

**1997**

**HOUSE  
EDUCATION –  
PRESCHOOL,  
ELEMENTARY &  
SECONDARY**

**MINUTES**

**1997-1998 Session**

**EDUCATION/  
Subcommittee on Preschool, Elementary and  
Secondary Education**

**Rep. J. Russell Capps, Chairman**

**HOUSE SUBCOMMITTEE ON EDUCATION  
PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATION  
1997-98 SESSION**

<b>MEMBER (CLERK)</b>	<b>TEL</b>	<b>OFFICE</b>	<b>SEAT</b>
Russell Capps, Chairman	53005	419B	77
Pamela Ahlin			
Gene Arnold	35747	535	54
Jean Mc Neil			
Charles Beall	35868	510	47
Mary Capps			
James Black	54946	1229	31
Jean Mims			
Lanier Cansler	53007	419A	53
Barbara Cansler			
Nelson Cole	35779	1218	45
Suzanne Smith			
Donald Davis	53003	419C	89
Audrey Johnson			
Michael Decker	37208	2121	13
Cindy Keen			
Jim Gulley	35860	1307	98
Lucille Carter			
Bobby Hall	35906	637	87
Billie Stevens			
Bob Hensley	35936	509	67
Margie Kirby			
William Hiatt	35862	1008	14
Edna Pierce			
Verla Insko	35800	1319	112
Pat Baker			
Ted Kinney	35867	527A	116
Soraya Dunnigan			
Richard Moore	35661	1019	101
Kathy Cali			
Mia Morris	35741	1315	99
Monty Floyd			
Jane Mosley	35781	2221	106
Gennie Thurlow			

**HOUSE SUBCOMMITTEE ON EDUCATION  
PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATION  
1997-98 SESSION**

<b>MEMBER (CLERK)</b>	<b>TEL</b>	<b>OFFICE</b>	<b>SEAT</b>
Edd Nye	35477	639	23
Jo Bobbitt			
Jean Preston	53026	403	38
Alice Falcone			
Wilma Sherrill	35601	2215	51
Rosa Kelley			
Alex Warner	35806	1420	81
Ann Stancil			
Connie Wilson	37763	529	40
Joanna Mills			
<b>EDUCATION COMMITTEE CHAIRS:</b>			
Fern Shubert	35771	2119	64
Dawn Ellis			
Carolyn Russell	50875	2207	27
Susan Brothers			
James Crawford	35824	1301	24
Linda Winstead			
<b>EX OFFICIO MEMBERS:</b>			
Leo Daughtry	50850	2301	30
Bernice Bullard			
Julia Howard	35904	1021	8
Gail Stewart			
Steve Wood	35807	2208	12
Sylvia Perkins			
<b>STAFF:</b>			
Mr. Jim Watts	32578	545	
Ms. Robin Johnson	32578	545	
Ms. Sara Kamprath	32578	545	

## **CHAIRMAN**



**J. Russell Capps**



**Gene Arnold**



**Charles M. Beall**



**James B. Black**



**Lanier M. Cansler**



**Nelson Cole**



**Donald Spencer Davis**



**Michael P. Decker, Sr.**



**Jim Gulley**



**Bobby Ray Hall**



**Bob Hensley**



**William S. Hiatt**



**Verla C. Insko**



Ted Kinney



Richard L. Moore



Mia Morris



Jane H. Mosley



Edd Nye



Jean R. Preston



Wilma M. Sherrill



Alex Warner



Constance K. Wilson

## STANDING CHAIRS



Carolyn B. Russell



Fern H. Shubert



James W. Crawford, Jr.

## EX OFFICIO



N. Leo Daughtry



Stephen Wood



Julia Craven Howard

## ATTENDANCE

House Education/<sup>nan</sup>subcommittee/ preschool, elementary, & secondary education[illegible]

NORTH CAROLINA GENERAL ASSEMBLY

COMMITTEE SUMMARY REPORT

1997-98 Regular Session		HOUSE: EDUCATION--PRE SCHOOL, ELEM & SECOND ED	Valid Through 9-SEP-1997	
<u>BILL</u>	<u>INTRODUCER</u>	<u>SHORT TITLE</u>	<u>LATEST ACTION ON BILL</u>	<u>IN DATE</u> <u>OUT DATE</u>
H1183	MOORE	CIVIC EDUCATION PROGRAM FUNDS	H -RE-REF COM ON APPROP	05-06-97   05-12-97
H1198	REYNOLDS	SAVINGS RESERVE/SCHOOL TECH. FUND	H -RE-REF COM ON APPROP	05-06-97   05-12-97
H1225	COLE	SCHOOL TRANSPORTATION	*H -RE-REF COM ON ED-PRE&	05-06-97   05-14-97
H1225	COLE	SCHOOL TRANSPORTATION	*H -RE-REF COM ON ED-PRE&	05-15-97

NOTES- = AFTER BILL NUMBER SHOWS THAT BILL IS IDENTICAL, AS INTRODUCED, TO ANOTHER BILL.

\* AFTER NUMBERS INDICATES THAT TEXT OF BILL WAS ALTERED BY ACTION ON THE BILL.

BOLDED LINE INDICATES BILL INDEXED AS AFFECTING APPROPRIATIONS.





HOUSE EDUCATION COMMITTEE  
Subcommittee on Preschool, Elementary and Secondary Education  
Minutes  
May 8, 1997

The subcommittee on Preschool, Elementary and Secondary Education of the Standing Committee on Education met on May 8, 1997 in room 1327 Legislative Building. The following members were present: Representative Capps, Subcommittee chairman, Representative Shubert, Co-chair of the Education committee, and Representatives Arnold, Beall, Black, Cole, Davis, Decker, Gulley, Hall, Hensley, Hiatt, Kinney, Moore, Morris, Mosley, Nye, Preston, Sherrill, Warner. Representative Capps called the meeting to order at 11:00 A. M.

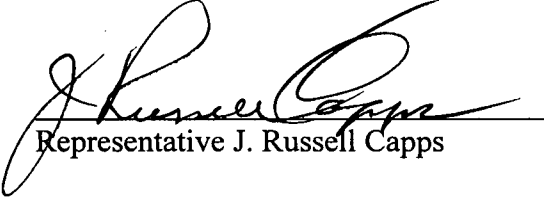
HB 1225 - SCHOOL TRANSPORTATION FUNDS -was the first item on the agenda. Rep. Cole, bill sponsor, was recognized to explain the bill. He briefly gave the provisions of the bill, and then accepted questions from the members. Rep. Arnold questioned the appropriation provision and said that he would support a local bill but not a statewide bill. Rep. Davis agreed that he supports local bill concept. Rep. Black moved for a favorable report. Rep. Warner offered an amendment to change the word "require" to "allow" and change the word "shall" to "may". He moved for adoption of the amendment. The motion carried, and the title of the bill changed. Rep. Arnold sent forth an amendment removing the appropriations, and moved for its adoption. The motion carried. Rep. Shubert sent forth an amendment to give the local school board ability to make policies to implement this act. The motion carried. Rep. Black moved to give the bill a favorable report, as amended, and rolled into a committee substitute. The new bill would be favorable as to the committee substitute, and unfavorable as to the original bill.

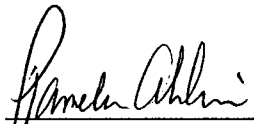
HB 1198 SAVINGS RESERVE/SCHOOL TECHNOLOGY FUND - Rep. Reynolds, bill sponsor, explained the bill with help of Sara Kamprath, legislative analyst. Rep. Shubert moved to give the bill a favorable report. The motion carried and the bill was re-referred to the Committee on Appropriations.

HB 1183 CIVIC EDUCATION PROGRAM FUNDS - The last bill taken up by the committee was HB 1183. Rep. Moore explained his bill. Rep. Decker asked questions about the bill. Rep. Black moved to give the bill a favorable report. The motion carried and the bill was re-referred to the Committee on Appropriations.

The meeting adjourned at 11:50 a.m.

Respectfully submitted,

  
Representative J. Russell Capps

  
Pamela Ahlin, clerk

## ATTENDANCE

House Education/subcommittee/ preschool, elementary, &amp; secondary education

[illegible]

## VISITOR REGISTRATION SHEET

HOUSE/EDUCATION/SUB/PRESCH, ELEM, & SEC. ED. May 8, 1997

Name of Committee

Date \_\_\_\_\_

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

[illegible]

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1225

Short Title: School Transportation Funds.

(Public)

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Sponsors: Representatives Cole; Allred, Dedmon, Fox, Hill, Hurley, Moore, Reynolds, Sexton, and Warwick.

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Referred to: Education, if favorable, Appropriations.

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May 5, 1997

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PICK  
3 UP AND DISCHARGE PUPILS AT PLACES DESIGNATED BY PARENTS  
4 AND TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION  
5 FOR THE IMPLEMENTATION OF THIS ACT.  
6 The General Assembly of North Carolina enacts:  
7 Section 1. G.S. 115C-242(1) reads as rewritten:  
8 "(1) A school bus may be used for the transportation of pupils enrolled  
9 in and employees in the operation of the school to which such bus  
10 is assigned by the superintendent of the local school administrative  
11 unit. Except as otherwise herein provided, such transportation shall  
12 be limited to transportation to and from such school for the  
13 regularly organized school day, and from and to the points  
14 designated by the principal of the school to which such bus is  
15 assigned, for the receiving and discharging of passengers. Upon the  
16 written request of a pupil's parent or guardian, a pupil shall be  
17 transported from a location other than the pupil's residence to the  
18 pupil's school and from the pupil's school to a location other than  
19 the pupil's residence so long as the location is within the school  
20 attendance zone and on an established bus route assigned to that  
21 school, including turnaround zone, provided, the local board of  
22 education is not required to provide transportation to and from a  
23 location within one and one-half miles from the school in which

1           the child is enrolled. No pupil or employee shall be so transported  
2           upon any bus other than the bus to which such pupil or employee  
3           has been assigned pursuant to the provisions of this Article:  
4           Provided, that children enrolled in a Headstart program which is  
5           housed in a building owned and operated by a local school  
6           administrative unit where school is being conducted may be  
7           transported on public school buses, so long as the contractual  
8           arrangements made cause no extra expense to the State: Provided  
9           further, that children with special needs may be transported to and  
10          from the nearest appropriate private school having a special  
11          education program approved by the State Board of Education if  
12          the children to be transported are or have been placed in that  
13          program by a local school administrative unit as a result of the  
14          State or the unit's duty to provide such children with a free  
15          appropriate public education."

16           Section 2. There is appropriated from the General Fund to the State  
17 Board of Education the sum of one hundred thousand dollars (\$100,000) for the  
18 1997-98 fiscal year to assist local boards of education in the implementation of this  
19 act.

20           Section 3. This act becomes effective July 1, 1997.

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

#1

(Please type or use ballpoint pen)

EDITION No. \_\_\_\_\_

H. B. No. 1225

DATE \_\_\_\_\_

S. B. No. \_\_\_\_\_

Amendment No. \_\_\_\_\_

(to be filled in by  
Principal Clerk)

COMMITTEE SUBSTITUTE \_\_\_\_\_

Rep. ) Warner  
Sen. )

1 moves to amend the bill on page 1, line 2

2 ☒ WHICH CHANGES THE TITLE

3 by deleting the word "REQUIRE" and by  
4 substituting the word "ALLOW";

5  
6 and on page 1, line 16, by deleting  
7 the word "shall" and by substituting  
8 the word "may"

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

SIGNED Alex Warner

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

# NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

#2

EDITION No. \_\_\_\_\_

H. B. No. 1225

DATE \_\_\_\_\_

S. B. No. \_\_\_\_\_

Amendment No. \_\_\_\_\_

(to be filled in by  
Principal Clerk)

COMMITTEE SUBSTITUTE \_\_\_\_\_

Rep. ) Amold  
Sen. ) \_\_\_\_\_

1 moves to amend the bill on page 1, line 3

2 ☒ WHICH CHANGES THE TITLE

3 by adding a period at the end of the line;

4 \_\_\_\_\_  
5 on page 1, lines 4-5, by deleting the  
6 lines;

7 \_\_\_\_\_  
8 on page 2, lines 16-19, by deleting the  
9 lines;

10 \_\_\_\_\_  
11 and by renumbering the remaining section  
12 \_\_\_\_\_

13 \_\_\_\_\_

14 \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

SIGNED *James Arnold*

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_



NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

#3

EDITION No. \_\_\_\_\_

H. B. No. 1225

DATE \_\_\_\_\_

S. B. No. \_\_\_\_\_

Amendment No. \_\_\_\_\_

(to be filled in by  
Principal Clerk)

COMMITTEE SUBSTITUTE \_\_\_\_\_

Rep. )

)  
Sen. )

1 moves to amend the bill on page 2, line 3 19-20

2 ( ) WHICH CHANGES THE TITLE

3 by inserting between the lines the following:

4 "Section 2.1. Local boards of education  
5 may ~~shall~~ adopt policies to implement this  
6 act." ~~by August 15, 1997~~

7  
8 by August 15, 1997,

9  
10  
11  
12  
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14  
15  
16  
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18  
19

SIGNED Fern H. Schubert

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

1997 PERMANENT SUBCOMMITTEE REPORT  
HOUSE OF REPRESENTATIVES

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE  
The following report(s) from permanent sub committee(s) is/are presented:

By Representative(s) CAPPS for the Permanent Subcommittee on Preschool, Elementary and  
Secondary Education of the Standing Committee on EDUCATION.

