

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 382

Short Title: GPAC/School Accountability Mandatory.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to: Government Performance Audit.

February 24, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT A RECOMMENDATION OF THE GOVERNMENT
PERFORMANCE AUDIT COMMITTEE TO MAKE THE PERFORMANCE-
BASED ACCOUNTABILITY PROGRAM MANDATORY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-238.2 reads as rewritten:

"§ 115C-238.2. **Local participation in the Program ~~voluntary;~~ mandatory; the
benefits of ~~local participation.~~ the program.**

(a) Local school administrative units ~~may, but are not required to,~~ shall participate
in the Performance-based Accountability Program.

(b) ~~Local~~ As a result of the Performance-based Accountability Program, local
school administrative ~~units that participate in the Performance-based Accountability Program:~~
units:

(1) Are exempt from State requirements to submit reports and plans, other
than local school improvement plans, to the Department of Public
Education; they are not exempt from federal requirements to submit
reports and plans to the Department.

(2) Are subject to the performance standards but not the opportunity
standards or the staffing ratios of the State Accreditation Program.
The performance standards in the State Accreditation Program,
modified to reflect the results of end-of-course and end-of-grade tests,
may serve as the basis for developing the student performance
indicators adopted by the State Board of Education pursuant to G.S.
115C-238.1.

- 1 (3) May receive funds for differentiated pay for teachers and
2 administrators, in accordance with G.S. 115C-238.4, if they elect to
3 participate in a differentiated pay plan.
- 4 (4) May be allowed increased flexibility in the expenditure of State funds,
5 in accordance with G.S. 115C-238.5.
- 6 (5) May be granted waivers of certain State laws, regulations, and policies
7 that inhibit their ability to reach local accountability goals, in
8 accordance with G.S. 115C-238.6(a).
- 9 (6) Shall continue to use the Teacher Performance Appraisal Instrument
10 (TPAI) for evaluating beginning teachers during the first three years of
11 their employment; they may, however, develop other evaluation
12 approaches for teachers who have attained career status.

13 The Department of Public Instruction shall provide technical
14 assistance, including the provision of model evaluation processes and
15 instruments, to local school administrative units that elect to develop
16 dual personnel evaluation processes. A dual personnel evaluation
17 process includes (i) an evaluation designed to provide information to
18 guide teachers in their professional growth and development, and (ii)
19 an evaluation to provide information to make personnel decisions
20 pertaining to hiring, termination, promotion, and reassignment."

21 Sec. 2. G.S. 115C-238.3(a) reads as rewritten:

22 "(a) Development of systemwide plan by the local board of education. – The
23 board of education of ~~a each~~ local school administrative unit ~~that elects to participate in~~
24 ~~the Program~~ shall develop and submit a local school improvement plan for the entire
25 local school administrative unit to the State Superintendent of Public Instruction before
26 April 15 of the fiscal year preceding the fiscal year in which participation is sought.

27 A systemwide improvement plan shall remain in effect for no more than three
28 years."

29 Sec. 3. G.S. 115C-238.5 reads as rewritten:

30 "**§ 115C-238.5. Flexible funding.**

31 (a) For fiscal years beginning with the 1990-91 fiscal year, the State Board of
32 Education, only upon the recommendation of the State Superintendent, shall increase
33 flexibility in the use of State funds for schools by combining into a single funding
34 category the existing categories for instructional materials, supplies and equipment,
35 textbooks, testing support, and drivers education except for funds for classroom teachers
36 of drivers education. ~~Only local school administrative units electing to participate in the~~
37 ~~Performance-based Accountability Program shall be eligible to receive this flexible funding.~~

38 (b) Notwithstanding subsection (a) of this section, for fiscal years beginning with
39 the 1992-93 fiscal year, State funds for textbooks shall be set out in a separate allotment
40 category.

41 (c) Local boards of education shall provide maximum flexibility in the use of
42 funds to individual schools to enable them to accomplish their individual schools'
43 goals."

44 Sec. 4. G.S. 115C-238.6(b) reads as rewritten:

1 "(b) Local school administrative units shall continue to ~~participate in the Program~~
2 ~~and~~ receive funds for differentiated pay, if their local plans call for differentiated pay, so
3 long as (i) they demonstrate satisfactory progress toward student performance goals set
4 out in their local school improvement plans; or (ii) once their local goals are met, they
5 continue to achieve their local goals and they otherwise demonstrate satisfactory
6 performance, as determined by the State Superintendent in accordance with guidelines
7 set by the State Board of Education.

8 If the local school administrative units do not achieve their goals after two years, the
9 Department of Public Instruction shall provide them with technical assistance to help
10 them meet their goals. If after one additional year they do not achieve their goals, the
11 State Board of Education shall decide what steps shall be taken to improve the
12 education of students in the unit."

13 Sec. 5. This act becomes effective July 1, 1993.