

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 490
HOUSE BILL 492

AN ACT TO REPEAL ARTICLES 27 AND 29 OF CHAPTER 115 OF THE GENERAL STATUTES AND TO ENACT ARTICLES 27A AND 29A TO PROVIDE AN EXPANDED LEGAL BASIS FOR SECONDARY SCHOOL VOCATIONAL EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. Article 27 of Chapter 115 of the General Statutes is repealed in its entirety.

Sec. 2. Chapter 115 of the General Statutes is amended by adding a new Article to read and be designated as follows:

"ARTICLE 27A.

"Vocational Education Programs.

"§ 115-229.1. Statement of purpose. — It is the intent of the General Assembly that vocational education be an integral part of the educational process. The State Board of Education is authorized and directed to administer through local boards of education a comprehensive program of vocational education which shall be available to all students who desire it in the public secondary schools of this State. The purposes of vocational education in North Carolina public secondary schools shall be:

- (1) to prepare individuals for paid or unpaid employment in recognized occupations, new occupations, and emerging occupations. (Vocational Skill Development.);
- (2) to prepare individuals for participation in advanced or highly skilled vocational and technical education. (Preparation for Advanced Education.); and
- (3) to assist individuals in the making of informed and meaningful occupational choices. (Pre-Vocational - Introductory.)

It is also legislative intent to authorize the State Board of Education to support appropriate vocational education instruction and related services for individuals who have other specialized vocational education needs which can be fulfilled through a comprehensive vocational education program as designated by State Board of Education policy or federal vocational education legislation.

"§ 115-229.2. Definitions. — The State Board of Education is authorized and directed to provide appropriate definitions to vocational education programs, services, and activities in grades 7-12 not otherwise included in this Article:

- (1) 'Comprehensive vocational education' means instructional programs, services, or activities directly related to one's preparation for and placement in employment, for advanced technical education, or for the making of informed and meaningful occupational choices.
- (2) 'Vocational skill development' means a program, service, or activity designed to prepare individuals for paid or unpaid employment as semi-skilled or skilled workers, technicians, or professional-support personnel in recognized occupations and in new and emerging occupations

including occupations or a trade, technical, business, health, office, homemaking, homemaking related, agricultural, distributive, and other nature. Instruction is designed to fit individuals for initial employment in a specific occupation or a cluster of closely related occupations in an occupational field. Such instruction includes education in manipulative skills, theory, auxiliary information, and other associated knowledges.

- (3) 'Preparation for advanced education' means a program, service, or activity designed to prepare individuals for participation in advanced or highly skilled post-secondary and technical education programs leading to employment in specific occupations or a cluster of closely related occupations and for participation in vocational education teacher education programs.
- (4) 'Pre-vocational - introductory' means an instructional program, service, or activity designed to familiarize individuals with the broad range of occupations for which special skills are required and the requisites for careers in such occupations.

"§ 115-229.3. Administration of vocational education. — The State Board of Education shall be the sole State agency for the State administration of vocational education at all levels, shall be designated as the State Board of Vocational Education, and shall have all necessary authority to cooperate with any and all federal agencies in the administration of national acts assisting vocational education, to administer any legislation pursuant thereto enacted by the General Assembly of North Carolina, and to cooperate with local boards of education in providing vocational and technical education programs, services, and activities for youth and adults residing in the area under their jurisdiction.

"§ 115-229.4. Duties of the State Board of Education. — In carrying out its duties, the State Board of Education shall have full authority to develop and implement such policies, rules, regulations, and procedures as necessary to ensure vocational education programs of high quality. The State Board of Education shall prepare a Master Plan for Vocational Education. Such plan, to be updated periodically, shall ensure minimally that:

- (1) articulation will occur with institutions, agencies, councils, and other organizations having responsibilities for manpower development;
- (2) business, industrial, agricultural, and lay representatives have been utilized in the development of decisions affecting vocational education programs and services;
- (3) public hearings are conducted annually to afford the public an opportunity to express their views concerning the State board's plan to suggest changes in the plan;
- (4) the plan describes the State's policy for vocational education and the system utilized for the delivery of vocational education programs, services, and activities;
- (5) a professionally and occupationally qualified staff is employed and organized in a manner to assure efficient and effective State leadership for vocational education. Provisions will be made for such functions as: planning, administration, supervision, curriculum development, research and evaluation, and such others as the State board may direct;
- (6) an appropriate supply of qualified personnel is trained for program expansion and replacements through cooperative arrangements with institutions of higher education and other institutions or agencies, including where necessary financial support of programs and curriculums designed for the preparation of vocational administrators, supervisors, coordinators, instructors, and support personnel;

- (7) minimum standards shall be prescribed for personnel employed at the State and local levels;
- (8) local boards of education submit to the State Board of Education a local plan for vocational education which has been prepared in accordance with the procedures set forth in the Master Plan for Vocational Education;
- (9) appropriate minimum standards for vocational education programs, services, and activities shall be established, promulgated, supervised, monitored, and maintained. Such standards shall specify such characteristics as program objectives, skill competencies, course sequence, program duration, class size, supervised on-the-job experiences, qualifications of instructors, and all other standards necessary to ensure that all programs conducted by local educational agencies shall be of high quality, relevant to student needs, and coordinated with employment opportunities; and
- (10) a system of continuing qualitative and quantitative evaluation of all vocational education programs, services, and activities supported under the provisions of this Article shall be established, maintained, and utilized periodically. One component of such system shall be follow-up studies of former students of vocational education programs who have been out of school for one year, for three years, and for five years to ascertain the effectiveness of instruction, services, and activities.

