

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 760

Short Title: Residential Schools Like Other Public Schools. (Public)

Sponsors: Representatives Nye and Farmer-Butterfield (Primary Sponsors).

Referred to: Education.

March 17, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE STATUTES GOVERNING RESIDENTIAL SCHOOLS
3 TO MAKE THEIR ACCOUNTABILITY SYSTEM AND THEIR SCHOOL
4 IMPROVEMENT PLANS LIKE THOSE OF OTHER PUBLIC SCHOOLS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 143B-146.4 reads as rewritten:

7 "§ 143B-146.4. Performance recognition.

8 ~~(a) The superintendent and instructional personnel assigned to participating~~
9 ~~schools that achieve or exceed a level of expected growth to be determined by the State~~
10 ~~Board are eligible for financial awards in amounts set by the State Board. Participating~~
11 ~~schools and personnel shall not be required to apply for these awards. The personnel in~~
12 schools that achieve a level of expected growth greater than one hundred percent
13 (100%) at a level to be determined by the State Board of Education are eligible for
14 financial awards in amounts set by the State Board. Schools and personnel shall not be
15 required to apply for these awards. For the purpose of this section, "personnel" includes
16 the principal, assistant principal, instructional personnel, instructional support
17 personnel, and teacher assistants (i) serving students in one or more of the grades
18 kindergarten through 12 or (ii) assigned to a public school prekindergarten program that
19 is located within a public elementary school and is designed to prepare students for
20 kindergarten at that school.

21 (b) The State Board shall establish a procedure to allocate the funds for these
22 awards. Funds shall become available for expenditure July 1 of each fiscal year. Funds
23 shall remain available until November 30 of the subsequent fiscal year for expenditure
24 ~~for:~~ for awards to personnel.

25 (1) Awards to the personnel; or

26 (2) The purposes authorized in a plan that has been:

27 a. Developed and voted on by the superintendent and instructional
28 personnel in the same manner that a school improvement plan is
29 approved under G.S. 143B-146.12;

- 1 b. ~~Approved by a majority of the personnel who vote on the plan;~~
2 and
3 e. ~~Submitted to and approved by the Secretary.~~

4 The Secretary shall ~~approve this plan unless the plan involves expenditures of funds~~
5 ~~that are not for a public purpose or that are otherwise unlawful.~~

6 The Secretary is encouraged to make these awards to each eligible person no later than
7 the first regular teacher payroll following receipt of the funds, and shall make these
8 awards to each eligible person no later than the second regular teacher payroll following
9 the receipt of the funds."

10 **SECTION 2.** G.S. 143B-146.12 reads as rewritten:

11 **"§ 143B-146.12. Development and approval of school improvement plans.**

12 (a) In order to improve student performance, each ~~participating~~ school shall
13 develop a school improvement plan that takes into consideration the annual
14 performance goal for that school that is set by the State Board under G.S. 143B-146.3.
15 ~~The superintendent, principal of each school,~~ instructional personnel, and residential life
16 personnel assigned to that school, and a minimum of five parents of children enrolled in
17 the school shall constitute a school improvement team to develop a school improvement
18 plan to improve student performance.

19 (a1) Representatives of the instructional and residential life personnel shall be
20 elected by their respective groups by secret ballot.

21 (b) Parents shall be elected by parents of children enrolled in the school in an
22 election conducted by the parent and teacher organization of the school or, if none
23 exists, by the largest organization of parents formed for this purpose. To the extent
24 possible, parents serving on school improvement teams shall reflect the composition of
25 the students enrolled in that school. No more than two parents may be employees of the
26 school. Parental involvement is a critical component of school success and positive
27 student achievement; therefore, it is the intent of the General Assembly that parents,
28 along with ~~teachers,~~ instructional and residential life personnel, have a substantial role in
29 developing school improvement plans. To this end, school improvement team meetings
30 shall be held at a convenient time to assure substantial parent participation. Parents who
31 are elected to serve on school improvement teams and who are not employees of the
32 school shall receive travel and subsistence expenses in accordance with G.S. 138-5 and,
33 if appropriate, may receive a stipend.

