

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE DRH70428-LE-193A (3/12)**

Short Title: Study/DPI & St. Bd. of Education. (Public)

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Sponsors: Representatives Yongue, Carney, Coleman, and Johnson (Primary Sponsors).

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Referred to:

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A BILL TO BE ENTITLED

AN ACT CREATING THE LEGISLATIVE SPECIAL COMMISSION ON THE EFFICIENCY AND EFFECTIVENESS OF THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

**SECTION 1.** There is hereby created the Legislative Special Commission on Efficiency and Effectiveness of the Department of Public Instruction and the State Board of Education. The purpose of the Commission is review of the mission, structure, programs, budgets, accountability, efficiency, and effectiveness of the Department of Public Instruction and the State Board of Education.

**SECTION 2.** The Commission shall consist of five members of the House of Representatives appointed by the Speaker of the House of Representatives and five members of the Senate appointed by the President Pro Tempore of the Senate. The Speaker of the House of Representatives shall designate one representative as cochair, and the President Pro Tempore of the Senate shall designate one senator as cochair. Vacancies on the Commission shall be filled by the same appointing authority as made the initial appointment.

The appointments shall be made and the Commission shall begin its work prior to September 1, 2007.

**SECTION 3.** In performing the legislative review of the Department of Public Instruction and the State Board of Education, the Commission shall:

- (1) Consider the mission of the Department to support local educational agencies in their efforts to provide high quality educational services and foster high student performance and achievement, as set out in the statutes and in the rules, policies, and practices of the Department.

- 1           (2) Evaluate the efficiency and effectiveness of the Department of Public  
2           Instruction in furthering the missions and goals of the Department,  
3           including any proposed revisions. This evaluation shall include (i) the  
4           role of the Department of Public Instruction, its administrative  
5           structure, organization, accountability, and its statutory powers and  
6           duties; (ii) the role of the State Board of Education as the head of the  
7           Department of Public Instruction, its composition, organization,  
8           independence, representation of local educational agencies and the  
9           citizens of the State on the State Board of Education, and  
10          constitutional and statutory powers and duties; and (iii) the role of the  
11          State Superintendent as secretary and chief administrative officer of  
12          the State Board, the State Superintendent's selection, and the State  
13          Superintendent's constitutional and statutory powers and duties  
14          including the election or appointment of the State Superintendent.
- 15          (3) Evaluate the efficiency and effectiveness of the statewide student  
16          testing program, the data collection and data management program, the  
17          curriculum and instruction program, the financial services program,  
18          the school support services program, and any other program within the  
19          Department that has an impact on student performance and positive  
20          educational outcomes.
- 21          (4) Assess the activities performed in each program, the major benefits  
22          provided by the program, the current funding and staffing levels for  
23          the program, the rationale for the funding and staffing levels, and the  
24          administrative and other overhead costs of the program.
- 25          (5) Determine the appropriate level of funding and staff necessary to  
26          accomplish the goals and missions of the Department.

27          **SECTION 4.** The Commission, while in the discharge of its official duties,  
28          may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through  
29          G.S. 120-19.4. The Commission may meet at any time upon the joint call of the  
30          cochairs. The Commission may meet in the Legislative Building or the Legislative  
31          Office Building.

32          The Legislative Services Commission, through the Legislative Services  
33          Officer, shall assign professional staff to assist the Commission in its work. The House  
34          of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to  
35          the Commission, and the expenses relating to the clerical employees shall be borne by  
36          the Commission. The Commission may contract for professional, clerical, or consultant  
37          services as provided by G.S. 120-32.02. If the Commission hires a consultant, the  
38          consultant shall not be a State employee or a person currently under contract with the  
39          State to provide services.

40          All State departments and agencies and local governments and their  
41          subdivisions shall furnish the Commission with any information in their possession or  
42          available to them.

43          **SECTION 5.** The Commission shall report the results of its study and its  
44          recommendations to the 2008 Regular Session of the 2007 General Assembly upon its

1 convening. The Commission shall terminate upon filing its final report or upon the  
2 convening of the 2008 Regular Session of the 2007 General Assembly, whichever is  
3 earlier.

4           **SECTION 6.** There is appropriated from the General Fund to the General  
5 Assembly the sum of one hundred thousand dollars (\$100,000) for the 2007-2008 fiscal  
6 year for the expenses of the Legislative Special Commission on Efficiency and  
7 Effectiveness of the Department of Public Instruction and the State Board of Education.

8           **SECTION 7.** This act becomes effective July 1, 2007.