

GENERAL ASSEMBLY OF NORTH CAROLINA

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SENATE BILL 732*
Education Committee Substitute Adopted 5/1/91
Third Edition Engrossed 7/2/91
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Short Title: Project Genesis Established.

(Public)

Sponsors:

Referred to:

April 22, 1991

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE PROJECT GENESIS PROGRAM, AN
EXPERIMENT WITH A RESTRUCTURED SCHOOL APPROACH FOR THE
PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

Section 1. Article 16 of Chapter 115C of the General Statutes is amended by
adding a new Part to read:

“PART 6. PROJECT GENESIS PROGRAM.

“§ 115C-238.22. Creation of program; purpose.

(a) The State Board of Education shall permit Gaston and Johnston County
school administrative units to establish Project Genesis Pilot Programs.

(b) The purpose of the pilot program shall be to enable up to two schools in each
participating local school administrative unit to experiment with a restructured school
approach that would combine the concepts of flexibility, competitive bidding on the
management of schools, and accountability. Participating local school administrative
units shall have two years to (i) determine the feasibility of the project, (ii) secure
private funding for any additional funds required for the project, (iii) lay the
groundwork for the project, and (iv) if they decide to proceed with the project, begin
experimentation in not more than two schools per local school administrative unit.

“§ 115C-238.23. Implementation by local school boards.

1 If a school administrative unit decides to proceed with the project the following
2 procedures shall be followed:

3 (a) The local board in a participating local school administrative unit shall select
4 a school building that is under construction as its first school under the project.

5 (b) The local board shall issue a request for proposals for leadership teams to bid
6 to operate the selected school. A team shall mean three or more individuals. To reflect
7 the diversity required to implement the purpose of the project defined in G.S. 115C-
8 238.22, the abilities and experience of team members may include: administrative and
9 educational policy and planning skills; familiarity with technology for schools;
10 management and classroom experience; and familiarity with the needs of diverse and
11 special populations. One member shall be designated as the principal or leader of the
12 team. At least twenty-five percent (25%) of the team members shall be certificated in
13 accordance with the regulations of the State Board of Education or G.S. 115C-238.6.

14 Team members awarded the contract shall, if not already, become employees of the
15 local board and become subject to local personnel policies.

16 (c) The request for proposals shall include the following minimum requirements:

17 (1) A statement of principles that the local board wants the bidding teams
18 to address;

19 (2) A specified amount of money available for the operation of the
20 building, which amount shall be within the limits of funds available for
21 the size of school being opened for bid;

22 (3) A framework for accountability plans by which the success of the
23 project site can be measured, which accountability plans shall include
24 the student performance indicators adopted by the State Board of
25 Education pursuant to G.S. 115C-238.1(3), and shall include factors
26 such as student, parent, and employee satisfaction, parental
27 involvement, community service, and evidence of a focus on
28 developing thinking and reasoning skills;

29 (4) The student population of a Genesis school shall be representative of
30 its local school administrative unit, shall be racially balanced, and
31 students shall be assigned on a geographic basis;

32 (5) The mission of the school shall not establish religion nor prohibit the
33 free exercise thereof insofar as that is permitted in a public school by
34 the North Carolina and United States Constitutions; and

35 (6) Bidding teams shall address how the criteria listed in G.S. 115C-81(b)
36 will be met or varied by the Genesis program.

37 The local board may include other requirements in the request for proposals.

38 (d) The local board shall secure private funding for any additional non-State and
39 nonlocal funds required for the project before awarding a contract to a team to operate
40 the selected school.

41 (e) The local board shall appoint an advisory committee composed of educators,
42 elected officials, parents of children enrolled in the local school administrative unit, and
43 community leaders from within and without the local school administrative unit to

1 screen proposals for the school building and to make recommendations to the local
2 board of education on the proposals.

3 The local board shall consider the recommendations of the advisory committee and
4 shall award the contract. All contract negotiations and the award of the contract shall be
5 conducted in open session notwithstanding G.S.143-318.11(a)(9). The contract shall be
6 for a term not to exceed four years. It may be terminated by the local board at any time
7 for any reason it deems sufficient; it may be terminated by the team for any reason it
8 deems sufficient, but only at the end of a school year and only with 60 days' written
9 notice to the local board of education.

