

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: House Bill 127

SHORT TITLE: Community-Based School Assignments

SPONSOR(S): Representative Gulley

| FISCAL IMPACT | | | | | |
|--|---|--------------------------|----------------------------------|--------------------------|--------------------------|
| | Yes (x) | No () | No Estimate Available (x) | | |
| | <u>FY 1999-00</u> | <u>FY 2000-01</u> | <u>FY 2001-02</u> | <u>FY 2002-03</u> | <u>FY 2003-04</u> |
| REVENUES | | | | | |
| EXPENDITURES | No State costs | | | | |
| | Some potential | | | | |
| | Local costs | | | | |
| POSITIONS: | | | | | |
| PRINCIPAL DEPARTMENT(S) & PROGRAM (S) AFFECTED: | State Board of Education, Department of Public Instruction, Local Boards of Education | | | | |
| EFFECTIVE DATE: | Effective upon ratification and applies to all school years beginning with the 1999-2000 school year. | | | | |

BILL SUMMARY:The bill would require local boards of education to review their school attendance zones, establish a process for changing these zones to promote community-based schools, review the relative merits of their schools, and consider reallocating resources. Local boards would be required to report annually to the State Board of Education on their implementation of these steps.

The bill also would establish a process for parents, guardians, or persons standing in loco parentis to a child to appeal school assignments. These individuals would be permitted to request reassignment to the non-magnet school closest to a child's domicile or to the magnet school to which a child originally applied. The board must reassign the child unless (i) the school is overcrowded due to the number of children assigned or reassigned to it who live closer to the school; (ii) reassignment would

violate federal law, a court order, or the conditions of a federal grant; or (iii) the board finds the school is not grade-appropriate for the child or the child needs a specialized assignment. If the request is for reassignment to the school closest to the child's domicile and it is not possible to grant this request, then the board must consider reassignment to the school that is second-closest to the child's domicile. The local board may designate hearing panels of at least two board members to hear these appeals; however, the board will make the final determination. The board must make findings of fact and conclusions of law on the matter and must notify the applicant of the decision by registered or certified mail. The board's decision is final, but may be appealed within 30 days to superior court. The State Board is directed to adopt rules to govern the implementation of these requests for reassignment.

Finally, the bill would encourage local boards of education and boards of county commissioners to narrow their assessment of school capital outlay needs to new and existing facilities. This assessment would occur as part of encouraged joint planning for the preparation of annual school budgets.

ASSUMPTIONS AND METHODOLOGY:

1. Local school boards could incur some administrative costs in applications for reassignments to nonmagnet and magnet schools. These costs would be those associated with processing reassignment applications, notification of parents, and hearings on appeals.
2. Local costs cannot be determined because the number of applications for reassignments cannot be determined.
3. Local five year capital constuction plans usually include both new facilites, renovations, and expansion of existing facilities. Therefore the provision of Section 3 should not add additional local costs.

TECHNICAL CONSIDERATIONS: Pupil assignment plans for 1999-2000 are now complete in most LEA's. The bill also appears to require pupil reassignments under certain circumstances after the beginning of the school.

FISCAL RESEARCH DIVISION 733-4910

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DATE: Tuesday, April 13, 1999



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