

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1250

Short Title: Public School Act of 1991.

(Public)

Sponsors: Representatives Barnes, Black, Blue, Diamont, Fussell, Hackney, Miller, Nesbitt, Payne, Rogers, Warner, Wicker; and Bowman.

Referred to: Education.

May 10, 1991

A BILL TO BE ENTITLED

AN ACT TO ENACT THE PUBLIC SCHOOL ACT OF 1991.

The General Assembly of North Carolina enacts:

—TITLE OF ACT

Section 1. This act shall be known as the "Public School Act of 1991".

—TEACHER SALARY SCHEDULE

Sec. 2. (a) There is appropriated from the General Fund to a Reserve for Teachers Salary Increases the sum of \$51,165,025 for the 1991-92 fiscal year. The Director of the Budget may transfer from the Reserve for Teachers Salary Increases for the 1991-92 fiscal year funds necessary to implement the teacher salary schedule set out in subsection (b) of this section, including funds for the employer's retirement and Social Security contributions and funds for annual longevity payments at two and one-half percent (2.5%) of base salary only upon the completion of 25 years of State service, commencing July 1, 1991, for all teachers whose salaries are supported from the State's General Fund. These funds shall be allocated to individuals according to rules adopted by the State Board of Education and the Superintendent of Public Instruction.

(b)(1) Beginning July 1, 1991, the following monthly salary schedule shall apply to certified personnel of the public schools who are classified as "A"teachers. The schedule contains 30 steps with each step corresponding to one year of teaching experience.

<u>Years of</u>	<u>1991-92</u>
<u>Experience</u>	<u>Salary</u>

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1	00	\$1,981
2	01	2,021
3	02	2,061
4	03	2,164
5	04	2,207
6	05	2,251
7	06	2,296
8	07	2,342
9	08	2,389
10	09	2,437
11	10	2,486
12	11	2,536
13	12	2,587
14	13	2,639
15	14	2,692
16	15	2,746
17	16	2,801
18	17	2,857
19	18	2,914
20	19	2,972
21	20	3,031
22	21	3,092
23	22	3,154
24	23	3,217
25	24	3,281
26	25	3,347
27	26	3,414
28	27	3,482
29	28	3,552
30	29+	3,623

(2) Beginning July 1, 1991, the following monthly salary schedule shall apply to certified personnel of the public schools who are classified as "G"teachers. The schedule contains 30 steps with each step corresponding to one year of teaching experience.

	<u>Years of Experience</u>	<u>1991-92 Salary</u>
38	00	\$2,105
39	01	2,147
40	02	2,190
41	03	2,300
42	04	2,346
43	05	2,393
44	06	2,441

1	07	2,490
2	08	2,540
3	09	2,591
4	10	2,643
5	11	2,696
6	12	2,750
7	13	2,805
8	14	2,861
9	15	2,918
10	16	2,976
11	17	3,036
12	18	3,097
13	19	3,159
14	20	3,222
15	21	3,286
16	22	3,352
17	23	3,419
18	24	3,487
19	25	3,557
20	26	3,628
21	27	3,701
22	28	3,775
23	29+	3,851

- (3) The rules adopted by the State Board for allocating funds to individuals shall provide for (i) a seven and one-half percent (7.5%) salary increase for teachers with certification based on academic preparation at the six-year degree level; (ii) a ten percent (10%) salary increase for teachers with certification based on academic preparation at the doctoral degree level; and (iii) annual longevity pay at two and one-half percent (2.5%) of base salary only upon the completion of 25 years of State service.

Sec. 3. There is appropriated from the General Fund to a Reserve for Teachers Salary Increases the sum of \$59,805,286 for the 1992-93 fiscal year. Beginning with the mid-school year payroll date, the Director of the Budget may transfer from the Reserve for Teachers Salary Increases for the 1992-93 fiscal year funds necessary to move teachers one step on the salary schedules established in this section, including funds for the employer's retirement and Social Security contributions and funds for annual longevity payments at two and one-half percent (2.5%) of base salary only upon the completion of 25 years of State service for all teachers whose salaries are supported from the State's General Fund. These funds shall be allocated to individuals according to rules adopted by the State Board of Education and the Superintendent of Public Instruction.

—BASIC EDUCATION PROGRAM

Sec. 4. G.S. 115C-81(a) reads as rewritten:

1 "(a) The State Board of Education shall adopt a Basic Education Program for the
2 public schools of the State. Before it adopts or revises the Basic Education Program, the
3 State Board shall consult with an Advisory Committee, including at least eight members
4 of local boards of education, that the State Board appoints from a list of nominees
5 submitted by the North Carolina School Boards Association. The State Board shall
6 report annually to the General Assembly on any changes it has made in the program in
7 the preceding 12 months and any changes it is considering for the next 12 months.