☐ Committee Substitute for

**H.B. 1225**

☐ A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL  
SCHOOL ADMINISTRATIVE UNITS TO PICK UP AND DISCHARGE PUPILS AT PLACES  
DESIGNATED BY PARENTS AND TO APPROPRIATE FUNDS TO THE STATE BOARD OF  
EDUCATION FOR THE IMPLEMENTATION OF THIS ACT.

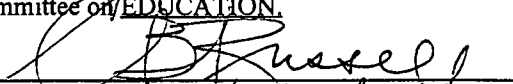

REPORTED TO THE STANDING COMMITTEE ON

**RECOMMENDED ACTION:**

- ☐ With a favorable recommendation.
- ☐ With a favorable recommendation and recommend that the bill be re-referred to the Committee on
- ☐ With a favorable recommendation, as amended.
- ☐ With a favorable recommendation, as amended, and recommend that the bill be re-referred to the  
Committee on
- ☐ With an unfavorable recommendation.
- ☐ With a favorable recommendation as to proposed committee substitute bill which changes the  
title, unfavorable as to original bill.
- ☐ With a favorable recommendation as to proposed House committee substitute bill, which  
changes the title, unfavorable as to Senate committee substitute bill.
- ☐ Without prejudice.
- ☐ Other recommended action: -----

WITH APPROVAL OF STANDING COMMITTEE CHAIR FOR REPORT TO BE MADE DIRECTLY  
TO THE FLOOR OF THE HOUSE:

Reps. Shubert and Russell for the Standing Committee on EDUCATION.

s/   


- ☐ With a favorable report.
- ☐ With a favorable report, as amended.
- x ☒ With a favorable report as to committee substitute bill, x which changes the title, unfavorable as  
to original bill
- ☐ And having received a unanimous vote in committee, be placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

4/24/97

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 1997**

**H**

**D**

**HOUSE BILL 1225**  
**Proposed Committee Substitute H1225-PCS8225**

Short Title: School Transportation.

(Public)

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Sponsors:

---

Referred to:

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May 5, 1997

A BILL TO BE ENTITLED  
AN ACT TO ALLOW LOCAL SCHOOL ADMINISTRATIVE UNITS TO PICK  
UP AND DISCHARGE PUPILS AT PLACES DESIGNATED BY PARENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-242(1) reads as rewritten:

"(1) A school bus may be used for the transportation of pupils enrolled in and employees in the operation of the school to which such bus is assigned by the superintendent of the local school administrative unit. Except as otherwise herein provided, such transportation shall be limited to transportation to and from such school for the regularly organized school day, and from and to the points designated by the principal of the school to which such bus is assigned, for the receiving and discharging of passengers. Upon the written request of a pupil's parent or guardian, a pupil may be transported from a location other than the pupil's residence to the pupil's school and from the pupil's school to a location other than the pupil's residence so long as the location is within the school attendance zone and on an established bus route assigned to that school, including turnaround zone, provided, the local board of education is not required to provide transportation to and from a location within one and one-half miles from the school in which the child is enrolled. No pupil or employee shall be so transported upon any bus other than the bus to which such pupil or employee

1 has been assigned pursuant to the provisions of this Article:  
2 Provided, that children enrolled in a Headstart program which is  
3 housed in a building owned and operated by a local school  
4 administrative unit where school is being conducted may be  
5 transported on public school buses, so long as the contractual  
6 arrangements made cause no extra expense to the State: Provided  
7 further, that children with special needs may be transported to and  
8 from the nearest appropriate private school having a special  
9 education program approved by the State Board of Education if  
10 the children to be transported are or have been placed in that  
11 program by a local school administrative unit as a result of the  
12 State or the unit's duty to provide such children with a free  
13 appropriate public education."

14 Section 2. Local boards of education may adopt policies by August 15,  
15 1997, to implement this act.

16 Section 3. This act becomes effective July 1, 1997.

1225

H.B. \_\_\_\_\_

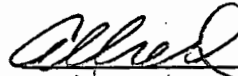
CHAP. \_\_\_\_\_

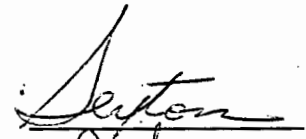
## A BILL TO BE ENTITLED

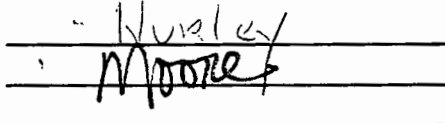
AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO PICK UP AND DISCHARGE PUPILS AT PLACES DESIGNATED BY PARENTS AND TO APPROPRIATE FUNDS TO THE STATE BOARD OF EDUCATION FOR THE IMPLEMENTATION OF THIS ACT.

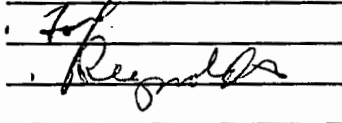
Introduced by Representative(s)

Cole

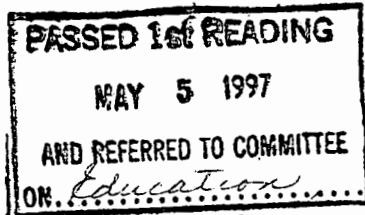
  
 HILL

  
 Oldham  
 WARRICK

  
 Moore

  
 Reynolds

Principal Clerk's Use Only



if favorable, Appropriation

The ~~Committee~~ Subcommittee on  
EDUCATION refers

the bill to Subcommittee on

Preschool, Elementary and Secondary  
Education Rep's Russell & Shubert  
For the CommitteeReferred to ~~Committee~~ Subcommittee  
on Preschool, El. & Sec. Ed

MAY 6 1997

**HOUSE BILL 1225:**  
*School Transportation Funds*

**TO:** Representative Capps, Chair  
**FROM:** Robin Johnson, Committee Counsel  
**DATE:** May 7, 1997  
**SPONSOR:** Representative Cole

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**House Bill 1225** amends G.S. 115C-242(1) to require each local board of education that operates a school bus transportation system to pick up and discharge any student at a location other than the student's home, if the parents or guardians make a written request. The location must be within the attendance zone of the school in which the student is enrolled, on an established bus route assigned to that school, and at least one and one-half miles from the school. House Bill 1225 also appropriates \$100,000 for the 1997-98 school year to help local boards implement this act.

Current law does not require local school administrative units to operate a school bus transportation system. If they choose to do so, they are not required to provide transportation to any student who lives within one and one-half miles of the school in which the student is enrolled. Superintendents plan the bus routes, and principals assign students to particular buses. (Students are prohibited from riding on another bus without their respective principal's express permission.) Unless road or other conditions make it inadvisable to do so, buses are routed on State-maintained highways so that they pass within one mile of each student's home. Parents and guardians may seek a hearing before the local board if they are dissatisfied with the bus assignment for their child.

The bill becomes effective July 1, 1997.

H1225-SMRH-001

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1198

Short Title: Savings Reserve/School Tech. Fund.

(Public)

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Sponsors: Representatives Reynolds, Shubert; and Clary.

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Referred to: Education, if favorable, Appropriations.

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May 1, 1997

1 A BILL TO BE ENTITLED  
2 AN ACT TO TRANSFER THE INTEREST ACCUMULATED EACH QUARTER  
3 BY THE SAVINGS RESERVE ACCOUNT TO THE SCHOOL TECHNOLOGY  
4 FUND AND TO APPROPRIATE FUNDS FOR THE SCHOOL TECHNOLOGY  
5 FUND.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 143-15.3 is amended by adding a new subsection to read:

8 "(c) At the end of each fiscal quarter, the State Controller shall transfer the  
9 interest accumulated by the Savings Reserve Account to the School Technology Fund  
10 established by G.S. 115C-102.6D."

11 Section 2. There is appropriated from the General Fund to the School  
12 Technology Fund established by G.S. 115C-102.6D the sum of two million dollars  
13 (\$2,000,000) for the 1997-98 fiscal year.

14 Section 3. This act becomes effective July 1, 1997.

**1997 PERMANENT SUBCOMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE  
The following report(s) from permanent sub committee(s) is/are presented:

By Representative(s) CAPPS for the Permanent Subcommittee on PRESCHOOL, ELEMENTARY  
AND SECONDARY EDUCATION of the Standing Committee on EDUCATION.

☐ Committee Substitute for

**H.B. 1198**

☐ A BILL TO BE ENTITLED AN ACT TO TRANSFER THE  
INTEREST ACCUMULATED EACH QUARTER BY THE SAVINGS RESERVE ACCOUNT TO  
THE SCHOOL TECHNOLOGY FUND AND TO APPROPRIATE FUNDS FOR THE SCHOOL  
TECHNOLOGY FUND

REPORTED TO THE STANDING COMMITTEE ON \_\_\_\_\_

**RECOMMENDED ACTION:**

- ☐ With a favorable recommendation.
- ☐ With a favorable recommendation and recommend that the bill be re-referred to the Committee on \_\_\_\_\_
- ☐ With a favorable recommendation, as amended.
- ☐ With a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on \_\_\_\_\_
- ☐ With an unfavorable recommendation.
- ☐ With a favorable recommendation as to proposed committee substitute bill \_\_\_\_\_ which changes the title, unfavorable as to original bill.
- ☐ With a favorable recommendation as to proposed House committee substitute bill, \_\_\_\_\_ which changes the title, unfavorable as to Senate committee substitute bill.
- ☐ Without prejudice.
- ☐ Other recommended action: \_\_\_\_\_

WITH APPROVAL OF STANDING COMMITTEE CHAIR FOR REPORT TO BE MADE DIRECTLY  
TO THE FLOOR OF THE HOUSE:

Reps. Russell and Shubert for the Standing Committee on EDUCATION.

s/ Fern H. Shubert CR

- X With a favorable report, be re-referred to the Committee on Appropriations.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report as to committee substitute bill ( # \_\_\_\_\_ ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # \_\_\_\_\_ ). (and recommendation that the committee substitute bill ( # \_\_\_\_\_ ) be referred to the Committee on \_\_\_\_\_ .)
- ☐ And having received a unanimous vote in committee, be placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

4/24/97



1198

H.B. \_\_\_\_\_

CHAP. \_\_\_\_\_

## A BILL TO BE ENTITLED

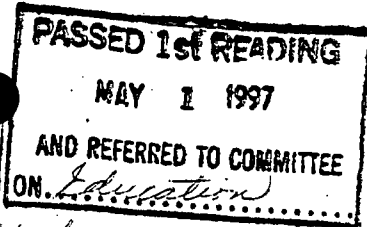
AN ACT TO TRANSFER THE INTEREST ACCUMULATED EACH QUARTER BY THE SAVINGS  
RESERVE ACCOUNT TO THE SCHOOL TECHNOLOGY FUND AND TO APPROPRIATE FUNDS FOR  
THE SCHOOL TECHNOLOGY FUND.

Introduced by Representative(s) \_\_\_\_\_

Reynolds <sup>DR</sup> \_\_\_\_\_Shubert <sup>FS</sup> \_\_\_\_\_

Clary \_\_\_\_\_

Principal Clerk's Use Only



if favorable, Appropriations

The ~~Committee~~ Subcommittee on  
EDUCATION refers

the bill to Subcommittee on

Preschool, Elementary & Secondary EducationRep's Shubert & Russell  
For the Committee

Referred to Committee/Subcommittee

on Preschool, El. & Sec. Ed.

1076 127



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Thomas L. Covington, Director  
Fiscal Research Division  
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Raleigh, NC 27603-5925  
(919) 733-4910

Donald W. Fulford, Director  
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**TO:** Representative Capps, Chair, House Education Subcommittee on Preschool,  
Elementary and Secondary Education  
**FROM:** Sara Kamprath, Legislative Analyst  
**DATE:** May 8, 1997  
**RE:** **HB 1198. Savings Reserve/School Technology Fund**

**Section 1** amends G.S. 143-15.3 (Savings Reserve Account) by adding a new subsection directing the State Controller to transfer the interest earned on the Savings Reserve Account to the School Technology Fund. The transfer will be made at the end of each fiscal quarter.

**Section 2** appropriates \$2,000,000 from the General Fund to the School Technology Fund for the 1997-98 fiscal year.

The act would take effect July 1, 1997.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 1183

Short Title: Civic Education Program Funds.

(Public)

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Sponsors: Representatives Moore; Baddour, Bonner, Cunningham, Dedmon, Goodwin, Grady, R. Hunter, Jarrell, Jeffus, Kinney, Preston, Redwine, Saunders, Sexton, and Warwick.

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Referred to: Education, if favorable, Appropriations.

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April 29, 1997

- 1 A BILL TO BE ENTITLED  
2 AN ACT TO APPROPRIATE FUNDS FOR A CIVIC EDUCATION PROGRAM  
3 FOR MIDDLE SCHOOL CLASSES.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. There is appropriated from the General Fund to the Board of  
6 Governors of The University of North Carolina, Center for the Prevention of School  
7 Violence, the sum of twenty thousand dollars (\$20,000) for the 1997-98 fiscal year to  
8 support the North Carolina We The People...Project Citizen civic education program.  
9 The purpose of the program is to teach middle school classes how to identify and  
10 address State and local community public policy issues. The funds shall be used to  
11 provide for classroom sets of texts, teacher in-service training, and an annual We The  
12 People...Project Citizen competition of simulated legislative hearings for participating  
13 middle school classes to be held in the State capitol.  
14 Section 2. This act becomes effective July 1, 1997.