34 (c) The strategies for improving student performance shall include the following:

- 35 (1) A plan for the use of staff development funds that may be made
36 available to the school ~~by the Secretary to meet the goals for that~~
37 ~~school under the ABC's Program and~~ to implement the school
38 improvement plan. The plan may provide that a portion of these funds
39 is used for mentor training and for release time and substitute teachers
40 while teachers are meeting with mentors;

- 41 (1a) A plan for preparing students to read at grade level by the time they
42 enter second grade. The plan shall require kindergarten and first grade
43 teachers to notify parents or guardians when a child is not reading at
44 grade level and is at risk of not reading at grade level by the time the

1 child enters second grade. The plan may include the use of
2 assessments to monitor students' progress in learning to read, strategies
3 for teachers and parents to implement that will help students improve
4 and expand their reading ability, and provide for the recognition of
5 teachers and strategies that appear to be effective at preparing students
6 to read at grade level.

7 (2) A comprehensive plan to encourage parent involvement.

8 (3) A safe school plan designed to provide that the school is safe, secure,
9 and orderly, that there is a climate of respect in the school, and that
10 appropriate personal conduct is a priority for all students and all
11 residential school personnel. This plan shall include components
12 similar to those listed in G.S. 115C-105.47(b).

13 (4) A plan that specifies the effective instructional practices and methods
14 to be used to improve the academic performance of students identified
15 as at risk of academic failure or at risk of dropping out of school.

16 (d) Support among affected staff members is essential to successful
17 implementation of a school improvement plan to address improved student performance
18 at that school. The ~~superintendent-principal~~ of the school shall present the proposed
19 school improvement plan to all of the instructional personnel assigned to the school for
20 their review and vote. The vote shall be by secret ballot. The ~~superintendent-principal~~
21 shall submit the school improvement plan to the Superintendent of the Office of
22 Education Services for presentation to the Secretary only if the proposed school
23 improvement plan has the approval of a majority of the instructional personnel who
24 voted on the plan.

25 (e) The Secretary shall accept or reject the school improvement plan. The
26 Secretary shall not make any substantive changes in any school improvement plan that
27 the Secretary accepts. If the Secretary rejects a school improvement plan, the Secretary
28 shall state with specificity the reasons for rejecting the ~~plan;~~plan to the Superintendent
29 of the Office of Education Services to share with the principal; the school improvement
30 team may then prepare another plan, present it to the instructional personnel assigned to
31 the school for a vote, and submit it to the Superintendent of the Office of Education
32 Services for presentation to the Secretary to accept or reject. Within 60 days after the
33 initial submission of the school improvement plan to the Secretary, the Secretary shall
34 accept the plan or shall ~~designate a person to~~direct that the Superintendent of the Office
35 of Education Services work with the school improvement team to resolve the
36 disagreements. If there is no resolution within 30 days, then the Secretary may develop
37 a school improvement plan for the school; however, the General Assembly urges the
38 Secretary to utilize the school's proposed school improvement plan to the maximum
39 extent possible when developing this plan.

40 (f) A school improvement plan shall remain in effect for no more than three
41 years; however, the school improvement team may amend the plan as often as is
42 necessary or appropriate. If, at any time, any part of a school improvement plan
43 becomes unlawful or the Secretary finds that a school improvement plan is impeding
44 student performance at a school, the Secretary may vacate the relevant portion of the

1 plan and may direct the school to revise that portion. The procedures set out in this
2 section shall apply to amendments and revisions to school improvement plans.

3 (g) Any funds the Secretary makes available to a school to meet the goals for that
4 school under the ABC's Program and to implement the school improvement plan at that
5 school shall be used in accordance with those goals and the school improvement plan.

6 ~~(h) The Secretary, in consultation with the State Board, shall develop a list of~~
7 ~~recommended strategies that it determines to be effective which building level~~
8 ~~committees may use to establish parent involvement programs designed to meet the~~
9 ~~specific needs of their schools.~~

10 (i) Once developed, the ~~Secretary~~principal shall ensure the plan is available and
11 accessible to parents and the school community."

12 **SECTION 3.** This act becomes effective July 1, 2005.