

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

S

1

SENATE BILL 1076

Short Title: High Priority School Assistance & Account. Act. (Public)

Sponsors: Senators Lee; Clodfelter, Dalton, Dannelly, Garrou, Garwood, Jordan, Kinnaird, Lucas, and Reeves.

Referred to: Appropriations/Base Budget.

April 5, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE NORTH CAROLINA HIGH PRIORITY SCHOOL
3 ASSISTANCE AND ACCOUNTABILITY ACT OF 2001.

4 The General Assembly of North Carolina enacts:

5 **PART I. TITLE OF ACT.**

6 **SECTION 1.** This act shall be known as the "North Carolina High Priority
7 School Assistance and Accountability Act of 2001".

8 **PART II. IMMEDIATE ASSISTANCE TO THE HIGHEST PRIORITY**
9 **ELEMENTARY SCHOOLS.**

10 **SECTION 2.** There is appropriated from the General Fund to State Aid to
11 Local School Administrative Units the sum of twelve million two hundred forty-six
12 thousand eight hundred seventy-eight dollars (\$12,246,878) for the 2001-2002 fiscal
13 year and the sum of fifteen million nine hundred thirty thousand two hundred
14 eighty-five dollars (\$15,930,285) for the 2002-2003 fiscal year to provide the State's
15 lowest-performing elementary schools with the tools needed to dramatically improve
16 student achievement. These funds shall be used for the 38 elementary schools at which,
17 for the 1999-2000 school year, over eighty percent (80%) of the students qualified for
18 free or reduced-price lunches and no more than fifty-five percent (55%) of the students
19 performed at or above grade level. Of these funds:

20 (1) The sum of \$7,672,471 for the 2001-2002 fiscal year and the sum of
21 \$7,672,471 for the 2002-2003 fiscal year shall be used to reduce class
22 size at each of these schools to ensure that no class in kindergarten
23 through third grade has more than 17 students;

24 (2) The sum of \$3,085,216 for the 2001-2002 fiscal year shall be used to
25 extend teachers' contracts at these schools by 18 days for the
26 2001-2002 school year and the sum of \$6,170,432 for the 2002-2003

1 fiscal year shall be used to extend teachers' contracts for an additional
2 18 days for the 2002-2003 school year;

3 (3) The sum of \$745,691 for the 2001-2002 fiscal year shall be used to
4 cover the costs, other than the cost of teacher salaries, of adding at
5 least 10 instructional days to the calendar at these schools during the
6 2001-2002 school year and the sum of \$1,491,382 for the 2002-2003
7 fiscal year shall be used to cover the costs, other than the cost of
8 teacher salaries, of adding an additional 10 instructional days to the
9 calendar during the 2002-2003 school year;

10 (4) The sum of \$456,000 for the 2001-2002 fiscal year and the sum of
11 \$456,000 for the 2002-2003 fiscal year shall be used to provide
12 recruiting and retention incentives, including signing bonuses and
13 housing subsidies, for three teachers at each of these 38 elementary
14 schools for each year; and

15 (5) The sum of \$287,500 for the 2001-2002 fiscal year and the sum of
16 \$140,000 for the 2002-2003 fiscal year shall be used to provide
17 State-identified leadership teams for a period of no less than four years
18 to the first five schools requesting leadership teams.

19 **PART III. IMMEDIATE ACTIONS TO ADDRESS TEACHER SHORTAGES.**

20 **-----FUNDS TO ATTRACT TEACHERS AND TO INCREASE THE NUMBER** 21 **OF TEACHERS.**

22 **SECTION 3.** There is appropriated from the General Fund to State Aid to
23 Local School Administrative Units the sum of five million five hundred twenty-one
24 thousand dollars (\$5,521,000) for the 2001-2002 fiscal year and the sum of five million
25 three hundred seventy-one thousand dollars (\$5,371,000) for the 2002-2003 fiscal year
26 to expand the pool of qualified teachers and to provide recruitment and retention
27 incentives to attract and retain high-quality teachers to low-performing schools and
28 schools with shortages of teachers in certain areas of certification. Of these funds:

