

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 971

Short Title: Local School Improvement Plans.

(Public)

Sponsors: Representatives Fussell; Cummings and Oldham.

Referred to: Education.

April 15, 1993

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS CHANGES TO THE MANNER IN WHICH LOCAL
SCHOOL IMPROVEMENT PLANS ARE ADOPTED AND IMPLEMENTED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-238.3 reads as rewritten:

"§ 115C-238.3. Development of local plans; elements of local plans.

(a) Development of systemwide plan by the local board of education. – The board of education of a local school administrative unit that elects to participate in the Program shall develop and submit a local school improvement plan for the entire local school administrative unit to the State Superintendent of Public Instruction before April 15 of the fiscal year preceding the fiscal year in which participation is sought.

A systemwide improvement plan shall remain in effect for no more than three years.

(b) Establishment of student performance goals by the local board of education for the systemwide plan. – The local board of education shall establish student performance goals for the local school administrative unit. The local board of education shall actively involve an advisory panel composed of a substantial number of teachers, school administrators, other school staff, and parents of children enrolled in the local school administrative unit, in developing the student performance goals for the local school improvement plan. It is the intent of the General Assembly that teachers have a major role in developing the student performance goals for the local school improvement plan; therefore, at least half of the ~~staff-members~~ participating in this advisory panel shall be teachers. ~~The teachers~~ Every teacher in the local school administrative unit ~~shall select the teachers who are involved in the advisory panel.~~ shall be

1 afforded the opportunity to participate in a secret ballot election of teachers who are
2 involved in the advisory panel.

3 The performance goals for the local school administrative unit shall address specific,
4 measurable goals for all student performance indicators adopted by the State Board.
5 Factors that determine gains in achievement vary from school to school; therefore,
6 socioeconomic factors and previous student performance indicators shall be used as the
7 basis of the local school improvement plan.

8 (b1) Development by each school of strategies for attaining local student
9 performance goals. – The principal of each school, representatives of the building-level
10 staff, and parents of children enrolled in the school shall develop a building-level plan
11 to address student performance goals appropriate to that school from those established
12 by the local board of education. These strategies shall include a plan for the use of staff
13 development funds made available to the school to implement the building-level plan.

14 These strategies may also include requests for waivers of State laws, regulations, or
15 policies for that school. A request for a waiver shall (i) identify the State laws,
16 regulations, or policies that inhibit the local unit's ability to reach its local accountability
17 goals, (ii) set out with specificity the circumstances under which the waiver may be
18 used, and (iii) explain how a waiver of those laws, regulations, or policies will permit
19 the local unit to reach its local goals.

20 Support among affected staff members is essential to successful implementation of a
21 building-level plan to address student performance goals appropriate to a school;
22 therefore, the principal of the school shall present the proposed building-level plan to all
23 of the staff assigned to the school building for their review and vote. The vote shall be
24 by secret ballot. The principal may submit the building-level plan to the local board of
25 education for inclusion in the systemwide plan only if the proposed building-level plan
26 has the approval of a majority of the staff who voted on the plan.

27 The local board of education shall accept or reject the building-level plan. The local
28 board shall not make any substantive changes in any building-level plan that it accepts;
29 the local board shall set out any building-level plan that it accepts in the systemwide
30 plan. If the local board rejects a building-level plan, the local board shall state with
31 specificity its reasons for rejecting the plan; the principal of the school for which the
32 plan was rejected, representatives of the building-level staff, and parents of children
33 enrolled in the school may then prepare another plan, present it to the building-level
34 staff for a vote, and submit it to the local board for inclusion in the systemwide plan. If
35 no building-level plan is accepted for a school before March 15 of the fiscal year
36 preceding the fiscal year in which participation is sought, the local board may develop a
37 plan for the school for inclusion in the systemwide plan; the General Assembly urges
38 the local board to utilize the proposed building-level plan to the maximum extent
39 possible when developing such a plan.

