

**JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE  
AGENDA**

**March 25, 2004**

**10:00 A.M., ROOM 544 LOB**

Senator Swindell, presiding

**Welcome and Introductions**

**Approval of Minutes**

**State Board of Education - 2004 Non-Budget Legislative Initiatives**

Dr. Michael E. Ward, State Superintendent, Department of Public  
Instruction

**University of North Carolina Board of Governors - 2004 Non-Budget  
Legislative Initiatives**

J.B. Milliken, Senior Vice-President for University Affairs, Office of the  
President

Jeffrey Davies, Vice-President for Finance & Chief Financial Officer, Office  
of the President

Leslie Winner, Vice-President & General Counsel, Office of the President



**JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE**  
**2003-2004 SESSION**

March 25, 2004

TABS

- 1      Membership List
- 2      Authorizing Legislation; Issues to Study; Reports Due to  
Committee
- 3      Minutes
- 4      State Board of Education – 2004 Non-Budget Legislative  
Initiatives
- 5      UNC Board of Governors – 2004 Non-Budget Legislative  
Initiatives



*North Carolina State Board of Education*

## REQUESTED LEGISLATIVE CHANGES, 2004 GENERAL ASSEMBLY

Some of these items were carried forward from the State Board legislative agenda for 2003. New items for 2004 are shaded.  
Items are grouped within State Board of Education Strategic Priority categories. They are not listed in priority order.

**SBE Priority: High Student Performance**

	SECTION OF LAW TO BE AMENDED	SUGGESTED CHANGES	RATIONALE
1	<b>G.S. 115C-105.36(a) Performance Recognition.</b>	(a)The personnel in schools that achieve a level of expected growth <del>or exceed expected growth greater than one hundred percent (100%)</del> at a levels to be determined by the State Board of Education are eligible for financial awards in amounts set by the State Board. <u>Personnel in schools that attain other performance goals determined by the State Board of Education to be consistent with the No Child Left Behind Act of 2001 are also eligible for financial awards in amounts set by the State Board.</u> Schools and personnel shall not be required to apply for these awards.... <u>The State Board may award up to \$200 per teacher assistant and up to \$600 per individual among other eligible personnel in schools that make expected growth. The State Board may award an additional amount up to \$200 per teacher assistant and up to \$600 per individual among other eligible personnel in schools that make high growth. The State Board may award up to \$200 per teacher assistant and up to \$600 per individual among other eligible personnel in schools that make adequate yearly progress (AYP).</u>	This allows the SBE to set financial awards for making expected growth under the ABCs as has been practiced since 1997-98. (The statutory language only explicitly allowed the SBE to make awards for "exemplary" growth or "high" growth as it is now called.) The suggested change also allows the SBE to designate ABCs financial awards for closing the achievement gap by making adequate yearly progress (AYP) as required by the No Child Left Behind Act of 2001. The SBE acknowledges that the General Assembly may have other ideas of how to provide incentive awards to the schools that make AYP and is receptive to discussing other options.
2	<b>G.S. 115C-12(9a)(9b) End of Course Tests.</b>	Revise second paragraph in (9a) to require the SBE to "develop and implement a plan for end-of-course (EOC) tests for those courses identified by the SBE;  Revise paragraph (9b) to read "proficiency benchmarks for courses designated by the State Board of Education."	Statute currently requires that the SBE "develop and implement a plan for end-of-course tests for the minimum courses required for admission to the constituent [UNC] institutions." These changes will allow the SBE to develop EOC tests to meet curriculum requirements within the constraints of fiscal resources. It will prevent the SBE from non-compliance due to lack of appropriations to support the development and implementation of new tests.



	SECTION OF LAW TO BE AMENDED	SUGGESTED CHANGES	RATIONALE
3	<b>G.S. 115C-105.37(a)</b> <b>Identification of low-performing schools.</b>	Revise language that defines low performing schools to include schools where there is a failure to meet the minimum growth and performance standards as defined by SBE (remove references to "majority" or any specific percentage of students performing below grade level).	This change will allow SBE to set criteria for low performing schools. The SBE will then be able gradually to raise the bar to require higher numbers of students to meet grade-level standards.
4	<b>G.S 116-22(1)</b>  Revise statute to provide joint authority between SBE & Higher Ed for determining weighted credit (statutory authority currently rests with higher ed).	Change requested: "The grade point average and class rank shall be calculated by a standard method to be devised by the institutions of higher education and <u>the State Board of Education.</u> "	Public schools have a major stake in how grade point averages are calculated. The determination should be a joint decision among the three levels of education. Current statutory authority rests entirely with higher education. This is primarily a technical change that will simply clarify the appropriate process.
5	<b>G.S. 115D-20. Powers and duties of trustees.</b> (of the State Board of Community Colleges)  Revise statutes to reassign to SBE/DPI joint responsibility with the Community College System for the provision in the community college system's administrative code that provides superintendents the right to refuse to release a student for a community college or university course.	"(4) To apply the standards and requirements for admission and graduation of students and other standards established by the State Board of Community Colleges. Provided, notwithstanding any law or administrative rule to the contrary, local administrative boards and local school boards may establish cooperative programs in the areas they serve to provide for college courses to be offered to qualified high school students with college credits to be awarded to those high school students upon the successful completion of the courses. <u>A local superintendent has the right to refuse to release a student for a community college or university course if that course is being taken also for high school credit. Such refusal shall be based on what is in the best interest of the student.</u> "	Local boards and superintendents have a significant stake in the decision over where high school students are assigned.  This change clarifies the role of the superintendent in making decisions about students taking community college or college courses for high school credit.
6	<b>G.S.115C-378. Children required to attend.</b>  (Senate Bill 783 was introduced by Senator Garwood in 2003 to accomplish this. SB 783 is currently in the Senate Committee on Appropriations/Base Budget. See attached copy.)	See attached for specific changes to the statute. The proposed legislation would raise the compulsory attendance age to 17 and make conforming changes to the legal definition of "juvenile."	Age 16 is too young for a student to make the critical decision to drop out of school. Today's economy demands more skill and education to be successful. We should not condone students leaving school at such an early age. When our law says it is okay to drop out at 16, it is sometimes difficult to convince students otherwise.