**1997 PERMANENT SUBCOMMITTEE REPORT  
HOUSE OF REPRESENTATIVES**

FOR RECOMMENDING BILLS TO STANDING COMMITTEE OR TO THE FLOOR OF THE HOUSE  
The following report(s) from permanent sub committee(s) is/are presented:

By Representative(s) Capps for the Permanent Subcommittee on Preschool, Elementary, Secondary Education of the Standing Committee on EDUCATION

☐ Committee Substitute for

**H.B. 1183**

☐ A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS  
FOR A CIVIC EDUCATION PROGRAM FOR MIDDLE SCHOOL CLASSES.

REPORTED TO THE STANDING COMMITTEE ON

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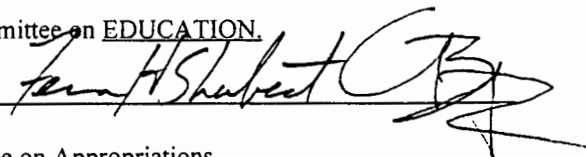
**RECOMMENDED ACTION:**

- ☐ With a favorable recommendation.
- ☐ With a favorable recommendation and recommend that the bill be re-referred to the Committee on
- ☐ With a favorable recommendation, as amended.
- ☐ With a favorable recommendation, as amended, and recommend that the bill be re-referred to the Committee on
- ☐ With an unfavorable recommendation.
- ☐ With a favorable recommendation as to proposed committee substitute bill which changes the title, unfavorable as to original bill.
- ☐ With a favorable recommendation as to proposed House committee substitute bill, which changes the title, unfavorable as to Senate committee substitute bill.
- ☐ Without prejudice.
- ☐ Other recommended action: \_\_\_\_\_

---

WITH APPROVAL OF STANDING COMMITTEE CHAIR FOR REPORT TO BE MADE DIRECTLY  
TO THE FLOOR OF THE HOUSE:

Rep. Russell and Shubert for the Standing Committee on EDUCATION.

s/ 

- x With a favorable report, re-referred to Committee on Appropriations.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report as to committee substitute bill ( # ), ☐ which changes the title, unfavorable as to original bill (Committee Substitute Bill # ). (and recommendation that the committee substitute bill ( # ) be referred to the Committee on .)
- ☐ And having received a unanimous vote in committee, be placed on the Consent Calendar.  
(PUBLIC BILLS ONLY)

4/24/97

## A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR A CIVIC EDUCATION PROGRAM FOR MIDDLE SCHOOL CLASSES.

Introduced by Representative(s)

.. Goodrum  
.. Sanders  
.. Kinniry

.. Moore

.. Warwick  
.. Gish  
.. R. W. R.  
.. Baddour

.. Sipton  
.. Bohm  
.. Preston  
.. Jeffus

.. J. J. J.  
.. J. J. J.  
.. J. J. J.  
.. J. J. J.

Principal Clerk's Use Only

PASSED 1st READING

APR 29 1997

AND REFERRED TO COMMITTEE

ON Education

*favorable Appropriations*

The ~~Committee~~ Subcommittee on

EDUCATION refers.

the bill to Subcommittee on

Pre-School, Elementary & Secondary

location Rep's Shubert & Russell

For the Committee

Referred to Committee/Subcommittee  
on Preschool, El. & Sec. Ed.

MAY 6 1997

## **“We the People... Project Citizen”**

The *We the People...Project Citizen* civic education program for middle school classes is an effective, successful tool which teaches young citizens how to address state and local community public policy issues by:

1. identifying a public policy problem in their community,
2. gathering and evaluating information on the problem,
3. examining and evaluating solutions
4. selecting or developing a proposed public policy, and
5. developing an action plan.

Classes participating in *We the People...Project Citizen* learn that government and public service must be experienced with hands-on action and communication, not just observed. Participation in *We the People...Project Citizen* involves numerous segments of the community to effectively teach students about the legislative process.

### *Rationale for civic education program*

- The American experiment of representative, self-governing democracy can only function effectively with the consent, active monitoring and participation of an enlightened, competent, and responsible citizenry.
- The various levels of governing – local, state and federal – must be understood by citizens to communicate their views and ideas to representatives to shape and implement public policy.
- Overwhelming evidence exists that citizens have low opinions about the work of state legislatures and have relatively little knowledge about what their representatives do.
- Civic education is essential for citizens to develop a common language and understanding of politics and governing.
- Civic education is an important tool to develop the habits of civic virtue, including civility, individual responsibility, self-discipline, open-mindedness, compromise, patience, persistence, compassion, generosity, and loyalty to one's nation and community.
- Civic education is most effective when its principles are instilled at an early age.

# The Making of Good Citizens

Kids too young to vote are learning about community problems and how to solve them. At the same time, they're learning how the legislature works. So far, 11 states have picked up the program, but sponsors want more involved.

By Don Harris

**T**he kids at inner-city Crockett Middle School in Phoenix are street-smart. Most of them are Hispanic. They see, feel and live the rough side of life every day. They are survivors.

So it should come as no surprise that Crockett's eighth graders targeted a Gentlemen's Club, which some years ago would have been called a strip joint, as a class project and community problem under an innovative program: We the People... Project Citizen.

Co-sponsored by the National Conference of State Legislatures and the Center for Civic Education, Project Citizen teaches middle schoolers how to identify and deal with a public policy problem in their community. They gather information, conduct interviews with key players, develop an action plan and encourage elected officials—from school board members to state legislators—to adopt their proposed solutions. With a striptease bar just over 300 feet from their school (within the legal limits, they soon discovered), the Crockett students' problem was drunk drivers so near a school. Their solution: bartenders should be trained to recognize when patrons were drunk and not allow them to get in their cars and drive.

The students met with and interviewed police detectives, school board members, teachers, representatives of a neighborhood association and community professionals in their Project Citizen exercise. More than once employees of the striptease bar hung up on their telephone calls, and calls to government officials often were not returned. But they persevered and put together a portfolio of the problem and their ideas for a solution. They practiced a presentation they would make before a panel of judges at the state legislature.

One of the judges, Michael Fischer, director of Project Citizen for the Center for Civic Education in Calabasas, Calif., says the program started five years ago with a large-scale pilot operation in California called the American Youth Citizenship Competition. Middle schools were targeted for the program because most high school civics courses concentrate on the federal government. NCSL's Karl Kurtz, another judge in the Arizona competition, says that experience made it clear to him that eighth graders have the "knowledge, energy and enthusiasm necessary to develop innovative public policy solutions to problems in their communities."

Last year, schools in 11 states were involved in Project Citizen. In addition to Arizona, programs ran in Alabama, California, Florida,

*Don Harris is a free-lance writer in Phoenix.*

Indiana, Maine, Michigan, New Mexico, Nevada, Oklahoma and Pennsylvania. Winning portfolios from statewide competitions across the country will be on display at NCSL's 1997 annual meeting in Philadelphia in August, and a panel of legislators and legislative staff will select a national winner for Project Citizen.

NCSL and the Center for Civic Education are pushing more legislatures to get involved with the project. "We hope to have 36 states this year," says Fischer. "The level of participation varies. Legislative involvement is extremely helpful, although Indiana has a good program with no legislative support yet. In Alabama, the legislature actually funded Project Citizen with a \$5,000 grant."

## LEARNING ABOUT THE LEGISLATURE

Surveys from all over the country show that voters have low opinions of the work of state legislatures and that they know little about what their lawmakers do. There's also a growing sense that America's long traditions of volunteerism and civic involvement in local communities are deteriorating. *Bowling Alone* is the title of Harvard University professor Robert Putnam's book analyzing declining civic and group participation in American life. It captures the concern that we are no longer the nation of joiners once described by Alexis de Tocqueville.

NCSL's Kurtz says the organization believes that the "best long-term solution to these problems is education—not just book learning but hands-on, experiential education—about state and local government and how to get involved in solving community problems. Project Citizen is an ideal tool."

Lynda Rando, director of the Arizona Center for Law-Related Education of the Arizona Bar Foundation, a co-sponsor in Arizona, says the mission of her organization is to increase public understanding of the legal and political systems. "I think this program is wonderful, teaching kids about the Legislature and the role they can play. Everyone becomes more knowledgeable. Not just the kids. It rubs off on the parents. The lay public has a misunderstanding of policymaking at the Legislature."

Rando's group, which is an arm of the State Bar of Arizona, supports the program by providing 10 free sets of Project Citizen material to each participating school. The material guides the students and their teacher through the process of studying a problem, gathering

information, examining solutions and developing public policy.

In Arizona, five of the 20 classes participating last year made an oral presentation before a panel of judges. The judges included 11 legislators, educators, an attorney, Fischer and Kurtz.

Clearly, some students were awed, meeting legislators for the first time, having lunch with them, and making their presentations in the restored House chamber where the state's founding fathers crafted statutes early this century. Others seemed comfortable and in complete control as they argued their case, documenting and defending their position.

"It gets more people involved, knowing what the legislative process is all about," says Representative Herschella Horton, an enthusiastic supporter of Project Citizen. "One of the most important aspects is that we are reaching people at an early age," she says. "They realize they can have an impact, they can be involved in their community."

#### IMPORTANT ISSUES

Lawmakers, teachers and others who have worked with students in Project Citizen are intrigued by the issues that concern youngsters. For example, students at Kyrene Centennial Middle School, which won last fall's statewide competition in Arizona, chose as their subject: "The Quality of Human Growth and Development in AIDS Education." Their teacher, Janet Thor, says: "We used to call it sex education." Other subjects that were considered by various schools included gang prevention, graffiti, school overcrowding, censorship and dress codes.

Sara Chesterfield, whose students at Crockett took on the exotic night club in their neighborhood, says Project Citizen gave them a second chance to try to resolve a thorny issue. "While the place was being built two years ago, the students picketed. Teachers and neighborhood organizations went to the state Liquor Board to stop it, but they weren't successful. It was just far enough from the school to be beyond the 300-foot limit."

Many of the students who were in sixth grade when they picketed the bar were eighth graders when they took up the cause again. This time, their objective was not to close the bar. "They wanted to make it a policy that all people who serve liquor should be able to recognize when a person is intoxicated, perhaps through their body language, and to stop serving them," Chesterfield says. "Sure, it's the law, but it's not being enforced. The kids are concerned that a driver who is impaired will be leaving the bar about the time they are getting out of school. If a customer is drunk, they want the bar to provide that person with a safe ride home."

"These kids are survivors, and they want to continue to be survivors."

The kids were undaunted by the lack of cooperation from the people who run the bar. One of the students, Catherine Canales, says: "I kind of knew they were going to do that. When you call someone and tell them you're against them, they're going to hang up on you. I wanted to talk to them. Our goal is to have bars everywhere in the state train their employees. There are drunk drivers everywhere."

Canales values Project Citizen because "it shows that all teenagers aren't bad. We learned that if we stick together, we can make a difference." Another Crockett student, Hector Leon, says he's not disappointed because they were stonewalled by the bar. "The state has to

## ART

### WHAT CAN LEGISLATORS DO?

Legislators can get involved in Project Citizen by:

- Ensuring that the legislature endorses Project Citizen either through a formal resolution or a written commitment by legislative leaders
- Appropriating or raising funds to support Project Citizen
- Assisting in the selection of schools and teachers to participate in Project Citizen
- Assisting classes in conducting the necessary research to accomplish their task
- Serving as judges for statewide competitions
- Presenting certificates of achievement to students, teachers and schools.

Project Citizen can be conducted on a small budget. Its costs will vary from state to state, depending on the level of activity. The Center for Civic Education will provide free curriculum materials for up to 10 classrooms in each state. The primary costs that might be incurred relate to competition among different schools if transportation to a central location is required. The Arizona Bar Foundation's program costs for last fall's statewide competition were approximately \$9,000 for 10 classrooms.

The Center for Civic Education has established state coordinators for Project Citizen in the education community in approximately half the states. To find out who the coordinator is for your state, contact Karl Kurtz at NCSL (303) 830-2200 or [Karl.Kurtz@ncsl.org](mailto:Karl.Kurtz@ncsl.org).

help us," says Leon. "The bar won't listen to us. We need a statewide law. That would make a lot of people safer."

Their counselor, Chesterfield, says she would like to start the next project with sixth graders. Then they could follow through for a couple of years if they don't achieve all their goals, much like legislators do with a bill that fails to pass the first time it is introduced. During



the process, Chesterfield's students were confronted with the bottom line question of who would pay for their proposed instructional program for bartenders.

"I think we learned that the economic issue is the most crucial issue," Chesterfield says.

Senator Randall Gnant says Project Citizen helps young students learn something about current issues and how they could be solved. "What I like most about the program is that the students pick their own problem, come down to the Capitol, and make a presentation," Gnant says. "They make three presentations before three different panels. By the time they make their third presentation, they're all polished." The senator hopes students realize that a new law is not always the solution to a problem. "More community involvement may be the answer," he says.

The winning subject chosen by Janet Thor's students at Kyrene Centennial Middle School could very well become an issue for the Legislature, but not right away. First, the students plan to ask the local school board to call a community forum to evaluate the quality of sex education courses. Later, they will take their proposals to the Department of Education, and eventually to the House and Senate.