40 (c) Development by each school of a differentiated pay plan for that school;
41 development by the local board of education of a differentiated pay plan for central
42 office personnel. –

43 (1) The local school administrative unit shall consider a plan for
44 differentiated pay. The local plan shall include a plan for differentiated

1 pay, in accordance with G.S. 115C-238.4, unless the local school
2 administrative unit elects not to participate in any differentiated pay
3 plan.

- 4 (2) The principal of each school, representatives of the building-level
5 staff, and parents of children enrolled in the school shall develop a
6 building-level differentiated pay plan for the school when they develop
7 their building-level plan to address student performance goals
8 appropriate to the school. By October 1 of each year, the principal
9 shall disclose to all affected personnel the total allocation of funds for
10 differentiated pay. At the end of the fiscal year, the principal shall
11 make available to all affected personnel a report of all disbursement
12 from the building-level differentiated pay plan.

13 Support among affected staff members is essential to successful
14 implementation of a building-level differentiated pay plan; therefore,
15 the principal of the school shall present the proposed building-level
16 plan to all of the staff eligible to receive differentiated pay, in
17 accordance with G.S. 115C-238.4(a), for their review and vote. The
18 vote shall be by secret ballot. The principal may submit the building-
19 level differentiated pay plan to the local board of education only if the
20 proposed building-level differentiated pay plan has the approval of a
21 majority of the staff who voted on the plan.

22 The local board of education shall accept or reject the building-
23 level differentiated pay plan. The local board shall not make any
24 substantive changes in any building-level plan that it accepts; the local
25 board shall set out any building-level plan that it accepts in the
26 systemwide differentiated pay plan. If the local board rejects a
27 building-level plan, the local board shall state with specificity its
28 reasons for rejecting the plan; the principal of the school for which the
29 plan was rejected, representatives of the building-level staff, and
30 parents of children enrolled in the school may then prepare another
31 plan, present it to all of the staff eligible to receive differentiated pay,
32 in accordance with G.S. 115C-238.4(a), for a vote, and submit it to the
33 local board for inclusion in the systemwide plan. If no building-level
34 plan is accepted for a school before ~~March~~ April 15 of the fiscal year
35 preceding the fiscal year in which participation is sought, the local
36 board may develop a plan for the school building for inclusion in the
37 systemwide plan; the General Assembly urges the local board to utilize
38 the proposed building-level plan to the maximum extent possible when
39 developing such a plan.

- 40 (3) The local board of education shall develop a plan for differentiated pay
41 for all central office personnel eligible to receive differentiated pay, in
42 accordance with G.S. 115C-238.4(a), and shall include the plan in the
43 systemwide differentiated pay plan.

1 (4) A systemwide differentiated pay plan shall remain in effect for no
2 more than three years. At the end of three years, a plan to continue,
3 discontinue, or modify that differentiated pay plan shall be developed
4 in accordance with subdivisions (2) and (3) of this subsection.

5 (d) Repealed by Session Laws 1991 (Regular Session, 1992), c. 900, s. 75.1(b),
6 effective July 8, 1992."

7 Sec. 2. Part 4 of Article 16 of Chapter 115C of the General Statutes is
8 amended by adding a new section to read:

9 "**§ 115C-238.8. Distribution of staff development funds.**

10 The local board of education shall distribute funds appropriated by the State for staff
11 development to implement the building-level plan to individual school buildings on the
12 basis of average daily membership.

13 These funds shall be used in accordance with the building-level plan set out in the
14 system-wide plan.

15 By October 1 of each year, the principal shall disclose to all affected personnel the
16 total allocation of funds for staff development. At the end of the fiscal year, the
17 principal shall make available to all affected personnel a report of all disbursements
18 from the building-level staff development funds."

19 Sec. 3. This act is effective upon ratification and applies to all school
20 improvement plans in effect for school years beginning with the 1993-94 school year.