	SECTION OF LAW TO BE AMENDED	SUGGESTED CHANGES	RATIONALE
7	<p><b>Session Law 2003-284 (2003 Budget Bill)</b>  <b>Section 7.9</b>  <b>Immediate Assistance to the Highest Priority Elementary Schools.</b></p> <p>Maintain the allocation level at the amount received during the initial year unless enrollment decreases by 50 students (to protect schools from a significant decrease in resources if they experience enrollment decline).</p>	<p>“Section 7.9. Of funds appropriated from the General Fund to State aid to Local School Administrative Units, the sum of ten million one hundred thirty-four thousand six hundred seven dollars (\$10,134,607) for the 2003-2004 and 2004-2005 fiscal years shall be budgeted to provide the State’s lowest performing elementary schools with the tools needed to dramatically improve student achievement. These funds shall be used for the 37 36 elementary schools at which for 1999-2000 school year over eighty percent (80%) of the students qualified for free or reduced-price lunches, and no more than fifty-five percent (55%) of the students performed at or above grade level. <u>After four years of implementation, the list of schools eligible to receive this funding shall be expanded to include other schools that meet the established criteria. The allocation will remain at the level provided the school during the initial year of participation unless enrollment decreases by 50 students or more.</u>”</p>	<p>Holding the list of schools constant for a minimum of four years provides the time necessary to see what the trend data indicate about the impact of the additional funding and the implementation of the researched-based strategies on the achievement of students attending these schools.</p> <p>Periodically adjusting the list provides an avenue for additional schools to be added, if they meet the criteria.</p> <p>Holding schools harmless in the amount of funding, unless the enrollment declines by a least 50 students, will prevent hardship because students losses are usually a few per classroom or grade rather than an entire class at a certain grade level.</p>
8	<p><b>Session Law 2003-284 (2003 Budget Bill)</b>  <b>Section 7.10 (a)</b>  <b>Evaluation of Initiatives to Assist High-Priority Schools.</b></p> <p>Revise the high priority schools list (1) to include some schools that were not included initially and (2) to give high priority schools that have made high growth for three consecutive years (spring 2002 through spring 2004) and increased their performance composite to 80% or better the option to be removed from the list. If a school chooses to be removed from the list of high priority schools, the additional high priority funding for that school will be discontinued. (List of current High Priority schools attached.)</p>	<p>“Section 7.10. (a) In order for high priority schools identified in Section 7.9 of this act to remain eligible for the additional resources provided in this section, the schools must meet the expected growth for each year and must achieve high growth for at least two out of three years based on the State Board of Education’s annual performance standards set for each school. No adjustment in the allotment of resources based on performance shall be made until the 2004-2005 school year. <u>A high-priority school that has made high growth for three consecutive years (spring 2002 through spring 2004) and increased its performance composite to eighty percent (80%) or better have the option to request to be removed from the list. If a school chooses to be removed from the list of high-priority schools and the local Board of Education approves., the additional high priority school funding for that school will be discontinued.</u>”</p>	<p>Some schools have asked how they could be removed from the “high priority school” status. When a school achieves a performance composite of eighty percent (80%), it has reached the School of Distinction status in the ABCs. Schools performing at this level should be able to sustain the progress they have made.</p>



	SECTION OF LAW TO BE AMENDED	SUGGESTED CHANGES	RATIONALE
9	<b>G.S. 115C-174.11. Components of the testing program.</b>  Obtain permission to test in K-2 as required for federal Reading First grant (would affect approximately 100 schools in 39 LEAs, including 5 charter schools). Awards to individual schools will be in the range of \$225,000 to \$250,000 per year. A complete list of eligible schools is attached.	“(a)Assessment Instruments for First and Second Grades. - The State Board of Education shall adopt and provide to the local school administrative units developmentally appropriate individualized assessment instruments consistent with the Basic Education Program for the first and second grades, rather than standardized tests. Local school administrative units may use these assessment instruments provided to them by the State Board for first and second grade students, and shall not use standardized tests <u>except as required as a condition of receiving a federal grant.</u> ”	This change is necessary for NC to receive \$154 million over 6 years to ensure that our most at-risk students in some of our poorest schools are reading at grade level by the beginning of grade three. NC’s grant application was denied 3 times and approved only after the testing provision was added in the 4 <sup>th</sup> submission..
10	<b>GS 115C-174.18 Opportunity to take Preliminary Scholastic Aptitude Test.</b>	Delete “The State Board of Education shall contract with the College Board for the tests and for comprehensive diagnostic information to accompany PSAT score reports.”	The language currently in statute is obsolete and reflects a practice that was discontinued more than 9 years ago. Currently, LEAs receive dollars to provide this opportunity to 8 <sup>th</sup> through 10 <sup>th</sup> graders. This change will not alter language in statute which provides that students “shall be given an opportunity” to take the PSAT, but it will more accurately reflect current practice and the SBE’s involvement.

### **SBE Priority: Quality Teachers, Administrators, and Staff**

	SECTION OF LAW TO BE AMENDED	SUGGESTED CHANGES	RATIONALE
11	<b>G.S. 115C-296. Board sets certification requirements.</b>	“(a)The State Board of Education shall have entire control of certifying all applicants for teaching positions in all public elementary and high schools of North Carolina; and it shall prescribe the rules and regulations for the renewal and extension of all certificates and shall determine and fix the salary for each grade and type of certificate which it authorizes: Provided, that the State Board of Education <del>shall</del> <u>may</u> require each applicant for an initial bachelors degree certificate or graduate degree certificate to demonstrate the applicant's academic and professional preparation by achieving a prescribed minimum score on a standard examination appropriate and adequate for that purpose.”	This change was recommended by the Select Committee on Teacher Reciprocity to assist school systems in NC in recruiting experienced teachers from other states.