Students Katie Taylor and Mitchell Radigan told how their group finally settled on sex education after brainstorming sessions that touched on a number of subjects. They narrowed the topics to teen pregnancy and book censorship. When they couldn't find any sex education books dealing with AIDS in the school library, they decided that students needed to know more about the deadly disease.

"We found out that most students were not as informed as they

should be and as teachers thought they should be," Taylor says. "The judges at Project Citizen liked what we had done and said we were brave for picking the subject."

Although Thor's students will be graduating this spring, the project continues. They plan to present their suggestions on sex education to local high school district officials. Thor says the students learned that they can talk to adults and get decent feedback. "They also learned how government works, and that you need to start at the grass roots level," she says. "I wish more schools were involved. I would do it again—in a heart beat. I learned that students are a constant source of inspiration and knowledge."

Representative Horton acknowledges that some of the topics selected by the students probably aren't fodder for the Legislature. For example, youngsters in a Tucson elementary school are interested in gang prevention.

"They see gangs in the upper grades, but they have no gangs in their school and they want to keep it that way," says Horton. "I was very encouraged. They need to use community resources, perhaps have a probation officer assigned to the school."

While gang prevention in elementary schools may not seem like a legislative issue, Horton is quick to add: "All politics are local, everything affects the local community. We have to look at educational funding so every child has an equal opportunity to education. That translates into a very local issue."

Funding for Project Citizen is an issue, Horton says, just as the Crockett students learned when they proposed an instructional program for bartenders. "That's real life," she says. ■

**1/2 PAGE AD**

# • We the People... **PROJECT CITIZEN**

*A portfolio-based civic education project  
for middle school classes*



presented by the



**Center for  
Civic Education**

and the



**National Conference  
of State Legislatures**

# WE THE PEOPLE... PROJECT CITIZEN

*A portfolio-based civic education project for middle school classes*

**W**E THE PEOPLE... PROJECT CITIZEN is a civic education program for middle school students that promotes competent and responsible participation in state and local government. It actively engages students in learning how to monitor and influence public policy and encourages civic participation among students, their parents, and members of the community.

As a class project, students work together to identify and study a public policy issue, eventually developing

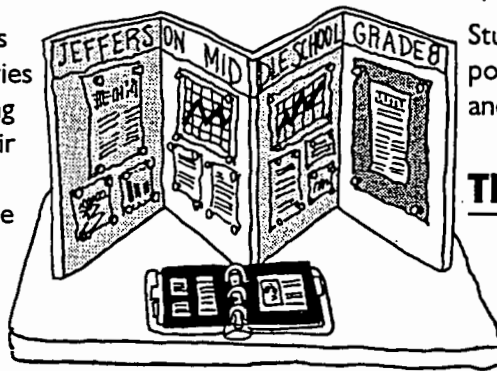
an action plan for implementing their policy. The final product is a portfolio displaying each group's work.

In a culminating activity the class presents its portfolio in a simulated legislative hearing, demonstrating their knowledge and understanding of how public policy is formulated. Classes may also be able to enter their portfolios in a local competition with other classes. Local winners submit their portfolios for a statewide competition, and state winners go on to be evaluated in the **PROJECT CITIZEN** national finals.

## THE CURRICULUM

**W**E THE PEOPLE... PROJECT CITIZEN focuses on the role of state and local governments in the American federal system. The curriculum involves an entire class of middle school students in a series of structured, cooperative learning activities which are guided by their teachers and adult volunteers. Working in cooperative teams, the class learns to interact with their government through a five step process that includes:

- ◆ identifying a public policy problem in their community
- ◆ gathering and evaluating information on the problem
- ◆ examining and evaluating solutions



- ◆ selecting or developing a proposed public policy
- ◆ developing an action plan

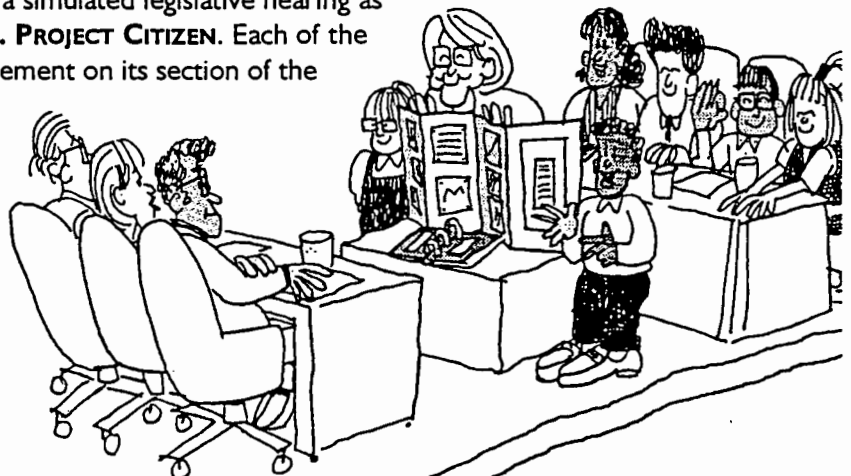
Students' work is displayed in a class portfolio containing a display section and a documentation section.

## THE TEXTBOOK

**W**E THE PEOPLE... PROJECT CITIZEN is a process oriented instructional guide designed for use in grades 6-9. The teacher's guide includes directions for leading the class through the five step process and developing a class portfolio. It also contains instructions and evaluation procedures for conducting a simulated legislative hearing.

## PROJECT CITIZEN SIMULATED LEGISLATIVE HEARINGS

**P**articipating teachers are encouraged to hold a simulated legislative hearing as the culminating activity for **WE THE PEOPLE... PROJECT CITIZEN**. Each of the four portfolio groups prepares and presents a statement on its section of the portfolio before a panel of community representatives who act as legislative committee members. Each group then answers questions posed by the committee members. The format provides students an opportunity to demonstrate their knowledge and understanding of how public policy is formulated while providing teachers with an excellent means of assessing performance.



## REACTION

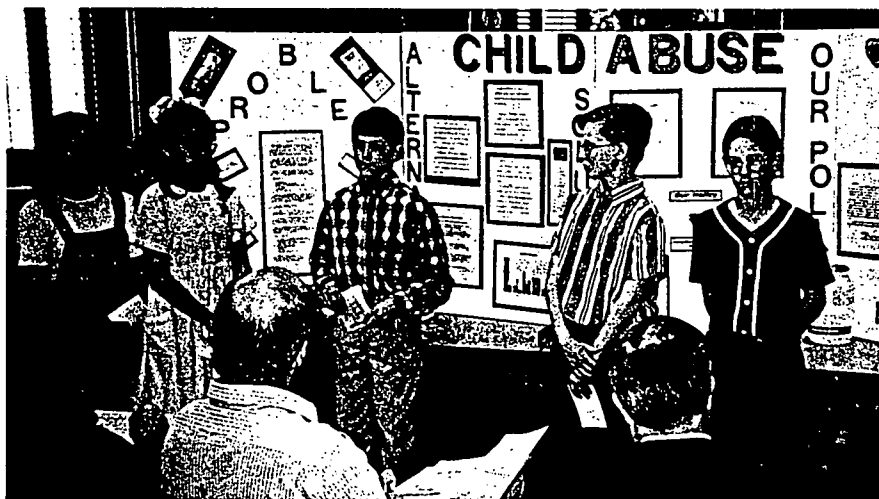
"...I not only found this to be an excellent, hands-on approach to public policy but also one of the most thorough, detailed, and easy-to-use programs I have ever seen."

*Hank Rowe, Teacher, Amphitheater Middle School, Tucson, Arizona*

"As a judge and practicing attorney, I have been involved in many programs, but none that even approached the excitement in civil participation of this program."

**PROJECT CITIZEN** is practical experience in democracy and civil involvement."

*Judge Gregory J. Donat, Tippecanoe County Court 1, Lafayette, Indiana*



"[My students] love it because it is about real problems...with real-life actual solutions which they can implement."

*Pam Luenz, Teacher, Sunnydale Middle School, Lafayette, Indiana*

## HOW TO GET INVOLVED

**T**he Center for Civic Education administers **WE THE PEOPLE... PROJECT CITIZEN** nationally through a network of state and local coordinators in all 50 states, the District of Columbia, and the 4 trust territories. These coordinators work with members of state legislatures, business and community leaders, and local educators to contribute to the success of the program.

Teachers and civic educators may

- ◆ contact their state coordinator (see directory in this brochure) or the Center for Civic Education to involve their students in **PROJECT CITIZEN**
- ◆ enlist members of local and state legislatures, community and business leaders, and other educators to assist students in preparing their portfolios and to serve as judges, speakers, and presenters at the simulated legislative hearing

Members of state and local legislatures may

- ◆ sign and present award certificates, speak at simulated legislative hearings, serve as judges, and welcome students from their district to their offices
- ◆ discuss public policy issues with students in their classrooms and speak at teacher training workshops
- ◆ support the efforts of the local and state coordinators in all aspects of program implementation

Community, business, and professional associations may

- ◆ volunteer time and expertise by serving on advisory committees, providing leadership support and serving as competition judges
- ◆ provide financial support to help purchase program materials, underwrite local and statewide competitions, and sending winning classes to local and state finals.

## FOR MORE INFORMATION

**F**or more information on participating in the **WE THE PEOPLE... PROJECT CITIZEN** program, contact your state coordinator listed in this brochure. You may also contact:

**Michael Fischer**

**Center for Civic Education**

5146 Douglas Fir Road, Calabasas, CA 91302-1467

818-591-9321 / 800-350-4223 / fax 818-591-9330

center4civ@aol.com

<http://www/primenet.com/~cce>

**Karl Kurtz**

**National Conference of State Legislatures**

1560 Broadway, Suite 700, Denver, CO 80202

303-830-2200 / fax 303-863-8003

**HOUSE EDUCATION COMMITTEE**  
**Subcommittee on Preschool, Elementary and Secondary Education**  
**Minutes**  
**May 15, 1997**

The Subcommittee on Preschool, Elementary and Secondary Education of the standing committee on EDUCATION met on May 15, 1997 in room 544 of the Legislative Office Building. The following members were present: Rep. Capps, subcommittee chairman, Rep. Russell, Education committee chairman, and Representatives Arnold, Cole, Decker, Hensley, Insko, Nye, Sherrill, Warner, Wood. Rep. Capps called the meeting to order at 11 am.

The meeting was held to inform the members of Charter schools applicant complaints.

Christine Chamberlain of Healthy Start Academy said that DPI had given a check, but to sign it would mean that they would agree to the contract, which was poorly written. She also said that DPI had delayed charter agreements until 2 months after the deadline.

Thomas Williams of the Alpha group said that DPI contracted out the evaluations of schools' charters to an outside group that quickly denied a charter to his school presenting its mission as promoting our Judeo-Christian heritage. The charter was rejected out of hand past the deadline date.

Roxanne Premont of the NC Education Reform Foundation said DPI had a 3 prong approach to strangle charter schools: restrict, regulate and remove funding sources. People were told checks were from the federal government, and their attorney said if they cashed the check (which they were told they had to cash by June 30), they would be accepting the contract from DPI, which the schools haven't seen and therefore can't sign or accept the contents of.

Roger Gerber of FREE and Orange Charter School feared they would be made clones of the public schools. DPI tried to regulate software and added additional regulations. Founders of charter schools want to be accountable but independent.

Andrea Uzzell from Sterling Montessori Academy said a contract should be negotiated between 2 parties rather than be imposed by one side, which DPI had done.

Rep. Capps read a fax from Community Charter School in Charlotte. The lottery policy of which students can attend a charter school prevented one of the children of a founder of this school from attending his school.

Vernon Robinson from NC Education Reform Foundation said DPI is requiring 2 schools to have racial quotas on their faculties (not just among the students). This will kill African-American schools. DPI was undermining a loan pool by banks, and DPI instead gave a check for \$26,000 to a school from a federal grant.

Don Boekelheide from Charlotte sent an email which was read by Rep. Capps. It said that he had worked on a charter school but due to the lottery his daughter would not be able to attend.

Dr. Richard Thompson from DPI said the \$26,000 was a "planning allotment" and is a state check, but comes from federal funds. He stressed that everything DPI did (e.g., contracting with SERVE for evaluations) was approved by the State Board of Education. Those applying for charters knew right from the start, he said, that if they applied to the State Board directly (rather than to their local board first), they would have no appeal if their charter was not approved. He said 37 schools had their charters approved, and 2 of them have since drooped out.

Rep. Arnold said he was "saddened" more proponents of the process had not been "allowed" to speak, and that the law would be re-examined in 1999. Rep. Insko wanted to hear the success stories of charter school applicants.

It was noted that there were several emails and faxes and statements of those who were not able to come to speak due to distance and other obligations.

The meeting adjourned at 11:50 am.

