

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 720
Committee Substitute Favorable 6/7/11
Third Edition Engrossed 6/8/11
Senate Rules and Operations of the Senate Committee Substitute Adopted 6/15/11

Short Title: School & Teacher Paperwork Reduction Act.

(Public)

Sponsors:

Referred to:

April 7, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE SCHOOL AND TEACHER PAPERWORK REDUCTION ACT.
3 The General Assembly of North Carolina enacts:

4
5 **TITLE OF ACT**

6 **SECTION 1.** This act shall be known as the "School and Teacher Paperwork
7 Reduction Act."

8
9 **REDUCTION OF PAPERWORK BY THE STATE BOARD OF EDUCATION**

10 **SECTION 2.(a)** G.S. 115C-12(19) reads as rewritten:

11 **"§ 115C-12. Powers and duties of the Board generally.**

12 The general supervision and administration of the free public school system shall be vested
13 in the State Board of Education. The State Board of Education shall establish policy for the
14 system of free public schools, subject to laws enacted by the General Assembly. The powers
15 and duties of the State Board of Education are defined as follows:

16 ...

17 (19) Duty to Identify Required Reports and to Eliminate Unnecessary Reports
18 and Paperwork. – Prior to the beginning of each school year, the State Board
19 of Education shall identify all reports that are required at the State level for
20 the school year.

21 The State Board of Education shall adopt policies to ensure that local
22 school administrative units are not required by the State Board of Education,
23 the State Superintendent, or the Department of Public Instruction staff to (i)
24 provide information that is already available on the student information
25 management system or housed within the Department of Public Instruction;
26 (ii) provide the same written information more than once during a school
27 year unless the information has changed during the ensuing period; or (iii)
28 complete forms, for children with disabilities, that are not necessary to
29 ensure compliance with the federal Individuals with Disabilities Education
30 Act (IDEA). Notwithstanding the foregoing, the State Board may require
31 information available on its student information management system or
32 require the same information twice if the State Board can demonstrate a
33 compelling need and can demonstrate there is not a more expeditious
34 manner of getting the information.



1 The State Board shall permit schools and local school administrative
2 units to submit all reports to the Department of Public Instruction
3 electronically.

4 The State Board of Education, in collaboration with the education
5 roundtables within the Department of Public Instruction, shall consolidate all
6 plans that affect the school community, including school improvement plans,
7 school safety/discipline plans, and others. The consolidated plan shall be
8 posted on each school's Web site for easy access by the public and by school
9 personnel.

10 The State Board shall report to the Joint Legislative Education Oversight
11 Committee by November 15 of each year on the reports it has consolidated
12 or eliminated for the upcoming school year."

13 **SECTION 2.(b)** G.S. 115C-12 is amended by adding a new subdivision to read:

14 "(19a) Duty to Consolidate Applications for State Funding. – The State Board of
15 Education shall adopt policies to streamline the process for local school
16 administrative units applying for State funding. The policies shall provide
17 for a consolidation of all such applications."

18 **REDUCTION OF PAPERWORK BY LOCAL BOARDS OF EDUCATION**

19 **SECTION 3.(a)** G.S. 115C-47(18) reads as rewritten:

20 "(18) To Make Rules Concerning the Conduct and Duties of Personnel. – Local
21 boards of education, upon the recommendation of the superintendent, shall
22 have full power to make all just and needful rules and regulations governing
23 the conduct of teachers, principals, and supervisors, the kind of reports they
24 shall make, and their duties in the care of school property.

25 Prior to the beginning of each school year, each local board of education
26 shall identify all reports, including local school required reports, that are
27 required at the local level for the school year and shall, to the maximum
28 extent possible, eliminate any duplicate or obsolete reporting
29 requirements and consolidate remaining reporting
30 requirements. No additional reports shall be required at the local level after
31 the beginning of the school year without the prior approval of the local board
32 of education.

33 Prior to the beginning of each school year, each local board of education
34 shall also identify software protocols such as NC Wise that could be used to
35 minimize repetitious data entry by teachers and shall make them available to
36 teachers.

37 Each local board of education shall appoint a person or establish a local
38 paperwork control committee to monitor all reports and other paperwork
39 required of teachers by the central office and to monitor teachers'
40 access to software protocols that minimize repetitious data entry."

41 **SECTION 3.(b)** G.S. 115C-105.27 is amended by adding a new subsection to read:

42 "(f) If a local board of education finds that a school improvement plan adequately covers
43 another plan that the local school administrative unit is otherwise required to prepare, the local
44 school administrative unit shall not be required to prepare an additional plan on the matter."
45

46 **REDUCTION OF PAPERWORK BY THE DEPARTMENT OF HEALTH AND** 47 **HUMAN SERVICES**

48 **SECTION 4.** The Department of Health and Human Services, in consultation with
49 the More at Four Program and the Smart Start Program, shall review all reporting requirements
50 imposed on the public schools relating to the operations of the programs and child care
51

1 regulation requirements. The Department of Health and Human Services shall reduce the
2 frequency of reporting as appropriate, based upon the review and recommendation of the
3 parties involved.

