

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 6*
Committee Substitute Favorable 4/19/95

Short Title: School Flexibility/Accountability.

(Public)

Sponsors:

Referred to:

January 26, 1995

A BILL TO BE ENTITLED

AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, TO ENSURE THAT LOCAL BOARDS OF EDUCATION ARE HELD ACCOUNTABLE FOR THE USE OF THAT FLEXIBILITY, TO ASSESS THE RELATIONSHIP BETWEEN EXPENDITURES FOR PUBLIC SCHOOLS AND STUDENT PERFORMANCE, AND TO MAKE CONFORMING STATUTORY CHANGES.

The General Assembly of North Carolina enacts:

—LOCAL MANAGEMENT FLEXIBILITY

Section 1. (a) Effective July 1, 1995, funding allotments in the Public School Fund are consolidated as follows to increase flexibility in the use of State funds:

Existing Funding Allotments

New Funding Allotments

- (1) Superintendents;
- School Administrators; Administration.
- Finance Officers;
- Maintenance Supervisors;
- Child Nutrition Supervisors;
- Community Schools;
- Sports Medicine;

Central Office

- 1 Health Education;
- 2 Categorical Central Office
- 3 Administrators;
- 4 Matching Benefits.
- 5 (2) Classroom Teachers - regular; Classroom Teachers.
- 6 Self-Contained Exceptional
- 7 Children Teachers;
- 8 Program Enhancement Teachers;
- 9 Math, Science, and
- 10 Computer Teachers;
- 11 Matching Benefits.
- 12 (3) Exceptional Children - Exceptional Children.
- 13 State Aid and Related
- 14 Services;
- 15 Exceptional Children -
- 16 Preschool 3 & 4;
- 17 Group Homes;
- 18 Developmental Day Care (3-20);
- 19 Community Residential Center.
- 20 (4) Dropout Prevention/ At-Risk Student Services/
- 21 Students at Risk/In-School Alternative Schools.
- 22 Suspension;
- 23 Summer School - Instruction
- 24 and Remediation Support;
- 25 Summer School - Transportation;
- 26 Intervention/Prevention;
- 27 Preschool Screening;
- 28 Safe Schools;
- 29 Alcohol and Drug Defense;
- 30 Prevention/Student
- 31 Assistance.
- 32 (5) Child Nutrition - Staff Staff Development.
- 33 Development; Staff Development -
- 34 Finance Officers; Staff
- 35 Development - K-12.
- 36 (6) Clerical Assistants; Noninstructional
- 37 Custodians; Support Personnel.
- 38 Duty-Free Period;
- 39 Liability Insurance;
- 40 Substitute Pay;
- 41 Clerical Assistant -
- 42 Textbook Commission;
- 43 Matching Benefits;

- 1 Teacher Assistants;
- 2 Self-Contained Teacher
- 3 Assistants.
- 4 (7) Instructional Supplies; Classroom Materials/
- 5 Instructional Equipment; Instructional Supplies/
- 6 Testing Support. Equipment.
- 7 (8) Principals; School Building
- 8 Assistant Principals. Administration.
- 9 (9) Instructional Instructional Support
- 10 Support; Personnel.
- 11 Restricted Support
- 12 Personnel.
- 13 (10) SIMS Uniform Education Reporting
- 14 System.

15 (b) The State Board of Education shall adopt formulas for computing the new
 16 allotments and may shift appropriate funds from existing funding allotments as is
 17 necessary to create these new allotments. The State Board shall establish a timeline to
 18 implement the new allotments so that they are fully implemented by the beginning of the
 19 1996-97 school year. For the 1995-96 fiscal year, the State Board shall allocate
 20 Intervention/Prevention funds and Safe Schools funds to local school administrative units
 21 on a grant basis.

22 (c) The formula for the new funding allotment for Central Office Administration
 23 shall provide for a dollar allotment and not a position allotment. Furthermore, no central
 24 office administrators shall be paid from any other funding allotment, including funds for
 25 categorical programs.