12	<b>S.L. 2002-126 (2002 Budget Bill), Section 28.10.(a)</b> <b>Retired Teachers Returning to the Classroom without Loss of Retirement Benefits/Option Extended.</b>	Extend or remove sunset (now June 2004) on reemployment of retired teachers exempt from the post-retirement earnings cap.	Many NC schools continue to experience severe shortages of teachers. This provision is helping school systems keep teachers who otherwise might retire or cross our borders and work in neighboring states where they could draw retirement from NC and full salary in that state.
13	<b>G.S. 115C-325(a)(5a)</b> <b>System of employment for public school teachers.</b>  <b>G.S. 135-3(8)(c)</b> <b>Retirement System for Teachers and State Employees – Membership.</b>	Reduce the period of separation from service required of a retired teacher before he/she may return to work at full pay and retain full retirement benefits. Currently the break in service required by state statute is 6 months.  Also explore options for Deferred Retirement Option Programs (DROP plans) such as those currently in use in SC and FL. Strongly urge piloting a DROP plan in NC for personnel assigned to high priority and continually low-performing schools.	North Carolina has grappled with issues of teacher supply and demand over the last decade. The new requirements of the federal No Child Left Behind legislation for high quality teachers in every classroom plus baby-boomer teachers approaching retirement will certainly exacerbate this problem in North Carolina. Counties on the borders of our state are already seeing some exodus of teachers eligible to retire in NC to neighboring states. We must find ways to keep our best teachers in North Carolina.
14	<b>115C-325 (a)(5a)</b> <b>System of employment for public school teachers.</b>	Request study of issues related to employment of retired personnel in the public schools. Look at possibility of amending the definition of “retired teacher” to include all retired public school employees so that any employee may return to work in a public school after retirement without loss of retirement benefits.	Shortages exist in all licensed areas, not just classroom teachers. Generally noncertified employees can return to work without exceeding their post-retirement earnings cap, but including all school employees in the definition of “teacher” is consistent with other legislation that applies generally to all school employees and simplifies the language in the statutes.

### **SBE Priority: Effective and Efficient Operations**

	<b>SECTION OF LAW TO BE AMENDED</b>	<b>SUGGESTED CHANGES</b>	<b>RATIONALE</b>
15	<b>§ 115C-39. Removal of board members; suspension of duties by State Board.</b>  Revise statute pertaining to removal of local Board members.	See attached.	The current statute has proven difficult to interpret and apply. The proposed revisions 1. clarify that a plea of guilty or <i>nolo contendere</i> to a felony or a Class 1 or Class 2 misdemeanor shall be presumptive evidence of immoral or disreputable conduct; 2. clarify the process; 3. clarify that conduct prior to election to a local board may be considered; 4. provide for judicial review.



16	Obtain special provision in budget to allow carry over of various funds (e.g. LEA assistance, UERS, etc.) – placeholder.		
17	Provide greater financial flexibility to LEAs - placeholder; specific statutory changes needed not yet identified.		
18	Statutory changes necessitated to comply with the DPI Organizational Study mandated in the 2002 Short Session of the General Assembly - placeholder.		
19	<b>115C-242</b> <b>Use and operation of school buses.</b>	Change law to allow the use of yellow school buses by the Governor's School during the six (6) week summer program.	Buses are needed to transfer students to and from the two (2) campuses (Raleigh and Winston-Salem) for the purpose of attending seminars, performances, lectures, etc. related to the curriculum, to allow students the opportunity to attend religious services, and for outings allowing students to purchase personal supplies. Students are not allowed to bring vehicles to Governor's School. In the past, six (6) activity buses have been leased from LEAs. Leasing activity buses from LEAs has become nearly impossible due to LEA use and restrictions on leasing.
20	<b>G.S. 135-3(8)(c)</b> <b>Retirement System for Teachers and State Employees – Membership.</b>	Clarify retired teachers' employment issue. Amend the requirement to allow retired teachers who have been retired for at least six months to return to teach at a charter school as well as a local administrative unit without affecting their retirement benefits.	Charter schools face teacher shortage issues and need the recruitment incentives just as traditional public schools do.
21	<b>G.S. 115C-12(9)(c)</b> <b>State Accreditation.</b>	Delete the last two paragraphs of (9)(c) to eliminate the requirement for a state accreditation program.	This represents a "clean-up" of the statutes. The current state testing program and the School Based Management and Accountability Program (ABCs) provide benchmarks for student growth and performance for NC Public Schools. In that way, the ABCs program provides a sufficient framework and information to monitor the performance of schools and the education of students. Schools will still be able to elect participation in the SACS accreditation program.





	SECTION OF LAW TO BE AMENDED	SUGGESTED CHANGES	RATIONALE
22	<p><b>1995 Session Law Chapter 450, House Bill 6 Section 1 (c)</b></p> <p>"The formula for the new funding allotment for Central Office Administration shall provide for a dollar allotment and not a position allotment. Furthermore, no central office administrators shall be paid from any other funding allotment, including funds for categorical programs."</p>	<p>Allow Local Boards of Education flexibility to use available funds in certain specific categories to pay central office administrators by revising the second sentence to read:</p> <p>"Furthermore, no central office administrators shall be paid from any other state funding allotment, <i>except for Transportation, Exceptional Children, Small County, and Low Wealth.</i>"</p>	<p>The purpose of House Bill 6 was to grant additional management flexibility to local boards of education while ensuring that local boards of education would be held accountable for the use of that flexibility. However, at the same time it limited the flexibility of local boards of education for paying administrative positions. The accountability measures for students, schools and local boards of education have increased since this decision was made in 1995-96. With local accountability stakes being so high and the new federal NCLB requirements, local boards of education need the flexibility to add administrative positions to meet the increased demands. For example, many local boards of education are in need of administrators in the areas of testing and technology and these positions could be added with this limited flexibility. This flexibility is needed most by the small county and low wealth systems, which are often further constrained by limited or non-existent local funds.</p>
23	<p><b>G.S. 115C-238.29F(e)(1)</b></p> <p><b>General requirements. Employees.</b></p>	<p>Clarify terminology "shall hold North Carolina teacher certificates" for teachers in charter schools. In addition to holding a teacher certificate, any employee teaching in a core subject area in a charter school must be a college graduate.</p>	<p>Even though certain percentages of teachers in charter schools are not required to be licensed, the SBE feels those teachers teaching in the core subject areas (language arts, mathematics, history, and science) should hold a college degree. The SBE feels that the current research shows that teachers who are academically well prepared are more successful in the classroom. Therefore, they feel that people teaching in the core subject areas (language arts, mathematics, science, and history) should hold a college degree.</p>



	SECTION OF LAW TO BE AMENDED	SUGGESTED CHANGES	RATIONALE
24	<b>115C-238.29D(b)</b> <b>Final approval of applications for charter schools.</b>  Raise the cap on charter schools.	Expand the statutory cap of 100 for charter schools by 10% of the previous year's number of operating charter schools that are not considered low-performing.	The State Board of Education is in favor of expanding the cap on charter schools. However, it is concerned that staff in the Charter Schools office and in other areas of the Department of Public Instruction (Financial and Business Division, Exceptional Children, Title I, Accountability, Compensatory Education, for example) are not be adequate to support a larger number of charter schools. Staff in these areas are particularly impacted when a charter school experiences problems in student performance or business affairs. For each charter school, DPI functions almost as a central office would for a new school in an LEA.

