

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 6*

Committee Substitute Favorable 4/19/95

Senate Education/Higher Education Committee Substitute Adopted 6/1/95

Fourth Edition Engrossed 6/6/95

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;

Central Office

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

- 1 Textbook Commission;
- 2 Technology Assistants;
- 3 Matching Benefits.
- 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) Teacher Assistants; Teacher Assistants.
- 14 Self-Contained Teacher
- 15 Assistants.
- 16 (11) SIMS Uniform Education Reporting
- 17 System.

18 (b) The State Board of Education shall adopt formulas for computing the new
 19 allotments and may shift appropriate funds from existing funding allotments as is
 20 necessary to create these new allotments. The State Board shall establish a timeline to
 21 implement the new allotments so that they are fully implemented by the beginning of the
 22 1996-97 school year. For the 1995-96 fiscal year, the State Board shall allocate
 23 Intervention/Prevention funds and Safe Schools funds to local school administrative units
 24 on a grant basis.

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

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

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

1 (f) Notwithstanding the new funding allotments established in this section,
2 local boards of education may use funds from the allotment for Vocational Education -
3 Months of Employment for program support for vocational education.

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

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

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

14 **—FISCAL ACCOUNTABILITY**

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

33 **—STUDENT PERFORMANCE**

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

35 "(1a) To Submit a Budget Request to the Director of the Budget. – The Board
36 shall submit a budget request to the Director of the Budget in
37 accordance with G.S. 143-6. In addition to the information requested by
38 the Director of the Budget, the Board shall provide an analysis relating
39 each of its requests for expansion funds to anticipated improvements in
40 student performance."

41 **—CONFORMING STATUTORY CHANGES**

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

1 "(3) The development and administration of this program shall be the
2 responsibility of each local school administrative unit in the State that
3 receives an allocation of State funds for a school health coordinator, a school
4 health education coordinator who serves the local school administrative unit,
5 the Department of Public Instruction, and a State School Health Education
6 Advisory Committee. uses State funds to implement this program."

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

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

12 ~~The State Board of Education shall designate an impartial panel to
13 review health education program plans submitted by local school
14 administrative units. Based on the panel's evaluation of the plans, the
15 State Board of Education shall allocate the State funded school health
16 coordinators. Where feasible, a school health coordinator shall serve
17 more than one local school administrative unit.~~

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

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

21 "~~(5) The Department of Public Instruction shall supervise the development
22 and operation of a statewide comprehensive school health education
23 program including curriculum development, in-service training
24 provision and promotion of collegiate training, learning material review,
25 and assessment and evaluation of local programs in the same manner as
26 for other programs. It is the intent of this legislation that a specific position
27 or positions in the Department of Public Instruction shall be assigned
28 responsibilities as set forth in this subsection.~~"

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

30 "**§ 115C-206. State Board of Education; duties; responsibilities.**

31 The Superintendent of Public Instruction shall prepare and present to the State Board
32 of Education recommendations for general guidelines for encouraging increased
33 community involvement in the public schools and use of public school facilities. ~~The
34 Superintendent of Public Instruction shall consult with the interagency council in preparing the
35 general guidelines.~~ These recommendations shall include, but shall not be limited to
36 provisions for:

- 37 (1) The use of public school facilities by governmental, charitable or civic
38 organizations for activities within the community.
39 (2) The utilization of the talents and abilities of volunteers within the
40 community for the enhancement of public school programs including
41 tutoring, counseling and cultural programs and projects.

- 1 (3) Increased communications between the staff and faculty of the public
2 schools, other community institutions and agencies, and citizens in the
3 community.

4 Based on the recommendations of the Superintendent of Public Instruction, the State
5 Board of Education shall adopt appropriate policies and guidelines for encouraging
6 increased community involvement in the public schools and use of the public school
7 facilities.

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

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

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

22 **"§ 115C-207. Authority and responsibility of local boards of education.**

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

- 25 (1) Develop programs and plans for increased community involvement in
26 the public schools based upon policies and guidelines adopted by the
27 State Board of Education.
- 28 (2) Develop programs and plans for increased community use of public
29 school facilities based upon policies and guidelines adopted by the State
30 Board of Education.
- 31 (3) Establish rules governing the implementation of such programs and
32 plans in its public schools and submit these rules along with adopted
33 programs and plans to the State Board of Education for approval by the
34 State Board of Education.

35 Programs and plans developed by a local board of education ~~shall~~may provide for the
36 establishment of one or more community schools advisory councils for the public schools
37 under the board's jurisdiction and for the employment of one or more community schools
38 coordinators. The local board of education shall establish the terms and conditions of
39 employment for the community schools coordinators.

