



PUBLIC SCHOOLS OF NORTH CAROLINA

STATE BOARD OF EDUCATION Howard N. Lee, *Chairman*

DEPARTMENT OF PUBLIC INSTRUCTION June St. Clair Atkinson, ED.D., *State Superintendent*

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2006 SBE Legislative Policy Agenda Discussion Draft January 5, 2006

Items to be carried forward from 2005

<p>1.</p>	<p>HB 550 - has met “crossover” and is eligible for action in 2006.</p> <p>Pending in Senate Education Committee</p>	<p>Request change in requirement for APA approval of rules adopted by State Board of Education. The SBE has rule-making authority established by the North Carolina Constitution (Article IX, Section 5). Rule-making under APA is a lengthy process, which is layered on top of the SBE’s discussion of any item. The SBE needs to be able to respond more quickly to needed changes (e.g., US Dept of Education rulings related to NCLB and teacher licensure). The SBE proposes allowing the SBE to hold public hearings which would be followed by two months of public discussion when the item is placed on the formal SBE agenda. This should provide ample opportunity for public input, as well as greater flexibility, should implementation of any rule reveal that additional tweaking or changes are necessary to achieve the intended result of the rule.</p>
<p>2.</p>	<p>HB 448 – has met “crossover” and is eligible for action in 2006.</p> <p>Pending in Senate Education Committee.</p>	<p>Revise statute pertaining to removal of local Board members. The current statute (§ 115C-39. Removal of board members; suspension of duties by State Board) has proven difficult to interpret and apply, as a recent high-profile case revealed. The proposed revisions to the current statute (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; and (4) provide for judicial review. The SBE has worked closely with the North Carolina School Boards Association to draft revisions that will better reflect what we believe current statute contemplates.</p>
<p>3.</p>	<p>Not eligible for consideration in 2006 unless included as a budget item.</p>	<p>Raise compulsory attendance age. 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 permissible to drop out at 16, it is sometimes difficult to convince students otherwise. The change in the compulsory attendance age must be accompanied by changes in our high schools, and there are many initiatives underway to help high schools better meet the needs of all students, including those at-risk of dropping out.</p>

4.	<p>House Select Committee Has Been Appointed to Examine & Recommend Changes. Legislation from this committee would be eligible for action in 2006.</p>	<p>IDEA. Seek changes in NC statute as appropriate to align state laws with the newly reauthorized federal IDEA (December, 2004). Not to bring state statute into alignment runs the risk of placing the state in non-compliance with federal laws, which could result in jeopardizing the state's eligibility for federal funding for children with special needs. (Requested by Mary Watson.)</p>
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New Items for Consideration in 2006

5.		<p>High School Exit Standards: Seek changes in the language on the High School Competency Test requirement so that the new High School Exit Standards are deemed to meet that standard. Lou Fabrizio has received email from an LEA concerned that next year's ninth graders have both the Competency Test and the new HS Exit Standards to meet. (Requested by Lou Fabrizio.)</p>
6.	<p>?? HB 1462, Study of Corporal Punishment Policies</p>	<p>Corporal Punishment: Seek change in statute to prohibit use in NC Public Schools. Study bill was introduced in 2005, but did not pass. The study was included in the House Studies Bill, HB 1269, and in the Senate Studies Bill, HB 413, neither of which passed the other chamber. (Requested by Jane Worsham.)</p>
7.	<p>?? HB 1264, Board Certified Teachers Serve as School Leaders</p>	<p>Differentiated Roles for NBPTS Teachers: Support legislation introduced in 2005 to permit NBPTS teachers to serve as school leaders without relinquishing NBPTS bonus pay. This is a recommendation of the SBE Teacher Recruitment and Retention Task Force. HB 1264 has met crossover and is eligible for action in 2006.</p>