For additional information or if you have questions about any item on this agenda, please contact

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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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2

SENATE BILL 783

Education/Higher Education Committee Substitute Adopted 4/24/03

**Short Title:** Raise Compulsory School Attendance Age.  
(Public)

**Sponsors:**

**Referred to:**

April 3, 2003

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT STUDENTS FROM DROPPING OUT OF SCHOOL BEFORE  
THE AGE OF SEVENTEEN.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-378 reads as rewritten:

**"§ 115C-378. Children required to attend.**

Every parent, guardian or other person in this State having charge or control of a child between the ages of seven and ~~16~~ 17 years shall cause such child to attend school continuously for a period equal to the time which the public school to which the child is assigned shall be in session. Every parent, guardian, or other person in this State having charge or control of a child under age seven who is enrolled in a public school in grades kindergarten through two shall also cause such child to attend school continuously for a period equal to the time which the public school to which the child is assigned shall be in session unless the child has withdrawn from school. No person shall encourage, entice or counsel any such child to be unlawfully absent from school. The parent, guardian, or custodian of a child shall notify the school of the reason for each known absence of the child, in accordance with local school policy.

The principal, superintendent, or teacher who is in charge of such school shall have the right to excuse a child temporarily from attendance on account of sickness or other unavoidable cause which does not constitute unlawful absence as defined by the State Board of Education. The term "school" as used herein is defined to embrace all public schools and such nonpublic schools as have teachers and curricula that are approved by the State Board of Education.

All nonpublic schools receiving and instructing children of a compulsory school age shall be required to keep such records of



attendance and render such reports of the attendance of such children and maintain such minimum curriculum standards as are required of public schools; and attendance upon such schools, if the school refuses or neglects to keep such records or to render such reports, shall not be accepted in lieu of attendance upon the public school of the district to which the child shall be assigned: Provided, that instruction in a nonpublic school shall not be regarded as meeting the requirements of the law unless the courses of instruction run concurrently with the term of the public school in the district and extend for at least as long a term.

The principal or his designee shall notify the parent, guardian, or custodian of his child's excessive absences after the child has accumulated three unexcused absences in a school year. After not more than six unexcused absences, the principal shall notify the parent, guardian, or custodian by mail that he may be in violation of the Compulsory Attendance Law and may be prosecuted if the absences cannot be justified under the established attendance policies of the State and local boards of education. Once the parents are notified, the school attendance counselor shall work with the child and his family to analyze the causes of the absences and determine steps, including adjustment of the school program or obtaining supplemental services, to eliminate the problem. The attendance counselor may request that a law-enforcement officer accompany him if he believes that a home visit is necessary.

After 10 accumulated unexcused absences in a school year the principal shall review any report or investigation prepared under G.S. 115C-381 and shall confer with the student and his parent, guardian, or custodian if possible to determine whether the parent, guardian, or custodian has received notification pursuant to this section and made a good faith effort to comply with the law. If the principal determines that parent, guardian, or custodian has not, he shall notify the district attorney. If he determines that parent, guardian, or custodian has, he may file a complaint with the juvenile court counselor pursuant to Chapter 7B of the General Statutes that the child is habitually absent from school without a valid excuse. Evidence that shows that the parents, guardian, or custodian were notified and that the child has accumulated 10 absences which cannot be justified under the established attendance policies of the local board shall establish a prima facie case that the child's parent, guardian, or custodian is responsible for the absences."

**SECTION 2.** G.S. 116-235(b)(2) reads as rewritten:

"(2) School Attendance. - Every parent, guardian, or other person in this State having charge or control of a child who is enrolled in the School and who is less than ~~16~~ 17 years of age shall cause such child to attend school





continuously for a period equal to the time which the School shall be in session. No person shall encourage, entice, or counsel any child to be unlawfully absent from the School. Any person who aids or abets a student's unlawful absence from the School shall, upon conviction, be guilty of a Class 3 misdemeanor. The Director of the School shall be responsible for implementing such additional policies concerning compulsory attendance as shall be adopted by the Board of Trustees, including regulations concerning lawful and unlawful absences, permissible excuses for temporary absences, maintenance of attendance records, and attendance counseling."

**SECTION 3.** G.S. 7B-1501(27) reads as rewritten:

"(27) Undisciplined juvenile. - A juvenile  
who:

- ~~a. A juvenile who, while~~  
~~less than 16 years of age but at least 6 years~~  
~~of age, is unlawfully absent from school; or~~  
~~is regularly disobedient to and beyond the~~  
~~disciplinary control of the juvenile's parent,~~  
~~guardian, or custodian; or is regularly found~~  
~~in places where it is unlawful for a juvenile~~  
~~to be; or has run away from home for a period~~  
~~of more than 24 hours; or~~
- ~~b. A juvenile who is 16 or~~  
~~17 years of age and who is regularly~~  
~~disobedient to and beyond the disciplinary~~  
~~control of the juvenile's parent, guardian, or~~  
~~custodian; or is regularly found in places~~  
~~where it is unlawful for a juvenile to be; or~~  
~~has run away from home for a period of more~~  
~~than 24 hours.~~
- a. While less than 17 years of age but at  
least 6 years of age, is unlawfully absent  
from school;
- b. While less than 18 years of age, is  
regularly disobedient to and beyond the  
disciplinary control of the juvenile's parent,  
guardian, or custodian;
- c. While less than 18 years of age, is  
regularly found in places where it is unlawful  
for a juvenile to be; or
- d. While less than 18 years of age, has  
run away from home for a period of more than  
24 hours."

**SECTION 4.** G.S. 143B-515(22) reads as rewritten:

"(22) Undisciplined juvenile. - A juvenile  
who:



~~a. A juvenile who, while  
less than 16 years of age but at least 6 years  
of age, is unlawfully absent from school; or  
is regularly disobedient to and beyond the  
disciplinary control of the juvenile's parent,  
guardian, or custodian; or is regularly found  
in places where it is unlawful for a juvenile  
to be; or has run away from home for a period  
of more than 24 hours.~~

~~b. A juvenile who is 16 or  
17 years of age and who is regularly  
disobedient to and beyond the disciplinary  
control of the juvenile's parent, guardian, or  
custodian; or is regularly found in places  
where it is unlawful for a juvenile to be; or  
has run away from home for a period of more  
than 24 hours.~~

a. While less than 17 years of age but at  
least 6 years of age, is unlawfully absent  
from school;

b. While less than 18 years of age, is  
regularly disobedient to and beyond the  
disciplinary control of the juvenile's parent,  
guardian, or custodian;

c. While less than 18 years of age, is  
regularly found in places where it is unlawful  
for a juvenile to be; or

d. While less than 18 years of age, has  
run away from home for a period of more than  
24 hours."