4 The Department of Health and Human Services shall report to the General
5 Assembly on its implementation of this section by October 1, 2011.

7 **ELIMINATION OF TECHNOLOGY REPORTS**

8 **SECTION 5.(a)** G.S. 115C-102.6C is repealed.

9 **SECTION 5.(b)** G.S. 115C-102.6D(d) is repealed.

10 **SECTION 5.(c)** G.S. 115C-102.7 reads as rewritten:

11 **"§ 115C-102.7. Monitoring and evaluation of State and local school system technology**
12 **plans; reports.**

13 (a) The Department of Public Instruction shall monitor and evaluate the development
14 and implementation of the State ~~and local school system technology plans.~~ technology plan.
15 The evaluation shall consider the effects of technology on student learning, the effects of
16 technology on students' workforce readiness, the effects of technology on teacher productivity,
17 and the cost-effectiveness of the technology.

18 (a1) Repealed by Session Laws 1997-18, s. 15(k).

19 (b) Repealed by Session Laws 2009-451, s. 7.31, effective July 1, 2009.

20 (c) ~~The Department of Public Instruction shall randomly check local school system~~
21 ~~technology plans to ensure that local school administrative units are implementing their plans~~
22 ~~as approved. The Department shall report to the State Board of Education on which local~~
23 ~~school administrative units are not complying with their plans. The report shall include the~~
24 ~~reasons these local school administrative units are out of compliance and a recommended plan~~
25 ~~of action to support each of these local school administrative units in carrying out their plans."~~

27 **REPEAL OF PROVISIONS PERMITTING THE PREPAYMENT OF TEACHERS**

28 **SECTION 6.** G.S. 115C-302.1(b) reads as rewritten:

29 "(b) Salary Payments. – State-allotted teachers shall be paid for a term of 10 months.
30 State-allotted months of employment for vocational education to local boards shall be used for
31 the employment of teachers of vocational and technical education for a term of employment to
32 be determined by the local boards of education. However, local boards shall not reduce the
33 term of employment for any vocational agriculture teacher personnel position that was 12
34 calendar months for the 1982-83 school year for any school year thereafter. In addition, local
35 boards shall not reduce the term of employment for any vocational agriculture teacher
36 personnel position that was 12 calendar months for the 2003-2004 school year for any school
37 year thereafter.

38 Each local board of education shall establish a set date on which monthly salary payments
39 to State-allotted teachers shall be made. This set pay date may differ from the end of the month
40 of service. The daily rate of pay for teachers shall equal midway between one twenty-first and
41 one twenty-second of the monthly rate of pay. Except for teachers employed in a year-round
42 school or paid in accordance with a year-round calendar, or both, the initial pay date for
43 teachers shall be no later than August 31 and shall include a full monthly payment. Subsequent
44 pay dates shall be spaced no more than one month apart and shall include a full monthly
45 payment.

46 ~~Teachers may be prepaid on the monthly pay date for days not yet worked. A teacher who~~
47 ~~fails to attend scheduled workdays or who has not worked the number of days for which the~~
48 ~~teacher has been paid and who resigns, is dismissed, or whose contract is not renewed shall~~
49 ~~repay to the local board any salary payments received for days not yet worked. A teacher who~~
50 ~~has been prepaid and continues to be employed by a local board but fails to attend scheduled~~
51 ~~workdays may be subject to dismissal under G.S. 115C-325 or other appropriate~~

~~discipline.~~ Teachers shall be paid only for the days employed as of the set pay date. Payment for a full month when days employed are less than a full month is prohibited, as this constitutes prepayment.

Any individual teacher who is not employed in a year-round school may be paid in 12 monthly installments if the teacher so requests on or before the first day of the school year. The request shall be filed in the local school administrative unit which employs the teacher. The payment of the annual salary in 12 installments instead of 10 shall not increase or decrease the teacher's annual salary nor in any other way alter the contract made between the teacher and the local school administrative unit. Teachers employed for a period of less than 10 months shall not receive their salaries in 12 installments.

Notwithstanding this subsection, the term "daily rate of pay" for the purpose of G.S. 115C-12(8) or for any other law or policy governing pay or benefits based on the teacher salary schedule shall not exceed one twenty-second of a teacher's monthly rate of pay."

BUDGET CONTINGENCY PROVISIONS

SECTION 6.5.(a) If House Bill 200, 2011 Regular Session, becomes law, then Sections 1 through 6 of this act are repealed.

