

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 1103
HOUSE BILL 1567

AN ACT TO ENACT THE ELEMENTARY AND SECONDARY SCHOOL
REFORM ACT OF 1984.

The General Assembly of North Carolina enacts:

Section 1. This act may be referred to as the "Elementary and Secondary School Reform Act of 1984."

Sec. 2. G.S. 115C-81(a) is amended by deleting the first paragraph and substituting the following:

"Standard Course of Study. It is the policy of the State of North Carolina to insure a quality education to every child residing in North Carolina. To this end, the General Assembly directs the State Board of Education to develop a standard course of study to be offered to every child in North Carolina public schools and to submit the proposed standard course of study to the General Assembly by October 15, 1984.

The standard course of study shall reflect a rigorous academic course of study stressing mastery of integrated knowledge based on mastery of competencies in the basic skill areas rather than the study of isolated disciplines. To this end, the State Board of Education is directed to undertake a statewide audit of current curricula and to refine the curricula as required to comply with this policy. The standard course of study:

1. shall stress mastery of integrated knowledge;
2. should provide students with the specific competencies needed to gain employment or to continue their education;
3. should provide students with the skills necessary to cope with contemporary society;
4. shall contain a vocational education component designed to meet the State's and local anticipated career training needs;
5. shall provide for a program of continuous learning based upon the individual child's need, interest, and stages of development, so that the program has a nongraded structure of organization;
6. shall set forth what subjects shall be taught in each grade, and outline the basal and supplementary books on each subject to be used in each grade;
7. shall include a core curriculum for all students plus additional elective curriculum choices to meet the varied needs and interests of students;
8. shall establish a minimum length of the instructional day;
9. shall prescribe standards for student performance and promotion and may consider appropriate levels at which remediation should begin;

and 10. shall describe appropriate class sizes for each course required by the standard course of study; staffing levels to support the standard course of study, and may include minimum staffing for schools, regardless of size, where such schools are determined to be essential to serve pupils located in isolated geographic areas; minimum facility requirements for the standard course of study; minimum material requirements for the standard course of study; and such other information the Board finds necessary to enable the General Assembly to allocate appropriate resources to implement the plan."

Sec. 3. The second paragraph of G.S. 115C-271 is rewritten to read:

"It is the policy of the State of North Carolina that the superintendents of each of the several school administrative units be hired solely at the discretion of the local boards of education and that a candidate for superintendent of a local school administrative unit must have been, at least, a principal in a North Carolina public school or have equivalent experience as prescribed by the State Board of Education and have other minimum credentials, educational prerequisites and experience requirements as the State Board of Education shall prescribe. The State Board of Education is directed to promulgate prerequisites for candidacy for superintendent not later than January 1, 1985."

Sec. 4. G.S. 115C-284 is amended by adding a new subsection to read:

"(d1) It is the policy of the State of North Carolina that, subsequent to the adoption of a system of classroom teacher differentiation and prerequisites to candidacy for principal, a classroom teacher must have attained at least the second level of differentiation, have at least four years of classroom teaching experience, and possess, at least, a Masters Degree in Education Administration. This subsection shall not apply to educational personnel certified as of July 1, 1984."

Sec. 5. The State Board of Education shall develop and recommend to the General Assembly by March 1, 1986, a quality assurance program for all administrators, similar to the programs for beginning and experienced teachers, in order to provide principals and superintendents with opportunities to develop effective management skills. In the development of this recommendation, the State Board of Education shall consult with local boards of education, on a continuous and systematic basis, through a process designed by the State Board, to assure participation on the part of a number of local boards of various sizes throughout the State. In addition, the State Board shall consult with and/or employ such public and private agencies, organizations and professional organizations as it deems necessary to accomplish this policy.

Sec. 6. G.S. 115C-296 is amended by designating the present section as subsection (a) and adding the following subsections (b) and (c) to read:

"(b) It is the policy of the State of North Carolina to maintain the highest quality teacher education programs in order to enhance the competence of professional personnel certified in North Carolina. To the end that teacher preparation programs are upgraded to reflect a more rigorous course of study, the State Board of Education shall submit to the General Assembly not later than November 1, 1984, a plan to promote this policy. The State Board of Education, as lead agency in coordination and cooperation

with the University Board of Governors, the Board of Community Colleges and such other public and private agencies as are necessary, shall continue to refine the several certification requirements, standards for approval of institutions of teacher education, standards for institution-based innovative and experimental programs, standards for implementing consortium-based teacher education, and standards for improved efficiencies in the administration of the approved programs.

(c) It is the policy of the State of North Carolina to encourage lateral entry into the profession of teaching by skilled individuals from the private sector. To this end, before the 1985-86 school year begins, the State Board of Education shall develop criteria and procedures to accomplish the employment of such individuals as classroom teachers. Regardless of credentials or competence, no one shall begin teaching above the middle level of differentiation. Skilled individuals who choose to enter the profession of teaching laterally may be granted a provisional teaching certificate for no more than five years and shall be required to obtain certification before contracting for a sixth year of service with any local administrative unit in this State."

Sec. 7. The State Board of Education may recommend to the General Assembly a program of expanded on-the-job training for public school employees. This recommendation may include individual training goals, the level of funding and a mechanism to evaluate the results of the training efforts.

Sec. 8. G.S. 115C-302 is amended by adding a new subsection (e) to read:

"(e) It is the policy of the State of North Carolina to enhance the teaching profession by providing teachers with career opportunities that do not remove them from the classroom; to encourage the development and implementation of a professional salary schedule that complements the system of differentiation; to have salaries of professional educators in elementary and secondary schools based upon performance, degree attained, differentiation and the needs of the local school administrative unit; and to begin, in the school year beginning in 1986, a differential salary system based upon performance, differentiation, local availability of classroom teachers, geographical location of the employing local school administrative unit and such other factors as the local board of education shall deem necessary.