26 (d) Funds allotted for the new funding allotment for At-Risk Student
 27 Services/Alternative Schools for the 1995-96 fiscal year shall remain available for
 28 expenditure until September 1, 1996; funds allotted for the 1996-97 fiscal year and
 29 subsequent fiscal years shall become available for expenditure on July 1 of that fiscal
 30 year and shall remain available for expenditure until August 31 of the next fiscal year.

31 (e) The State Board of Education shall adopt policies to establish purposes for
 32 which consolidated funds within each new funding allotment may be used, beginning
 33 with the funds within the At-Risk Student Services/Alternative Schools allotment. These
 34 purposes shall include, but are not required to be limited to, the same purposes as were
 35 permitted under the existing funding allotment categories. If applicable, the purposes
 36 shall conform to appropriate federal requirements. The State Board also shall establish
 37 procedures for allocating funds that previously were distributed in the form of grants to
 38 selected local school administrative units.

39 (f) Notwithstanding the new funding allotments established in this section,
 40 local boards of education may use:

- 41 (1) Funds from the new funding allotment for Classroom
- 42 Materials/Instructional Supplies/Equipment for the purchase of
- 43 textbooks;

- 1 (2) Funds from the allotment for Textbooks for the purchase of instructional
2 supplies, instructional equipment, or other classroom materials;
- 3 (3) Funds from the allotment for Noninstructional Support Personnel for
4 teacher positions to reduce class size in kindergarten through the third
5 grade, so long as local boards do not use this authority to abolish any
6 State-funded teacher assistant position that was filled on June 1 of the
7 prior calendar year;
- 8 (4) Funds from the allotment for Instructional Support Personnel for teacher
9 positions to reduce class size at all grade levels; and
- 10 (5) Funds from the allotment for Vocational Education - Months of
11 Employment for program support for vocational education.

12 No waivers shall be necessary for the use of these funds under this subsection.

13 (g) The State Board of Education shall report on the formulas and timeline
14 under subsection (b) of this section, and on the policies and procedures established under
15 subsection (e) of this section to the Joint Legislative Education Oversight Committee by
16 April 15, 1996.

17 Sec. 2. Notwithstanding Section 19.17(1) of Chapter 769 of the 1993 Session
18 Laws, the funds allocated in that section for school psychologists, social workers, and
19 guidance counselors for kindergarten through the eighth grade in accordance with the
20 Basic Education Program may be used in the same manner as permitted under the
21 Instructional Support Personnel allotment.

22 **—FISCAL ACCOUNTABILITY**

23 Sec. 3. The State Board of Education shall develop a plan for modifying or
24 expanding the Uniform Education Reporting System to provide information on the use of
25 funds at the unit and school level. The plan shall provide information that will enable the
26 General Assembly to determine State, local, and federal expenditures for personnel at the
27 unit and school level. The plan also shall determine the feasibility of tracking
28 expenditures for textbooks, educational supplies and equipment, capital outlay, and other
29 purposes. The goals of the plan shall be to provide: (i) clear, accurate, and standard
30 reporting of unit and school personnel expenditures; (ii) information that is useful for
31 policymakers and public reporting purposes; (iii) information that provides comparative
32 costs and efficiency data at the unit and school level; (iv) a flexible database for
33 answering a variety of questions regarding public school expenditures in North Carolina
34 schools; and (v) an automated system of reporting expenditures that minimizes workload
35 and administration. The State Board of Education shall report to the Joint Legislative
36 Education Oversight Committee by October 15, 1995, on the plan developed in this
37 section and make recommendations on the feasibility and timing of implementing the
38 plan on a statewide basis. The Joint Legislative Education Oversight Committee shall
39 make any recommendations for legislation or funds necessary to implement the plan
40 statewide to the 1996 Regular Session of the 1995 General Assembly.

41 **—STUDENT PERFORMANCE**

42 Sec. 4. G.S. 115C-12 is amended by adding a new subdivision to read:

1 "(1a) To Submit a Budget Request to the Director of the Budget. – The Board
2 shall submit a budget request to the Director of the Budget in
3 accordance with G.S. 143-6. In addition to the information requested by
4 the Director of the Budget, the Board shall provide an analysis relating
5 each of its requests for expansion funds to anticipated improvements in
6 student performance."