29 (1) The sum of \$1,544,000 for the 2001-2002 fiscal year and the sum of
30 \$1,544,000 for the 2002-2003 fiscal year shall be used to provide
31 recruitment and retention incentives, including signing bonuses and
32 housing subsidies, to attract teachers to low-performing schools and to
33 schools with shortages of teachers in certain areas of certification to
34 schools not receiving such assistance pursuant to Section 2 of this act;

35 (2) The sum of \$2,577,000 for the 2001-2002 fiscal year and the sum of
36 \$2,577,000 for the 2002-2003 fiscal year shall be used to provide full
37 medical and proportional retirement benefits to up to 1000, certified
38 teachers who are not currently teaching as an incentive for them to
39 return to teaching one-half time;

40 (3) The sum of \$1,250,000 for the 2001-2002 fiscal year and the sum of
41 \$1,250,000 for the 2002-2003 fiscal year shall be used to pay the
42 salary and educational expenses of up to 500 teacher assistants and
43 noncertified school employees to enable them to complete the

1 coursework necessary for teacher certification, if they can do so in two
2 years or less; and

- 3 (4) The sum of \$150,000 for the 2001-2002 fiscal year and the sum of
4 \$150,000 for the 2002-2003 fiscal year shall be used to establish a
5 legislative study commission to study wage comparability for teachers,
6 especially teachers who are certified in areas in which there is a
7 shortage of teachers, such as math, science, and special education.

8 **-----FLEXIBILITY TO PROVIDE ON-SITE DAY CARE FOR TEACHERS.**

9 **SECTION 3.1.** G.S. 115C-105.25(b) is amended by adding a new
10 subdivision to read:

11 "(b) Subject to the following limitations, local boards of education may transfer
12 and may approve transfers of funds between funding allotment categories:

13 ...

- 14 (1a) In accordance with a school improvement plan accepted under G.S.
15 115C-105.27, up to fifteen percent (15%) of the State funds allocated
16 for teacher assistants may be used for personnel to staff day care
17 centers for teachers' children.

18"

19 **PART IV. COMPREHENSIVE ASSISTANCE TO CONTINUALLY**
20 **LOW-PERFORMING SCHOOLS.**

21 **-----STATE BOARD ASSISTANCE TO CONTINUALLY LOW-PERFORMING**
22 **SCHOOLS.**

23 **SECTION 4.** Chapter 115C of the General Statutes is amended by adding a
24 new section to read:

25 **"§ 115C-105.37A. Continually low-performing schools; definition; assistance and**
26 **intervention; reassignment of students.**

27 (a) Definition of Continually Low-Performing Schools. – A continually low-
28 performing school is a school that has received State-mandated assistance and has been
29 designated by the State Board as low performing for at least two consecutive years or
30 for at least two of three consecutive years. If the State Board identifies a school as
31 continually low performing, the school improvement team at that school shall review its
32 school improvement plan to ensure consistency with the plan adopted pursuant to 115C-
33 105.38(3).

34 (b) Assistance to Schools That Are Low Performing for Two Years. – If a school
35 that has received State-mandated assistance is designated by the State Board as low
36 performing for two consecutive years or for two of three consecutive years, the State
37 Board shall provide a series of progressive assistance and intervention strategies to that
38 school. These strategies shall be designed to improve student achievement and to
39 maintain student achievement at appropriate levels and may include, to the extent that
40 funds are available for this purpose, assistance such as reductions in class size,
41 extension of teacher and assistant principal contracts, extension of the instructional year,
42 and grant-based assistance.

43 (c) Intervention in Schools That Are Low Performing for Three or More Years. –
44 The State Board of Education shall develop and implement a series of actions for

1 providing assistance and intervention to schools that have previously received State-
2 mandated assistance and have been designated by the State Board as low performing for
3 three or more consecutive years or for at least three out of four years. These actions
4 shall be the least intrusive actions that are consistent with the need to improve student
5 achievement at each such school and shall be adapted to the unique characteristics of
6 each such school and the effectiveness of other actions developed or implemented to
7 improve student achievement at each such school."