8 The State Board of Education shall review the Basic Education Program in an effort
9 to (i) simplify the Basic Education Program, especially the standard course of study
10 and the core curriculum for all students, and (ii) assure that the Program adopted by the
11 State Board and implemented by the local boards of education carries out the intent of
12 the General Assembly to provide every student in the State equal access to a Basic
13 Education Program. The State Board shall report the results of its review to the Joint
14 Legislative Education Oversight Committee and to the General Assembly prior to
15 March 15, 1992.

16 The State Board shall implement the Basic Education Program within funds
17 appropriated for that purpose by the General Assembly and by units of local
18 government. It is the intent of the General Assembly that until the Basic Education
19 Program is fully funded, the implementation of the Basic Education Program shall be
20 the focus of State educational funding. It is the goal of the General Assembly that the
21 Basic Education Program be fully funded and completely operational in each local
22 school administrative unit by July 1, 1995.

23 It is further a goal of the General Assembly to provide equalization funds to low-
24 wealth counties to allow them to allow those counties to enhance the instructional
25 program and student achievement."

26 Sec. 5. G.S. 115C-12(9) reads as rewritten:

27 "(9) Miscellaneous Powers and Duties. – All the powers and duties
28 exercised by the State Board of Education shall be in conformity with
29 the Constitution and subject to such laws as may be enacted from time
30 to time by the General Assembly. Among such duties are:

- 31 a. To certify and regulate the grade and salary of teachers and
32 other school employees.
- 33 b. To adopt and supply textbooks.
- 34 c. To adopt rules requiring all local boards of education to
35 implement the Basic Education Program on an incremental
36 basis within funds appropriated for that purpose by the General
37 Assembly and by units of local government. Beginning with
38 the 1991-92 school year, the rules shall require each local
39 school administrative unit to implement fully the standard
40 course of study in every school in the State in accordance with
41 the Basic Education Program so that every student in the State
42 shall have equal access to the curriculum as provided in the
43 Basic Education Program and the standard course of study.

1 The Board shall establish benchmarks by which to measure
2 the progress that each local board of education has made in
3 implementing the Basic Education Program. The Board shall
4 report to the General Assembly by December 31, 1991, and by
5 February 1 of each subsequent year on each local board's
6 progress in implementing the Basic Education Program,
7 including the use of State and local funds for the Basic
8 Education Program.

9 The Board shall develop a State accreditation program that
10 meets or exceeds the standards and requirements of the Basic
11 Education Program. The Board shall require each local school
12 administrative unit to comply with the State accreditation
13 program to the extent that funds have been made available to
14 the local school administrative unit for implementation of the
15 Basic Education Program.

16 The Board shall use the State accreditation program to
17 monitor the implementation of the Basic Education Program.

- 18 c1. To issue an annual 'report card' for the State and for each local
19 school administrative unit, assessing each unit's efforts to
20 improve student performance and taking into account progress
21 over the previous years' level of performance and the State's
22 performance in comparison with other states. This assessment
23 shall take into account demographic, economic, and other
24 factors that have been shown to affect student performance.
25 d. To formulate rules and regulations for the enforcement of the
26 compulsory attendance law.
27 e. To manage and operate a system of insurance for public school
28 property, as provided in Article 38 of this Chapter.

29 In making substantial policy changes in administration, curriculum,
30 or programs the Board should conduct hearings throughout the regions
31 of the State, whenever feasible, in order that the public may be heard
32 regarding these matters."

33 Sec. 6. G.S. 115C-238.6(a) reads as rewritten:

34 "(a) Prior to June 30 each year, the State Superintendent shall review local school
35 improvement plans submitted by the local school administrative units in accordance
36 with policies and performance indicators adopted by the State Board of Education. If
37 the State Superintendent approves the plan for a local school administrative unit, that
38 unit shall participate in the Program for the next fiscal year.

39 If a local plan contains a request for a waiver of State laws, regulations, or policies,
40 in accordance with G.S. 115C-238.3(e), the State Superintendent shall determine
41 whether and to what extent the identified laws, regulations, or policies should be
42 waived. The State Superintendent shall present that plan and his determination to the
43 State Board of Education. If the State Board of Education deems it necessary to do so

1 to enable a local unit to reach its local accountability goals, the State Board, only upon
2 the recommendation of the State Superintendent, may grant waivers of:

3 (1) State laws pertaining to class size, teacher certification, assignment of
4 teacher assistants, the use of State-adopted textbooks, and the purposes
5 for which State funds for the public schools may be ~~used, and used~~:
6 Provided, however, the State Board of Education shall not permit the
7 use of funds for teachers for expanded programs under the Basic
8 Education Program for any other purpose;

9 (2) All State regulations and policies, except those pertaining to State
10 salary schedules and employee benefits for school employees, the
11 instructional program that must be offered under the Basic Education
12 Program, the system of employment for public school teachers and
13 administrators set out in G.S. 115C-325, health and safety codes,
14 compulsory school attendance, the minimum lengths of the school day
15 and year, and the Uniform Education Reporting System."