7 **—CONFORMING STATUTORY CHANGES**

8 Sec. 5. G.S. 115C-81(e)(3) reads as rewritten:

9 "(3) The development and administration of this program shall be the
10 responsibility of each local school administrative unit in the State that
11 ~~receives an allocation of State funds for a school health coordinator, a school~~
12 ~~health education coordinator who serves the local school administrative unit,~~
13 ~~the Department of Public Instruction, and a State School Health Education~~
14 ~~Advisory Committee. uses State funds to implement this program."~~

15 Sec. 6. G.S. 115C-81(e)(4) reads as rewritten:

16 "~~(4) Each existing local school administrative unit is eligible to develop and~~
17 ~~submit a plan for a comprehensive school health education program~~
18 ~~which shall meet all standards established by the State Board of~~
19 ~~Education, and to apply for funds to execute such plans.~~

20 ~~The State Board of Education shall designate an impartial panel to~~
21 ~~review health education program plans submitted by local school~~
22 ~~administrative units. Based on the panel's evaluation of the plans, the~~
23 ~~State Board of Education shall allocate the State funded school health~~
24 ~~coordinators. Where feasible, a school health coordinator shall serve~~
25 ~~more than one local school administrative unit.~~

26 Each person initially employed as a State-funded school health coordinator
27 after June 30, 1987, shall have a degree in health education."

28 Sec. 7. G.S. 115C-81(e)(5) reads as rewritten:

29 "(5) The Department of Public Instruction shall supervise the development
30 and operation of a statewide comprehensive school health education
31 program including curriculum development, in-service training
32 provision and promotion of collegiate training, learning material review,
33 and assessment and evaluation of local programs in the same manner as
34 for other programs. ~~It is the intent of this legislation that a specific position~~
35 ~~or positions in the Department of Public Instruction shall be assigned~~
36 ~~responsibilities as set forth in this subsection."~~

37 Sec. 8. G.S. 115C-206 reads as rewritten:

38 **"§ 115C-206. State Board of Education; duties; responsibilities.**

39 The Superintendent of Public Instruction shall prepare and present to the State Board
40 of Education recommendations for general guidelines for encouraging increased
41 community involvement in the public schools and use of public school facilities. ~~The~~
42 ~~Superintendent of Public Instruction shall consult with the interagency council in preparing the~~

1 ~~general guidelines.~~ These recommendations shall include, but shall not be limited to
2 provisions for:

- 3 (1) The use of public school facilities by governmental, charitable or civic
4 organizations for activities within the community.
- 5 (2) The utilization of the talents and abilities of volunteers within the
6 community for the enhancement of public school programs including
7 tutoring, counseling and cultural programs and projects.
- 8 (3) Increased communications between the staff and faculty of the public
9 schools, other community institutions and agencies, and citizens in the
10 community.

11 Based on the recommendations of the Superintendent of Public Instruction, the State
12 Board of Education shall adopt appropriate policies and guidelines for encouraging
13 increased community involvement in the public schools and use of the public school
14 facilities.

15 ~~The State Board of Education shall establish rules and regulations governing the~~
16 ~~submission and approval of programs prepared by local boards of education for~~
17 ~~encouraging increased community involvement in the public schools and use of the~~
18 ~~public school facilities.~~

19 ~~The State Board of Education is authorized to allocate funds to the local boards of~~
20 ~~education for the employment of community schools coordinators and for other~~
21 ~~appropriate expenses upon approval of a program submitted by a local board of education~~
22 ~~and subject to the availability of funds. In the event that a local board of education~~
23 ~~already has sufficient personnel employed performing functions similar to those of a~~
24 ~~community schools coordinator, the State Board of Education may allocate funds to that~~
25 ~~local board of education for other purposes consistent with this Article. Funds allocated~~
26 ~~to a local board of education shall not exceed three fourths of the total budget approved in~~
27 ~~the community schools program submitted by a local board of education."~~

28 Sec. 9. G.S. 115C-207 reads as rewritten:

29 **"§ 115C-207. Authority and responsibility of local boards of education.**

30 Every local board of education ~~which elects to apply for funding pursuant to that uses~~
31 State funds to implement programs under this Article shall:

- 32 (1) Develop programs and plans for increased community involvement in
33 the public schools based upon policies and guidelines adopted by the
34 State Board of Education.
- 35 (2) Develop programs and plans for increased community use of public
36 school facilities based upon policies and guidelines adopted by the State
37 Board of Education.
- 38 (3) Establish rules governing the implementation of such programs and
39 plans in its public schools and submit these rules along with adopted
40 programs and plans to the State Board of Education for approval by the
41 State Board of Education.

