, Hackney, H. Hunter, Jones, Kennedy, Kerr, Lineberry, Michaux, Perdue, Privette, Redwine, and Warner.

Referred to: Education.

June 6, 1990

A BILL TO BE ENTITLED

1 AN ACT TO CLARIFY THE SCHOOL IMPROVEMENT AND ACCOUNTABILITY
2 ACT AND TO APPROPRIATE FUNDS TO IMPLEMENT DIFFERENTIATED
3 PAY PLANS PURSUANT TO THE ACT.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 115C-238.3 reads as rewritten:

7 "**§ 115C-238.3. Elements of local plans.**

8 (a) The board of education of a local school administrative unit that elects to
9 participate in the Program shall submit a local school improvement plan to the State
10 Superintendent of Public Instruction before April 15 of the fiscal year preceding the
11 fiscal year in which participation is sought. The local board of education shall actively
12 involve over fifty percent(50%)of the teachers and a substantial number of ~~teachers,~~
13 ~~school administrators,—administrators~~ and other school staff in developing the local
14 school improvement plan.

15 (b) The local school improvement plan shall set forth (i) the student performance
16 goals established by the local board of education for the local school administrative unit
17 and (ii) the unit's strategies and plans for attaining them.

18 The performance goals for the local school administrative unit shall address specific,
19 measurable goals for all student performance indicators adopted by the State Board.
20 Factors that determine gains in achievement vary from school to school; therefore,
21 socioeconomic factors and previous student performance indicators shall be used as the
22 basis of the local school improvement plan.

1 The strategies for attaining the local student performance goals shall be based on
2 plans for each individual school in the local school administrative unit. The principal of
3 each school and his staff shall develop a plan to address student performance goals
4 appropriate to the school from those established by the local board of education. The
5 principal shall involve more than fifty percent (50%) of the teachers at each school in
6 developing a plan for that school and shall present the resulting plan to the teachers at
7 the school for their review and vote, by secret ballot. If a majority of the teachers do not
8 vote for the plan, the principal and his staff, including more than fifty percent (50%) of
9 the teachers at the school shall continue to revise the plan and submit it for a vote until it
10 has the approval of a majority of the teachers.

11 (c) The local school administrative unit shall consider a plan for differentiated
12 pay. The local plan shall include a plan for differentiated pay, in accordance with G.S.
13 115C-238.4, unless the local school administrative unit elects not to participate in any
14 differentiated pay plan.

15 (d) The local plan may include a request for a waiver of State laws, regulations,
16 or policies. The request for a waiver shall identify the State laws, regulations, or
17 policies that inhibit the local unit's ability to reach its local accountability goals and
18 shall explain how a waiver of those laws, regulations, or policies will permit the local
19 unit to reach its local goals.

20 (e) The local school administrative unit shall present the entire proposed local
21 school improvement plan to the teachers and administrators in the local school
22 administrative unit for their review and vote. The vote shall be by secret ballot. The
23 local board of education shall submit a local school improvement plan to the State
24 Superintendent only if the proposed plan has the approval of a majority of the teachers
25 and a majority of the administrators."

26 Sec. 2. Section 7 of Chapter 778 of the 1989 Session Laws reads as
27 rewritten:

28 "Sec. 7. Existing Career Development and Lead Teacher Pilot Programs.

29 (a) Notwithstanding the provisions of Article 24B of Chapter 115C of the
30 General Statutes, Article 24D of Chapter 115C of the General Statutes, or any other
31 provision of law, funding for the career development pilot projects and the lead teacher
32 pilot projects shall continue through the 1989-90 fiscal year: Provided, however, that
33 any additional compensation received by an employee as a result of the unit's
34 participation in the pilot program for the 1989-90 fiscal year and for subsequent fiscal
35 years shall be paid as a bonus or supplement to the employee's regular salary.

36 Funding of these pilot projects shall continue for subsequent fiscal years only if the
37 pilot units successfully submit local school improvement plans pursuant to the
38 Performance-based Accountability Program, during the 1989-90 school year and during
39 subsequent school years.

40 (b) Beginning with the 1993-94 fiscal year, the career development and the lead
41 teacher pilot units shall receive only the amount of State funds available for school units
42 participating in a differentiated pay plan pursuant to the School Improvement and
43 Accountability Act of 1989; they shall receive no State funding as career development
44 pilot units or lead teacher pilot units. For fiscal years 1990-91, 1991-92, and 1992-93,

1 the career development pilot units shall receive State funding as pilot units if they
2 participate in differentiated pay plans in accordance with G.S. 115C-238.4.

3 (c) The local school improvement plan for each career development pilot
4 program shall include a schedule of modifications to the ~~career-development~~
5 differentiated pay program. This schedule shall result in an incremental reduction or
6 increase, as appropriate, in the amount of funds allocated for differentiated pay so that,
7 for the 1993-94 fiscal year and subsequent fiscal years, the cost of the differentiated pay
8 plan equals the amount of State and local funds available for differentiated pay for
9 school units participating in differentiated pay plans pursuant to the School
10 Improvement and Accountability Act of 1989.

11 (d) If an employee in a career development pilot unit is recommended for Career
12 Status I or II and that status is approved by the local board of education prior to the
13 beginning of the 1989-90 school year, the local board of education may pay that
14 employee a bonus or supplement to his regular salary. For the 1989-90 fiscal year only,
15 the local board of education may use any State or local funds available to it for the
16 career development pilot program to pay these bonuses or supplements.

17 (e) Effective at the beginning of the 1989-90 school year, an employee may be
18 considered for Career Status II no earlier than his third year in Career Status I; an
19 employee may be considered for Career Status III no earlier than his third year in Career
20 Status II.

21 (f) Any career ladder pilot project in a school unit that has resulted from a
22 merger of school units, within the last calendar year preceding the effective date of this
23 act, may be modified by the local school board, upon the recommendation of the State
24 Superintendent of Public Instruction and with the approval of the State Board of
25 Education. This modification shall require no more funds than allocated to the
26 particular project by the State Board of Education from funds appropriated to the State
27 Board of Education in Chapter 500 of the 1989 Session Laws, the Current Operations
28 Appropriations Act of 1989."

29 Sec. 3. There is appropriated from the General Fund to the Department of
30 Public Education the sum of \$39,436,046 for the 1990-91 fiscal year to implement the
31 differentiated pay provisions of the School Improvement and Accountability Act.

32 Sec. 4. This act shall become effective July 1, 1990.