

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 995

Short Title: Notify Parents of Class-size Exceptions.

(Public)

Sponsors: Senator Lucas.

Referred to: Education/Higher Education.

April 21, 1997

A BILL TO BE ENTITLED

AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION TO NOTIFY PARENTS
OF CLASS-SIZE EXCEPTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-301 reads as rewritten:

"§ 115C-301. Allocation of teachers; class size.

(a) Request for Funds. – The State Board of Education, based upon the reports of local boards of education and such other information as the State Board may require from local boards, shall determine for each local school administrative unit the number of teachers and other instructional personnel to be included in the State budget request.

(b) Allocation of Positions. – The State Board of Education is authorized to adopt rules to allot instructional personnel and teachers, within funds appropriated.

(c) Maximum Class Size. – The average class size for each grade span in a local school administrative unit shall at no time exceed the funded allotment ratio of teachers to students. At the end of the second school month and for the remainder of the school year, the size of an individual class shall not exceed the allotment ratio by more than three students. At no time may the General Assembly appropriate funds for higher unit-wide class averages than those for which State funds were provided during the 1984-85 school year.

1 (d) Maximum Teaching Load. – Students shall be assigned to classes so that from
2 the 15th day of the school year through the end of the school year the number of students
3 for whom teachers in grades 7 through 12 are assigned teaching responsibilities during
4 the course of the day is no more than 150 students, except as provided in subsection (g)
5 of this section.

6 (e) Alternative Maximum Class Sizes. – The State Board of Education, in its
7 discretion, may set higher maximum class sizes and daily teaching loads for classes in
8 music, physical education, and other similar subjects, so long as the effectiveness of the
9 instructional programs in those areas is not thereby impaired.

10 (f) Second Month Reports. – At the end of the second month of each school year,
11 each local board of education, through the superintendent, shall file a report for each
12 school within the school unit with the State Board of Education. The report shall be filed
13 in a format prescribed by the State Board of Education and shall include the organization
14 for each school, the duties of each teacher, the size of each class, the teaching load of
15 each teacher, and such other information as the State Board may require. As of February
16 1 each year, local boards of education, through the superintendent, shall report all
17 exceptions to individual class size and daily teaching load maximums that occur at that
18 time.

19 (g) Waivers and Allotment Adjustments. – Local boards of education shall report
20 exceptions to the State Board of Education as provided in G.S. 115C-47(10), and shall
21 request allotment adjustments or waivers from the standards set out above. Within 45
22 days of receipt of reports, the State Board of Education, within funds available, may allot
23 additional positions or grant waivers for the excess class size or daily load.

- 24 (1) If the exception resulted from (i) exceptional circumstances,
25 emergencies, or acts of God, (ii) large changes in student population,
26 (iii) organizational problems caused by remote geographic location, or
27 (iv) classes organized for a solitary curricular area, and

- 28 (2) If the local board cannot organizationally correct the exception.

29 All allotment adjustments and waivers submitted under this provision shall be
30 reported to the Director of the Budget and to the General Assembly by May 15 of each
31 year.

32 (h) State Board Rules. – The State Board of Education shall adopt rules necessary
33 for the implementation of class size and teaching load provisions.

34 ~~(i) Penalty for Noncompliance. – If the State Board of Education determines that a
35 local superintendent has willfully failed to comply with the requirements of this section,
36 no State funds shall be allocated to pay the superintendent's salary for the period of time
37 the superintendent is in noncompliance.~~

38 (j) Notification of Parents of Class-Size Exceptions. – At the beginning of the
39 fourth month of the school year, local boards of education shall notify parents in writing
40 of class-size exceptions affecting their children, whether or not the State Board of
41 Education has granted waivers for the exceptions."

42 Section 2. This act is effective when it becomes law.