10 (f) The team that receives the contract shall interview and select all personnel for
11 the building. The team may select personnel from the current employees of the local
12 board. All teachers employed in a Genesis school shall hold or be qualified to hold a
13 certificate in accordance with the regulations of the State Board of Education or G.S.
14 115C-238.6. The local board shall hire those persons selected by the team so long as
15 those positions are within State, local, and other funds approved for this project by the
16 local board. In no event shall a local board dismiss or demote any employee pursuant to
17 G.S. 115C-325(e)(1)l. as a result of a Genesis project.

18 Hiring shall take place no later than July 1, prior to the opening of the new building.
19 The team shall begin conducting training and planning sessions as staff is hired.

20 The local board or the management team may employ noncertificated persons on a
21 temporary basis or for special projects.

22 (g) The participating school building team shall initiate a comprehensive
23 accountability program immediately. The results shall be published annually and
24 compared to those of traditional schools.

25 (h) After the third and fourth years of the project, the local board shall review
26 student outcome results of the existing project site. After the fourth year of the project
27 the local board may decide whether to continue the project in the first school and
28 whether an additional building within the school system shall be added to the project. If
29 the board decides to expand the project to a second school the procedures outlined in
30 this section shall be followed.

31 The second school chosen for the project shall be an existing school that is
32 producing below average results in student achievement as compared to other schools in
33 the unit. Criteria which may be considered to evaluate student achievement may
34 include: test scores, the success of graduating students, attendance, graduation and
35 dropout rates, the numbers of children enrolled in free lunch or Chapter 1 programs, the
36 education level of the parents of children enrolled in the school, the teaching experience
37 of the school staff, and whether the building has been successful in meeting the goals of
38 the systemwide plan developed in accordance with G.S. 115C-238.1 through G.S.
39 115C-238.6.

40 **"§ 115C-238.24. Grants of flexibility by the State Board.**

41 In implementing local projects, local boards need broad decision-making authority
42 so that local boards and participating school leadership teams can carry out the activities
43 that meet the needs of students in that particular building. Each participating local
44 school administrative unit may request from the State Board of Education, with

1 specificity, those aspects of its project implementation that would be enhanced by
2 flexibility with regard to statutes, policies, and regulations. Upon the recommendation
3 of the State Superintendent, the State Board of Education may grant each local school
4 administrative unit such flexibility with regard to Chapter 115C of the General Statutes,
5 and its policies, and regulations, including the waivers allowed under G.S. 115C-
6 238.6(a)(1) and (a)(2), as it finds necessary and appropriate to implement a local project
7 so long as (i) the total amount of State funds expended for the project does not exceed
8 the amount of State funds available for a school with that average daily membership; (ii)
9 no health or safety standards relating to schools or school transportation are lowered;
10 (iii) the State Board of Education does not find as a fact that the flexibility is being
11 abused; (iv) the provisions of G.S. 115C-325 shall not be waived for any certificated
12 teacher working in a Genesis school; and (v) the standard course of study is included in
13 the education program offered to every child in the Genesis school.

14 Article 2A of Chapter 150B of the General Statutes shall not apply to actions by the
15 State Board of Education when waiving its rules under this subsection.

16 The State Board of Education shall report annually waivers granted with regard to
17 statutes, policies, and regulations to the Joint Legislative Education Oversight
18 Committee.

19 **"§ 115C-238.25. Reporting requirements; evaluation.**

20 (a) Each participating local school administrative unit shall submit an annual
21 report one year after the local school administrative unit has awarded a contract, and
22 every year thereafter, to the General Assembly, the Joint Legislative Education
23 Oversight Committee, the Superintendent of Public Instruction, and the State Board of
24 Education. The report shall include a comprehensive financial accounting itemizing the
25 amount of and uses of all public and private funds expended for the Genesis school, and
26 all services, equipment, and other resources donated to the school, a description of any
27 accountability plans implemented pursuant to G.S. 115C-238.23(c)(3), and a description
28 of the student achievement resulting from the implementation of those accountability
29 plans.

30 (b) The State Board of Education shall conduct an independent evaluation of
31 each Genesis school and the overall project. The State Board of Education shall report
32 the results of the evaluation to the General Assembly and the Joint Legislative
33 Education Oversight Committee as soon as possible but no later than January 15, 1998."

34 Sec. 2. This act is effective upon ratification.