8 **-----ADDITIONS TO THE LOCAL SUPERINTENDENT'S PLAN TO IMPROVE**
9 **THE SCHOOL.**

10 **SECTION 4.1.** G.S. 115C-105.37(a1) reads as rewritten:

11 "(a1) By July 10 of each year, each local school administrative unit shall do a
12 preliminary analysis of test results to determine which of its schools the State Board
13 may identify as low-performing under this section. The superintendent then shall
14 proceed under G.S. 115C-105.39. In addition, within 30 days of the initial identification
15 of a school as low-performing by the local school administrative unit or the State Board,
16 whichever occurs first, the superintendent shall submit to the local board a preliminary
17 plan for addressing the needs of that ~~school.~~ school, including how the superintendent
18 and other central office administrators will work with the school and monitor the
19 school's progress. Within 30 days of its receipt of this plan, the local board shall vote to
20 approve, modify, or reject this plan. Before the board makes this vote, it shall make the
21 plan available to the public, including the personnel assigned to that school and the
22 parents and guardians of the students who are assigned to the school, and shall allow for
23 written comments. The board shall submit the plan to the State Board within five days
24 of the board's vote. The State Board shall review the plan expeditiously and, if
25 appropriate, may offer recommendations to modify the plan. The local board shall
26 consider any recommendations made by the State Board."

27 **-----ADDITIONAL INCENTIVE AWARDS AT CONTINUALLY**
28 **LOW-PERFORMING SCHOOLS.**

29 **SECTION 4.2.** The State Board of Education may adopt policies providing
30 for larger incentive awards for employees in continually low-performing schools than
31 for employees at other schools. Teachers and certified personnel in continually
32 low-performing schools that achieve higher than expected improvements may receive
33 incentive awards of up to three thousand dollars (\$3,000). Teachers and certified
34 personnel in continually low-performing schools that meet the expected improvements
35 may receive incentive awards of up to one thousand five hundred dollars (\$1,500).

36 **-----APPROPRIATIONS FOR CONTINUALLY LOW-PERFORMING**
37 **SCHOOLS, BEGINNING WITH THE 2002-2003 FISCAL YEAR.**

38 **SECTION 4.3.** There is appropriated from the General Fund to the State
39 Board of Education the sum of four million five hundred seventy-three one hundred
40 ninety-six dollars (\$4,573,196) for the 2002-2003 fiscal year. These funds shall be used
41 to implement any of the following strategies at the school that have not previously been
42 implemented with State funds:

- 43 (1) The sum of \$3,062,520 for the 2002-2003 fiscal year shall be used to
44 reduce class size at a continually low-performing school to ensure that

1 the maximum number of students in a class at kindergarten through the
2 third-grade level is 17 and that the maximum number of students in a
3 class at the fourth through the twelfth-grade level is 20;

4 (2) The sum of \$1,024,844 for the 2002-2003 fiscal year shall be used to
5 extend the contracts of teachers to 11 months in continually
6 low-performing schools;

7 (3) The sum of \$435,832 for the 2002-2003 fiscal year shall be used to
8 cover the costs, other than teacher salaries, necessary to extend the
9 instructional year to 190 days in continually low-performing schools;
10 and

11 (4) The sum of \$50,000 for the 2002-2003 fiscal year shall be used to
12 provide signing bonuses for principals who commit to work for three
13 years in a continually low-performing school. The bonus shall not
14 exceed ten thousand dollars (\$10,000) and shall be paid in the
15 following installments: thirty-three percent (33%) up front, seventeen
16 percent (17%) after the first year, seventeen percent (17%) after the
17 second year, and thirty-three percent (33%) after the third year.

18 **PART V. EFFECTIVE DATE.**

19 **SECTION 5.** Sections 2, 3, and 4.3 of this act become effective July 1,
20 2001. The remainder of this act is effective when it becomes law.