16 Sec. 7. The Department of Public Instruction shall report to the Joint
17 Legislative Education Oversight Committee and to the General Assembly before May 1,
18 1992, on the methods used to measure student achievement.

19 Sec. 8. There is appropriated from the General Fund to the Department of
20 Public Education the sum of \$28,907,374 for the 1991-92 fiscal year and the sum of
21 \$28,907,374 for the 1992-93 fiscal year to complete the funding of teachers for
22 expanded programs under the Basic Education Program. These funds shall be used by
23 local school administrative units to implement fully the standard course of study in
24 every school in the State in accordance with the Basic Education Program so that every
25 student in the State shall have equal access to the curriculum provided for therein.

26 The State Board of Education shall not waive, in accordance with G.S. 115C-
27 238.6(a), the requirement that all local schools use these funds for teachers for expanded
28 programs to implement fully the standard course of study in every school in the State.

29 —EQUALIZATION FUNDING

30 Sec. 9. (a) The General Assembly finds that it is appropriate to provide
31 equalization funds in low-wealth counties to allow those counties to enhance the
32 instructional program and student achievement; therefore, there is appropriated from
33 the General Fund to the Department of Public Education the sum of \$15,000,000 for the
34 1991-92 fiscal year and the sum of \$15,000,000 for the 1992-93 fiscal year for
35 equalization funds for schools. These funds shall be allocated to counties on the basis
36 of a formula based on the adjusted property tax base per student for the county and the
37 per capita income for the county.

38 (b) Funds received pursuant to this section shall be used only to provide
39 instructional positions, instructional support positions, teacher assistant positions,
40 clerical positions, and instructional supplies and equipment.

41 (c) Nonsupplant Requirement. — A county in which a local school
42 administrative unit receives funds under this section shall use the funds to supplement
43 and not supplant existing State and local funding for public schools.

1 The Local Government Commission shall analyze the budgets and the
2 expenditures of school administrative units that receive funds under this section in light
3 of their budgets and expenditures for the previous year and shall determine whether
4 those funds were used to supplement and not supplant State and local funding for public
5 schools. The Local Government Commission shall report the results of its study to the
6 State Board of Education, to the Joint Legislative Education Oversight Committee, and
7 to the Appropriations Committees of the Senate and the House of Representatives, prior
8 to May 1, 1992, and May 1, 1993.

9 (d) Minimum Effort Required. – Counties that receive funding under this
10 section shall maintain an effective county tax rate that is at least one hundred percent
11 (100%) of the State average effective tax in the most recent year for which data are
12 available.

13 (e) Counties that receive funds under this section shall report to the State
14 Board of Education before March 1 each year on how they are using the funds for the
15 fiscal year. The State Board of Education shall report to the Joint Legislative Education
16 Oversight Committee prior to May 1, 1992, and May 1, 1993, on how the funds are
17 being used.

18 —EXTENDED SCHOOL DAY

19 Sec. 10. G.S. 115C-84(a) reads as rewritten:

20 "(a) School Day. – The length of the school day shall be determined by the several
21 local boards of education for all public schools in their respective local school
22 administrative units, and the minimum time for which teachers shall be employed in the
23 schoolroom or on the grounds supervising the activities of children shall not be less than
24 six hours: Provided, the several local boards of education may adopt rules and
25 regulations allowing handicapped pupils, kindergarten pupils, and pupils attending the
26 first, second, and third grades to attend school for a period less than six hours. The
27 superintendent of the several local boards of education, in the event of an emergency,
28 act of God, or any other conditions requiring the termination of classes before six hours
29 have elapsed, may suspend the operation of any school for that particular day without
30 loss of credit to the pupil or loss of pay to the teacher.

31 The General Assembly urges the local boards of education to expand the length of
32 the school day so that it includes at least six hours of instructional time."

33 —SCHOOL TO WORK TRANSITION

34 Sec. 11. (a) There is appropriated from the General Fund to the Department
35 of Public Education the sum of \$2,500,000 for the 1991-92 fiscal year for grants to
36 community colleges and local school administrative units to implement "Tech Prep",
37 which is mandated in G.S. 115C-81(a1), as rewritten by subsection (b) of this section.

38 (b) G.S. 115C-81(a1) reads as rewritten:

39 "(a1) The Basic Education Program shall describe the education program to be
40 offered to every child in the public schools. It shall provide every student in the State
41 equal access to a Basic Education Program. Instruction shall be offered in the areas of
42 arts, communication skills, physical education and personal health and safety,
43 mathematics, media and computer skills, science, second languages, social studies, and
44 vocational education.

