

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1067

Education/Higher Education Committee Substitute Adopted 5/19/93

Short Title: Use Teacher Ass't Funds for Teachers.

(Public)

Sponsors:

Referred to: Appropriations.

May 6, 1993

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION TO REQUEST AND RECEIVE A WAIVER OF STATE LAWS REGARDING FUNDING FOR TEACHER ASSISTANTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-238.6(a) reads as rewritten:

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

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

- (1) State laws pertaining to class size, teacher certification, assignment of teacher assistants, the use of State-adopted textbooks, and the purposes for which State funds for the public schools, except for funds for school health coordinators, may be used: Provided, however, the State Board of Education shall not permit the use of funds for teachers for

1 expanded programs under the Basic Education Program for any other
2 purpose;

- 3 (1a) State laws pertaining to the use of funds appropriated for regular
4 teacher assistants so that State funds allotted for regular teacher
5 assistants may be used for teachers. These teachers shall be used only
6 to reduce class size in certain classes in kindergarten through grade 3
7 to no more than 15 students per class.

8 If a State-funded regular teacher assistant position was filled on
9 June 1 of a school year, a local board of education that receives such a
10 waiver shall not use the waiver to abolish that regular teacher assistant
11 position, effective for or during the next school year, unless the person
12 filling the position on June 1 dies, resigns, is dismissed for cause, or is
13 offered the position for the next school year but does not accept it.

- 14 (2) All State regulations and policies, except those pertaining to State
15 salary schedules and employee benefits for school employees, the
16 instructional program that must be offered under the Basic Education
17 Program, the system of employment for public school teachers and
18 administrators set out in G.S. 115C-325, health and safety codes,
19 compulsory school attendance, the minimum lengths of the school day
20 and year, and the Uniform Education Reporting System.

21 Except for waivers requested by the local board in accordance with G.S. 115C-
22 238.3(b2) for central office staff, waivers shall be granted only for the specific schools
23 for which they are requested in building-level plans and shall be used only under the
24 specific circumstances for which they are requested."

25 Sec. 2. This act becomes effective July 1, 1993.