"§ 115-229.5. Acceptance of benefits of federal vocational acts. — The State of North Carolina, through the State Board of Education, shall be empowered to accept all the provisions and benefits of acts passed by the Congress of the United States providing federal funds for vocational and technical education programs; provided, however, that the State Board of Education is not authorized to accept such funds upon any condition that the public schools of this State shall be operated contrary to any provision of the Constitution or statutes of this State.

"§ 115-229.6. State funds for vocational education. — It is the intent of the General Assembly of North Carolina to appropriate funds for each fiscal year to support the purposes of vocational education as set forth in Section 115-229 of this Article. From funds appropriated, the State Board of Education shall establish a sum of money for State administration of vocational education and shall allocate the remaining sum on an equitable basis to local educational agencies, except that a contingency fund is established to correct excess deviations which may occur during the regular school year. In the administration of State funds, the State Board of Education shall adopt such policies and procedures as necessary to ensure that the funds appropriated are used for the purpose stated in this Article and consistent with the policy set forth in the Master Plan for Vocational Education.

"§ 115-229.7. Responsibility of local boards of education. — Each local educational agency shall provide free appropriate vocational education instruction, activities, and services in accordance with the provisions of this Article for all youth who elect such instruction and shall have responsibility for administering such in accordance with federal and State law and State Board of Education policies."

Sec. 3. Article 29 of Chapter 115 of the General Statutes is repealed in its entirety.

Sec. 4. Chapter 115 of the General Statutes is amended by adding a new Article to read and be designated as follows:

"ARTICLE 29A.

"Vocational Education Production Work Activities.

"§ 115-240.1. Statement of purpose. — It is the intent of the General Assembly that practical work experiences within the school and outside the school, which are valuable to students and which are under the supervision of a teacher, should be encouraged as a part of vocational education instruction in the public secondary schools when such experiences shall be organized

and maintained to the best advantage of the vocational education programs. Local boards of education are authorized to use available financial resources to support such instruction.

"§ 115-240.2. Definitions. — The State Board of Education is authorized and directed to provide appropriate definitions necessary to this part of vocational education instruction not otherwise included in this Article:

- (1) The term 'Production Work' means production activities and services performed by a vocational education class(es) under contract with a second party for remuneration.
- (2) The term 'Building Trades Training' means the development of vocational skills through the construction of dwellings or other buildings and related activities by students in vocational education programs.

"§ 115-240.3. Duties of the State Board of Education. — The State Board of Education is authorized and directed to establish, maintain, and implement such policies, rules, regulations, and procedures not in conflict with State law or other State board policies as necessary to assist local boards of education in the conduct of production work experiences performed in connection with approved State Board of Education vocational education programs.

"§ 115-240.4. Use of proceeds derived from production work. — Unless elsewhere authorized in these statutes, local boards of education are authorized and directed to deposit to the appropriate school account, no later than the end of the next business day after receipt of funds, all proceeds derived from the sale of products or services from production work experiences. Such proceeds shall be established as a revolving fund to be used solely in operating and improving vocational education programs.

"§ 115-240.5. Acquisition of land for agricultural education instructional programs. — Local boards of education are authorized and empowered to acquire by gift, purchase, or lease for not less than the useful life of any project to be conducted upon the premises, a parcel of land suitable for a land laboratory to provide students with practical instruction in soil science, plant science, horticulture, forestry, animal husbandry, and other subjects related to the agriculture curriculum.

Each deed, lease, or other agreement for such land shall be made to the respective local board of education in which the school(s) offering instruction in agriculture is located; and title to such land shall be examined and approved by the school attorney.

Any land laboratory thus acquired shall be assigned to the agricultural education program of the school, to be managed with the advice of an agricultural education advisory committee.

The products of the land laboratory not needed for public school purposes may be sold to the public; provided, however, that all proceeds from the sale of products shall be deposited in the appropriate school account no later than the end of the next business day after receipt of funds. Such proceeds shall be established as a revolving fund to be used solely in operating and improving vocational education programs.

"§ 115-240.6. Building trades training. — In the establishment and implementation of production work experience policies, the State Board of Education shall be guided as follows:

- (1) Local boards of education are authorized to use supplementary tax funds or other local funds available for the support of vocational education to purchase and develop suitable building sites on which dwellings or other buildings are to be constructed by vocational education trade classes of each public school operated by local boards of education. Local boards of education are authorized to use such funds for each school to pay the fees necessary in securing and recording deeds to these properties for each public school operated by local boards of education and to purchase all materials needed to complete the construction of buildings by vocational education trade classes and for development of site and property by other vocational education classes. Local boards of education are further authorized to

expend such funds in acquiring skilled services, including electrical, plumbing, heating, sewer, water, transportation, grading, and landscaping needed in the construction and completion of buildings which cannot be supplied by the students in vocational education trade classes.

- (2) Local boards of education are authorized, in conjunction with or in lieu of paragraph (1) above, to contract with recognized building trades educational foundations or associations in the purchase of land for the construction and development of buildings; provided, however, that all contracts are in accordance with the requirements set forth by the State Board of Education.

"§ 115-240.7. Advisory committee on construction projects. — The board of education of the local administrative unit in which the proposed project(s) of construction is to be undertaken shall appoint an advisory committee composed of no less than five persons residing within that administrative unit of which no less than three will be associated with the building trades industry, and no building trades project(s) shall be undertaken without the approval of a majority of the advisory committee."

Sec. 5. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 8th day of June, 1977.