1 Instruction in vocational education under the Basic Education Program shall be
2 based on factors including:

- 3 (1) The integration of academic and vocational education;
- 4 (2) A sequential course of study leading to both academic and
5 occupational competencies;
- 6 (3) Increased student work skill attainment and job placement;
- 7 (4) Increased linkages, where geographically feasible, between public
8 schools and community colleges, so the public schools can emphasize
9 academic preparation and the community colleges can emphasize
10 specific job training; and
- 11 (5) Instruction and experience, to the extent practicable, in all aspects of
12 the industry the students are prepared to enter."

13 —OUTCOME-BASED EDUCATION

14 Sec. 12.(a) Article 16 of Chapter 115C of the General Statutes is amended by
15 adding a new Part to read:

16 **"PART 5. OUTCOME-BASED EDUCATION PROGRAM.**

17 **"§ 115C-238.12. Purpose of program.**

18 An outcome-based education program is a program in which expectations for
19 student achievement are clearly stated in terms of knowledge, skills, and attitudes.
20 Students develop skills and attitudes to maximize the acquisition of knowledge. The
21 program recognizes that achievement occurs as a result of individual and developmental
22 progress towards goals, and reflects that students learn at different rates using varying
23 learning styles. Outcome-based education measures achievement periodically
24 throughout the learning process and is the criteria for high school graduation.
25 Measurement of student achievement is implemented by teachers to complement varied
26 learning growth and styles. The results of those measurements are used to determine
27 when a student understands and has mastered the material and is ready to move forward
28 in the learning process.

29 **"§ 115C-238.13. Implementation of the project by the State Board of Education.**

30 (a) The State Board of Education shall develop and implement an outcome-based
31 education program. The State Board of Education shall select four sites to participate in
32 the program for five fiscal years beginning with the 1992-93 fiscal year. The first year
33 of the project shall be a year for the sites to plan their projects. The remaining four
34 years shall be to implement the projects and to demonstrate their effectiveness.

35 (b) The State Board of Education shall adopt expectations for student
36 achievement, necessary for students to function successfully in the next century. These
37 expectations shall be consistent with national education goals recommended by the
38 National Governors' Association in 1990. The State Board of Education, after
39 consultation with the Board of Governors of The University of North Carolina, the State
40 Board of Community Colleges, representatives of independent colleges, representatives
41 of the business community, representatives of the Department of Public Instruction,
42 representatives of local school administrative units, principals, teachers, and parents,
43 shall adopt proficiencies that are required for graduation from high school. These

1 expectations and proficiencies shall be adopted no later than June 15, 1992, and shall be
2 used by the sites to develop their local outcome-based education projects.

3 The proficiencies that are required for graduation from high school may include:

4 (1) Writing – High school graduates will be able to organize complex,
5 demanding, and extended subject matter clearly and effectively. They
6 will produce structured writings in which relationships between
7 successive paragraphs are signaled by connective words and phrases.
8 They will punctuate their writing so that meaning and structure are
9 clear.

10 (2) Reading – High school graduates will be able to make independent and
11 discriminating selections from a range of reference materials; retrieve
12 information from those materials using techniques such as skimming;
13 and evaluate and synthesize information from different parts of a text
14 or different texts.

15 (3) Mathematics – High school graduates will be able to present a set of
16 complex data in a simplified form using a variety of diagrams and
17 graphs.

18 (c) The State Board of Education, the Board of Governors of The University of
19 North Carolina, and the State Board of Community Colleges shall work jointly to
20 develop a mechanism by which the institutions of higher education accept certification
21 of proficiencies on high school transcripts in lieu of Carnegie units.

22 **§ 115C-238.14. Selection of sites.**

23 (a) No later than October 10, 1991, the State Board of Education shall develop a
24 competitive process for the selection of project sites.

25 (b) No later than November 30, 1991, the Department of Public Instruction shall
26 initiate the competitive process for the selection of project sites and shall conduct
27 regional briefings for local school administrative units interested in submitting
28 proposals. The regional briefings shall provide detailed information about outcome-
29 based education models so local school administrative units can decide whether to
30 compete for selection as a project site.

31 (c) No later than February 29, 1992, local school administrative units shall
32 submit their proposals to the Department of Public Instruction. The proposal may cover
33 all or part of the schools in a local school administrative unit.

34 The proposal shall include information regarding the local school administrative
35 unit's plan for, ability to, and commitment to complying with the following
36 requirements for local programs:

37 (1) The program shall ensure that all students have access to a common
38 core of knowledge and that all students are treated equitably.