Respectfully submitted,

	
Representative Russell Capps, Chairman	Pamela Ahlin, Committee Clerk

## ATTENDANCE

House Education/subcommittee/ preschool, elementary, &amp; secondary education

[illegible]

# VISITOR REGISTRATION SHEET

Education sub/Preschool, Elementary, Secondary Ed

May 15, 1997

Name of Committee

Date

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Art Hood	SERVE 70 Box 5367 Greensboro, NC 27435
Susan Harrison	WCPSS
Gene Causey	E-EBC
Ed Rogers	N.C.A.C.C.
William Throum	TAP/AP
Ann Belam	SBE
Richard Thompson	DPI
Laura Crumpler	AG/SBE
Jan Crutts	NCAASA
Danyelle D'Hara	Self-Help
Christine Chamberlain	Healthy Start Academy
Andrea Chynell	Sterling Montessori Academy
ROGER Gerber	Orange & Village Charter School
Diane Morgen	Corporation for Effective Schooling
JB Buxton	Public School Forum
Stephen J. Burns	NCJCDC
Hazel Alcock	Pamlico County Schools
James Peters	E-EBC
Tim M. Dausol	NCAACU
Dina Gerber	Orange & Village Charter School
Renee Gerber	Orange & Village Charter School
Janet Pittman	OSBM
Heather Hunter	NC Education Reform Foundation
Vernon L. Shinn	NC Education Foundation
Joyce Elliott	NCAE
Brian Washington	NCAE
D.L. Cuddy	Self, Raleigh



## VISITOR REGISTRATION SHEET

**Education sub/Preschool, Elementary, Secondary Ed**

**May 15, 1997**

Name of Committee

Date \_\_\_\_\_

**VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK**

**NAME**

**FIRM OR AGENCY AND ADDRESS**[illegible]

## SPEAKER REGISTRATION SHEET

**Education sub/Preschool, Elementary, Secondary Ed**

**May 15, 1997**

Name of Committee

Date \_\_\_\_\_

**VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK**

NAME \_\_\_\_\_

**SCHOOL OR AGENCY, ADDRESS. PHONE**[illegible]

## SPEAKER REGISTRATION SHEET

**Education sub/Preschool, Elementary, Secondary Ed**

**May 15, 1997**

Name of Committee

Date \_\_\_\_\_

VISITORS: PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME

**SCHOOL OR AGENCY, ADDRESS. PHONE**[illegible]

Healthy Start Academy  
Christine Chamberlain, Executive Director

My school is desperate for your help. The deadline for final approval, according to the charter school law, was March 15. However, the Dept. of Publ. Inst. delayed the charter agreements for every school 2 months passed the deadline mandated by law. My school is supposed to open in 74 days! Yet I still do not have a legal charter agreement.

I was not given this contract until a few days ago. DPI has given me no time to negotiate this contract. I can't hire a principal or teachers without this contract. I can't sign a lease to acquire a building. I have 74 days to accomplish this and I am being coerced, because of time, into signing this poorly written contract. I did not receive the \$26,000 check for start up costs until 3 days ago. I am starved for capitol and DPI is dangling this check in front of me to get me to sign a contract I am desperate for. I am unable to sign the check however because if I do I automatically agree to everything in this charter agreement. And every charter school in this state is in the same desperate situation I am in.

There is no excuse for DPI failing to get their work done. The number of people at DPI overseeing 36 charter schools is 4 times the number of people overseeing the thousands of private schools. And DPI kept \$50,000 of the start up grant for charter schools while each school still has not received \$26,000.

There are lots of ways to kill charter schools and the delaying tactics by the DPI will kill charter schools in this state. DPI believes the legislature won't act. They have the attorney general's office behind them and all the money and power and charter schoolers, who have no money have to defend themselves. DPI believes they can get away with rewriting the charter school law the way they think it should be written.

There are many areas in this contract that are problematic, the worst being section Y. The contract states that any decisions and regulations that DPI wants to make at any time I agree to follow. The charter school law clearly states that DPI can only regulate health and safety, student body racial makeup and can set standards for meeting the needs of special needs students. That is all they are allowed to regulate by law. DPI doesn't seem to know this.

Charter schools are supposed to be de-regulated, independent public schools. If DPI is allowed to go against the law and regulate charter schools any way they want then these schools are not charter schools but just more regulated public schools.

Honorable Representatives, I ask you to please appoint a body other than DPI to oversee the charter school movement. If you allow the charter school movement to continue the way DPI is handling it now, you leave the parents of this state with no other option than to support in the voters box the legislators that will support vouchers.

I thank you for giving me the opportunity to speak to you this morning.

Healthy Start Education, Inc.  
Christine Chamberlain  
3406 Freeman Rd  
Durham NC 27703  
919-596-2669

Thomas E. Williams  
6629 Suburban Drive  
Raleigh, NC 27615  
919-848-0208

April 8, 1997

Dr. Thompson  
Deputy Superintendent  
301 N. Wilmington Street  
Raleigh, NC 27601

Dear Dr. Thompson,

It appears that the issue of charter schools is settled. However, I and the Alpha Board are so disappointed over the poor quality of the evaluation that SEARCH did on our proposal that we thought we would make this appeal directly to you.

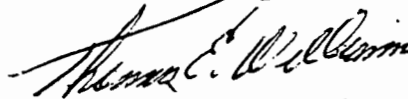
The SEARCH organization never commented one time on the educative quality of our proposal; we had included a locally developed curriculum based on the D.P.I. **Standard Course of Study**, absolute parental authority, an extended student attendance year, the almost total elimination of labels on children, guarantees of vastly superior basic skills development with particular emphasis on at risk students, extensive teacher training and supervision coupled with increased teacher authority, an implementation of the Community As A Classroom concept, the infusion of art and classical music throughout the grades as part of each school day and the introduction of a one week outdoor education experience for 4th and 5th grades, just to mention a few.

None of these innovations and guarantees were even mentioned by SERVE. Instead they told us our school was too large (they approved one much larger in Rocky Mount); our class size was too large at 20-1 (they approved larger class size in another proposal), they challenged our County budget estimates (they were wrong) and then went into our meeting minutes, which were not part of our proposal and criticized us for recognizing our Judeo-Christian heritage. This appears more a deliberate effort to disenfranchise than an objective evaluation

There are other issues: at a meeting of successful charter school applicants last week, I had the opportunity to read a number of proposals. I could argue that only one came even close to the qualitative status of the Alpha proposal, but that is a matter of opinion. There were other things I discovered that are not a matter of opinion. I read letters dated well after the supposed final decisions were reached where Grova Bridges clearly extended extra time to certain applicants so that they could respond to SERVE criticisms and therefore qualify for approval. Our proposal was not given this opportunity and my question is why? Is this a matter of rank discrimination, political pressure, or just blatant favoritism? Whatever the case, I find it totally unacceptable. As a former Assistant Superintendent I am well aware of political necessity but as an applicant I cannot accept it.

In light of all this information, the Alpha Board is requesting that it be permitted an appeal in this matter. The Board feels that its application has been very poorly evaluated and that Alpha was not afforded the opportunities that Mr. Bridges gave to other applicants. In addition to requesting a timely response from you, the Alpha Board would like the following question answered: Is it the position of the Department of Instruction that the Judeo-Christian heritage is unacceptable in North Carolina Public Schools? A timely reply will be much appreciated.

Yours truly,



Thomas E. Williams, M.Ed.

cc: Alpha Board  
✓Rep. Russell Capps  
Rep. Rick Eddins  
Rep. Fran Shubert  
Rep. Chuck Neely

## COMMENTARY

# The False Friends of Charter Schools

By Gregg Vanourek,  
Bruno V. Manno,  
and Chester E. Finn Jr.

**P**resident Clinton has become a cheerleader for charter schools. Hurrah for that. Most of the dozens of charter schools we've visited are pretty terrific.

But when he calls for doubling federal funds for them (to \$100 million next year) and visualizes 3,000 such schools by the turn of the century (up from 500 today), it's important to know what exactly he means by a charter school: Does the president insist on fully independent public schools that are free to innovate, to shape their own destinies, and to direct their own resources? Or will he, like his political supporters at the National Education Association and elsewhere in the public school "establishment," favor near-clones of conventional schools that must obey most of the usual rules even while waving the "charter" banner?

When a reform that rocks boats becomes a fad that everyone appears to endorse, one must ask whether it has retained its essence. (Is a cinnamon-raisin bagel—reportedly another Clinton passion—really a bagel, or just a sweet roll with a belly button?) Our travels to almost 50 charter schools in nine states over the past 18 months have led us to distinguish between the genuine article and faux charters that carry the name but are really just minor variations on the theme of "site based" management. If the fakes, lauded and aided by the false friends of charter schools, spread faster than the real thing, which continues to be bitterly resisted in one state and community after another, we may find that "support" for charter schools could prove lethal to this promising reform strategy. If the White House

allows its prestige (and additional federal dollars) to buttress the fakes, Mr. Clinton's seeming enthusiasm for charter schools could actually hasten their death.

As schools with the "charter" label multiply, as more states pass enabling legislation, and as other jurisdictions weigh amendments to existing charter laws, it's worth recalling what this idea is all about.

The basic concept is simple and, we think, powerful: Sound school choices can be provided to families under the umbrella of public education without micromanagement by government bureaucracies. Inde-

**W**hen a reform that rocks boats becomes a fad that everyone appears to endorse, one must ask whether it has retained its essence.

pendent schools that are open to all, paid for with tax dollars, accountable to public authorities for pupil achievement, and subject to basic health, safety, and nondiscrimination requirements are public schools even if they're managed by a committee of parents, a team of teachers, the local Boys & Girls Club, or perhaps a profit-seeking firm. They need not be regulated into conformity by platoons of assistant superintendents, staffed only by government employees, or bent to the thousand clauses of union contracts.

By now it's clear that not all charter programs are created equal. Many states have enacted weak, Potemkin-style statutes that display the facade but not the reality of charter

legislation, binding charter schools to most of the crippling constraints faced by conventional public schools. For example: Their teachers are deemed to be employees of the local school district, and they must adhere to its collective bargaining contracts. They may hire only certified teachers (not, for example, a NASA scientist or Bill Gates). And they have some say over curriculum but little or no control of their money.

Uncle Sam is at fault, too. Modest federal checks to help meet start-up costs are surely welcome. But the big programs (such as Title I, special education, and school lunch) make no allowance for the unconventional contours of charter schools—nor has Mr. Clinton said they should. Funding formulae are still tied to school system demographics; the dollars seldom follow eligible youngsters to different schools; and the regulatory burden of participation is heavy for a fledgling school with no bureaucratic superstructure. Nor do even the strongest charter laws provide for the capital-funding needs of charter schools.

**M**any such constraints are there on purpose, imposed by enemies of charter schools who, unable to strangle this infant reform in its crib, have done their utmost to keep it from growing big and strong. Others, however, are more like bureaucratic accidents. In North Carolina, for example, despite a generally strong law, the attorney general has issued a preliminary ruling stating that charter teachers cannot take advantage of the state retirement system unless their schools surrender their independence and function as part of their local districts. This is a Faustian bargain.

In Illinois, a number of promising charter proposals have lately been derailed by hostile districts. (One very solid school plan was shunned by 11 separate districts.) In Olympia, Wash., as charter bills traverse the legislative hurdles, committees have diluted them at every turn, forbidding multiple sponsors and sabotaging the appeals process—and thereby revealing as false the promises of business leaders and others who swore last fall that, if only the "referendum" version of charter schools was defeated (which happened), the legislature could be counted upon to pass a strong charter law. In New York, the powerful teachers' union has made it plain that it has a similar fate in mind for Gov. George E. Pataki's bold charter plan.

In California, where the charter program is already in its third year, few schools have been able to negotiate financial autonomy. As a board member in one such school remarked to us: "I'm damn mad at this

Continued on Page 46

Gregg Vanourek is a research fellow in the Hudson Institute's Washington office. Bruno V. Manno is a Hudson senior fellow and a former assistant U.S. secretary of education. Chester E. Finn Jr. is the John M. Olin fellow at Hudson and a former assistant U.S. secretary of education. With Louann Bierlein, they are conducting a two-year study of "Charter Schools in America."



Steven Braden

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# False Friends of Charter Schools

Continued from Page 60

creeping takeover of our budget by the district. It all comes down to a matter of control."

Such political hassles, bureaucratic subservience, and micro-management are exactly what charter schools are meant to escape. The whole point is to offer freedom from red tape in return for a commitment to produce specific results. To deliver on that commitment, the school must be free to decide who will teach what and how, where to locate and what hours to operate, whether to require uniforms, what homework to assign, how best to impart reading skills to 6-year-olds, and which sports (if any) to offer.

It must be able to spend its money on teachers, tutors, counselors, or computers—as its leaders see fit.

In return, the charter school is profoundly accountable—in two directions. Since nobody is forced to attend, it must answer to students and parents via the marketplace. And since the charter-issuing body is not obliged to its charter, to remain in place it must also deliver the promised results, usually defined in academic standards and tracked on statewide (or other) tests. If the charter issuer wants to ensure that the school doesn't voyage into curricular outer space, it can stipulate core skills and knowledge. Otherwise, those running the school decide what to teach. (The one big exception, of course, is religion.)

Charter foes have devised two strategies: blasting these schools off the landscape and tugging them back into the coils of the bureau-

cracy. Never mind that charter schools today enroll barely twenths of 1 percent of American schoolchildren. What's agitating their enemies is the realization that the idea is beginning to catch on—and if the president has his way it will spread even faster. Hence the public school mandarin—the teachers' unions, to be sure, but also school board and administrator groups—is striving to contain their numbers, limit their freedom, and redefine their concept. Recent examples include Bob Chase, the president of the National Education Association (writing in these pages), and Michael Kelly of the *The New Republic*, who used the antics of Washington's Marcus Garvey Charter School to savage the whole idea.

Meanwhile, most of the charter

few that we wouldn't send our own kids to, but far more often we've liked what we've seen.

