

**LEA FLEXIBILITY
PROPOSED CONFERENCE PROVISION**

~~This provision would replace Section 7.8 of the House and Senate Budgets.~~

PROTECTION OF THE CLASSROOM WHILE MAXIMIZING FLEXIBILITY

SECTION 7.8.(a) The State Board of Education is authorized to adopt emergency rules in accordance with G.S. 150B-21.1A to grant maximum flexibility to local school administrative units regarding the expenditure of State funds. These rules shall not be subject to the limitations on transfers of funds between funding allotment categories set out in G.S. 115C-105.25. These rules:

- 1) Shall authorize the transfer of textbook funds to other allotments to manage funding cuts; and
- 2) Shall not permit the transfer of funds from school-based positions to the central office.

SECTION 7.8.(b) For fiscal years 2009-2010 and 2010-2011, local school administrators shall make every effort to reduce spending whenever and wherever such budget reductions are appropriate with the goal of protecting direct classroom services, services for students at risk and children with special needs. Local school administrators shall implement administrative and other operating efficiencies and mitigate the reduction by maximizing funds received from the American Recovery and Reinvestment Act of 2009 (ARRA), P.L. 111-5.

SECTION 7.8.(c) Within 14 days of the date this act becomes law, the State Board of Education shall notify each local school administrative unit and charter school of the amount the unit must reduce from the State General Fund appropriations. The State Board shall determine the amount of the reduction for each unit on the basis of average daily membership.

SECTION 7.8.(d) Each unit shall report to the Department of Public Instruction on the flexibility budget reductions it has identified for the unit within 30 days of the date this act becomes law.

SECTION 7.8.(e) The State Board of Education shall make a summary report to the Joint Legislative Education Oversight Committee, the Office of State Budget and Management, and the Fiscal Research Division on all reductions made by the LEAs and charter schools, including an explanation as to the need for the modification to achieve this reduction, by December 15, 2009, and annually thereafter.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2009

DRAFT
SPECIAL PROVISION



2009-PART7-C7.23A-P

PART VII. Public Schools
Conference Provision

***** HOLD*****COMPROMISE PROVISION

1 **CLASSROOM TEACHERS ALLOTMENT**

2 **SECTION 7.23.(a)** The allotment ratios for grades K-6 in the public schools shall
3 be unchanged from the 2008-2009 school year.

4 **SECTION 7.23.(b)** Notwithstanding G.S. 115C-301 or any other provision of law,
5 local boards of education shall have the maximum flexibility to use allotted teacher positions to
6 maximize student achievement.

7 **SECTION 7.23.(c)** The General Assembly urges local boards of education to use
8 federal funding from the American Recovery and Reinvestment Act of 2009 (ARRA), P.L.
9 111-5, to alleviate the need to dismiss classroom-based personnel.