Performance shall be measured by standardized evaluations which are routinely administered pursuant to G.S. 115C-326 by competent and trained administrators who have themselves demonstrated meritorious performance in the classroom. Differentiation shall be based upon superior performance over a period of time plus other responsibilities. Needs of the local school administrative unit over and above the standard course of study shall be defined by the local board of education exclusively funded from revenues provided at the discretion of the board of county commissioners or from other local funds under the control of the local board of education.

Each salary may include a local variable component, determined locally and based upon the needs and condition of the local school administrative unit. This local variable component shall be paid from local revenue."

Sec. 9. G.S. 115C-315(b) is amended by adding a new paragraph at the end thereof to read:

"It is the policy of the State of North Carolina to encourage and provide for the most efficient and cost-effective method of meeting the needs of local school administrative units for noncertified support personnel. To this end, the State Board of Education shall recommend to the General Assembly by November 1, 1984, a system using factors and formulas to determine the total number of noncertified support personnel allotted to local school administrative units. The recommended system for allotting noncertified support personnel shall include the proposed State's funding obligation for these positions and shall be developed in consultation with school-based support personnel or their representatives."

Sec. 10. G.S. 115C-326 is amended by adding a new subsection (c) to read:

"(c) The State Board of Education shall recommend to the General Assembly by December 1, 1986, a program to remedy deficiencies and difficulties revealed through the evaluation process required by this section and to develop new skills on the part of classroom teachers."

Sec. 11. Part 3, of Article 22 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-326.1. Differentiation of classroom teachers. – (a) It is the policy of the State of North Carolina to encourage differentiation of classroom teachers. The State Board of Education shall consult with local boards of education, on a continuous and systematic basis through a process designed by the State Board to assure participation on the part of a number of local boards of various sizes throughout the State. In addition, the State Board shall consult with such other public and private agencies, organizations and professional organizations as it deems necessary to accomplish this policy. After the consultation process, the State Board shall adopt a policy defining at least five categories of differentiated staffing for classroom teachers.

The State Board may pilot test this career growth program for classroom teachers in at least one school administrative unit in each of the eight educational districts of the State during the 1985-86 school year and shall recommend a system of differentiation to be applied consistently throughout the State beginning in the 1986-87 school year. This recommendation shall be submitted to the General Assembly on or before March 1, 1986.

(b) Criteria for differentiation shall include performance and may include such other criteria as the State Board of Education deems necessary; such as degree obtained, number of subjects taught, number of classes taught, number of students taught in a school day and time in service.

(c) The State Board of Education, after consultation with local boards of education, shall develop such personnel policies as are required to ensure a coherent progression through the system of differentiation by those classroom teachers who elect to participate in the system of differentiation. The State Board shall develop personnel policies which prevent imbalances at any level of differentiation. If there is evidence of an imbalance or abnormality in the distribution of performance evaluations administered pursuant to G.S. 115C-326 and/or classroom teacher differentiations created and administered pursuant to this section, the State Board of Education shall be empowered to review performance evaluation and staffing pattern of a local school administrative

unit to ensure reasonable distribution of performance evaluations and classroom teacher differentiations.

(d) The State Board of Education shall give consideration to methods of enhancing the quality of continuing education programs for currently certified teachers, and may include a sabbatical leave for professional improvement.

(e) Notwithstanding the above, teachers employed under the system of employment for public school teachers, G.S. 115C-325, in effect prior to ratification of this act, shall be afforded the opportunity to elect to continue under the system of employment provided in G.S. 115C-325 and continuing under the salary schedule in existence at that time. They shall have the alternative of electing to change their conditions of employment to come within the system outlined in this section. This election shall be made on or before signing employment contracts for the 1987-88 school year. Employees whose initial contracts are for the 1986-87 or subsequent school years shall be employed under the employment system contained in this section."

Sec. 12. G.S. 115C-408 is rewritten to read:

"§ 115C-408. Funds under control of the State Board of Education. – (a) It is the policy of the State of North Carolina to create a public school system that graduates good citizens with the skills demanded in the marketplace, and the skills necessary to cope with contemporary society, using State, local and other funds in the most cost-effective manner. The Board shall have general supervision and administration of the educational funds provided by the State and federal governments, except those mentioned in Section 7 of Article IX of the State Constitution, and also excepting such local funds as may be provided by a county, city, or district.

(b) To insure a quality education for every child in North Carolina, and to assure that the necessary resources are provided, it is the policy of the State of North Carolina to provide from State revenue sources the instructional expenses for current operations of the public school system as defined in the standard course of study.

It is the policy of the State of North Carolina that the facilities requirements for a public education system will be met by county governments.

It is the intent of the 1983 General Assembly to further clarify and delineate the specific financial responsibilities for the public schools to be borne by State and local governments."

Sec. 13. Article 32A of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-472. State policy. – It is the policy of the State of North Carolina to encourage entry into the teaching profession by those who are prepared to teach in those areas where teachers are most needed. To this end, the State Board of Education shall recommend to the General Assembly by November 1, 1984, a method of providing loan and scholarship assistance to prospective teachers in areas of anticipated shortage.

This recommendation shall include, at least, the anticipated needs, the level of funding and a mechanism to evaluate the results of the program."

Sec. 14. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 6th day of July, 1984.