

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 99*

Education/Higher Education Committee Substitute Adopted 4/3/95

Short Title: School Flexibility/Accountability.

(Public)

Sponsors:

Referred to: Appropriations

February 1, 1995

A BILL TO BE ENTITLED

AN ACT TO GRANT ADDITIONAL MANAGEMENT FLEXIBILITY TO LOCAL BOARDS OF EDUCATION, 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;
- Health Education;
- Categorical Central Office

Central Office

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

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

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

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

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

29 (e) The State Board of Education shall adopt policies to establish purposes for
 30 which consolidated funds within each new funding allotment may be used. These
 31 purposes shall include, but are not required to be limited to, the same purposes as were
 32 permitted under the existing funding allotment categories. If applicable, the purposes
 33 shall conform to appropriate federal requirements.

34 (f) Notwithstanding the new funding allotments established in this section,
 35 local boards of education may use (i) funds from the new funding allotment for
 36 Instructional Supplies/Equipment for the purchase of textbooks, (ii) funds from the
 37 allotment for Textbooks for the purchase of instructional supplies or instructional
 38 equipment, and (iii) funds from the allotment for Vocational Education - Months of
 39 Employment for program support for vocational education. No waivers shall be
 40 necessary for the use of these funds under this subsection.

41 Sec. 2. Notwithstanding Section 19.17(1) of Chapter 769 of the 1993 Session
 42 Laws, the funds allocated in that section for school psychologists, social workers, and
 43 guidance counselors for kindergarten through the eighth grade in accordance with the

1 Basic Education Program may be used in the same manner as permitted under the
2 Instructional Support Personnel allotment.

3 **—STUDENT PERFORMANCE**

4 Sec. 3. G.S. 115C-12 is amended by adding a new subdivision to read:

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

11 **—CONFORMING STATUTORY CHANGES**

12 Sec. 4. G.S. 115C-81(e)(3) reads as rewritten:

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

19 Sec. 5. G.S. 115C-81(e)(4) reads as rewritten:

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

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

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

32 Sec. 6. G.S. 115C-81(3)(5) reads as rewritten:

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

41 Sec. 7. G.S. 115C-206 reads as rewritten:

42 **"§ 115C-206. State Board of Education; duties; responsibilities.**

1 The Superintendent of Public Instruction shall prepare and present to the State Board
2 of Education recommendations for general guidelines for encouraging increased
3 community involvement in the public schools and use of public school facilities. ~~The~~
4 ~~Superintendent of Public Instruction shall consult with the interagency council in preparing the~~
5 ~~general guidelines.~~ These recommendations shall include, but shall not be limited to
6 provisions for:

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

15 Based on the recommendations of the Superintendent of Public Instruction, the State
16 Board of Education shall adopt appropriate policies and guidelines for encouraging
17 increased community involvement in the public schools and use of the public school
18 facilities.

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

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

32 Sec. 8. G.S. 115C-207 reads as rewritten:

33 **"§ 115C-207. Authority and responsibility of local boards of education.**

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

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

1 programs and plans to the State Board of Education for approval by the
2 State Board of Education.

3 Programs and plans developed by a local board of education ~~shall~~ may provide for the
4 establishment of one or more community schools advisory councils for the public schools
5 under the board's jurisdiction and for the employment of one or more community schools
6 coordinators. The local board of education shall establish the terms and conditions of
7 employment for the community schools coordinators.

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

16 Sec. 9. G.S. 115C-208 reads as rewritten:

17 "**§ 115C-208. Community schools advisory councils; duties; responsibilities;**
18 **membership.**

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

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

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

42 Sec. 10. G.S. 115C-209 reads as rewritten:

43 "**§ 115C-209. Community schools coordinators.**

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

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

13 Sec. 11. G.S. 115C-238.2(b)(4) reads as rewritten:

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

16 Sec. 12. G.S. 115C-238.5 is repealed.

17 Sec. 13. G.S. 115C-238.6(a) reads as rewritten:

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

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

- 30 (1) State laws pertaining to class size, teacher certification, assignment of
31 teacher assistants, the use of State-adopted textbooks, and the purposes
32 for which State funds for the public schools, ~~except for funds for school~~
33 ~~health coordinators, may be used. Provided, however, the State Board of~~
34 ~~Education shall not permit the use of funds for teachers for expanded~~
35 ~~programs under the Basic Education Program for any other purpose;~~ schools
36 may be used;
- 37 (2) All State regulations and policies, except those pertaining to public
38 school State salary schedules and employee benefits for school
39 employees, the instructional program that must be offered under the
40 Basic Education Program, the system of employment for public school
41 teachers and administrators set out in G.S. 115C-325, health and safety
42 codes, compulsory school attendance, the minimum lengths of the
43 school day and year, and the Uniform Education Reporting System.

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

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

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

8 (2) Except for waivers requested by the local board in accordance with G.S.
9 115C-238.3(b2) for central office staff, waivers shall be granted only for
10 the specific schools for which they are requested in building-level plans
11 and shall be used only under the specific circumstances for which they
12 are requested.

