

GENERAL ASSEMBLY OF NORTH CAROLINA

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SENATE BILL 732*
Education Committee Substitute Adopted 5/1/91
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House Committee Substitute Favorable 6/25/92

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. To reflect the diversity required to implement the
7 purpose of the project defined in G.S. 115C-238.22, the abilities and experience of team
8 members may include: administrative and educational policy and planning skills;
9 familiarity with technology for schools; management and classroom experience; and
10 familiarity with the needs of diverse and special populations. One member shall be
11 designated as the principal or leader of the team. At least twenty-five percent (25%) of
12 the team members shall be certificated in accordance with the regulations of the State
13 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 typically
21 available for 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.

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

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

39 (e) The local board shall appoint an advisory committee composed of educators,
40 elected officials, parents of children enrolled in the local school administrative unit, and
41 community leaders from within and without the local school administrative unit to
42 screen proposals for the school building and to make recommendations to the local
43 board of education on the proposals.

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

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

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

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

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

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

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

38 **"§ 115C-238.24. Grants of flexibility by the State Board.**

39 In implementing local projects, local boards need broad decision-making authority
40 so that local boards and participating school leadership teams can carry out the activities
41 that meet the needs of students in that particular building. Each participating local
42 school administrative unit shall request from the State Board of Education, with
43 specificity, those aspects of its project implementation that would be enhanced by
44 flexibility with regard to statutes, policies, and regulations. The State Board of

1 Education may grant each local school administrative unit such flexibility with regard to
2 State statutes, policies, and regulations as it finds necessary and appropriate to
3 implement a local project so long as (i) the total amount of State funds expended for
4 the project does not exceed the amount of State funds typically available for a school
5 with that average daily membership; (ii) no health or safety standards relating to schools
6 or school transportation are lowered; (iii) the State Board of Education does not find as
7 a fact that the flexibility is being abused; and (iv) the provisions of G.S. 115C-325 shall
8 not be waived for any certificated teacher working in a Genesis school.

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

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

14 **"§ 115C-238.25. Reporting requirements; evaluation.**

15 (a) Each participating local school administrative unit shall submit an annual
16 report one year after the local school administrative unit has awarded a contract, and
17 every year thereafter, to the Joint Legislative Education Oversight Committee, the
18 Superintendent of Public Instruction, and the State Board of Education. The report shall
19 include an itemization of local financial support for the project site, a description of any
20 accountability plans implemented pursuant to G.S. 115C-238.23(c)(3), and a description
21 of the student achievement resulting from the implementation of those accountability
22 plans.

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

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