**SECTION 5.** This act becomes effective July 1,  
2004.



# **Listing of Schools Designated as High Priority Schools**

**Session Law 2003-284 (HB397, 2003 Budget Bill)**

## **Section 7.9**

### **Immediate Assistance to the Highest Priority Elementary Schools**

1.	Wadesboro Primary	Anson County Schools
2.	Aulander Elementary	Bertie County Schools
3.	Windsor Elementary	Bertie County Schools
4.	Lillian Black Elementary	Cumberland County Schools
5.	Pauline Jones Elementary	Cumberland County Schools
6.	Teresa Berrien Elementary	Cumberland County Schools
7.	Eastway Elementary	Durham Public Schools
8.	Lakewood Elementary	Durham Public Schools
9.	George Watts Elementary	Durham Public Schools
10.	W. G. Pearson	Durham Public Schools
11.	Roberson Elementary	Edgecombe County Schools
12.	Ashley Elementary	Winston-Salem/Forsyth County Schools
13.	Cook Elementary	Winston-Salem/Forsyth County Schools
14.	Forest Park Elementary	Winston-Salem/Forsyth County Schools
15.	Kimberly Park Elementary	Winston-Salem/Forsyth County Schools
16.	North Hills Elementary	Winston-Salem/Forsyth County Schools
17.	Petree Elementary	Winston-Salem/Forsyth County Schools
18.	Rhyne Elementary	Gaston County Schools
19.	Woodhill Elementary	Gaston County Schools
20.	Fairview Elementary	Guilford County Schools
21.	W. M. Hampton Elementary	Guilford County Schools
22.	Clara J. Peck Elementary	Guilford County Schools
23.	Riverview Elementary	Hertford County Schools
24.	Shamrock Gardens	Charlotte-Mecklenburg Schools
25.	Thomasboro Elementary	Charlotte-Mecklenburg Schools
26.	Westerly Hills Elementary	Charlotte-Mecklenburg Schools
27.	J. Braswell Elementary	Nash-Rocky Mount Schools
28.	O. R. Pope Elementary	Nash-Rocky Mount Schools
29.	Rich Square-Creecy Elementary	Northampton County Schools
30.	West Lumberton Elementary	Public Schools of Robeson County
31.	East Elementary	Union County Schools
32.	Walter Bickett Elementary	Union County Schools
33.	Clark Street Elementary	Vance County Schools
34.	New Hope Elementary	Vance County Schools
35.	Pinkston Street Elementary	Vance County Schools
36.	Carver Heights Elementary	Wayne County Schools

Based upon data from the 1999-2000 school year, this list of schools was generated in 2001. To be designated as a High Priority School, over eighty (80%) of the students qualified for free or reduced-price lunches and no more than fifty five percent (55%) of the students performed at or above grade level.



**North Carolina Reading First Eligible Schools List****Curriculum**

This page last updated 09/26/03

**Employment & Licensure****Reading First Grant Eligibility****Reports & Statistics****Publication Sales****Education Initiatives**

North Carolina will receive approximately \$153 million for a five-year period for the federal Reading First grant. Eligibility for Reading First subgrants is based on high percentages of poverty within a school district and on poor performance on the grade three Reading End-of-Grade test. When the funds are available, the state will conduct training for eligible schools and guide them through the subgrant competition. The schools with the highest percentages of poverty students and with the highest percentages of low performing students will be eligible to compete for state subgrants. Not all schools eligible will be awarded funds. The funds are to be used to train teachers in the eligible schools in the principles and methodology of scientifically based reading research.

**List of eligible schools****Events & Conferences****Agency Web Sites****Education Directory****NC Schools Listing**

LEA #	System	School #	Grade Span	School Name
40	Anson	40 311	K-3	Wadesboro Primary
		40 316	K-6	Lilesville Elementary
		40 324	PK-6	Morven Elementary
70	Beaufort	70 340	PK-5	SW Snowden Elementary
80	Bertie	80 362	K-5	Windsor Elementary
		80 360	PK-5	Colerain Elementary
		80 356	K-5	West Bertie Elementary
90	Bladen	90 328	PK-8	East Arcadia Elementary
		90 304	PK-5	BT Washington Primary
		90 333	PK-4	Elizabethtown Primary
		90 318	PK-5	Bladen Lakes Primary
132	Kannapolis City	132 332	K-5	Shady Brook Elementary
181	Hickory City	181 332	K-5	Longview Elementary
		181 342	PK-5	Southwest Elementary
210	Edenton/Chowan	210 316	PK-2	White Oak Elementary
		210 306	3-5	DF Walker Elementary and
		210 316	PK-2	White Oak Elementary
240	Columbus	240 388	K-8	Williams Township Elementary
		240 328	K-8	Cerro Gordo Elementary
260	Cumberland	260 405	PK-5	Pauline Jones Elementary
		260 444	PK-5	Teresa C. Berrien Elementary
		260 316	K-5	Lillian Black Elementary
		260 440	K-5	Sunnyside Elementary
		260 386	K-5	Margaret Willis Elementary