Consider California's Fenton Avenue Charter School, a preschool-through-6th grade institution that "seceded" from the Los Angeles Unified School District in order to operate independently. Open year round, it offers an education to 1,300 students with a teaching staff of 63. Its enrollment is 75 percent Hispanic, over 97 percent minority, and nearly all poor.

Unlike most California charters, Fenton Avenue has gained control of almost its entire (\$6 million) budget. This autonomy has allowed much that was impossible under district and union thumbs: reducing class size; adding after-school and Saturday programs; managing the school's own food services; providing free accident



Steven Braden

The great appeal of charter schools is that they invite innovation while demanding results—the precise opposite of conventional U.S. public schools.

schools that struggle into existence—through all the bureaucratic hurdles, under all the "caps," with little or no capital funding, and often with reduced operating dollars—are terrific educational institutions. They're generally small, safe schools that are clear about their mission, staffed by dedicated teachers, and supported by devoted parents, many of whom supplement the schools' resources with their own perspiration. We've encountered a

insurance for kids and long-term disability for employees; reducing administrative personnel by 25 percent; and restoring a 10 percent staff pay cut. It has created an on-site broadcasting studio (the first one ever for a California elementary school), developed its own primary phonics instruction program (in both Spanish and English), and boosted pupil test scores more than 20 percent in two years.

The public school establishment hates all this: The cracking of its

monopoly, the ironclad accountability for results, the evidence that more can be done with the same (or less) resources, the shift of power to consumers. Yet charter schools are sprouting like mushrooms. California now has more than 100, and Arizona has grown more than 150 since 1995. Small though these numbers are alongside the behemoth of public education, they're more alarming to the status quo than anything save vouchers. (And they're spreading much faster.)

Although new and without lengthy track records, most charter schools already have waiting lists. State charter programs are bumping against caps that legislators often impose as a compromise with the teachers' unions. In Massachusetts, for example, all 25 authorized charters have been awarded. Five approved applicants are on a waiting list of their own, and 123 groups have applied since 1994.

The great appeal of charter schools is that they invite innovation while demanding results—the precise opposite of conventional U.S. public schools. By doing so, charter schools are reprogramming America's educational DNA. Public education, as currently constituted, is a species showing signs of extinction. It's too regimented, lumbering, and inert to survive in a changing environment. Charter schools are a mutation—an adaptation to more demanding surroundings—that will help the species survive, albeit transformed. But policymakers beware of the false friends of the charter idea or it won't ultimately do any good.

Charter schools are bona fide "schools of choice," open to all who wish to attend them. Yet despite critics' predictions that they would "cream" the best pupils from conventional schools, we found just the opposite: Charter schools are mainly drawing kids who were having rotten experiences in regular schools (or had dropped out). Fifty-five percent of U.S. charter students in 1995-96 were poor, 63 percent were minority-group members, 19 percent had limited English proficiency, and almost one in five had disabilities. (Early data from the current school year indicate a similar enrollment pattern.)

One might suppose such demographics would mute the opposition. Yet they seem to infuriate the mandarins even more, perhaps because they signal both that disadvantaged kids are truly gyped by the current system and that poor families are savvy enough to do something about it as soon as the exit door is unlocked.

Most opponents simply assert that all education dollars belong by right to the "school system" (that is, not to children, parents, and taxpayers) and that charter

schools thus "rob" funds from their proper custodians. Recently, a favorite stratagem employed by foes has been to haul a few bad apples from the charter barrel (Citizen 2000 in Arizona and the Garvey School in Washington are favorite examples) and hold them up for public outrage. The implication is that this innovation must be proven foolproof—and drained of all risk—before it is even seriously tried. Meanwhile, the conventional school system gets away with massive malpractice: mediocre, unsafe schools that are enveloped in all the bureaucratic controls that charter schools lack, yet where little learning happens.

Of course, charters are no cure-all. Five hundred schools aren't many in a land with 83,000 public schools—and it's so hard to start and succeed with one that their numbers may not swell, even with President Clinton's encouragement and a dribble of federal stimulus funding. Nor does the charter label immunize them to human frailties, slipshod planning, unanticipated crises, and reversals of fortune.

The fact that the missteps of a few ne'er-do-well charter schools are being trumpeted poses a harsh dilemma: Putting a tight enough lid on the charter barrel to keep out every bad apple would destroy the freedom that's vital for the many good ones to succeed. Substituting rule compliance for results accountability would abort this valuable educational experiment.

Will charter schools survive their current assault by false friends and overt foes? That depends on whether policymakers are shrewd enough to identify—and limit—the domains where charter schools are most vulnerable to regulatory overload. Still, it's significant that the fight is no longer about whether to permit charter schools to exist but about how independently they will be able to operate.

What are we to make of President Clinton's enthusiasm? A recent *Economist* article pointed out that his "policy points in the right direction, but it is sadly timid," doubtless due to anxiety about offending key political supporters. If he were truly serious about charter schools, he'd take on the unions that are trying to cripple them and rein in the federal rules that are strangling them. Otherwise, true charter school advocates should be wary of his embrace. ■

## On the Web

Read more about Mr. Finn's and others' views on charter schools and other reforms at our electronic Town Meeting at <http://www.edweek.org/context/meeting>

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Testimony to the House Primary and Secondary Education Subcommittee  
by the NC Education Reform Foundation

I'd like to thank the subcommittee chair Russell Capps and the Full committee Chairs Carolyn Russell and Fern Shubert for having these hearings on Charter Schools at this critical moment as charter schools hang in the balance. The Department of Public Instruction apparently has developed a three tier strategy to strangle charter schools in the crib.

The new three R's are restrict, regulate and remove funding sources. I will attempt to illuminate the steps of each apparent strategy for the committee.

1) **Restrict:** While the General Assembly intended an open charter school selection process, the Department of Public Instruction ran a secret approval process using contractors to avoid the intent of the open meetings law. DPI said that this was done for the benefit of the charter applicants and that tapes of the proceedings would be available after the fact. Your colleague, Rep. Hardy, whose constituent's charter was disapproved under mysterious circumstances, asked for a complete copy of the tapes over a month ago and still does not have them. If a legislator can't get them, how is anyone else going to get them?

**What you can do.** The legislature can perform its oversight to ensure that contractors are not allowed to play favorites or run a secret approval. If DPI cannot be relied on to use good judgment legislation to ensure a public process and the right of applicants to a hearing before the State Board of Education. Rep. Shubert suggested to Deputy Superintendent Richard Thompson that in light of all of the irregularities in the approval process that a direct appeal to the State is appropriate. No action was taken by DPI on her suggestion.

2. **Regulate:** By extending regulatory oversight beyond the legislative intent, charter schools can be killed. There is nothing in the statute that requires racial quotas on faculties of charter schools but these unconstitutional quotas are required as a condition of approval for several charter schools documentation has been submitted to the subcommittee chair. Charters founders were asked to estimate enrollment at the beginning of the process and that estimate was turned into a cap on enrollment irrespective of the statute. The DPI requires the charter school to use accounting software that they have selected which includes large training and maintenance costs. The language in one of part of the bill says no regulation is allowed except as provided by the statute and in another part of the bill any state board policies making the regulatory relief guarantee meaningless. **What you can do:** Clarify the legislative intent to create largely regulated public schools held accountable instead through measuring student performance and stop the creeping regulation of charters by the State Board and DPI.

3. **Remove capital funding:** The NC Education Reform Foundation convinced six banks in North Carolina to loan charter schools \$5 million dollars loan pool against a one million dollar guarantee. DPI made no effort to make the proposal work and misrepresented the truth with regard to the interest of the banks, thus throwing away 5 million dollars of needed startup and working capital. These schools needed about \$1,000 a child for startup costs from \$65,000 for the smallest schools and \$540,000 for the largest. Instead, DPI decided to give them all a

\$26,000 grant. The US Department of Education said they were uneasy about the leveraging money in a loan pool, even though such leveraging has been used successfully with housing and small business investment. As a result, this first in the nation initiative has been delayed indefinitely. **What you can do?** Senator Gulley has an appropriations bill that provides DPI \$1.5 million in start grants and loans for charter schools. After DPI dropped the ball with regard to loan pool, passed up \$5 million, why would you give them more money to mismanage. Constitutional constraints require that the money be assigned to another party such as Self-Help or the NC Education Reform Foundation, private entities who then can set up the loan pool with the banks and other financial institutions to loan money to charter schools approved by the State Board of Education consistent with any reasonable restrictions the General Assembly may require.

Actions by DPI with regard to the Sadie B. Howard school in Wilson illustrate another aspect of the remove capital funding strategy: The Sadie B. Howard. School came out of the Youth Enrichment Program, a summer program for African-American youth. The organization had raised money and bought land several years ago. The Howard Charter School is in negotiations with the contractors to grade the land and put into water and sewer and with the mobile unit providers. They need to know this week about their loan application. When their banker called DPI, he was told by DPI officials that there is guarantee that the charter school will be funded until the General Assembly passes the budget. While technically correct, the understanding that the banker took from the conversation was that it is illegal to lend money to charters schools. Howard's loans are on hold pending clarification and may be fatally delayed.

Maybe this isn't a conspiracy. I don't believe in multiple coincidences but perhaps this example merely illustrates that a **entrepreneurial can-do** understanding is needed at DPI. Instead we have bureaucrats who know regulation, good at regulation and that's their understanding, a **regulatory bureaucratic can't do** understanding. If this committee does not act to reel in the regulators, charter schools will be killed.

DPI has delayed getting charters and contracts to charter founders, which has put pressure on charter schools to accept any provisions in the contract regardless of the how unreasonable they are. The second outcome of cutting off charter schools from capital in the loan pool example and the Sadie B. Howard example is them drive them into the arms of for-profit charter school contractors who can provide needed capital.

**What you can to do about it about it.** Martin Eakes, the President of Self-Help Credit Union, is attending to family business and we to share his concerns on the facilities and capital issues. He is concerned that the votes aren't there to authorize charters for 15 years so that they can get 15 year loans and since charter school can't use bond money for construction, the law should allow 1) charters buy real estate with state money, 2) charters pay interest with state money, 3) charters to keep any buildings or land bought with other than state money rather than having them revert to the local LEA, and 4) since LEA are free to buy mobile units without restriction, charter schools should be able to ask well.

Nothing in this testimony should be construed as supporting or opposing any pending legislation.

**SouthEastern Regional Vision for Education(SERVE)**

Submitted to the NC State Board of Education

Recommendation for final action on charter school application

Sterling 3/10/97 Page 1

Applicant School Name: Sterling Montessori Charter School

County/LEA: Wake

Recommendation: Approve with conditions

**Basics:**

Deficiencies
Admissions/lottery may not be aligned with legislative requirements
Conditions for Approval
Define targeted student population and provide assurances that admissions of at-risk students will not be limited on the basis of ethnicity, national origin, gender or disability
Align admissions/lottery with legislative requirements. Eliminate stipulation in admissions that students with Montessori experience will be given preference for admission

**Education:**

Deficiencies
Criteria for student expulsion/exclusion missing
Exclusion of students with severe emotional needs who need to be in an environment with 3-4 other students
Currently no minority staff employed, no clear recruitment plan developed for recruitment of minority staff members
Conditions for Approval
Document agreements for contracted/free services provided by the LEA and/or other sources
Devise a clearer plan to be inclusive of minority children and proactively recruit minority teachers
Proactively seek to recruit minority teachers
Reach acceptable negotiation related to exclusion of students with severe emotional needs. Provide additional details of plan for serving special needs students
State measurable student achievement goals for school

**SouthEastern Regional Vision for Education(SERVE)**

Submitted to the NC State Board of Education

Recommendation for final action on charter school applications

Chatham Charter 3/10/97 Page 2

**Business:**

<b>Deficiencies</b>
No program/financial audit information provided
No discussion of process for recruiting students
No \$ budgeted for food services and transportation \$ may be low, but estimate of revenues also seems low
Bylaws are inconsistent with reality on numbers of board members
Teachers' pay and benefits are low
Bylaws article X nondiscrimination clause does not cover gender or religious backgrounds
Membership fee for Board of Directors
<b>Conditions for Approval</b>
Reduce Board size to be in compliance with bylaws
Revise bylaws discrimination policy
Eliminate or revise membership fee for Board of Directors
Provide facility approval and review of budget implications
Provide adequate transportation plan and insurances (esp. Bonding) with review of budget implications
Provide satisfactory credit history checks
Guarantee compliance with asset dissolution requirement in the statute and open meeting laws
Submit conflict of interest policy

**SouthEastern Regional Vision for Education(SERVE)**

Submitted to the NC State Board of Education

Recommendation for final action on charter school applications

Chatham Charter 3/10/97 Page 1

Applicant School Name: Chatham Charter School

County/LEA: Chatham

Recommendation: Approve with conditions

**Basics:**

Deficiencies
Conditions for Approval
Define targeted student population and provide assurances that admissions of at-risk students will not be limited on the basis of ethnicity, national origin, gender or disability
Provide marketing plan for recruiting diverse students and staff
Provide timeline for development and implementation of educational and business plans

**Education:**

Deficiencies
Conditions for Approval
Provide details of curriculum framework and instructional practices.
Provide assurances that student fees will not serve to discriminate and that student diagnostic testing is for placement purposes only
State measurable student achievement goals for school
Provide plan for how special needs students will be served
Document agreements for contracted/free services to be provided by LEA and/or other sources

**SouthEastern Regional Vision for Education(SERVE)**  
 Submitted to the NC State Board of Education  
 Recommendation for final action on charter school application  
 Sterling 3/10/97 Page 2

**Business:**

Deficiencies	
Articles of incorporation provided for LHU Foundation	
In the by-laws, Article VIII may not be consistent with state conflict of interest laws	
Charging student fee of \$400	
Monthly lease amounts are inconsistent with budgeted amount and in either case it is quite expensive (approx. \$24 sf/yr). Indication that some rent \$ will come from daycare and after school program	
Is rental relationship a true "arms length" transaction	
Conditions for Approval	
Clarify articles of incorporation	
Clarify that corporate structure is allowable	
Clarify that student fee is permissible	
Obtain facility approval and review of budget implications	
Provide adequate transportation plan and insurances (esp. Bonding) with review of budget implications	
Provide satisfactory credit history checks	
Guarantee compliance with asset dissolution requirement in the statute and open meeting laws	
Submit conflict of interest policy	



## **Pamela Ahlin (Rep. Capps)**

---

**From:** Dboek@aol.com[SMTP:Dboek@aol.com]  
**Sent:** Thursday, May 15, 1997 2:39 AM  
**To:** Pamela Ahlin (Rep. Capps)  
**Subject:** Charter school response 1

Don Boekelheide  
7117 Leaves Lane  
Charlotte, NC 28213  
704-599-9435  
dboek@aol.com

Thursday, May 15

Representative Capps  
House Education Sub-Committee on Pre-School, Elementary and Secondary  
Education  
Hearing on Charter Schools

Dear Mr. Chairman and Committee Members,

Dr. Joseph Nathan of the University of Minnesota, the leading national authority on charter schools, suggests a simple and workable compromise on the issue of founder children which is widely used in other states. He suggests reserving a small number of places (10 for example) for the children of parents or teachers who make a major commitment to founding a charter school.

