

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1727

Short Title: ABC Pilot/Studies.

(Public)

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Sponsors: Representatives Arnold; and Pope.

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Referred to: Education, if favorable, Appropriations.

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May 25, 2000

A BILL TO BE ENTITLED

1  
2 AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO IMPLEMENT A  
3 PILOT PROGRAM TO INCREASE THE ACHIEVEMENT OF STUDENTS WHO  
4 ARE PERFORMING BELOW GRADE LEVEL, TO REPEAL THE "ADVANCED  
5 COMPETENCIES" PORTION OF THE EXCELLENT SCHOOLS ACT, TO  
6 PROHIBIT SMOKING IN SCHOOL BUILDINGS DURING INSTRUCTIONAL  
7 HOURS, TO REQUIRE THE STATE BOARD TO MAKE AN INTERIM REPORT  
8 AND RECOMMENDATIONS REGARDING THE DROPOUT  
9 PREVENTION/DRIVERS LICENSE LAW, TO REQUIRE THE JOINT  
10 LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY  
11 INCREASING THE MINIMUM AMOUNT OF INSTRUCTIONAL TIME AND  
12 THE CONTRACTUAL PERIOD FOR TEACHERS, AND TO APPROPRIATE  
13 FUNDS.

14 The General Assembly of North Carolina enacts:

15 Section 1. Section 8.36 of S.L. 1999-237 reads as rewritten:  
16 "Section 8.36. (a) The State Board of Education shall establish a pilot program  
17 in up to ~~five-10~~ local school administrative units ~~for the purpose of determining units.~~ The  
18 pilot program shall test one model in up to five local school administrative units as are  
19 designated under subsection (c) of this section and one model in up to five local school  
20 administrative units as are designated under subsection (d) of this section. The purpose

1 of the pilot program is to determine whether revisions in the present school accountability  
2 model under the ABCs Plan are likely to result in more students demonstrating mastery  
3 of grade level subject matter and skills on the end-of-grade tests or demonstrating  
4 mastery of course subject matter or skills on end-of-course tests. The State Board, in  
5 selecting pilot sites, shall consider geographical areas of the State and urban and rural  
6 areas.

7 The (b) Each revised school accountability model shall be common for all schools  
8 in all local school administrative units that participate in the pilot ~~program~~-program for  
9 that model. For purposes of the pilot program, the State Board shall disaggregate student  
10 performance within designated demographic groups or designated student performance  
11 level groups or both. The ~~pilot school accountability model~~-models shall use the same  
12 designated groups, shall take into account student performance for each designated ~~group~~  
13 group, and shall incorporate that performance in the overall school accountability model  
14 for the pilot program. The statewide ABCs Plan school accountability model also shall  
15 apply to the participating schools.

16 (c) During the 1999-2000 school year, the State Board shall select up to five local  
17 school administrative units to participate in the first model of the pilot program. The  
18 units shall be located geographically throughout the State, have different demographic  
19 profiles, and must have volunteered to participate in the program. A local board shall  
20 submit an application to the State Board in order to be considered for participation in the  
21 pilot program. Before a local board may submit an application to the State Board, it shall  
22 hold a public meeting and pass a resolution specifically approving its participation in the  
23 pilot program. The State Board shall implement the pilot program in the participating  
24 units during the 2000-2001 school year.

25 Personnel in schools that participate in ~~the pilot program~~-the first model and that  
26 achieve the pilot program school accountability goals shall be eligible to receive financial  
27 awards for that achievement. Personnel in schools that participate in ~~the pilot program~~-the  
28 first model and that achieve the statewide ABCs Plan school accountability goals also  
29 shall be eligible to receive financial awards under G.S. 115C-105.36. The financial  
30 awards for achieving the pilot program goals shall be separate from and in addition to the  
31 financial awards that are provided under G.S. 115C-105.36. All other statutory and  
32 regulatory provisions of the statewide ABCs Plan school accountability model shall apply  
33 to local school administrative units, schools, and school personnel that participate in the  
34 pilot program. Notwithstanding any other law and in accordance with G.S. 115C-  
35 325(a)(4), the following shall not constitute a demotion: the reduction or elimination  
36 of bonus payments under the pilot program; the termination of the pilot program in a  
37 local school administrative unit or all participating units; or the statewide  
38 implementation of the pilot program school accountability model in the place of or as  
39 incorporated into the current ABCs Plan school accountability standards.

40 The State Board shall set a uniform level of financial awards for personnel in schools  
41 that achieve the pilot program ~~goals~~-goals for the first model, and the awards may be up  
42 to seven hundred fifty dollars (\$750.00) for each teacher and certified personnel and up to  
43 three hundred twenty-five dollars (\$325.00) for each teacher assistant. The State Board

1 shall establish a match of twenty-five percent (25%) in local funds for participating  
2 school units that do not qualify for Low-Wealth or Small School supplemental funding.  
3 The match shall be used to meet the pilot program financial awards level in those school  
4 units.

5 (d) Beginning with the 2000-2001 school year, the State Board shall designate up  
6 to five local school administrative units to participate in the second model of the pilot  
7 program. Of the funds appropriated to implement the second model of the pilot program  
8 and at the beginning of each school year, the State Board shall allocate to each school in  
9 these units an amount per the number of students attending that school in grades three  
10 through eight who are performing below grade level. The amount allocated per student  
11 shall be the same for each local school administrative unit. Each school that receives  
12 funds under this subsection shall develop pedagogy or programs that can be replicated or  
13 otherwise used at other schools throughout the State.