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

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

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

21 Sec. 14. Effective June 30, 1996, Part 8 of Article 16 of Chapter 115C of the
22 General Statutes is repealed.

23 Sec. 15. G.S. 115C-272(b)(1) reads as rewritten:

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

37 Sec. 16. G.S. 115C-285(a)(1) reads as rewritten:

38 "~~(1) Classified principals and State-allotted supervisors shall be employed~~
39 ~~for a term of 12 calendar months. Salary payments to classified~~
40 ~~principals and State-allotted supervisors shall be made monthly at the~~
41 ~~end of each calendar month of service. Each local board of education~~
42 ~~shall establish a set date on which monthly salary payments to classified~~
43 ~~principals and State-allotted supervisors shall be made. This set pay~~

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

14 Sec. 17. G.S. 115C-302(a)(1) reads as rewritten:

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

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

19 Sec. 18. G.S. 115C-302(a)(2) reads as rewritten:

20 "(2) Vocational and Technical Education Teachers. – State-allotted months
21 of employment to local boards of education as provided by the State
22 Board of Education shall be used for the employment of teachers of
23 vocational and technical education for a term of employment as
24 determined by the local boards of education. ~~Salary payments to these~~
25 ~~vocational and technical education teachers shall be made monthly at the end~~
26 ~~of each calendar month of service. Provided, that local~~ Each local board of
27 education shall establish a set date on which monthly salary payments to
28 these vocational and technical education teachers shall be made. This
29 set pay date may differ from the end of the calendar month of service.
30 These teachers shall only be paid for the days employed as of the set
31 pay date. Payment for a full month when days employed is less than a
32 full month is prohibited as this constitutes prepayment. Local boards
33 shall not reduce the term of employment for any vocational agriculture
34 teacher personnel position that was 12 calendar months for the 1982-83
35 school year for any school year thereafter. Provided further, that teachers
36 thereafter. Teachers employed for a term of 10 calendar months in year-
37 round schools shall be paid in 12 equal installments. Provided further, that
38 any installments. Any individual teacher employed for a term of 10
39 calendar months who is not employed in a year-round school may be
40 paid in 12 monthly installments if the teacher so requests on or before
41 the first day of the school year. Such request shall be filed in the
42 administrative unit which employs the teacher. The payment of the
43 annual salary in 12 installments instead of 10 shall not increase or

1 decrease said annual salary nor in any other way alter the contract made
2 between the teacher and the said administrative unit. Included within
3 their term of employment shall be the same rate of annual vacation
4 leave and legal holidays provided under the same conditions as set out
5 in subdivision (1) above, but in no event shall the total workdays for a
6 10-month employee exceed 200 days in a 10-month schedule and the
7 workweek shall constitute five days for all vocational and technical
8 teachers regardless of the employment period.

9 Vocational and technical education teachers who are employed for
10 11 or 12 months may, with prior approval of the principal, work on
11 annual leave days designated in the school calendar and take those
12 annual leave days during the 11th or 12th month of employment.

13 No deductions shall be made from salaries of teachers of vocational
14 agriculture and home economics whose salaries are paid in part from
15 State and federal vocational funds while in attendance upon community,
16 county and State meetings called for the specific purpose of promoting
17 the agricultural interests of North Carolina, when such attendance is
18 approved by the superintendent of the administrative unit and the State
19 Director of Vocational and Technical Education."

20 Sec. 19. G.S. 115C-316(a)(1) reads as rewritten:

21 "(1) Employees Other than Superintendents, Supervisors and Classified
22 Principals on an Annual Basis. ~~Salary payments to employees other~~
23 ~~than superintendents, supervisors, and classified principals employed on~~
24 ~~an annual basis shall be made monthly at the end of each calendar~~
25 ~~month of service. Each local board of education shall establish a set date~~
26 ~~on which monthly salary payments to employees other than~~
27 ~~superintendents, supervisors, and classified principals employed on an~~
28 ~~annual basis, shall be made. This set pay date may differ from the end~~
29 ~~of the calendar month of service. These employees shall only be paid~~
30 ~~for the days employed as of the set pay date. Payment for a full month~~
31 ~~when days employed is less than a full month is prohibited as this~~
32 ~~constitutes prepayment. Included within their term of employment shall~~
33 be annual vacation leave at the same rate provided for State employees,
34 computed at one-twelfth (1/12) of the annual rate for state employees
35 for each calendar month of employment. On a day that employees are
36 required to report for a workday but pupils are not required to attend
37 school due to inclement weather, an employee may elect not to report
38 due to hazardous travel conditions and to take one of his annual
39 vacation days or to make up the day at a time agreed upon by the
40 employee and his immediate supervisor or principal. Included within
41 their term of employment each local board of education shall designate
42 the same or an equivalent number of legal holidays as those designated
43 by the State Personnel Commission for State employees."

1 Sec. 20. G.S. 115C-318 reads as rewritten:

2 "**§ 115C-318. Liability insurance for nonteaching public school personnel.**

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

15 Sec. 21. Effective June 30, 1996, G.S. 115C-418 is repealed.

16 Sec. 22. Substitute teachers who hold teacher certificates shall be paid at a rate
17 of fifty-seven dollars (\$57.00) per day. Substitute teachers who do not hold teacher
18 certificates but have completed effective teacher training shall be paid at a rate of fifty
19 dollars (\$50.00) per day. Substitute teachers who do not hold teacher certificates and
20 have not completed effective teacher training shall be paid at a rate of forty dollars
21 (\$40.00) per day. Deductions in salaries for teachers on leave who require a deduction in
22 salary for substitute pay shall be at a standard rate of fifty dollars (\$50.00) per day.

23 —**EFFECTIVE DATES**

24 Sec. 23. This act becomes effective July 1, 1995.