42 Programs and plans developed by a local board of education ~~shall~~ may provide for the
43 establishment of one or more community schools advisory councils for the public schools

1 under the board's jurisdiction and for the employment of one or more community schools
2 coordinators. The local board of education shall establish the terms and conditions of
3 employment for the community schools coordinators.

4 Every local board of education ~~which elects to apply for funding pursuant to this Article~~
5 ~~shall have the authority to using~~ State funds to implement a community schools program
6 under this Article may enter into agreements with other local boards of education,
7 agencies and institutions for the joint development of plans and programs and the joint
8 expenditure of funds allocated by the State Board of Education. Local funds from each local
9 board of education applying for funds for the community schools program must equal at least
10 one fourth of the total budget for the community schools program of said local board of
11 education. these State funds."

12 Sec. 10. G.S. 115C-208 reads as rewritten:

13 **"§ 115C-208. Community schools advisory councils; duties; responsibilities;**
14 **membership.**

15 Every ~~participating~~ local board of education ~~shall~~ that establishes a community schools
16 program under this Article may establish one or more community schools advisory
17 councils which may become involved in matters affecting the educational process in
18 accordance with rules established by the local board of education and approved by the
19 State Board of Education and further shall may consider ways of increasing community
20 involvement in the public schools and utilization of public school facilities. Community
21 schools advisory councils may assist local boards of education in the development and
22 preparation of the plans and programs to achieve such goals, may assist in the
23 implementation of such plans and programs and may provide such other assistance as
24 may be requested by the local boards of education.

25 Community schools advisory councils ~~shall~~ may work with local school officials and
26 personnel, parent-teacher organizations, and community groups and agencies in
27 providing maximum opportunities for public schools to serve the communities, and ~~shall~~
28 may encourage the maximum use of volunteers in the public schools.

29 At least one half of the members of each community schools advisory council ~~shall~~
30 should be the parents of students in the particular public school system: Provided, that
31 less than twenty-five percent (25%) of the pupils attending a particular school reside
32 outside the immediate community of the school, at least one half of the members shall
33 should be parents of students in the particular school for which the advisory council is
34 established. Wherever possible the local board of education is encouraged to include at
35 least one high school student. The size of the councils and the terms of membership on
36 the councils shall be determined by the local board of education in accordance with the
37 State guidelines."

38 Sec. 11. G.S. 115C-209 reads as rewritten:

39 **"§ 115C-209. Community schools coordinators.**

40 Every ~~participating~~ local board of education ~~shall~~ may employ one or more community
41 schools coordinators and shall establish the terms and conditions of their employment.
42 Community schools coordinators shall be responsible for:

- 1 (1) Providing support to the community schools advisory councils and
2 public school officials.
- 3 (2) Fostering cooperation between the local board of education and
4 appropriate community agencies.
- 5 (3) Encouraging maximum use of community volunteers in the public
6 schools.
- 7 (4) Performing ~~such~~ any other duties as may be assigned by the local
8 superintendent and the local board of education, consistent with the
9 purposes of this Article."

10 Sec. 12. G.S. 115C-238.2(b)(4) reads as rewritten:

- 11 "(4) May be allowed increased flexibility in the expenditure of State funds,
12 in accordance with ~~G.S. 115C-238.5~~ G.S. 115C-238.6."