40 Every local board of education ~~which elects to apply for funding pursuant to this Article~~
41 ~~shall have the authority to~~using State funds to implement a community schools program
42 under this Article may enter into agreements with other local boards of education,
43 agencies and institutions for the joint development of plans and programs and the joint

1 expenditure of funds allocated by the State Board of Education. Local funds from each local
2 board of education applying for funds for the community schools program must equal at least
3 one fourth of the total budget for the community schools program of said local board of
4 education. these State funds."

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

6 **"§ 115C-208. Community schools advisory councils; duties; responsibilities;**
7 **membership.**

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

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

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

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

32 **"§ 115C-209. Community schools coordinators.**

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

- 36 (1) Providing support to the community schools advisory councils and
37 public school officials.
- 38 (2) Fostering cooperation between the local board of education and
39 appropriate community agencies.
- 40 (3) Encouraging maximum use of community volunteers in the public
41 schools.

- 1 (4) Performing ~~such~~ any other duties as may be assigned by the local
2 superintendent and the local board of education, consistent with the
3 purposes of this Article."

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

5 "(b) Local school administrative units that participate in the Performance-based
6 Accountability Program:

- 7 (1) Are exempt from State requirements to submit reports and plans, other
8 than local school improvement plans, to the State Board of Education
9 and the Department of Public Instruction. They are not exempt from
10 federal requirements to submit reports and plans to the Department.

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

- 17 (3) May receive funds for differentiated pay for certain State-paid
18 employees, in accordance with G.S. 115C-238.4, if they elect to
19 participate in a differentiated pay plan.

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

- 22 (5) May be granted waivers of certain State laws, regulations, and policies
23 that inhibit their ability to reach local accountability goals, in
24 accordance with G.S. 115C-238.6(a).

- 25 (5a) May use State funds allocated for teacher assistants to reduce class size
26 or the student-teacher ratio in kindergarten through third grade, in
27 accordance with a local school improvement plan.

- 28 (5b) In accordance with a local school improvement plan, may use (i) funds
29 from the funding allotment for Classroom Materials/Instructional
30 Supplies/Equipment for the purchase of textbooks, (ii) funds from the
31 funding allotment for Textbooks for the purchase of instructional
32 supplies, instructional equipment, or other classroom materials, (iii)
33 funds from the allotment for Noninstructional Support Personnel for
34 teacher positions to reduce class size in kindergarten through third
35 grade, and (iv) funds from the allotment for Instructional Support
36 Personnel for teacher positions to reduce class size at all grade levels.

- 37 (6) Shall continue to use the Teacher Performance Appraisal Instrument
38 (TPAI) for evaluating beginning teachers during the first three years of
39 their employment; they may, however, develop other evaluation
40 approaches for teachers who have attained career status.

41 The Department of Public Instruction shall provide technical
42 assistance, including the provision of model evaluation processes and
43 instruments, to local school administrative units that elect to develop

1 dual personnel evaluation processes. A dual personnel evaluation
2 process includes (i) an evaluation designed to provide information to
3 guide teachers in their professional growth and development, and (ii) an
4 evaluation to provide information to make personnel decisions
5 pertaining to hiring, termination, promotion, and reassignment."

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

7 "(b1) Development by each school of strategies for attaining local school and student
8 performance goals. – The principal of each school, representatives of the ~~building-level~~
9 ~~staff, assistant principals, instructional personnel, instructional support personnel, and~~
10 ~~teacher assistants assigned to the school building~~, and parents of children enrolled in the
11 school shall constitute a school improvement team to develop a building-level plan to
12 address school and student performance goals appropriate to that school from those
13 established by the local board of education. Parents serving on ~~building-level committees~~
14 school improvement teams shall reflect the racial and socioeconomic composition of the
15 students enrolled in that school and shall not be members of the building-level staff.
16 Parental involvement is a critical component of school success and positive student
17 outcomes; therefore, it is the intent of the General Assembly that parents, along with
18 teachers, have a substantial role in developing school and student performance goals at
19 the building level. To this end, ~~building-level advisory board school improvement team~~
20 meetings shall be held at a convenient time to assure substantial parent participation. The
21 strategies for attaining local school and student performance goals shall include a plan for
22 the use of staff development funds that may be made available to the school by the local
23 board of education to implement the building-level plan. The strategies may include a
24 decision to use State funds allocated for teacher assistants to reduce class size or the
25 student-teacher ratio in kindergarten through the third grade. This decision shall be based
26 upon a consideration of projected attrition rates at the school for teacher assistants. The
27 strategies may include a decision to use State funds in accordance with G.S. 115C-
28 238.2(b)(5b). The strategies may also include requests for waivers of State laws,
29 regulations, or policies for that school. A request for a waiver shall (i) identify the State
30 laws, regulations, or policies that inhibit the local unit's ability to reach its local
31 accountability goals, (ii) set out with specificity the circumstances under which the
32 waiver may be used, and (iii) explain how a waiver of those laws, regulations, or policies
33 will permit the local unit to reach its local goals.