		260 352	PK-5	Cumberland Road Elementary
		260 452	PK-5	Westarea Elementary
		260 361	PK-5	Ferguson-Easley Elementary
		260 456	PK-5	Alger B. Wilkins Elementary
		260 344	PK-5	JW Coon Elementary
		260 326	PK-5	Elizabeth M. Cashwell Elementary
		260 402	1-5	Manchester Elementary and
		260 384	K-K	Mae R Williams Kindergarten
		260 450	PK-5	Warrenwood Elementary
292	Thomasville City	292 316	3-5	Liberty Drive Elementary and
		292 318	PK-2	Thomasville Primary
310	Duplin	310 336	PK-5	Warsaw Elementary
320	Durham	320 347	K-5	George Watts Elementary
		320 310	K-5	Eastway Elementary
		320 304	K-4	Bethesda Elementary
		320 388	PK-5	WG Pearson Elementary
		320 374	PK-5	CC Spaulding Elementary
		320 339	K-5	Lakewood Elementary
		320 400	PK-5	YE Smith Elementary
		320 308	K-5	Burton Elementary
		320 344	K-5	Fayetteville Street Elementary
		320 320	PK-5	Glenn Elementary
		320 352	K-5	Merrick-Moore Elementary
		320 363	K-5	EK Powe Elementary
		320 367	K-5	RN Harris Elementary
		320 360	K-5	Oak Grove Elementary
330	Edgecombe	330 336	PK-5	Roberson Elementary
		330 312	PK-3	Coker-Wimberly Magnet
		330 354	PK-3	Stocks Elementary
		330 334	PK-5	Princeville Montessori
350	Franklin	350 332	K-5	Louisburg Elementary
		350 318	K-5	Franklinton Elementary
		350 330	K-5	Laurel Mill Elementary
420	Halifax	420 308	3-5	Bakers Elementary and
		420 356	K-2	Scotland Neck Primary
		420 304	PK-5	Aurelian Springs Elementary
422	Weldon City	422 314	PK-4	Weldon Elementary
430	Harnett	430 348	K-5	Johnsonville Elementary
460	Hertford	460 332	PK-5	Riverview Elementary
		460 308	3-5	Ahoskie Elementary and
		460 312	PK-2	Bearfield Primary



470	Hoke	470 336	PK-5	West Hoke Elementary
		470 328	PK-5	Scurlock Elementary
		470 330	PK-5	South Hoke Elementary
		470 316	PK-5	JW McLauchlin Elementary
		470 441	PK-5	Sandy Grove Elementary
480	Hyde	480 306	PK-5	Mattamuskeet Elementary
530	Lee	530 308	K-5	Broadway Elementary
540	Lenoir	540 316	K-5	LeGrange Elementary
580	Martin	580 316	PK-5	East End Elementary
		580 312	3-6	EJ Hayes Elementary and
		580 308	K-2	Williamston Elementary
		580 320	PK-5	Edna Andrews Elementary
		580 324	PK-6	Jamesville School
620	Montgomery	620 312	PK-5	Candor Elementary
		620 336	K-5	Troy Elementary
		620 334	K-5	Star-Biscoe Elementary
		620 330	3-5	Page Street Elementary and
		620 336	K-2	Troy Elementary
		620 324	PK-5	Mount Gilead Elementary
640	Nash-Rocky Mount	640 384	PK-5	Swift Creek Elementary
		640 354	PK-5	OR Pope Elementary
		640 396	PK-5	Williford Elementary
		640 326	1-5	DS Johnson Elementary and
		640 327	PK-K	Fairview Early Childhood Center
650	New Hanover	650 312	K-5	Rachel Freeman Elementary
		650 384	K-5	Annie H. Snipes Elementary
660	Northampton	660 364	PK-5	Rich Square-Creecy Elementary
		660 360	PK-5	Willis Hare Elementary
		660 356	PK-5	Squire Elementary
700	Elizabeth City/Pasquotank	700 320	PK-5	PW Moore Elementary
		700 318	PK-5	Pasquotank Elementary
		700 324	PK-5	Sheep-Harney Elementary
740	Pitt	740 320	PK-8	Bethel Elementary
		740 376	PK-6	Pactolus Elementary
		740 310	PK-5	Belvoir Elementary
		740 375	K-5	Northwest Elementary
		740 358	K-8	GR Whitfield Elementary
761	Asheboro City	761 320	K-5	Charles W. McCrary Elementary
770	Richmond	770 332	K-6	Hoffman Elementary
		770 344	K-5	Mineral Springs Elementary



		770 312	K-6	Cordova Elementary
780	Robeson	780 392	PK-6	Rex-Rennert Elementary
		780 408	PK-5	Southside/Ashpole Elementary
		780 340	PK-4	Long Branch Elementary
		780 374	PK-4	Peterson Elementary
		780 417	PK-4	WH Knuckles Montessori
		780 360	PK-8	Parkton Elementary
		780 329	PK-4	Janie C. Hargrave Elementary
		780 356	PK-6	Oxendine Elementary
		780 390	PK-4	RB Dean Elementary
820	Sampson	820 312	K-5	Charles E. Perry Elementary
830	Scotland	830 344	PK-5	Pate Gardner Elementary
		830 336	PK-5	North Laurinburg Elementary
		830 320	PK-5	IE Johnson Elementary
		830 360	PK-2	Wagram Primary
910	Vance	910 356	PK-5	Pinkston Street Elementary
		910 340	PK-5	New Hope Elementary
		910 312	PK-5	Clark Street Elementary
		910 304	PK-5	Aycock Elementary
		910 346	PK-5	EO Young Jr. Elementary
930	Warren	930 344	K-5	South Warren Elementary
		930 340	K-5	Northside Elementary
		930 330	K-5	Mariam Boyd Elementary
940	Washington	940 306	PK-6	Creswell Elementary
		940 314	PK-4	Pines Elementary
960	Wayne	960 318	K-5	Carver Heights
		960 376	K-5	School Street Elementary
980	Wilson	980 356	K-5	Margaret Hearne Elementary
		980 357	K-5	Milton M. Daniels Elementary
CHARTER SCHOOLS				
320802	Healthy Start	320802		
320803	Carter Comm.	320803		
410803	Guilford County	410803		
920809	SPARC Academy	920809		
980801	Sallie BHoward	980801		

Eligible Schools- 134

Eligible LEAs- 39

Eligible Charter Schools- 5



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2004

A BILL TO BE ENTITLED  
AN ACT TO AMEND G.S. 115C-39 TO ESTABLISH A FAIR AND ORDERLY PROCESS  
FOR THE RECEIPT AND DISPOSITION OF COMPLAINTS AGAINST LOCAL SCHOOL  
BOARD MEMBERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-39 is rewritten as follows:

**§ 115C-39. Removal of board members; suspension of duties by State Board.**

(a) ~~In case Complaint against Board Member – Any person may submit evidence to the State Board of Education has sufficient evidence that any member of a local board of education education:~~

- (1) is not capable of discharging, or is not discharging, the duties of ~~his~~ the office as required by ~~law~~, law; or
- (2) is guilty of immoral or disreputable ~~conduct~~, conduct. The entry of a plea of guilty or nolo contendere to, or the conviction of, any felony or any Class 1 or Class 2 misdemeanor shall be presumptive evidence of immoral or disreputable conduct.