13 Sec. 13. G.S. 115C-238.3(b1) reads as rewritten:

14 "(b1) Development by each school of strategies for attaining local school and student
15 performance goals. – The principal of each school, representatives of the ~~building-level~~
16 ~~staff, assistant principals, instructional personnel, instructional support personnel, and~~
17 ~~teacher assistants assigned to the school building,~~ and parents of children enrolled in the
18 school shall constitute a school improvement team to develop a building-level plan to
19 address school and student performance goals appropriate to that school from those
20 established by the local board of education. Parents serving on ~~building-level committees~~
21 school improvement teams shall reflect the racial and socioeconomic composition of the
22 students enrolled in that school and shall not be members of the building-level staff.
23 Parental involvement is a critical component of school success and positive student
24 outcomes; therefore, it is the intent of the General Assembly that parents, along with
25 teachers, have a substantial role in developing school and student performance goals at
26 the building level. To this end, ~~building-level advisory board~~ school improvement team
27 meetings shall be held at a convenient time to assure substantial parent participation. The
28 strategies for attaining local school and student performance goals shall include a plan for
29 the use of staff development funds that may be made available to the school by the local
30 board of education to implement the building-level plan. These strategies may also
31 include requests for waivers of State laws, regulations, or policies for that school. A
32 request for a waiver shall (i) identify the State laws, regulations, or policies that inhibit
33 the local unit's ability to reach its local accountability goals, (ii) set out with specificity
34 the circumstances under which the waiver may be used, and (iii) explain how a waiver of
35 those laws, regulations, or policies will permit the local unit to reach its local goals.

36 Support among affected staff members is essential to successful implementation of a
37 building-level plan to address school and student performance goals appropriate to a
38 school; therefore, the principal of the school shall present the proposed building-level
39 plan to all of the ~~staff principals, assistant principals, instructional personnel, instructional~~
40 ~~support personnel, and teacher assistants~~ assigned to the school building for their review
41 and vote. The vote shall be by secret ballot. The principal may submit the building-level
42 plan to the local board of education for inclusion in the systemwide plan only if the

1 proposed building-level plan has the approval of a majority of the staff who voted on the
2 plan.

3 The local board of education shall accept or reject the building-level plan. The local
4 board shall not make any substantive changes in any building-level plan that it accepts;
5 the local board shall set out any building-level plan that it accepts in the systemwide plan.
6 If the local board rejects a building-level plan, the local board shall state with specificity
7 its reasons for rejecting the plan; the ~~principal of the school for which the plan was rejected,~~
8 ~~representatives of the building-level staff, and parents of children enrolled in the school~~ school
9 improvement team may then prepare another plan, present it to the ~~building-level staff~~
10 principals, assistant principals, instructional personnel, instructional support personnel,
11 and teacher assistants assigned to the school building for a vote, and submit it to the local
12 board for inclusion in the systemwide plan. If no building-level plan is accepted for a
13 school before March 15 of the fiscal year preceding the fiscal year in which participation
14 is sought, the local board may develop a plan for the school for inclusion in the
15 systemwide plan; the General Assembly urges the local board to utilize the proposed
16 building-level plan to the maximum extent possible when developing such a plan."

17 Sec. 14. G.S. 115C-238.5 is repealed.

18 Sec. 15. G.S. 115C-238.6(a) reads as rewritten:

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

24 If a local plan contains a request for a waiver of State laws, regulations, or policies, in
25 accordance with G.S. 115C-238.3(b1) or (b2), the State Superintendent shall
26 determine whether and to what extent the identified laws, regulations, or policies should
27 be waived. The State Superintendent shall present that plan and his determination to the
28 State Board of Education. If the State Board of Education deems it necessary to do so to
29 enable a local unit to reach its local accountability goals, the State ~~Board, only upon the~~
30 ~~recommendation of the State Superintendent,~~ Board may grant waivers of:

31 (1) State laws pertaining to class size, teacher certification, assignment of
32 teacher assistants, the use of State-adopted textbooks, and the purposes
33 for which State funds for the public schools, ~~except for funds for school~~
34 ~~health coordinators, may be used. Provided, however, the State Board of~~
35 ~~Education shall not permit the use of funds for teachers for expanded~~
36 ~~programs under the Basic Education Program for any other purpose;~~ schools
37 may be used;

38 (2) All State regulations and policies, except those pertaining to public
39 school State salary schedules and employee benefits for school
40 employees, the instructional program that must be offered under the
41 Basic Education Program, the system of employment for public school
42 teachers and administrators set out in G.S. 115C-325, health and safety

1 codes, compulsory school attendance, the minimum lengths of the
2 school day and year, and the Uniform Education Reporting System.