39 (2) Student advancement shall be based on the mastery of the
40 proficiencies adopted by the State Board of Education pursuant to G.S.
41 115C-238.13(b).

42 (3) Students shall be allowed to progress at different rates; however,
43 expectations for progress shall be based on the goal that all students

1 master the proficiencies required for high school graduation. Computer
2 assisted, personal education plans shall be available for every student.

3 (4) Parents and guardians shall be involved in a student's selection of high
4 school completion options.

5 (5) Teachers and principals shall have a major role in development of
6 local projects.

7 (6) A majority of the teachers and principals who will participate in the
8 pilot project shall approve the proposal for selection as a pilot site and
9 the plans for the local program before they are submitted to the
10 Department of Public Instruction.

11 (7) Programs shall provide each student a school-based adult advocate to
12 foster self-esteem, protect learning options, ensure that student needs
13 are being met, and ensure that students are being treated equitably.

14 (8) Projects shall be shared with the public. Annual reports describing
15 program goals, activities, and accomplishments shall be made
16 available to the public. The reports shall contain specific information
17 regarding the contributions of teachers, administrators, and the local
18 board of education to the program, and to student progress under the
19 program.

20 (d) The Department of Public Instruction shall review the proposals and shall
21 transmit its recommendations regarding the sites to the State Board of Education no
22 later than April 30, 1992. The Department of Public Instruction shall involve an
23 advisory committee comprised of business leaders, legislators, school board members,
24 public school administrators, and other educators in the review process.

25 (e) The State Board of Education shall select the project sites no later than June
26 15, 1992. The State Board shall base its decision on the local school administrative
27 units' plans for, ability to, and commitment to complying with the requirements for local
28 programs set out in subsection (c) of this section.

29 **§ 115C-238.15. Development of local programs by the project sites.**

30 (a) From June 15, 1992, through March 15, 1993, the project sites shall develop
31 their local programs. No later than March 15, 1993, the sites shall submit their plans to
32 the Department of Public Instruction for review. No later than May 30, 1993, the
33 Department shall review the plans and work with the sites to assure that the plans carry
34 out the provisions of this Part.

35 (b) The Department of Public Instruction shall provide technical assistance to the
36 sites in developing their local programs.

37 (c) In developing its local plan, each local school administrative unit shall select
38 the outcome-based education model to be followed. Each local school administrative
39 unit shall determine the instructional programs and strategies used to develop student
40 proficiencies at its site. Under the plan, teachers shall determine when the proficiencies
41 of a group of students are assessed; provided, however, State-administered tests shall be
42 used to test proficiencies at a site no more than four times a year. Student advancement
43 shall be determined by school-based personnel assigned to oversee the instructional
44 program of a group of students.

1 (d) In developing and administering local projects, local boards of education
2 need broad decision-making authority so that teachers and administrators at the sites can
3 experiment with the instructional activities that meet the instructional needs in that
4 particular setting. Each local school administrative unit shall set forth in its plan, with
5 specificity, those aspects of the plan that would be enhanced by flexibility with regard
6 to statutes and regulations. The State Board of Education may grant each local school
7 administrative unit such flexibility with regard to statutes and regulations as it finds
8 necessary and appropriate to implement a local program (i) so long as the projects and
9 activities are carried out within total funds available for that purpose and (ii) so long as
10 the State Board of Education does not find as a fact that the flexibility is being abused.

11 The State Board of Education shall report such flexibility with regard to statutes and
12 regulations contained in any projects or proposed changes to projects to the Joint
13 Legislative Commission on Governmental Operations.

14 (e) Local projects may include model accountability programs that meet the
15 needs of the project sites. To the extent that the State Board of Education finds that
16 these accountability programs provide sufficient data for oversight, they may be used
17 instead of other State-mandated programs.

18 (f) Local projects shall include plans to train and retrain teachers, administrators,
19 and school board members to implement the projects.

20 **"§ 115C-238.16. Approval and implementation of plans.**

21 (a) Between March 15, 1993, and June 1, 1993, the State Board of Education
22 shall receive plans for projects from the project sites and the comments of the
23 Department of Public Instruction regarding the projects.

24 (b) No later than June 15, 1993, the State Board of Education shall approve the
25 plans for the projects, approve the plans with modifications, or reject the plans.

26 (c) The project sites shall begin implementation immediately of projects
27 approved, or approved with modifications, by the State Board.

28 **"§ 115C-238.17. Annual assessment and reapproval of plans.**

29 (a) Between March 15 and May 15 of each subsequent year of the project, the
30 projects shall submit to the Department of Public Instruction any data requested by the
31 Department of Public Instruction or the State Board of Education and any proposed
32 changes in the projects. No later than May 30 each year, the Department shall review
33 the data and the proposed changes in the plans for the projects and shall work with the
34 project sites to assure that the plans carry out the provisions of this Part.

