



# Legislative Link

*A Publication for the Members of the N.C. Association of School Administrators*

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## **House Budget Writers Face Lower Revenues**

After completing a Thursday morning review of the Senate-approved education budget for the next biennium, the co-chairmen of the House Appropriations Subcommittee on Education warned their members and education advocates that the House budget may hold even deeper cuts than those outlined by the Senate and the Governor.

“The percentage of funding that we have to work with is staggering and is far less than the amount the Governor and the Senate had,” said Rep. Rick Glazier, a subcommittee co-chairman from Cumberland County. “Our total education budget is likely to be 17 to 20 percent less than the current year’s funding.”

Rep. Ray Rapp, D-Madison and another co-chairman of the subcommittee, said the House is expected to receive actual state revenue collection reports no later than May 1 or 2, and current projections indicate that the expected \$3.4 billion deficit for 2009-2010 could increase by \$800 million.

In light of this revenue forecast, all House budget subcommittees have been directed to leave no stone unturned in looking for ways to cut state costs. Agencies like the Department of Public Instruction are expected to be asked to justify all current line item expenditures, and typical inflationary increases are likely to be eliminated. Other items that will be considered as part of the House budget process may include eliminating vacant positions, increasing or implementing fees, changing funding formulas, consolidating programs and possibly eliminating some programs, including some that have been created in the last four years.

A complete listing of directives that the House Appropriations Subcommittee on Education is using in its budget-writing process, as well as information on the education budgets proposed by the Senate and the Governor, is available at: <http://www.ncasa.net/displaycommon.cfm?an=1&subarticlenbr=199>.

## **1 Calendar Bill Changed; Another Set For 4-21 Hearing**

A House subcommittee amended one school calendar bill on Thursday to allow school districts to extend the school year past June 10 to make up lost instructional time due to inclement weather or

emergencies. Meanwhile, a separate bill that would move the mandated school starting date from Aug. 25 to the “second Monday in August” has been scheduled for a hearing by the House Education Committee at 11 a.m. Tuesday, April 21.

The House Education Committee will be debating and possibly voting on House Bill 593, which calls for changing the school start date. Rep. Paul Luebke, D-Durham, sponsored the legislation, which is supported by the North Carolina Association of School Administrators and several other education organizations in the state, including the North Carolina School Boards Association and the North Carolina Association of Educators. The bill seeks to enable school districts statewide to start the school year earlier so they can complete the first semester before the Christmas holiday break and to more closely align with the calendars of community colleges and universities.

Since tourism industry lobbyists strongly oppose any legislation aimed at providing more school calendar flexibility, NCASA members are encouraged to contact all House Education Committee members before the Tuesday hearing and urge them to support House Bill 593. Contact information is available at: <http://www.ncasa.net/displaycommon.cfm?an=1&subarticlenbr=241>.

A separate school calendar bill, House Bill 636, was rewritten by the House Subcommittee on Preschool, Elementary & Secondary Education on Thursday to allow school districts to extend their school year in two ways when they need to make up lost instructional days due to inclement weather other emergency conditions. The bill sponsored by Rep. Phil Haire, D-Jackson, would allow districts to add up to three makeup days to the end of the school calendar, which now is mandated to end no later than June 10. If additional makeup time is needed beyond those three extra days, school districts could then tap up to two of the five protected teacher workdays that school districts currently cannot use for instructional makeup or any other purpose.

The revised bill is supported by NCASA and several other education groups. Two teacher groups that had opposed the legislation in its original format supported the bill after Rep. Haire agreed to eliminate his original proposal for allowing any of the five protected teacher workdays to be used for professional development for school personnel.

“While this bill does not correct all the problems that now exist with the school calendar law, it does provide new flexibility for school districts to schedule makeup days in a way that is more beneficial to students and teachers than conducting classes on Saturdays or cutting into previously planned spring break days when student absenteeism is typically high,” said Katherine Joyce, NCASA’s Assistant Executive Director. “We appreciate Rep. Haire’s efforts to move this legislation forward, and we hope our members will urge their own legislators to support it as well.”

## Contacts Needed On 2 Problematic Public School Bills!

The agenda for the Senate Education/Higher Education Committee’s next meeting at 10 a.m. Wednesday, April 22, includes two bills that would be problematic for public school administrators if ultimately enacted into law.

**Senate Bill 406, Classroom Experience for School Personnel**, would require all director-level school administrators to spend at least one day in a classroom each school year. The bill is sponsored by Sen. Fletcher Hartsell, R-Cabarrus. The North Carolina Association of School Administrators opposes this proposed mandate because we believe it would not be in the best interest of either students or central office directors, who have been hired to handle school district functions other than classroom instruction. School districts that want to require central office staff to spend time in the classroom may already do so, and therefore, a statewide mandate of this type is not needed.