3 The State Board shall act promptly on requests for waivers under this section.

4 (a1) Notwithstanding subsection (a) of this section, the following limitations apply
5 to the granting of waivers:

6 (1) The provisions of G.S. 115C-12(16)b. regarding the placement of State-
7 allotted office support personnel, teacher assistants, and custodial
8 personnel on the salary schedule adopted by the State Board shall not be
9 waived.

10 (2) Except for waivers requested by the local board in accordance with G.S.
11 115C-238.3(b2) for central office staff, waivers shall be granted only for
12 the specific schools for which they are requested in building-level plans
13 and shall be used only under the specific circumstances for which they
14 are requested.

15 (3) The State Board shall not permit funds under any funding allotment
16 category other than Central Office Administration to be used for central
17 office administrators.

18 (4) The State Board shall not permit funds under the Classroom Teachers
19 allotment category to be used for any additional purpose other than for
20 authorized purposes under the Textbooks allotment category and the
21 Classroom Materials/Instructional Supplies/Equipment allotment
22 category.

23 (a2) The State Board of Education shall, on a regular basis, review all waivers it has
24 granted to determine whether any rules should be repealed or whether it should
25 recommend to the General Assembly the repeal of any laws.

26 (a3) Local boards of education shall provide maximum flexibility in the use of
27 funds to individual schools to enable them to accomplish their individual schools' goals."

28 Sec. 16. Effective June 30, 1996, Part 8 of Article 16 of Chapter 115C of the
29 General Statutes is repealed.

30 Sec. 17. G.S. 115C-272(b)(1) reads as rewritten:

31 "(1) ~~Salary payments to superintendents shall be made monthly on the basis of~~
32 ~~each calendar month of service. Each local board of education shall~~
33 ~~establish a set date on which monthly salary payments to~~
34 ~~superintendents shall be made. This set pay date may differ from the~~
35 ~~end of the calendar month of service. Superintendents shall only be~~
36 ~~paid for the days employed as of the set pay date. Payment for a full~~
37 ~~month when days employed are less than a full month is prohibited as~~
38 ~~this constitutes prepayment. Included within their term of employment~~
39 ~~shall be annual vacation leave at the same rate provided for State~~
40 ~~employees. Included within the 12 months' employment each local~~
41 ~~board of education shall designate the same or an equivalent number of~~
42 ~~legal holidays as those designated by the State Personnel Commission~~
43 ~~for State employees."~~

1 Sec. 18. G.S. 115C-285(a)(1) reads as rewritten:

2 "(1) Classified principals and State-allotted supervisors shall be employed
3 for a term of 12 calendar months. ~~Salary payments to classified~~
4 ~~principals and State-allotted supervisors shall be made monthly at the~~
5 ~~end of each calendar month of service. Each local board of education~~
6 shall establish a set date on which monthly salary payments to classified
7 principals and State-allotted supervisors shall be made. This set pay
8 date may differ from the end of the calendar month of service.
9 Classified principals and State-allotted supervisors shall only be paid for
10 the days employed as of the set pay date. Payment for a full month
11 when days employed are less than a full month is prohibited as this
12 constitutes prepayment. They shall earn annual vacation leave at the
13 same rate provided for State employees. On a day that employees are
14 required to report for a workday but pupils are not required to attend
15 school due to inclement weather, an employee may elect not to report
16 due to hazardous travel conditions and to take one of his annual
17 vacation days or to make up the day at the time agreed upon by the
18 employee and his immediate supervisor. They shall be provided by the
19 board the same or an equivalent number of legal holidays as those
20 designated by the State Personnel Commission for State employees."