35 (b) Between March 15 and June 1 of each subsequent year, the State Board of
36 Education shall receive the data requested and the proposed changes in plans for
37 projects from the project sites and shall receive the comments of the Department of
38 Public Instruction regarding the data and the proposed changes in the projects. The
39 State Board shall also consider the results of audits and evaluations performed pursuant
40 to G.S. 115C-238.18.

41 (b) No later than June 15 of each subsequent year, the State Board of Education
42 shall reapprove the plans and any changes for the projects, reapprove the plans and any
43 changes with modifications, or reject the plans.

1 (c) The project sites shall begin implementation immediately of projects
2 reapproved, or reapproved with modifications, by the State Board.

3 **"§ 115C-238.18. Evaluation of program.**

4 (a) State-Level Program Evaluation Procedures. – A program audit shall be
5 conducted by the Office of the State Auditor following the first and second years of the
6 program. The audit shall certify that the State Board of Education and State Department
7 of Public Instruction have implemented procedures as specified by the General
8 Assembly. The audit shall focus on the autonomy and flexibility given to local school
9 administrative units in the development of outcome-based education models and plans
10 so as to determine if the appropriate amount of autonomy and flexibility was sought and
11 granted and if the autonomy and flexibility were used properly.

12 (b) Local-Level Program Evaluation Procedures. –

13 (1) The program audit conducted by the Office of the State Auditor
14 following the second year of the program shall include a local-level
15 procedures component. The audit shall certify that local plans contain
16 elements as specified by the General Assembly. The audit shall also
17 certify that teachers and building level administrators were involved in
18 the development of plans.

19 (2) The Department of Public Instruction shall conduct a process
20 evaluation of each pilot site following the second through sixth years
21 of the program. The evaluation shall determine how well plans have
22 been implemented. The evaluation shall focus on staff development,
23 organizational and instructional activities, and the involvement and
24 acceptance of the project by all concerned groups including the board
25 of education, administrators, teachers, parents, students, and the
26 business community.

27 (c) Student-Level Outcomes Evaluation. –

28 (1) Local pilot sites shall develop and implement accountability models
29 designed to measure student outcomes. The plans shall include the use
30 of tests available through the State's testing program. Accountability
31 models shall be part of the site plans submitted to the State Board for
32 approval.

33 (2) The State Department of Public Instruction shall audit the
34 implementation of accountability models. Audits shall be conducted
35 following the third, fourth, fifth, and sixth years of the program.

36 (3) The State Department of Public Instruction shall conduct a summative
37 evaluation following the sixth year of the program. Student outcomes
38 shall be the focus of the summative evaluation.

39 (d) Reports to the General Assembly. – The State Board of Education shall
40 submit a summative evaluation report on the projects to the General Assembly no later
41 than March 15, 1998.

42 **"§ 115C-238.19. Solicitation of private funds for additional sites.**

43 The State Board of Education shall design and implement a program for soliciting
44 private funds to support the outcome-based education pilot sites. As funds become

1 available, the State Board may request that the General Assembly authorize additional
2 sites to participate in the program."

3 (b) There is appropriated from the General Fund to the Department of Public
4 Education the sum of \$4,000,000 for the 1992-93 fiscal year to implement the outcome-
5 based education program at four sites pursuant to subsection (a) of this section. These
6 funds shall be allocated on the basis of \$500.00 for each State-funded certificated
7 employee participating in the program. These funds shall be used (i) for staff
8 development activities, including planning activities, for teachers, administrators, and
9 school board members, (ii) to pay substitute teachers while teachers are engaged in staff
10 development activities, and (iii) to pay 10-month employees for participating in staff
11 development activities, including planning activities during the summer.

12 It is the intent of the General Assembly to appropriate an additional
13 \$4,000,000 each year for the 1993-94 through 1996-97 fiscal years to complete the
14 implementation of the outcome-based education program at the four sites.

15 —SCHOOL ADMINISTRATOR TRAINING AND CERTIFICATION

16 Sec. 13.(a) G.S. 115C-284 reads as rewritten:

17 "**§ 115C-284. Method of selection and requirements.**

18 (a) Principals and supervisors shall be elected by the local boards of education
19 upon the recommendation of the superintendent, in accordance with the provisions of
20 G.S. 115C-276(j).

21 (b) In the city administrative units, principals shall be elected by the board of
22 education of such administrative unit upon the recommendation of the superintendent of
23 city schools.