(b) Review of Evidence – Upon receipt of evidence submitted pursuant to subsection (a) of this section, the chair of the State Board of Education shall review the evidence to determine whether it is sufficient to establish either of the grounds set out in subsection (a) of this section. The chair of the State Board shall have the discretion to refer the evidence to the entire Board or to determine the sufficiency of the evidence without referring it to the entire Board. The chair or the Board shall base its determination solely upon the evidence that has been submitted pursuant to subsection (a) of this section. If the chair or the Board shall find that the evidence is sufficient to establish either of the grounds set out in subsection (a) of this section, the chair or the Board shall notify the ~~chairman~~, chair of the local board unless ~~such chairman~~ the chair of the local board is the ~~offending member~~, member against whom the complaint has been made, in which case the chair or Board shall notify all other members of such board shall be notified the local board.

The chair or the Board may consider evidence of conduct that occurred prior to the local board member's entry upon the duties of office as evidence of immoral or disreputable conduct.

(c) Investigation and Determination by Local Board – Upon receipt of ~~such~~ notice under subsection (b) of this section, the local ~~there shall be a meeting of said board of education for the purpose of investigating~~ shall conduct a hearing to determine the truthfulness of the ~~charges~~, charges and whether the conduct impairs the member's ability to perform the duties of the office. The board shall provide the member with proper notice of the hearing. The member shall have the opportunity to be represented by counsel, to present evidence, and to examine and cross-examine witnesses. ~~and if~~ If the board finds the charges are found to be true, such board true and that the conduct impairs the member's ability to perform the duties of the office, it shall declare the office vacant: Provided, that the offending member shall be given proper notice of the hearing and that record of the findings of the other members shall be recorded in the minutes of such board of education vacant. The board shall record its findings in the official minutes of the board.

(d) Judicial Review – Any member of a local board of education who has been removed from office pursuant to subsection (c) of this section shall have the right to seek judicial review of that action.

(b)(e) Suspension of Powers and Duties – In the event the State Board of Education has appointed an interim superintendent under G.S. 115C-105.39 and the State Board determines that the local board of education has failed to cooperate with the interim superintendent, the State





Board shall have the authority to suspend any of the powers and duties of the local board and to act on its behalf under G.S. 115C-105.32.

Sec. 2. This act is effective when it becomes law.



# The University of North Carolina

## 2004 Non-Budget Legislative Initiatives

- |   |                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Contributions To Parental Savings Trust Fund Tax Deductible. | Amend GS 105-134.6 & GS 116-209.25 to allow taxpayers who make contributions to the Parental Savings Trust Fund to deduct all, or a portion of, their total contributions in calculating NC taxable income for any given tax year beginning in 2004.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2 | Need-based Nursing Scholarship Loan Program                  | Permit the State Education Assistance Authority to administer the Need-based Nursing Scholarship Loan Program consistent with the process by which it administers other need-based scholarship loans. This recommendation is a result of a performance audit report from the Office of the State Auditor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 3 | Military Tuition                                             | <p>Amend the NC Military Tuition Statutes (GS 116-143.3)</p> <ul style="list-style-type: none"> <li>a) Add "abiding in this state" to relevant sentences of GS 116-143.3 (b1) and (b2)</li> <li>b) Work to improve military tuition benefits for active duty members of the armed services abiding in the state.</li> <li>c) Grandfather in-state tuition for dependents of active military personnel upon permanent reassignment outside of the state. Such dependents would retain in-state tuition rate for the remainder of any degree program in which they are enrolled at the time of transfer.</li> <li>d) Grandfather in-state tuition for active duty transferees upon permanent reassignment outside of the state. Such personnel would retain in-state tuition rate for the remainder of any degree program in which they are enrolled at the time of transfer out of the state.</li> </ul> |
| 4 | UNC Internal Mediation Documents                             | Seek to protect documents and discussion generated by UNC internal mediation from discovery in litigation and/or use at trial; and to clarify that a mediator preparing a mediation settlement agreement is not engaged in the practice of law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 5 | Amend N.C. Disability Income Plan                            | Repeal changes to G.S. 135 legislation enacted last session that rewrote the definitions of disability under the N.C. Disability Income Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 6 | Dual Office Holding                                          | Eliminate the prohibition against spouses of members of the Board of Governors' and of members of Boards of Trustees' being employees or officers of the State, so long as the spouse is not an officer or employee of UNC, for BOG members, or of the relevant campus, for BOT members.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 7 | Paid Time Off Program                                        | Amend GS 126 to allow a Paid Time Off program to State and University employees. If not enacted, allow the University to offer a Paid Time Off program to employees. A Paid Time Off program merges all the kinds of leave instead of keeping track of annual leave, sick leave, etc. separately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 8 | Bond Project Modifications Campus Requests                   | The following projects listed in Chapter 3 of the 2000 Session Laws and authorized by voter referendum in November 2000 have been recommended for scope modifications by the campuses. These suggested changes are consistent with the initial intent of the listed projects. However, these alterations are due to changed conditions or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



discovery of a more efficient means to accomplish the same end result.

1a) NC A&T. Cancellation of Central Cooling Plant Phase I (\$9,430,700) and transfer to a New School of Education.

1b) UNCW. Reduce the scope of Alderman Hall Classroom Building (-\$2,204,652) and Kenan Auditorium (-\$1,173,325). Apply the reduced funds (\$3,377,977) to King Hall Classroom Building, Hinton James Hall Classroom Building and Kenan Hall Classroom Building.

1c) FSU. Alter the scope of Comprehensive Renovation and Conversion of Spaulding for Public Safety Facilities (\$1,420,845) to reflect occupancy of the complete facility by Student Health Services and student counseling.

1d) FSU. Transfer unused funds (\$300,000) from William Collins Building Renovation to a renovation of the Mitchell Building. The Mitchell Building will house the Public Safety Facilities.

1e) NCSU. Change scope of Harrelson Hall Higher Education Bond Project from a renovation to a replacement project. A replacement classroom facility will be constructed to meet the current needs of the campus (\$13,608,500)

1f) UNC-CH. Alter the scope of a project for constructing a stand-alone community health building to allow the campus to add space to the Medical Science Research Building and renovate space within that building. The programmatic scope of the project is unchanged and savings would be transferred to other health affairs related bond projects.