21 Sec. 19. G.S. 115C-302(a)(1) reads as rewritten:

22 "(1) Academic Teachers. – Regular state-allotted teachers shall be employed
23 for a period of 10 calendar months. ~~Salary payments to regular state-~~
24 ~~allotted teachers shall be made monthly at the end of each calendar~~
25 ~~month of service. Provided, that teachers~~ Each local board of education
26 shall establish a set date on which monthly salary payments to regular
27 State-allotted teachers shall be made. This set pay date may differ from
28 the end of the calendar month of service. Teachers shall only be paid
29 for the days employed as of the set pay date. Payment for a full month
30 when days employed are less than a full month is prohibited as this
31 constitutes prepayment. Teachers employed for a period of 10 calendar
32 months in year-round schools shall be paid in 12 equal installments:
33 Provided further, that any installments. Any individual teacher who is
34 not employed in a year-round school may be paid in 12 monthly
35 installments if the teacher so requests on or before the first day of the
36 school year. Such request shall be filed in the local school
37 administrative unit which employs the teacher. The payment of the
38 annual salary in 12 installments instead of 10 shall not increase or
39 decrease said annual salary nor in any other way alter the contract made
40 between the teacher and the said local school administrative unit; nor
41 shall such payment apply to any teacher who is employed for a period of
42 less than 10 months. Included within the 10 calendar months
43 employment shall be annual vacation leave at the same rate provided for

1 State employees, computed at one twelfth (1/12) of the annual rate for
2 State employees for each calendar month of employment; which shall
3 be provided by each local board of education at a time when students
4 are not scheduled to be in regular attendance. However, vacation leave
5 for instructional personnel who do not require a substitute shall not be
6 restricted to days that students are not in attendance. Included within
7 the 10 calendar months employment each local board of education shall
8 designate the same or an equivalent number of legal holidays occurring
9 within the period of employment for academic teachers as those
10 designated by the State Personnel Commission for State employees; on
11 a day that employees are required to report for a workday but pupils are
12 not required to attend school due to inclement weather, a teacher may
13 elect not to report due to hazardous travel conditions and to take an
14 annual vacation day or to make up the day at a time agreed upon by the
15 employee and the employee's immediate supervisor or principal. Within
16 policy adopted by the State Board of Education, each local board of
17 education shall develop rules ~~and regulations~~—designating what
18 additional portion of the 10 calendar months not devoted to classroom
19 teaching, holidays, or annual leave shall apply to service rendered
20 before the opening of the school term, during the school term, and after
21 the school term and to fix and regulate the duties of state-allotted
22 teachers during said period, but in no event shall the total number of
23 workdays exceed 200 days. Local boards of education shall consult
24 with the employed public school personnel in the development of the
25 10-calendar-months schedule."

26 Sec. 20. G.S. 115C-302(a)(2) reads as rewritten:

27 "(2) Vocational and Technical Education Teachers. – State-allotted months
28 of employment to local boards of education as provided by the State
29 Board of Education shall be used for the employment of teachers of
30 vocational and technical education for a term of employment as
31 determined by the local boards of education. ~~Salary payments to these~~
32 ~~vocational and technical education teachers shall be made monthly at the end~~
33 ~~of each calendar month of service: Provided, that local~~ Each local board of
34 education shall establish a set date on which monthly salary payments to
35 these vocational and technical education teachers shall be made. This
36 set pay date may differ from the end of the calendar month of service.
37 These teachers shall only be paid for the days employed as of the set
38 pay date. Payment for a full month when days employed are less than a
39 full month is prohibited as this constitutes prepayment. Local boards
40 shall not reduce the term of employment for any vocational agriculture
41 teacher personnel position that was 12 calendar months for the 1982-83
42 school year for any school year thereafter: Provided further, that teachers
43 thereafter. Teachers employed for a term of 10 calendar months in year-

1 round schools shall be paid in 12 equal installments: ~~Provided further, that~~
2 ~~any installments.~~ Any individual teacher employed for a term of 10
3 calendar months who is not employed in a year-round school may be
4 paid in 12 monthly installments if the teacher so requests on or before
5 the first day of the school year. Such request shall be filed in the
6 administrative unit which employs the teacher. The payment of the
7 annual salary in 12 installments instead of 10 shall not increase or
8 decrease said annual salary nor in any other way alter the contract made
9 between the teacher and the said administrative unit. Included within
10 their term of employment shall be the same rate of annual vacation
11 leave and legal holidays provided under the same conditions as set out
12 in subdivision (1) above, but in no event shall the total workdays for a
13 10-month employee exceed 200 days in a 10-month schedule and the
14 workweek shall constitute five days for all vocational and technical
15 teachers regardless of the employment period.