**Senate Bill 962, Probationary Teacher Appeals**, sponsored by Sen. Martin Nesbitt, D-Buncombe, would allow all probationary teachers who receive non-renewal notices to seek a hearing before the local board of education. Providing all probationary teachers with the right to a board hearing would greatly increase the number of hearings that local boards must conduct when non-renewal notices are sent out each spring, and this burdensome process would make it more difficult for school districts to

dismiss teachers who are not meeting performance expectations. In addition, the current probationary period for teachers is intended to allow school districts to determine which teachers deserve to move forward under the protections of tenure and which ones are not best suited for a career in the classroom. NCASA opposes adding this new layer of protection for probationary teachers unless tenure is eliminated altogether for teachers.

NCASA members who share the organization's concerns on these two pieces of legislation are encouraged to contact all members of the Senate Education/Higher Education Committee before the Wednesday hearing and ask the Senators to oppose both bills. Contact information for the committee is at: <http://www.ncasa.net/displaycommon.cfm?an=1&subarticlenbr=241>.

## **House, Senate To Negotiate On State Health Plan Changes**

The Senate has rejected the House's version of a bailout for the State Health Plan. As written, Senate Bill 287 would increase medical care costs for the 667,000 state employees, school personnel, retirees and their dependents and cost taxpayers at least \$730 million through mid-2011. The next step will be a conference committee that will attempt to work out differences and reach a compromise.

Sen. Tony Rand, D-Cumberland and the bill's original sponsor, told his colleagues he opposed the House version because it cost the state more and took out wellness portions of the bill. The Senate plan would have forced smokers to quit smoking and the very obese to lose weight or receive less generous coverage. The House version calls for those wellness proposals to be studied.

The revised plan cleared the House floor earlier this week after Rep. Dan Blue successfully amended the bill to call for a comprehensive audit of the State Health Plan and its contractual relationship with Blue Cross & Blue Shield, which processes claims for the plan.

As reported to NCASA members earlier, the legislation in its current format includes \$250 million in rescue funding to keep the plan afloat through June 30, when a revised benefit structure would take effect. Plan changes as currently proposed include a premium increase of 10 percent in each of the next two years for employees to purchase family coverage. In addition, higher deductibles and co-payments would cost most employees on average an extra \$600 each year.

Additional information summarizing the changes the House has made to Senate Bill 287 may be accessed at <http://www.ncasa.net/displaycommon.cfm?an=1&subarticlenbr=231>.

## **House Committee Endorses Voluntary Employee Furloughs**

The House State Government and State Personnel Committee this week approved a bill designed to give the Governor the authority to furlough state employees and school personnel on a voluntary basis.

House Bill 1172 authorizes the Governor to implement a voluntary furlough program when there is a significant budget deficit. Furloughed employees would continue to earn retirement credit and be eligible for participation in the State Health Plan.

Employees deemed "essential" could volunteer to be furloughed no more than 10 days. All other employees could be furloughed up to a maximum of 30 days per fiscal year.

"This is not a pretty topic to discuss," said bill sponsor Rep. Pryor Gibson, D-Anson. "The economy and the situation we're in right now is forcing us to be responsible and look at every option."

The Senate budget passed last week allows agency heads to use furloughs as a way to make required spending cuts. Additional furloughing options are anticipated to be heard as the House moves closer to creating its own version of the state budget.

House Bill 1172 was sent to the House Appropriations Committee for further consideration.

## **House Approves Parental Choice In Sex Education Curriculum**

The House this week approved legislation that would expand parental choice in sex education.

House Bill 88, "The Healthy Youth Act," would make a comprehensive sex education curriculum the norm, but would allow parents to choose an abstinence-only class instead. North Carolina has required abstinence-only sex education since 1995. The bill would allow parents to choose the current curriculum, opt for the comprehensive second track that features abstinence but also teaches about contraception, or opt to have their children avoid sex education altogether.

Rep. Bob England, D-Rutherford, who is a lead sponsor of the bill, said that "parents will decide, not politicians, the content of sex education for their children." According to a February Public Policy Polling report, 69 percent of North Carolinians would be in favor of a bill that gives parents the choice of having their children receive comprehensive sex education or abstinence-only sex education.

A change from the original bill was approved Tuesday that would mean that students whose parents did not make a curriculum selection would not receive any of the curriculum. Despite the bill's permissiveness in choice, several House members voiced concerns.

Rep. Nelson Dollar, D-Wake, said that the legislature is "in my view, eroding the concept of marriage."

House Bill 88 has attracted public attention and drawn numerous visitors to House committee meetings where the content of the bill has been debated and developed. The bill now moves to the Senate, where its fate is uncertain. If ultimately approved and signed into law, the bill would require parental choice in the sex education curriculum beginning with the 2010-2011 school year.

## **Summary Of This Week's Action On Bills Affecting Public Schools**

For a complete summary of this week's legislative actions on legislation affecting public schools and their personnel, please see this week's "Weekly Bill Action Summary" at: <http://www.ncasa.net/displaycommon.cfm?an=1&subarticlenbr=227>. The same site offers a status report on all bills NCASA is tracking for our members during the 2009 legislative session, and that information is arranged in categories to make it easier to locate specific legislation of interest.

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*For additional information on these or other legislative issues, contact  
NCASA Assistant Executive Director Katherine W. Joyce at 919-828-1426 or [kjoyce@ncasa.net](mailto:kjoyce@ncasa.net).*