24 (c) The State Board of Education shall have entire control of certifying all
25 applicants for supervisory and professional positions in all public elementary and high
26 schools of North Carolina; and it shall prescribe the rules and regulations for the
27 renewal and extension of all certificates, and shall determine and fix the salary for each
28 grade and type of certificate which it authorizes. Provided, that the State Board of
29 Education shall require each applicant for an initial certificate or graduate certificate to
30 demonstrate his academic and professional preparation by achieving a prescribed
31 minimum score at least equivalent to that required by the Board on November 30, 1972,
32 on a standard examination appropriate and adequate for that purpose: Provided, further,
33 that in the event the Board shall specify the National Teachers Examination for this
34 purpose, the required minimum score shall not be lower than that which the Board
35 required on November 30, ~~1972~~-1971: Provided, further, that the Board shall not issue
36 provisional certificates for principals and assistant principals.

37 (c1) It is the policy of the State of North Carolina to maintain the highest quality
38 principal and assistant principal education programs in order to enhance the competence
39 of professional personnel certified in North Carolina. To ensure that principal and
40 assistant principal preparation programs are upgraded to reflect a more rigorous course
41 of study, the State Board of Education shall submit to the General Assembly not later
42 than March 1, 1992, a plan to promote this policy. In developing this plan, the State
43 Board shall consider (i) requiring these programs to include additional preparation for
44 site-based decision making and for the additional autonomy being granted to local

1 schools units, (ii) enhancing program entrance requirements to include assessment of an
2 applicant's ability to complete the program and to perform as a principal, and (iii)
3 enhancing the overall content of the programs.

4 The State Board of Education, as lead agency in coordination and cooperation with
5 the University Board of Governors and such other public and private agencies as are
6 necessary, shall refine the several certification requirements, standards for approval of
7 institutions of principal and assistant principal education, standards for institution-based
8 innovative and experimental programs, and standards for improved efficiencies in the
9 administration of the approved programs.

10 (d) Repealed by Session Laws 1989, c. 385, s. 1.

11 (d1) It is the policy of the State of North Carolina that, subsequent to the adoption
12 of a system of classroom teacher differentiation and prerequisites to candidacy for
13 principal, a classroom teacher must have attained at least the second level of
14 differentiation, have at least four years of classroom teaching experience, and possess,
15 at least, a Masters Degree in Education Administration. This subsection shall not apply
16 to educational personnel certified as of July 1, 1984.

17 (e) It shall be unlawful for any board of education to employ or keep in service
18 any principal or supervisor who neither holds nor is qualified to hold a certificate in
19 compliance with the provision of the law or in accordance with the regulations of the
20 State Board of Education.

21 (f) The allotment of classified principals shall be one principal for each duly
22 constituted school with seven or more state-allotted teachers and shall be included in the
23 calculation of the allotment of general teachers set out in G.S. 115C-301(b)(i).

24 (g) Local boards of education shall have authority to employ supervisors in
25 addition to those that may be furnished by the State when, in the discretion of the board
26 of education, the schools of the local school administrative unit can thereby be more
27 efficiently and more economically operated and when funds for the same are provided
28 in the current expense fund budget. The duties of such supervisors shall be assigned by
29 the superintendent with the approval of the board of education.

30 (h) All principals and supervisors employed in the public schools of the State or
31 in schools receiving public funds, shall be required either to hold or be qualified to hold
32 a certificate in compliance with the provision of the law or in accordance with the
33 regulations of the State Board of Education: ~~Provided, that nothing herein shall prevent the~~
34 ~~employment of temporary personnel under such rules as the State Board of Education may~~
35 ~~prescribe. Education."~~

36 (b) G.S. 115C-289 reads as rewritten:

37 **"§ 115C-289. Assignment of principal's duties to assistant or acting principal;**
38 **duties of State-funded assistant principals.**

39 (a) Any duty or responsibility assigned to a principal by statute, State Board of
40 Education regulation, or by the superintendent may, with the approval of the local board
41 of education, be assigned by the principal to an assistant principal designated by the
42 local board of education or to an acting principal designated by a principal.

43 (b) ~~Except as provided in subsection (c), all~~ All persons employed as assistant
44 principals in State-allotted positions, or as assistant principals in full-time positions

1 regardless of funding source, in the public schools of the State or in schools receiving
2 public funds, shall, in addition to other applicable requirements, be required either to
3 hold or be qualified to hold a principal's certificate in compliance with applicable law
4 and in accordance with the regulations of the State Board of Education. ~~Except as~~
5 ~~provided in subsection (e), it~~ It shall be unlawful for any board of education to employ or
6 keep in service any assistant principal who neither holds nor is qualified to hold a
7 principal's certificate in compliance with applicable law and in accordance with the
8 regulations of the State Board of Education. ~~Nothing herein shall prevent the employment~~
9 ~~of temporary personnel under such rules as the State Board of Education may prescribe.~~

10 (e) ~~Subsection (b) shall not apply to any person who was employed as an~~
11 ~~assistant principal in either a full- or part-time position during the 1986-87 school term~~
12 ~~until the first day of the 1990-91 school term. Such persons shall meet all other~~
13 ~~requirements which are applicable to teachers generally. In addition, the local board of~~
14 ~~education may in its discretion require that any person employed as an assistant~~
15 ~~principal make satisfactory progress, as determined by the local board, toward meeting~~
16 ~~the requirements for certification as a principal.~~

17 (d) Assistant principals paid from State funds shall not have regularly assigned
18 teaching duties."