I urge you to adopt a similar policy in North Carolina.

Since last September, I have worked countless unpaid hours to help make The Community Charter School in Charlotte a reality. As a public school teacher, holding credentials in North Carolina and California, I was very excited about this wonderful opportunity to create an innovative, imaginative and effective curriculum and environment for learning.

It is hard to express the disappointment I felt when my daughter Anna, 5, was not allowed to attend the school I labored so hard to create. Under North Carolina's current 'rigid lottery' policy, she was not selected in our lottery and is low on the waiting list. With deep regret, my family and I have decided that we have little choice except to withdraw from active participation in the charter school, although I, as a teacher, have been especially involved in creating the school's curriculum. The school still has my complete support, but no longer my active participation- anyone with a young family can understand why.

The most unfortunate part of my story is, perhaps, that this problem is easily solved and completely avoidable. The reasonable solution suggested by Dr. Nathan provides a high measure of fairness both for the founders who work so hard to start charter schools, and for the public who should have unbiased access to charter schools.

The issue of founding children should be considered separately from other 'preferences' issues, such as 'grandfathering' of students at private schools converting to charter status. For one thing, the number of students affected is much smaller. More importantly, motivated founding families and teachers are very important to grassroots efforts to start charter schools. Founding parents and teachers become, in effect, employees working as unpaid volunteers to create a better educational model for all children. Public school employees traditionally are able to enroll their child at the school where the parent works as a principal, teacher or aide. Founding families in charter schools who work very hard from the beginning deserve a similar policy. Further, if founder teachers and families leave a school when their



child is not selected by a lottery, new charters are robbed of exactly the people with the energy, commitment and vision needed for success.

I have attached a series of email posts on the question of places for founder children from the AOL Charter School Bulletin Board, including both pro and con comments from national authorities on charter schools, charter school founders, and this writer. I encourage members to look over the arguments and make up their own minds. The issue of fairness and keeping charter schools truly public schools, open to all, is very important to me as a public school teacher. However, a reasonable and small number of places reserved for founder children does not compromise fairness, but rather helps charter schools accomplish their most important goal, improving public education through greater choice, fresh ideas, and expanded empowerment for teachers and parents.

Respectfully yours,

Don Boekelheide

## **Pamela Ahlin (Rep. Capps)**

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**From:** Dboek@aol.com[SMTP:Dboek@aol.com]  
**Sent:** Thursday, May 15, 1997 2:39 AM  
**To:** Pamela Ahlin (Rep. Capps)  
**Subject:** charter school response 2

Discussion of founder children issue from the AOL charter school bulletin board (please see letter)

Subj: Research and evaluation?  
Date: 4/10/97 10:38:43 AM  
From: Dboek

TWatkins writes:

>There are issues that we ( those of us that support charter schools ) need to address <snip>: truly accepting ALL that apply, educating, appropriately special education children, special admission policies for charter school organizers, and granting charters for 15 years like AZ and DC have done.<

First question is how, exactly, these are research or evaluation questions? They sound more like ground rules, set in advance. Isn't one of the purposes of charters to explore different approaches with a minimum of pre-imposed conditions?

(snip)

Let's say that a group of parents join with teachers to create a charter school. Because of a blind lottery, none of the core group parents who founded the school are allowed to send their children there. These parents leave (of course, any working parent, with 24 hours in the day, will have time for their own kids, their own kids' school, and very little else). Should, then, we be out front and state that starting charter schools should only be the domain of 'professionals' and other 'disinterested and objective' individuals (except, of course, for market factor\$), in effect limited to those without school-aged children? Parents (and teachers, like myself, who are parents) must be content to be simply 'recruits' to alternative visions, not participants in creating schools from the ground up?

Don  
Charlotte NC

Subj: Re:Research and evaluation?  
Date: 4/10/97 9:00:56 PM  
From: UMJoe

Should a school reserve a limited number of spots for founders kids? I'd say "yes - perhaps up to 10%. I just don't think it is fair to say to people that after a year or two of hard work, their own kids can't benefit.

I think this is an issue quite different from the admission test issue. There is no academic bar being placed in the way of kids - and if it weren't for the founders, there would be no school for anyone's kids.

What do others think?

Joe

Subj: Re:Research and evaluation?  
Date: 4/12/97 1:59:11 PM  
From: DHelete

I agree with Joe regarding teacher's children attending charter schools. Bellevue-Santa Fe Charter School is considering changing our admissions

policy to include staffs' children in the same category as siblings of students currently attending the school. This status would give them a priority status for admissions.

(snip)

Donna Helete

Subj: Re:Research and evaluation?  
Date: 4/13/97 10:05:11 AM  
From: RiccElkins

Joe,

I do agree that founder's kids should somehow be included. Initially I felt that perhaps this wouldn't be fair, until a friend, who is a teacher at a public school, pointed out that teachers can get variances for their children to attend schools where they teach and it happens frequently.

Ricci

Subj: Re:Research and evaluation?  
Date: 4/15/97 2:07:15 PM  
From: TDWATKINS

Remember folks charter schools are PUBLIC schools! Can we really set up the various set asides and still be public?

Subj: Re:Research and evaluation?  
Date: 4/16/97 6:13:43 AM  
From: AdellA2888

Re: preferential treatment to founders...

If the purpose of charter schools is choice and unique service to individual communities or customers then shouldn't that question be determined school by school? It seems to me that blanket policies are the things to avoid else we head back from whence we came.

(snip)

Adell Atwood

Subj: Re:Research and evaluation?  
Date: 4/16/97 6:59:00 AM  
From: Dboek

Tom writes:

>Remember folks charter schools are PUBLIC schools! Can we really set up the various set asides and still be public?<

(snip)

I still don't see how our current threads have anything to do with research and evaluation. We are discussing \_pre-conditions\_, and from a proscriptive not supportive viewpoint, sort-of a 'if you don't watch out...' perspective. At this point, such an attitude dominates in North Carolina in terms of attitude toward charters, and, guess what? It has been an extremely rough year, with many of the first charters struggling with little support and a fairly high level of anger and anxiety.

(snip)

As for evaluation, I really think our current discussions mean we are headed down an unfortunate path. If our charter school is going to be judged by determining if we held 10 places for the children of volunteers who helped

start the school, rather than by the effectiveness of our approach to education, and the determination made even before we can get started, it seems like nonsense IMHO. It dodges the tough question of how to authentically evaluate education in a way that encourages growth and improvement for both students and teachers.

(snip)

Yes, I believe you should set aside a reasonable number of places for founder's children at charters. As a public school teacher, I can bring my children to the school where I work. (snip) This is time honored and practical practice widespread if not universal in public schools.

The families and teachers who apply to start charters are, in effect, employees working long hours without pay, motivated by idealism and reasonable self-interest. Of course, their children should be able to attend the school they work so hard to start!

As a practical matter, if you don't make a place for them, the school will lose the very people with the vision and energy to make the school a reality. And, they should not be made to 'sweat out' a lottery, or get winks and nods and 'oh there is a way...' from state or local officials. Joe's idea, suggested in his book, of a 10 or so places for charter founder kids is very reasonable, and practical IMHO.

Second point on this: If there is no place for parent and teacher founder children, in effect, there is no place for parent and teacher founders. Say what you like, but a rigid lottery policy will lead to only institutions and 'professionals' whose children are not affected by the school being the players who start charters. Institutional players may have much to contribute, but cut off the grassroots component of charters, and you root prune the creativity. You will end up with some large and pretty tame potted plants, I fear, not a profusion of blooms and bright ideas.

(snip)

Don B, Charlotte

Subj: Re:Research and evaluation?  
Date: 4/18/97 10:01:45 AM  
From: Geejaydee

More on Tom's statement:

>Remember folks charter schools are PUBLIC schools! Can we really set up the various set asides and still be public?<

I agree with Tom (not the first time!). The motivation for starting a charter schools must be much more than self-interest -- however enlightened that self interest may be. I proffered the thought, a long time ago on this board, that the whole argument for giving preference to charter founders or activists reminded me of the little league baseball situation, where the children of the active parents and coaches are given preferential treatment as a matter of course. It might be OK there (or at least a problem without a solution) but public schools (charter or traditional) must be held to a higher standard. And the fact that traditional public schools sometimes give preferences does not create a "higher standard."

Charter school founders/activists, I assume, are in this movement for the long haul -- and should remain active in their charter even after their children move on to other interests and activities. Enlightened self-interest is a valid initial motivator, but an active interest in education for all children has to be the dominant and sustaining factor. In short, charter schools have to be better than little league baseball and other youth-directed activities.

...george

Subj: Re:Research and evaluation?  
Date: 4/27/97 4:17:04 PM  
From: Dboek

Stating his support for excluding charter school founder children, agreeing with Tom, George writes:

>the whole argument for giving preference to charter founders or activists reminded me of the little league baseball situation, where the children of the active parents and coaches are given preferential treatment as a matter of course.<

I still don't see how this addresses my questions, which I'll respectfully restate:

What in the world do such preconditions have to do with research and evaluation of charters? How can you fairly evaluate the effects of preconditions with nothing to compare them to?

And...

Though your analogy is thought provoking, George, I suspect that it is easier to say 'We don't want to be like \_Little League\_, do we? We're bigger than that!' than it is to grapple with two important issues. First, if you exclude parents (and teachers) from placing their kids at the charter schools those adults work so hard to start, you hobble charter schools by effectively eliminating people with lots of vision, energy and ideas. Faulting parents for wanting to be involved in their children's education strikes me as rather arrogant and unwarranted.

Of course, if there were unlimited time and energy, I would be glad to work as a volunteer in dozens of schools (I was in Peace Corps 3 years before my kids came along). Realistically, I have time for my family and relatively little else-true for many of us, I'm afraid. If our children are excluded from a charter we help to start, we'll have little choice but to cheer from the sidelines and put our energies wherever our children go to school.

Is that wrong? Is that what you prefer, that 'institutional players' only, not working teachers and parents of school age students, be able to initiate charters? If I work to start a charter, you would advocate NO guarantee that my children can attend? Just tell me now, before I commit any time!

BTW, I wonder what would happen if those who rely on the education system for livelihood were told, well, you'd better only work as volunteers in charter schools. Pulling in a salary from educational bureaucracies makes you too biased to really question the system you rely on for status and income.

The 'founders' children' seems to me to be an ideal issue for reasonable compromise. My hope is that those of us with different views on this can quickly move forward to working together for better educational opportunities for our kids.

Don B.  
Charlotte NC

Subj: Re:Research and evaluation?  
Date: 4/29/97 10:07:01 AM  
From: CarmelSchl

I agree with Don B's position on founders' children attending the school their parents create. Why on earth would parents work as hard as required to create and run a school if their children can't attend? I helped start a school basically because my children had a very difficult time in the

traditional public education system. They are now all out of school, but if I still had school age kids at home, I couldn't put my energies into something that I wasn't sure would benefit them. Many parental founders don't work for, or accept \$\$\$ from the school they found. The only benefit to them is the type of education they believe is best.

Subj: Signing off  
Date: 4/30/97 10:25:02 PM  
From: Dboek

A postscript to my comments over the past several weeks.

Yesterday, the lottery was held for our charter in Charlotte NC. My daughter will in fact not be allowed to attend, she is on the waiting list behind the child of a friend who I convinced to apply for the charter at the last minute after a conversation on the preschool playground.

So, what do I get for my many days and nights of unpaid work, especially the long hours I spent applying my experience as a public school teacher to creating a progressive and child-centered curriculum? I have to ponder that.