SECTION 6.5.(b) If House Bill 200, 2011 Regular Session, becomes law, then G.S. 115C-12(19) reads as rewritten:

"§ 115C-12. Powers and duties of the Board generally.

The general supervision and administration of the free public school system shall be vested in the State Board of Education. The State Board of Education shall establish policy for the system of free public schools, subject to laws enacted by the General Assembly. The powers and duties of the State Board of Education are defined as follows:

- ...
- (19) Duty to Identify Required Reports and to Eliminate Unnecessary Reports and Paperwork. – Prior to the beginning of each school year, the State Board of Education shall identify all reports that are required at the State level for the school year.

The State Board of Education shall adopt policies to ensure that local school administrative units are not required by the State Board of Education, the State Superintendent, or the Department of Public Instruction staff to (i) provide information that is already available on the student information management system or housed within the Department of Public Instruction; (ii) provide the same written information more than once during a school year unless the information has changed during the ensuing period; or (iii) complete forms, for children with disabilities, that are not necessary to ensure compliance with the federal Individuals with Disabilities Education Act (IDEA). Notwithstanding the foregoing, the State Board may require information available on its student information management system or require the same information twice if the State Board can demonstrate a compelling need and can demonstrate there is not a more expeditious manner of getting the information.

The State Board shall permit schools and local boards of education to submit all reports to the Department of Public Instruction electronically.

The State Board of Education, in collaboration with the education roundtables within the Department of Public Instruction, shall consolidate all plans that affect the school community. The consolidated plan shall be posted on each school's Web site for easy access by the public and by school personnel.

1 The State Board shall report to the Joint Legislative Education Oversight
2 Committee by November 15 of each year on the reports it has consolidated
3 or eliminated for the upcoming school year."

4 **SECTION 6.5(c)** If House Bill 200, 2011 Regular Session, becomes law, then
5 G.S. 115C-12 is amended by adding a new subdivision to read:

6 "(19a) Duty to Consolidate Applications for State Funding. – The State Board of
7 Education shall adopt policies to streamline the process for local school
8 administrative units applying for State funding. The policies shall provide
9 for a consolidation of all such applications."

10 **SECTION 6.5(d)** If House Bill 200, 2011 Regular Session, becomes law, then
11 G.S. 115C-47(18) reads as rewritten:

12 "(18) To Make Rules Concerning the Conduct and Duties of Personnel. – Local
13 boards of education, upon the recommendation of the superintendent, shall
14 have full power to make all just and needful rules and regulations governing
15 the conduct of teachers, principals, and supervisors, the kind of reports they
16 shall make, and their duties in the care of school property.

17 Prior to the beginning of each school year, each local board of education
18 shall identify all reports, including local school required reports, that are
19 required at the local level for the school year and shall, to the maximum
20 extent possible, eliminate any duplicate or obsolete reporting
21 ~~requirements~~requirements and consolidate remaining reporting
22 ~~requirements~~requirements. No additional reports shall be required at the local level after
23 the beginning of the school year without the prior approval of the local board
24 of education.

25 Prior to the beginning of each school year, each local board of education
26 shall also identify software protocols such as NC Wise that could be used to
27 minimize repetitious data entry by teachers and shall make them available to
28 teachers.

29 Each local board of education shall appoint a person or establish a local
30 paperwork control committee to monitor all reports and other paperwork
31 required of teachers by the central ~~office~~office and to monitor teachers'
32 access to software protocols that minimize repetitious data entry."

33 **SECTION 6.5(e)** If House Bill 200, 2011 Regular Session, becomes law, then
34 G.S. 115C-302.1(b) reads as rewritten:

35 "(b) Salary Payments. – State-allotted teachers shall be paid for a term of 10 months.
36 State-allotted months of employment for vocational education to local boards shall be used for
37 the employment of teachers of vocational and technical education for a term of employment to
38 be determined by the local boards of education. However, local boards shall not reduce the
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51 payment.

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11 monthly installments if the teacher so requests on or before the first day of the school year. The
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14 teacher's annual salary nor in any other way alter the contract made between the teacher and the
15 local school administrative unit. Teachers employed for a period of less than 10 months shall
16 not receive their salaries in 12 installments.

17 Notwithstanding this subsection, the term "daily rate of pay" for the purpose of
18 G.S. 115C-12(8) or for any other law or policy governing pay or benefits based on the teacher
19 salary schedule shall not exceed one twenty-second of a teacher's monthly rate of pay."
20

21 **EFFECTIVE DATE**

22 **SECTION 7.** Section 6 and Section 6.5(e) become effective on July 1, 2012. The
23 remainder of this act is effective when it becomes law and applies beginning with the
24 2011-2012 school year.