19 (c) Chapter 115C of the General Statutes is amended by adding a new section to
20 read:

21 **"§ 115C-12.1. Training of State Board members.**

22 The State Board of Education shall establish minimum training requirements for
23 members of the State Board of Education. All Board members shall participate in
24 training programs, as required by the State Board."

25 (d) Chapter 115C of the General Statutes is amended by adding a new section to
26 read:

27 **"§ 115C-50. Training of board members.**

28 All members of local boards of education shall receive a minimum of 12 clock hours
29 of training annually. The training shall include but not be limited to public school law,
30 public school finance, and duties and responsibilities of local boards of education. The
31 training may be provided by the North Carolina School Boards Association, the Institute
32 of Government, or other qualified sources at the choice of the local board of education."

33 (e) Chapter 116 of the General Statutes is amended by adding a new section
34 to read:

35 **"§ 116-11.2. Duties regarding programs in education administration.**

36 The Board of Governors shall direct the constituent institutions with programs in
37 education administration to revise the programs to reflect any increased standards
38 required for programs approved by the State Board of Education, including new
39 requirements for school-based leadership in the public schools. The Board of
40 Governors shall monitor the programs and devise an assessment plan for all programs
41 leading to certification in education administration."

42 (f) There is appropriated from the General Fund to the Board of Governors of
43 The University of North Carolina the sum of \$150,000 for the 1991-92 fiscal year and
44 the sum of \$570,000 for the 1992-93 fiscal year to expand the Principals Executive

1 Program operated by the Institute of Government. Of these funds, the sum of \$150,000
2 for the 1991-92 fiscal year and the sum of \$150,000 for the 1992-93 fiscal year shall be
3 used to expand the program at the Chapel Hill site; the sum of \$420,000 for the 1992-93
4 fiscal year shall be used to provide the program at additional sites throughout the State
5 and to offer the program to assistant principals.

6 —EARLY INTERVENTION, DEVELOPMENTAL SERVICES, AND EDUCATION
7 FOR HANDICAPPED CHILDREN

8 Sec. 14.(a) There is appropriated from the General Fund to the Department of
9 Human Resources the sum of \$1,329,293 for the 1991-92 fiscal year and the sum of
10 \$4,145,289 for the 1992-93 fiscal year for early intervention and preschool services for
11 children from birth through 4 years of age, to be allocated as follows:

12 (1) Fiscal year 1991-92:

- 13 a. \$832,338 for preschool services for blind and visually impaired
14 children; and
15 b. \$496,955 for preschool services for deaf and hearing impaired
16 children.

17 (2) Fiscal year 1992-93:

- 18 a. \$2,040,820 for child developmental disabilities;
19 b. \$1,527,318 for preschool services for blind and visually
20 impaired children; and
21 c. \$577,151 for preschool services for deaf and hearing impaired
22 children.

23 (b) There is appropriated from the General Fund to the Department of
24 Environment, Health, and Natural Resources, the sum of \$3,093,512 for the 1991-92
25 fiscal year and the sum of \$6,031,131 for the 1992-93 fiscal year for developmental
26 services for children from birth through 2 years of age, to be allocated as follows:

27 (1) Fiscal year 1991-92:

- 28 a. \$878,172 for the expansion of child services coordination;
29 b. \$162,196 for the expansion of nutrition services;
30 c. \$467,144 for the expansion of special therapies; and
31 d. \$1,586,000 for the expansion of evaluation services.

32 (2) Fiscal year 1992-93:

- 33 a. \$1,762,646 for the expansion of child services coordination;
34 b. \$162,196 for the expansion of nutrition services;
35 c. \$934,289 for the expansion of special therapies; and
36 d. \$3,172,000 for the expansion of evaluation services.

37 (c) There is appropriated from the General Fund to the Department of Public
38 Education the sum of \$16,492,183 for the 1991-92 fiscal year and the sum of
39 \$20,338,040 for the 1992-93 fiscal year for education for handicapped children from 3
40 through 4 years of age.

41 —EFFECT OF HEADINGS

42 Sec. 15. The headings to the sections of this act are a convenience to the
43 reader and are for reference only. The headings do not expand, limit, or define the text
44 of the act.

1 —EFFECTIVE DATE

2 Sec. 16. Except as otherwise provided, this act becomes effective July 1,
3 1991.