

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
PROPOSED SENATE COMMITTEE SUBSTITUTE H720-PCS11252-TL-20

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



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1 require the same information twice if the State Board can demonstrate a
2 compelling need and can demonstrate there is not a more expeditious
3 manner of getting the information.

4 The State Board shall permit schools and local school administrative
5 units to submit all reports to the Department of Public Instruction
6 electronically.

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

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

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

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

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

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

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

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

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

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

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

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

48 **REDUCTION OF PAPERWORK BY THE DEPARTMENT OF HEALTH AND** 49 **HUMAN SERVICES**

1 **SECTION 4.** The Department of Health and Human Services, in consultation with
2 the More at Four Program and the Smart Start Program, shall review all reporting requirements
3 imposed on the public schools relating to the operations of the programs and child care
4 regulation requirements. The Department of Health and Human Services shall reduce the
5 frequency of reporting as appropriate, based upon the review and recommendation of the
6 parties involved.

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

9 10 **ELIMINATION OF TECHNOLOGY REPORTS**

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

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

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

14 "**§ 115C-102.7. Monitoring and evaluation of State and local school system technology**
15 **plans; reports.**

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

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

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

23 ~~(c) The Department of Public Instruction shall randomly check local school system~~
24 ~~technology plans to ensure that local school administrative units are implementing their plans~~
25 ~~as approved. The Department shall report to the State Board of Education on which local~~
26 ~~school administrative units are not complying with their plans. The report shall include the~~
27 ~~reasons these local school administrative units are out of compliance and a recommended plan~~
28 ~~of action to support each of these local school administrative units in carrying out their plans."~~
29

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

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

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

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

49 ~~Teachers may be prepaid on the monthly pay date for days not yet worked. A teacher who~~
50 ~~fails to attend scheduled workdays or who has not worked the number of days for which the~~
51 ~~teacher has been paid and who resigns, is dismissed, or whose contract is not renewed shall~~

1 ~~repay to the local board any salary payments received for days not yet worked. A teacher who~~
2 ~~has been prepaid and continues to be employed by a local board but fails to attend scheduled~~
3 ~~workdays may be subject to dismissal under G.S. 115C 325 or other appropriate~~
4 ~~discipline.~~ Teachers shall be paid only for the days employed as of the set pay date. Payment for
5 a full month when days employed are less than a full month is prohibited, as this constitutes
6 prepayment.

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

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

18 BUDGET CONTINGENCY PROVISIONS

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

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

23 "§ 115C-12. Powers and duties of the Board generally.

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

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39 year unless the information has changed during the ensuing period; or (iii)
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41 ensure compliance with the federal Individuals with Disabilities Education
42 Act (IDEA). Notwithstanding the foregoing, the State Board may require
43 information available on its student information management system or
44 require the same information twice if the State Board can demonstrate a
45 compelling need and can demonstrate there is not a more expeditious
46 manner of getting the information.

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

49 The State Board of Education, in collaboration with the education
50 roundtables within the Department of Public Instruction, shall consolidate all
51 plans that affect the school community. The consolidated plan shall be

1 posted on each school's Web site for easy access by the public and by school
2 personnel.

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

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

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

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

14 "(18) To Make Rules Concerning the Conduct and Duties of Personnel. – Local
15 boards of education, upon the recommendation of the superintendent, shall
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32 paperwork control committee to monitor all reports and other paperwork
33 required of teachers by the central ~~office~~ office and to monitor teachers'
34 access to software protocols that minimize repetitious data entry."

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

37 "(b) Salary Payments. – State-allotted teachers shall be paid for a term of 10 months.
38 State-allotted months of employment for vocational education to local boards shall be used for
39 the employment of teachers of vocational and technical education for a term of employment to
40 be determined by the local boards of education. However, local boards shall not reduce the
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17 local school administrative unit. Teachers employed for a period of less than 10 months shall
18 not receive their salaries in 12 installments.

19 Notwithstanding this subsection, the term "daily rate of pay" for the purpose of
20 G.S. 115C-12(8) or for any other law or policy governing pay or benefits based on the teacher
21 salary schedule shall not exceed one twenty-second of a teacher's monthly rate of pay."
22 ...

23 **EFFECTIVE DATE**

24 **SECTION 7.** Section 6 and Section 6.5(e) become effective on July 1, 2012. The
25 remainder of this act is effective when it becomes law and applies beginning with the
26 2011-2012 school year.