I'm proud that we got approved, I have enjoyed this list and Joe Nathan's book, and I have learned a lot about public education and state government in North Carolina, and even national policy. Hopefully, the parents and teachers who take my place will share at least some of my vision, though there is no guarantee of that (they will be, of course, stuck with the charter I helped write!) I wish them well. They can always hire consultants, I suppose, with those public school dollars. But, for me, at least in North Carolina under current law, there is no place in our local charter for my daughter, and thus no place for me.

Spare me, please, any gloss on how selfish this makes me. Were there time enough, of course I'd put my time and energy into both my daughter's school and the charter, and my job, and my family and community responsibilities. There just isn't time to do them all. Any parent knows this.

In any event, I have learned much. I wish everyone working on charters good luck and godspeed.

Don Boekelheide  
Charlotte NC

Subj: Re:Recognizing founders  
Date: 5/2/97 9:04:04 PM  
From: UMJoe

Our organization (the Center for School change at the Univ. of Minnesota's Humphrey Institute) has just helped (via a \$35,000 grant) Buffalo, Mn. start a new innovative elementary (non charter) school. The Board agreed that the 5 parents who were present in the beginning for this effort would automatically have their children enrolled. This was something the parents asked for and the board agreed. The school has 135 students and a waiting list of 90. It will start next fall.

Joe

Subj: Re:Recognizing founders  
Date: 5/4/97 10:04:46 PM  
From: DHelete

Don,  
My hear goes out to you and your family. I have learned a great deal about the movement in NC and the struggles you have encountered and overcome through your postings. (snip)

I only hope that those accepted to the charter schools in NC will push for a

change to give special consideration to founders and teachers of charter schools in their admissions policies. As a parent, I do not find your comments selfish in the least. On the contrary, I find them admirable - despite your commitment to the charter school, your family comes first and that means putting your energy into the school your daughter attends. I hope you and/or your colleagues in NC pursue this issue so other dedicated charter school advocates like yourself can continue to work for the improvement of public education.

Donna Helete

Subj: Re:Recognizing founders  
Date: 5/5/97 3:42:14 PM  
From: TDWATKINS

I am sorry too that it did not work out for Don and his family. As I posted in a note to Don, I believe he has added greatly to the charter school movement and I am thankful for his contributions. However, I strongly believe it would be wrong to provide special admission treatment for charter school founders. I believe this practice flies in the face of Public education, fairness and is wrought with other definition problems-- i.e. what constitutes involvement? writing the curriculum or baking cookies for the first meeting? I do not mean to be flip--- especially in light of the obvious pain this has caused Don -- But this is a fundamental question that I believe needs to be addressed in the very near future. In fact, perhaps we should use this occasion to address the key factors that make a charter school-- regardless of what state you are from.

Don, again, I am sorry for the difficulty this has caused you and your family because I believe you are a very committed father yet it also, highlights a very important policy question that we can discuss and hopefully come to a positive conclusion  
tom

Subj: Re:Recognizing founders  
Date: 5/6/97 7:13:12 AM  
From: WPierce242

Why would "PARENTS" continues to spend the time it takes creating charter schools if their kids will not be able to attend. If this issue is not cleared up in the near future, I feel we will lose another group of founders and once again only the "education experts" will be designing and developing the charter school of the future. We must keep the charter movement open to new ideals and creative means of starting them.

Subj: Re:Recognizing founders  
Date: 5/6/97 9:29:48 AM  
From: CarmelSchl

I've had my say in a previous posting, but when I read that allowing founders to enroll their children would create an elitist school, I cringe. Perhaps some criteria might have to be met to allow this enrollment, for we all know there are folks who will take a mile or two, yet there are only a few dedicated and committed people in this world, they deserve some encouragement. Twelve people were involved in the application process of our school. None had school aged children, but with our initial enrollment, if they had all had children, it would still have been 05% or less. How about a percentage basis? It's not realistic to expect the intensity of commitment from people with no benefit for their own children. Yes, it will eventually lead to only paid people developing schools. Not much change possible in that scenario. What do we really want for the future of the human race?

Subj: Re:Recognizing founders  
Date: 5/6/97 1:39:55 PM  
From: AFC Frank

I normally try to keep my own personal opinions out of the postings here, for all the obvious reasons. I don't want to "bias" the discussions. But I'm going to have to "weigh in" on this one.

I realize where Tom is coming from; in the purest sense of the truly "democratic" admissions process. I remember his story about the lady who submitted to the admissions lottery of the school Tom helped start at Wayne State, 100 copies of the admissions to "enhance" her son's chance of getting into the school, and how that was handled. (99 copies were removed from the process, leaving 1 remaining - the child didn't make the lottery, but had the same chance then as all other applicants) Nothing at all wrong with that. Was fair to all.

HOWEVER (comma) believing that the lottery method is the only really fair way to distribute limited slots to an oversubscribed school, I also feel that where the very EXISTENCE of the school, which is the case in many of the smaller startup charter schools, depends on the devotion of a tremendous amount of dedication, time, money and sweat equity by usually a very SMALL number of parents, teachers, whatever, that this small group, if they HAVE children eligible for enrollment in that school SHOULD be given preference.

If it weren't for that small group of people and their vision and dedication, the lottery wouldn't be held in the first place because there would be no school to hold it for.

For the larger "conversion" charter schools, this usually wouldn't be that significant a problem, since there is an already existing "student body," and, although the enrollment demographics may change a bit, there are significant differences in the entire process of "founding" the charter school of the conversion type vs. the "start-from-scratch" type.

Preferences are going to be addressed regardless of which type of school is being addressed, but the preferences themselves will be different. (residents of the local area; previous attendance at the school; siblings of current attendees; etc.) And if THOSE preferences are allowed in either type of school, what's so wrong with a preference being allowed for the children of the very FEW people actually involved in the creation of the school? I fail to see what's so bad about it. And knowing the tremendous amount of work involved in bringing the "opening day" of a charter school to actuality, I simply can't imagine many people devoting such a significant part of their lives to the creation of the school with NO guarantee that their own child can be a "preferred beneficiary" of their efforts.

I wouldn't consider this a case of "purity of principle" VERSUS "reality," but would rather consider it a case of injecting a bit of reality into an otherwise unfeeling, "democratic-no-exceptions," or "rules-based" decision. Unless I'm missing something here, one of the REASONS for charter schools in the FIRST place is to replace some of the "rules-based" facets of the current educational system with "performance-based" ones. The "performance" of these charter schools founders had already been documented. Why should we penalize them for their work by telling them their children can stand in line just like everyone else?

That may be "fair" in principle, but it just doesn't seem RIGHT to me. Sorry for the soapbox, but there it is. Would love to hear some other opinions on this one.

Frank



## **Pamela Ahlin (Rep. Capps)**

---

**From:** Duane Remein[SMTP:remein@aur.alcatel.com]  
**Sent:** Wednesday, May 14, 1997 5:27 PM  
**To:** Rep. Russell Capps  
**Cc:** remein@aur.alcatel.com  
**Subject:** Charter Schools

The Honorable J. Russell Capps  
N.C. General Assembly  
Raleigh, North Carolina 27601

Duane R. Remein  
8012 Selfridge Ct.  
Raleigh, NC. 27615

Dear Mr. Capps:

I would first like to congratulate you and your fellow legislators in your bold and visionary moves to revitalize the public school system of this great state. I am speaking specifically of the charter school initiative. It is only through such forward looking programs that we will be able to bring the students of North Carolina into the year 2000 and beyond. These investigations in education will show how to improve the educational system at large and allow us to become a national leader in effective education. The commitment of this State to improving its educational system is further proved by pending legislation (the Excellent Schools Act) as well as Governor Hunts recognition as the "Education Governor".

I am, however, somewhat concerned that the charter school initiative is in jeopardy due to the issue of participation in the Teachers' and State Employees' Retirement System. I believe that allowing the charter schools to participate in this system will be crucial in attracting the highly qualified and experienced teaching staff that these schools must have in order to succeed. It is my understanding that the legislation passed in June of '96 clearly allows charter school groups to participate in this essential system if the group agrees to be subject to a reasonable level of supervision and control by the existing school board. I further understand that the State Treasurers office has raised concerns about the eligibility of charter school to participate in the system. I find it surprising that this issue should be raised at this late date as I am sure that the charter groups approved are currently recruiting staff and this will surely hinder their ability to attract quality teachers. I am certain that you realize the challenge already faced by these groups in implementing this initiative. Impeding their progress with additional obstacles such as this can only hurt the students of this state.

It appears that the concern is over the degree of control to which the charter school must be subject to in order to be considered eligible to participate in the system. Contrary to this is the obvious degree of freedom intended by the initiative as passed. The current law allows control through the approval process and through the terms and conditions of the charter contract itself. Clearly the charter contract provides accountability to the state which may revoke a charter if the group does not comply with the statutory provisions and contractual requirements therein.

If it is deemed that the existing conditions and controls in the law are insufficient to permit charter schools teachers to participate in the system then I would urge you to support Senator Gulley's bill, Senate Bill 297. This legislation would require that the State Department of Education approve the members of the Board of Directors of each charter school. It is my understanding that most charter groups would agree to this provision even though it does seem inconsistent with the original intent of the initiative. This bill would provide the state with a level of control which is more than sufficient.

I have further been informed that the State Treasury's office may be supporting legislation which would include approval of teaching staff as well as Board of Director approval. I believe that this level of control is not only uncalled for but is diametrically opposed to the intent of the legislation passed in June of '95. It is unlikely that any state or local board of education has any real interest in having to make such low level day-to-day decisions as this in a charter school. If this legislation were to pass I would hope there were at least some provision to require timely approvals (1-2 working days) and, if not acted on within the allotted time period the approval would become automatic.

Prompt action on this matter is crucial to those charter schools currently working toward opening this fall. Please show your support of the charter school initiative by directing your full efforts to the passage of legislation resolving this matter allowing charter school teachers participation in the Teachers' and State Employees' Retirement System. Please feel free to share this correspondence with your fellow legislators and committee members.

I thank you and the charter school students thank you.

Respectfully Yours  
Duane R. Remein  
Parent, The Magellan Charter School

Duane Remein, Project Specialist, Alcatel Network Systems, Raleigh NC.  
I speak for myself and not necessarily for my employer.  
Josh. 24:15b "... But as for me and my household, we will serve the Lord."



TO: Representative Capps  
FAX: (919) 733-3113

FROM: The Community Charter School  
FAX: (704) 333-7557

RE: Public Hearing, House Education Subcommittee

Charlotte, 5/15/97

Dear Representative Capps,

Thanks for the opportunity to voice on paper our opinions about charter school legislation. I hope that you can read this fax at the public meeting.

RE: Allowing the children of staff members and founding board to attend charter schools.

The Community Charter School is a small, grassroots school that has targeted a multi-cultural student population. We have successfully recruited students from at-risk neighborhoods and are holding a minimum of 40% of our spaces for African-American students. As a result of our strenuous recruitment efforts, after our lottery, we have racially and gender balanced classroom, and 22 students (including the children of two board members) on the waiting list.

Charter school founding board of directors work very hard without a salary. This donated work is what allows a small school like ours to maintain a sharp vision of innovation, reduced classroom sizes and competitive teacher salaries. It is not realistic to expect board members to continue to work tirelessly on the school they are helping shape and create if their own children cannot attend.

We believe it is reasonable to allow a limited number (e.i., 10% of the student population) of children of staff members and children of founding board of Directors to attend the school. There is a precedent for this. For example, our local school district allows all staff members' children to attend their parents' school. In addition, other states have resolved this issue in charter schools by allowing a restricted number of founders' children.

Legislation and/or DPI policy which does not reasonably address this issue does not support charter schools. Current DPI policy may encourage corporations to open charter schools, but discourages grassroots organizations that have a personal interest as a part of their mission.

It should not be the purpose of charter school legislation to squash initiative. Children of both staff and board members should be allowed to attend the schools where their parents work.

Thank you for your careful attention of this matter.

  
The Community Charter School

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## MAGELLAN CHARTER SCHOOL

My name is Susan Brandt and I represent the Magellan Charter School. Our founders, Mary Beth Childers and George Coccarelli were unable to attend this meeting as they are Wake Co. teachers and they are in the classroom today. Mr. Capps (and committee members), we appreciate your continued support of Charter Schools and your efforts to assure their success. Our legislative liaison, Patti Bryce has sent you documentation regarding the creation and development of the Magellan Charter School.

Our chief concern at present is facilitating the smooth transfer of teachers employed by Wake County to the Magellan Charter School. Of critical importance is assuring teachers continued participation in the Teachers' and State Employees' Retirement System. We urge you to support Senator Gulley's bill, Senate Bill 297. This bill requires that the State Department of Education approve members of the board of directors of each charter school. Although this level of control seems inconsistent with the charter school philosophy, we feel that the alternative, Local Education Administration control over teacher hiring would create a conflict of interest for the LEA. Immediate action on this matter is critical as we are in the process of hiring teachers.

We would also appreciate clarification of the transition process for teachers moving from employment by Wake County to the Magellan School. The current law indicates that teachers should take a leave of absence. The law does not indicate if there is an expiration time for the leave of absence. If a teacher takes a leave of absence, his or her accrued sick leave, personal leave, and vacation days are placed on hold in case the teacher returns to the Wake Co. system at a later date. What happens to these benefits if a teacher resigns from employment by the Charter School and does not return to Wake County?

We feel that clarification of these matters allows us to attract and retain experienced, qualified teachers which will ensure the success of the Magellan Charter School. Thank you for your time.