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

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

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

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

17 "(a) Prior to June 30 each year, the State Superintendent shall review local school
18 improvement plans submitted by the local school administrative units in accordance with
19 policies and ~~performance indicators standards~~ adopted by the State Board of Education.
20 Education and shall recommend to the State Board of Education whether the plan should
21 be approved. If the State ~~Superintendent Board of Education~~ approves the plan for a local
22 school administrative unit, that unit shall participate in the Program for the next fiscal
23 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 teachers of exceptional children, for teachers of at-risk students, and for
21 authorized purposes under the Textbooks allotment category and the
22 Classroom Materials/Instructional Supplies/Equipment allotment
23 category.

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

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

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

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

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

1 legal holidays as those designated by the State Personnel Commission
2 for State employees."

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

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

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

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

1 less than 10 months. Included within the 10 calendar months
2 employment shall be annual vacation leave at the same rate provided for
3 State employees, computed at one twelfth (1/12) of the annual rate for
4 State employees for each calendar month of employment; which shall
5 be provided by each local board of education at a time when students
6 are not scheduled to be in regular attendance. However, vacation leave
7 for instructional personnel who do not require a substitute shall not be
8 restricted to days that students are not in attendance. Included within
9 the 10 calendar months employment each local board of education shall
10 designate the same or an equivalent number of legal holidays occurring
11 within the period of employment for academic teachers as those
12 designated by the State Personnel Commission for State employees; on
13 a day that employees are required to report for a workday but pupils are
14 not required to attend school due to inclement weather, a teacher may
15 elect not to report due to hazardous travel conditions and to take an
16 annual vacation day or to make up the day at a time agreed upon by the
17 employee and the employee's immediate supervisor or principal. Within
18 policy adopted by the State Board of Education, each local board of
19 education shall develop rules ~~and regulations~~—designating what
20 additional portion of the 10 calendar months not devoted to classroom
21 teaching, holidays, or annual leave shall apply to service rendered
22 before the opening of the school term, during the school term, and after
23 the school term and to fix and regulate the duties of state-allotted
24 teachers during said period, but in no event shall the total number of
25 workdays exceed 200 days. Local boards of education shall consult
26 with the employed public school personnel in the development of the
27 10-calendar-months schedule."

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

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

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

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

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

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

30 "(1) Employees Other than Superintendents, Supervisors and Classified
31 Principals on an Annual Basis. ~~Salary payments to employees other~~
32 ~~than superintendents, supervisors, and classified principals employed on~~
33 ~~an annual basis shall be made monthly at the end of each calendar~~
34 ~~month of service.~~ Each local board of education shall establish a set date
35 on which monthly salary payments to employees other than
36 superintendents, supervisors, and classified principals employed on an
37 annual basis, shall be made. This set pay date may differ from the end
38 of the calendar month of service. These employees shall only be paid
39 for the days employed as of the set pay date. Payment for a full month
40 when days employed are less than a full month is prohibited as this
41 constitutes prepayment. Included within their term of employment shall
42 be annual vacation leave at the same rate provided for State employees,
43 computed at one-twelfth (1/12) of the annual rate for state employees

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

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

11 **"§ 115C-318. Liability insurance for nonteaching public school personnel.**

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

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

25 Sec. 24. Substitute teachers who hold teacher certificates shall be paid at a rate
26 of fifty-seven dollars (\$57.00) per day. Substitute teachers who do not hold teacher
27 certificates but have completed effective teacher training shall be paid at a rate of fifty
28 dollars (\$50.00) per day. Substitute teachers who do not hold teacher certificates and
29 have not completed effective teacher training shall be paid at a rate of forty dollars
30 (\$40.00) per day. Deductions in salaries for teachers on leave who require a deduction in
31 salary for substitute pay shall be at a standard rate of fifty dollars (\$50.00) per day.

32 **—EFFECTIVE DATE**

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