

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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SENATE BILL 703

Short Title: Legislative Study Commission on Rural Schools. (Public)

Sponsors: Senators Metcalf, Swindell, Holloman; Albertson, Apodaca, Dalton,
Garwood, Kerr, Rand, and Soles.

Referred to: Rules and Operations of the Senate.

April 2, 2003

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON RURAL
2 SCHOOLS.
3

4 Whereas, over 3,000,000 North Carolinians live in rural communities and
5 small towns; and

6 Whereas, 42% of the schools in North Carolina are located in rural
7 communities and areas of the State; and

8 Whereas, 40% of North Carolina's public school students are enrolled in rural
9 schools; and

10 Whereas, many of North Carolina's rural communities have high rates of
11 poverty, an aging population, and low levels of employment; and

12 Whereas, rural schools play a crucial role in the economic development of
13 rural communities; and

14 Whereas, rural schools have high percentages of students who are at risk of
15 academic failure; and

16 Whereas, rural schools increasingly are asked to educate students from other
17 cultures, especially Hispanic students; and

18 Whereas, rural schools are increasingly asked to educate students whose
19 native language is not English; and

20 Whereas, there is a significant gap in academic achievement between rural
21 minority and at-risk students and majority students; and

22 Whereas, rural schools often have a difficult time recruiting and retaining
23 high quality teachers; and

24 Whereas, rural schools are required to meet the requirements of the federal
25 No Child Left Behind Act of 2001 with its emphasis on high student achievement and
26 highly qualified teachers; and

1 Whereas, the federal No Child Left Behind Act of 2001 does not provide
2 rural schools with the resources they need in order to meet the requirements of the law;
3 and

4 Whereas, a North Carolina Superior Court Judge has ruled that at-risk
5 students, including at-risk students attending rural schools, must be given the
6 opportunity to receive a "sound basic education" under the North Carolina Constitution;
7 and

8 Whereas, rural communities do not have the property tax base or economic
9 development that will enable them to provide local funds to supplement the provision of
10 educational services in order to meet high academic standards under State and federal
11 law; and

12 Whereas, the North Carolina school finance system does not provide
13 adequate resources to rural schools to enable them to offer all students a high quality
14 education; and

15 Whereas, the State Board of Education and the Department of Public
16 Instruction recognize that rural schools experience unique challenges in meeting the
17 education needs of rural students; and

18 Whereas, the General Assembly recognizes that in order to be competitive as
19 a State in the 21st century, all students must achieve educational proficiency in a rapidly
20 changing technological, educational environment; and

21 Whereas, it is in the best interest of the North Carolina citizenry that a
22 coordinated strategy be developed for implementing measures designed to yield
23 substantial improvements in the educational achievement of students attending the
24 State's rural schools; and

25 Whereas, a study commission is required to effectively research, review, and
26 make recommendations to ensure that rural students have access to equal educational
27 opportunities that will enable them to meet high standards; Now, therefore,
28 The General Assembly of North Carolina enacts:

29 **SECTION 1.(a)** The Legislative Study Commission on Rural Schools is
30 created. The Commission shall consist of 22 members, as follows:

- 31 (1) Five senators and three public members appointed by the President Pro
32 Tempore of the Senate;
- 33 (2) Five representatives and three public members appointed by the
34 Speaker of the House of Representatives; and
- 35 (3) Six public members appointed by the Governor, who represent groups
36 or are individuals with knowledge and experience in rural education
37 and rural school finance.

38 In making appointments to the Commission, the appointing officers shall ensure that
39 minority members have significant representation on the Commission.

40 **SECTION 1.(b)** Initial appointments to the Commission shall be made
41 before September 15, 2003.

42 **SECTION 2.** The President Pro Tempore of the Senate shall designate one
43 senator as cochair and the Speaker of the House of Representatives shall designate one
44 representative as cochair.

1 **SECTION 3.** The Study Commission shall be authorized to:

- 2 (1) Gather accurate and reliable data and research information pertaining
3 to the status of rural schools and students in the North Carolina public
4 education system;
- 5 (2) Consult with higher education faculty members and other persons who
6 have been engaged in extensive research and observation related to
7 these issues and encourage their direct involvement in the activities of
8 the Study Commission;
- 9 (3) Conduct hearings throughout the State for the purpose of obtaining
10 meaningful information regarding the challenges faced by rural
11 schools;
- 12 (4) Identify, consult, and meet with representatives of national, regional,
13 and State-level organizations and agencies that could be particularly
14 helpful in addressing these challenges;
- 15 (5) Devise recommendations as to steps that should be taken to address
16 these challenges by:
- 17 a. The General Assembly;
- 18 b. State agencies including the State Department of Public
19 Education and the State Board of Education;
- 20 c. Local government agencies;
- 21 d. Public schools and higher education institutions;
- 22 e. Nonprofit organizations, including community-based
23 organizations;
- 24 f. Foundations;
- 25 g. Religious institutes;
- 26 h. Civic organizations;
- 27 i. Business and industry; and
- 28 j. Other entities.
- 29 (6) Determine the extent and categories of fiscal and human resources
30 needed to address the identified challenges.

31 **SECTION 4.** In the study, particular emphasis should be placed on programs
32 and efforts that have been successful in:

- 33 (1) Improving educational achievement;
- 34 (2) Reducing school discipline and behavioral problems;
- 35 (3) Reducing the dropout rate; and
- 36 (4) Improving relations between parents, schools, and students.

37 **SECTION 5.** The Study Commission shall make an interim report of its
38 findings and recommendations to the President Pro Tempore of the Senate and the
39 Speaker of the House of Representatives on or before the first day of the 2004 Regular
40 Session of the 2003 General Assembly. The Commission shall submit a final report of
41 its findings and recommendations to the General Assembly on or before the first day of
42 the 2005 Session by filing the report with the President Pro Tempore of the Senate and
43 the Speaker of the House of Representatives. Upon filing its final report, the
44 Commission shall terminate.

1 **SECTION 6.** The Commission, while in the discharge of official duties, may
2 exercise all the powers provided under the provisions of G.S. 120-19 and G.S. 120-19.1
3 through G.S. 120-19.4. The Commission may meet in the Legislative Building or the
4 Legislative Office Building.

5 **SECTION 7.** Members of the Commission shall receive subsistence and
6 travel expenses at the rates set forth in G.S. 120-3.1.

7 **SECTION 8.** The Commission may contract for professional, clerical, or
8 consultant services as provided by G.S. 120-32.02. The Legislative Administrative
9 Officer shall assign professional staff to assist in the work of the Commission. The
10 House of Representatives' and the Senate's Supervisors of Clerks shall assign clerical
11 staff to the Commission, upon the direction of the Legislative Services Commission.
12 The expenses relating to the employees shall be borne by the Commission.

13 **SECTION 9.** When a vacancy occurs in the membership of the Commission,
14 the vacancy shall be filled by the same appointing officer who made the initial
15 appointment.

16 **SECTION 10.** All State departments and agencies and local governments
17 and their subdivisions shall furnish the Commission with information in their possession
18 or available to them.

19 **SECTION 11.** There is appropriated from the General Fund to the General
20 Assembly the sum of fifty thousand dollars (\$50,000) for the 2003-2004 fiscal year and
21 the sum of fifty thousand dollars (\$50,000) for the 2004-2005 fiscal year for the
22 expenses of the Commission.

23 **SECTION 12.** This act becomes effective July 1, 2003.