9	Special Obligation Bonds For Acquisition of Equipment and Renovation or Repair of Existing Facilities	Amend GS 116 and GS 116D to provide low-cost financing for major equipment purchases and repairs and renovations to facilities for smaller-scale projects that are not considered to be Capital Improvement projects.
10	Authority For One-Time Expenditures	Amend GS 116-30.2(b) to authorize NC School of Science and Mathematics to carry over 2 ½% of its general fund appropriations for one time expenditures.
11	Retain Proceeds From Sale of Chancellor's Residence	Allow for a one-time exemption from GS 146-30 to allow FSU and NCSA to retain the proceeds from the sale of the existing chancellor's residence and apply the proceeds toward the cost of a new residence.
12	Lead-Time For Acquisition Of Real Property	The acquisition of real property valued \$25,000 or greater by the UNC System requires approval by the respective Board of Trustees, UNC Board of Governors, Jt. Commission on Governmental Operations (Gov. Ops) and the Council of State. Only Gov. Ops does not have a regular, year round meeting time thereby creating delays. It is recommended that GS 146-22 be rewritten in a manner requiring the purchase of land by reporting to Gov. Ops thirty (30) days prior to the sale.
13	Construction Specifications	Modify GS 133-3 to allow campuses of the University to establish campus standards for building components by conducting public evaluation and selection processes and thereafter specifying said components by brand when writing construction specifications.
14	NC Rehabilitation Pilot Building Code	Adoption of the NC Rehabilitation Pilot Building Code as the NC Existing Building Code.



**DRAFT MINUTES**  
**JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE**  
**2003-2004 Session**  
**March 25, 2004**

The Joint Legislative Education Oversight Committee met on Thursday, March 25, 2004 in Room 544 of the Legislative Office Building. Senator A. B. Swindell presided. Members also in attendance were Co-chairs Rep. Robert Grady and Rep. Doug Yongue; Senators Dannelly, Garrou, Garwood, Malone, Dorsett, Moore, and Stevens; Representatives Bell, Insko, Jeffus, Pate, Preston, Sauls, Tolson and Warner. A copy of the agenda and the visitor registration sheet is attached (Attachments 1 and 2).

Senator Swindell convened the meeting at 10 a.m. and welcomed members, staff and guests. Sen. Swindell presented for approval the minutes from the meetings held on February 4 and 5, 2004 and February 25 and 26, 2004. Rep. Tolson moved approval and seconded by Sen. Dannelly, the minutes were approved as written.

**State Board of Education**

Senator Swindell recognized Mike Ward, State Superintendent, Department of Public Instruction, to present the State Board's legislative policy agenda. Prior to his report, Dr. Ward acknowledged Tricia Willoughby, a member of the State Board, who was also in attendance at the meeting. Dr. Ward thanked members of the General Assembly for their continued investment in North Carolina's public schools, which has resulted in solid academic progress on both the state and national measures, evidenced by both a decrease in the dropout rate, and an increase in the number of students enrolling in college. Dr. Ward directed committee members to the NCSBE handout entitled, "Requested Legislative Changes, 2004 General Assembly" (Attachment 3) and noted that some of the changes listed were carried forward from the legislative agenda for 2003. He noted that changes were grouped within SBE's Strategic Priority categories and that the new changes being added to the listing were indicated as shaded in gray. Dr. Ward also provided committee members with a copy of SB 783, Raise Compulsory School Attendance Age, (Attachment 4), adopted during the last legislative session, as supporting information to Item 6 on the list, and he provided additional information (Attachments 5, 6 & 7) when he presented Items 8, 9 and 15 on his list of recommended changes. Following Dr. Ward's presentation, there were no questions from the committee members, and Senator Swindell thanked Superintendent Ward for his report.

**UNC Board of Governors**

Senator Swindell next recognized J. B. Milliken, Vice President of University Affairs, University of North Carolina system. Vice President Milliken explained the process by which the UNC Board developed its legislative agenda for their non-budget proposals





each year. He reported that under a newly created Public Affairs Committee, recommendations for changes in state law were solicited from individual campuses and after thorough review were submitted to the UNC Board for their consideration and approval. Mr. Milliken provided members with a handout entitled, "The University of North Carolina 2004 Non-Budget Legislative Initiatives" (Attachment-4), and reviewed the fourteen recommendations recently adopted by the UNC Board of Governors. In reviewing the UNC initiatives, there was considerable discussion on Item 3, Military Tuition as it related to amending the NC Military Tuition statutes (GS 116-143.3). Co-chair Yongue suggested this item needed close study and that the committee should possibly consider involving a member of the military in further discussions. Senator Dannelly asked for clarification to Item 4, UNC Internal Mediation Documents, and asked if this item was related to the concerns recently expressed by the UNC service workers. Mr. Milliken advised that Leslie Winner, Board counsel would be a better resource for Senator Dannelly, as Ms. Winner had recently mediated directly with the UNC service workers. Co-chair Swindell asked Mr. Milliken to have Ms. Winner contact Senator Dannelly

Continuing with the UNC initiatives, Mr. Milliken next turned the presentation over to Jeff Davies, Vice President, UNC Board, to present the facilities and finance initiatives (listed as Items 8 through 14 on Attachment 4). Mr. Davies highlighted the bond project modifications for the various campuses, the Special Obligation Bonds initiatives, and after presenting the remaining initiatives listed on the handout, responded to questions from members of the committee. Sen. Swindell thanked Mr. Davies for his report and recognized Leslie Winner, a former North Carolina legislator, who now serves as legal counsel to the UNC Board.

Ms. Winner responded to an earlier question from Sen. Dannelly relating to the mediation program. Ms. Winner advised that the Office of State Personnel already had a mediation program in place for SPA employees, which the University currently participated. The initiative presented today would not affect the SPA employees, but would allow for an internal mediation program for faculty grievances. Ms. Winner also clarified Item 7, Paid Time Off Program, regarding the use of employee annual leave. Rep. Pate and Sen. Dannelly both suggested that the Paid Time Off initiatives recommended for state and university employees be expanded to include teachers.

Senator Swindell recognized Linda Suggs, State Board of Education, who attempted to respond to concerns of committee members of how to appropriately enforce compulsory school attendance. After considerable discussion, Rep. Insko recommended this issue needed further debate by the policy committee.

Prior to adjournment, Senator Swindell asked committee members to study the proposed recommendations and contact the co-chairs with concerns prior to the next meeting scheduled for Tuesday, April 27 and Wednesday, April 28, 2004. Senator Swindell adjourned the meeting at 11:30 a.m.

Respectfully submitted,



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Senator A. B. Swindell, Co-Chair

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Mo Hudson, Committee Assistant

Rep. Robert Grady, Co-Chair

Rep. Douglas Yongue, Co-Chair