14 At the end of each school year, the Board shall determine the student performance for  
15 each designated group in a school. Schools that demonstrate an increase in student  
16 performance for each designated group in grades three through eight are eligible to  
17 receive funds under this subsection the following school year. The State Board shall  
18 make public and disseminate the pedagogy and programs that were used at these schools.

19 The statewide ABCs Plan school accountability model also shall apply to the  
20 participating schools. The funds allocated under this subsection are separate from and in  
21 addition to the financial awards that are provided under G.S. 115C-105.36. All other  
22 statutory and regulatory provisions of the statewide ABCs Plan school accountability  
23 model shall apply to local school administrative units, schools, and school personnel that  
24 participate in the pilot program.

25 (e) The State Board shall evaluate the pilot program on an annual basis regarding  
26 its implementation in each participating unit, the student performance achieved by  
27 schools participating in the pilot, whether the student performance of students who  
28 qualify for free or reduced lunch is improved, and how the student performance in pilot  
29 program schools compares with the statewide results under the ABCs Plan. The State  
30 Board also shall determine whether the pilot program should be continued or terminated  
31 in each unit. The State Board may, in its discretion, terminate the pilot program in a  
32 local school administrative unit. The State Board shall terminate the pilot program in a  
33 local school administrative unit at the request of the unit's local board of education.  
34 However, the State Board shall not terminate a pilot program in a participating unit  
35 during the school year.

36 The (f) Beginning November 15, 1999, the State Board shall ~~make a preliminary~~  
37 ~~report annually to the Joint Legislative Education Oversight Committee by November~~  
38 ~~15, 1999, and prior to the selection of any local school administrative units to~~  
39 ~~participate in the pilot program regarding the development of the revised school~~  
40 ~~accountability model for the pilot program and the selection of local school~~  
41 ~~administrative units to participate in the program. Committee on the selection of~~  
42 participating local school administrative units and the development and implementation  
43 of the models in the pilot program. The Committee shall review the ~~report reports~~ and

1 may make any recommendations to the State Board the Committee deems appropriate.  
2 The State Board shall report again to the Joint Legislative Education Oversight  
3 Committee prior to March 15, 2000, regarding the selection of participating  
4 school administrative units, the implementation of the pilot program, the estimated cost  
5 of providing bonuses under the pilot program, and possible sources of funds for the  
6 bonuses. The State Board also shall report to the Joint Legislative Education Oversight  
7 Committee by October 15, 2001, and annually thereafter, its findings and  
8 recommendations regarding the continued implementation, expansion, and  
9 modification of the pilot program. determine which model, including the statewide  
10 model, is most effective at improving student achievement. The Board shall include in its  
11 annual reports its findings and recommendations regarding the continued implementation,  
12 expansion, or modification of any model.

13 (g) The Joint Legislative Education Oversight Committee shall study issues related  
14 to the development of a revised school accountability model including the  
15 disaggregation of student performance, models used in other states, and possible sources  
16 of funds for bonuses under a revised mode. The Committee may report its findings and  
17 recommendations to the 2000 Regular Session of the General Assembly, or to the 2001  
18 General Assembly.

19 (h) There is appropriated from the General Fund to State Aid for Local School  
20 Administrative Units the sum of four million six hundred thousand dollars (\$4,600,000)  
21 for the 2000-2001 fiscal year to implement the model created under subsection (d) of this  
22 section.

23 (i) This section becomes effective July 1, 1999, and expires with the payment of  
24 pilot program incentive awards for the 2004-2005 school year."

25 Section 2. G.S. 115C-296(f) reads as rewritten:

26 "(f) The State Board of Education, after consultation with the Board of Governors  
27 of The University of North Carolina, shall develop a new category of teacher certificate  
28 known as the "Masters/Advanced Competencies" certificate. To receive this certificate, an  
29 applicant shall successfully complete a masters degree program that includes rigorous  
30 academic preparation in the subject area which the applicant will teach and in the skills  
31 and knowledge expected of a master teacher ~~or the applicant shall demonstrate to the~~  
32 ~~satisfaction of the State Board that the candidate has acquired the skills and knowledge expected~~  
33 ~~of a master teacher.~~

34 Persons who qualify for a "G" certificate prior to September 1, 2000, shall be awarded  
35 a "Masters/Advanced Competencies" certificate without meeting additional requirements.  
36 On and after September 1, 2000, no additional "G" certificates shall be awarded."

37 Section 3. G.S. 115C-47 is amended by adding a new subdivision to read:

38 "(39) To Prohibit Smoking in School Buildings. – Local boards of education  
39 shall adopt policies that prohibit smoking in school buildings during  
40 instructional hours."

41 Section 4. Section 7 of S.L. 1997-507 reads as rewritten:

42 "Section 7. The State Board of Education shall study (i) the effectiveness of this act  
43 on the dropout rates and progress toward graduation of students under the age of ~~18-18,~~

1 and (ii) whether this act should be repealed. The State Board shall make an interim  
2 report on the results of this study to the Joint Legislative Education Oversight Committee  
3 and the Fiscal Research Division by November 15, 2000, and shall make a final report by  
4 November 15, 2002."

5           Section 5. The Joint Legislative Education Oversight Committee shall study  
6 the feasibility of increasing the minimum number of instructional days to 200, increasing  
7 the minimum number of instructional hours to 1,120, and increasing the contractual  
8 period for teachers to 12 months. The study shall include an examination of the costs and  
9 benefits of the proposed increases as well as a recommended timetable for  
10 implementation. The Committee shall report its findings and recommendations to the  
11 2001 General Assembly.

12           Section 6. This act becomes effective July 1, 2000. Section 3 applies to school  
13 years beginning with the 2000-2001 school year.