16 Vocational and technical education teachers who are employed for
17 11 or 12 months may, with prior approval of the principal, work on
18 annual leave days designated in the school calendar and take those
19 annual leave days during the 11th or 12th month of employment.

20 No deductions shall be made from salaries of teachers of vocational
21 agriculture and home economics whose salaries are paid in part from
22 State and federal vocational funds while in attendance upon community,
23 county and State meetings called for the specific purpose of promoting
24 the agricultural interests of North Carolina, when such attendance is
25 approved by the superintendent of the administrative unit and the State
26 Director of Vocational and Technical Education."

27 Sec. 21. G.S. 115C-316(a)(1) reads as rewritten:

28 "(1) Employees Other than Superintendents, Supervisors and Classified
29 Principals on an Annual Basis. ~~Salary payments to employees other~~
30 ~~than superintendents, supervisors, and classified principals employed on~~
31 ~~an annual basis shall be made monthly at the end of each calendar~~
32 ~~month of service.~~ Each local board of education shall establish a set date
33 on which monthly salary payments to employees other than
34 superintendents, supervisors, and classified principals employed on an
35 annual basis, shall be made. This set pay date may differ from the end
36 of the calendar month of service. These employees shall only be paid
37 for the days employed as of the set pay date. Payment for a full month
38 when days employed are less than a full month is prohibited as this
39 constitutes prepayment. Included within their term of employment shall
40 be annual vacation leave at the same rate provided for State employees,
41 computed at one-twelfth (1/12) of the annual rate for state employees
42 for each calendar month of employment. On a day that employees are
43 required to report for a workday but pupils are not required to attend

1 school due to inclement weather, an employee may elect not to report
2 due to hazardous travel conditions and to take one of his annual
3 vacation days or to make up the day at a time agreed upon by the
4 employee and his immediate supervisor or principal. Included within
5 their term of employment each local board of education shall designate
6 the same or an equivalent number of legal holidays as those designated
7 by the State Personnel Commission for State employees."

8 Sec. 22. G.S. 115C-318 reads as rewritten:

9 **"§ 115C-318. Liability insurance for nonteaching public school personnel.**

10 The State Board of Education shall provide funds for liability insurance for
11 nonteaching public school personnel to the extent that such personnel's salaries are
12 funded by the State. The insurance shall cover claims made for injury liability and
13 property damage liability on account of an act done or an omission made in the course of
14 the employee's duties. As provided by law or the rules and policies of the State Board of
15 Education or the local school administrative unit, the State Board of Education shall
16 comply with the State's laws in securing the insurance and shall provide it at the earliest
17 possible date for the 1982-83 school year. ~~Funds for this purpose shall be allocated from the~~
18 ~~State's Contingency and Emergency Fund.~~—Nothing in this section shall prevent the State
19 Board from furnishing the same liability insurance protection for nonteaching public
20 school personnel not supported by State funds, provided that the cost of the protection
21 shall be funded from the same source that supports the salaries of these employees."

22 Sec. 23. Effective June 30, 1996, G.S. 115C-418 is repealed.

23 Sec. 24. Substitute teachers who hold teacher certificates shall be paid at a rate
24 of fifty-seven dollars (\$57.00) per day. Substitute teachers who do not hold teacher
25 certificates but have completed effective teacher training shall be paid at a rate of fifty
26 dollars (\$50.00) per day. Substitute teachers who do not hold teacher certificates and
27 have not completed effective teacher training shall be paid at a rate of forty dollars
28 (\$40.00) per day. Deductions in salaries for teachers on leave who require a deduction in
29 salary for substitute pay shall be at a standard rate of fifty dollars (\$50.00) per day.

30 **—EFFECTIVE DATE**

31 Sec. 25. This act becomes effective July 1, 1995.