

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 73

Short Title: Use of Teacher/Teacher Ass't. Funds.

(Public)

Sponsors: Senators Simpson; Kincaid, Carpenter, and Foxx.

Referred to: Education/Higher Education.

January 30, 1995

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION TO USE FUNDS
APPROPRIATED FOR TEACHER ASSISTANTS AND FOR PROGRAM
ENHANCEMENT TEACHERS FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-417.1. Use of funds allocated for teacher assistants and program enhancement teachers.

(a) Local boards of education may use funds allocated by the State Board of Education for teacher assistants and positions allocated by the State Board of Education for program enhancement teachers to reduce class size or to purchase instructional materials and instructional supplies. The State Board of Education shall adopt policies for the conversion of positions for program enhancement teachers to funds for the purchase of instructional materials and instructional supplies.

(b) Local boards of education shall not abolish any State-funded teacher assistant position or program enhancement teacher position that is filled on June 1 of a calendar year to implement subsection (a) of this section for the next school year."

Sec. 2. G.S. 115C-238.6(a) reads as rewritten:

1 (a) Prior to June 30 each year, the State Superintendent shall review local school
2 improvement plans submitted by the local school administrative units in accordance with
3 policies and performance indicators adopted by the State Board of Education. If the State
4 Superintendent approves the plan for a local school administrative unit, that unit shall
5 participate in the Program for the next fiscal year.

6 If a local plan contains a request for a waiver of State laws, regulations, or policies, in
7 accordance with G.S. 115C-238.3(b1) or (b2), the State Superintendent shall
8 determine whether and to what extent the identified laws, regulations, or policies should
9 be waived. The State Superintendent shall present that plan and his determination to the
10 State Board of Education. If the State Board of Education deems it necessary to do so to
11 enable a local unit to reach its local accountability goals, the State Board, only upon the
12 recommendation of the State Superintendent, may grant waivers of:

- 13 (1) State laws pertaining to class size, teacher certification, assignment of
14 teacher assistants, the use of State-adopted textbooks, and the purposes
15 for which State funds for the public schools, except for funds for school
16 health coordinators, may be used: ~~Provided, however, the State Board of~~
17 ~~Education shall not permit the use of funds for teachers for expanded~~
18 ~~programs under the Basic Education Program for any other purpose; used;~~
19 (2) All State regulations and policies, except those pertaining to State salary
20 schedules and employee benefits for school employees, the instructional
21 program that must be offered under the Basic Education Program, the
22 system of employment for public school teachers and administrators set
23 out in G.S. 115C-325, health and safety codes, compulsory school
24 attendance, the minimum lengths of the school day and year, and the
25 Uniform Education Reporting System.

26 The provisions of G.S. 115C-12(16)b. regarding the placement of State-allotted office
27 support personnel, teacher assistants, and custodial personnel on the salary schedule
28 adopted by the State Board shall not be waived.

29 Except for waivers requested by the local board in accordance with G.S. 115C-
30 238.3(b2) for central office staff, waivers shall be granted only for the specific schools
31 for which they are requested in building-level plans and shall be used only under the
32 specific circumstances for which they are requested."

33 Sec. 3. This act becomes effective July 1, 1995.