



HOUSE BILL 532: Modify UNC Laboratory Schools.

2017-2018 General Assembly

Committee:		Date:	August 4, 2017
Introduced by:		Prepared by:	Kara McCraw Staff Attorney
Analysis of:	S.L. 2017-117		

OVERVIEW: *S.L. 2017-117 makes the following modifications to the governance and operation of The University of North Carolina Laboratory Schools (lab schools):*

- *Increases the number of schools from eight to at least nine and directs that all schools must be in operation by 2018-2019, rather than 2017-2018.*
- *Requires the UNC Board of Governors to establish a Subcommittee on Lab Schools (Subcommittee) to review and evaluate the proposals, approve at least nine schools, and oversee the operations of the lab schools that are established. The Subcommittee and chancellors of the constituent institutions will replace the board of trustees of each constituent institution in governance of the lab schools.*
- *Allows chancellors to submit a proposal to the Subcommittee to locate a lab school in a local school administrative unit (LEA) that does not meet the minimum threshold of 25% low-performing schools if it can be shown that the lab school would primarily serve students who did not meet expected growth in the prior school year.*
- *Allows the Subcommittee to waive the requirement of a minimum number of low-performing schools in a LEA for up to three lab schools only if the proposal is submitted jointly by the chancellor and the LEA in which the lab school will be located and the Subcommittee determines the proposed location would serve the mission and purpose of the lab schools.*
- *Makes the chancellor of the constituent institution establishing the lab school the administrative head of the lab school rather than the board of trustees of that institution. The chancellor, with advice and input from an advisory board, must adopt policies, operating procedures, and the courses of study for the lab school, and will employ staff.*
- *Requires the chancellor to establish the advisory board to provide advice and guidance for lab schools. The advisory board will have up to 10 members, including the dean of the constituent institution's educator preparation program, a member of the board of trustees, faculty members, the superintendent of the LEA in which the lab school is located, a member of the community, and others deemed necessary.*
- *Clarifies that any student residing in a LEA in which a lab school is located is eligible to attend if the student is enrolled in a low-performing school at the time of the student's application to the lab school or if the student did not meet expected growth in the prior school year based on various factors.*
- *Clarifies that a lab school must enroll eligible students up to the capacity of a program, class, grade level, or building, in the order in which the applications are received.*
- *Allows the Superintendent of Public Instruction to recommend waiver of licensure requirements for the principal of the lab school and to also recommend waiver of the requirement that at least 50%*

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of the teachers hold teaching licenses, upon a request of the chancellor that is approved by the Subcommittee. Clarifies that employees of lab schools are considered State employees.

- *Requires the Subcommittee, rather than the Board of Governors, to evaluate and report on the lab schools annually to the Joint Legislative Education Oversight Committee.*

This act became effective July 18, 2017.

CURRENT LAW: In 2016, the General Assembly created The University of North Carolina Laboratory Schools (lab schools). Lab schools are public schools serving students in kindergarten through eighth grade that are established by a designated constituent institution of The University of North Carolina with an education preparation program and located in a local school administrative unit (LEA) that has 25% or more low-performing schools. The mission of the lab schools is to provide an enhanced education program for students residing in those LEAs and to provide exposure and training for teachers and principals to successfully address challenges existing in high-needs school settings. Per the 2016 provision, 4 of the schools must open in the 2017-2018 school year, and 4 must open in the 2018-2019 school year. The board of trustees of the constituent institution must oversee the lab school, including establishing an advisory board, the academic program for the school, and standards of performance and conduct for the school. Food and transportation services for the school will be provided by the LEA in which the school is located.

Students who reside in and are enrolled in a low-performing school in the LEA in which the lab school is located may apply to attend the lab school, with priority enrollment given to students who did not meet expected student growth based on a number of factors. Lab schools must be provided State and local funding similar to funding for charter schools.

BILL ANALYSIS: S.L. 2017-117 makes various changes to governance and operation of the lab schools.

Establishment and Governance

The Board of Governors of The University of North Carolina (UNC BOG), upon recommendation by the President of The University of North Carolina (President), will designate at least 9 (instead of 8) constituent institutions with high quality education preparation programs to submit proposals to establish the lab schools. The UNC BOG must establish a Subcommittee on Lab Schools (BOG Subcommittee) to: (i) review and evaluate the proposals and approve at least 9 and (ii) oversee the operations of the lab schools that are established. The BOG Subcommittee, the chancellor of each constituent institution that operates a lab school, and the lab school are exempt from statutes and rules applicable to LEAs.

Waivers to Establish Lab Schools in Certain LEAs

The act allows chancellors to submit a proposal to the Subcommittee to locate a lab school in a LEA that does not meet the minimum threshold of 25% low-performing schools if it can be shown that the lab school will primarily serve students who did not meet expected growth in the prior school year.

The BOG Subcommittee could waive the requirement of a minimum number of low-performing schools in a LEA for up to 3 lab schools only if: (i) the proposal is submitted jointly by the chancellor and the LEA in which the lab school will be located and (ii) the Subcommittee determines the proposed location would serve the mission and purpose of the lab schools.

Creation and Dissolution of Lab Schools

The act requires the BOG Subcommittee, rather than the board of trustees of a constituent institution, to adopt a resolution upon approving each lab school. The term of operation for a lab school is 5 years. If, at the end of 5 years, the lab school is no longer in a qualifying LEA or meeting the waiver requirement, then the BOG Subcommittee must request the BOG to designate additional constituent institutions to establish lab schools. Upon receipt of the resolution and upon recommendation of the Superintendent of Public Instruction, the State Board of Education must approve the creation of the lab school.

If the lab school is about to be dissolved at the end of its five year term of operation or because the constituent institution's educator preparation program is going to be terminated, the chancellor of the constituent must

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propose a plan with the LEA for the dissolution or assumption of the lab school by a new entity and must submit the plan to the BOG Subcommittee for prior approval.

Authority of Chancellors of the Constituent Institutions Establishing Lab Schools and Advisory Boards

The act provides that chancellors of the constituent institutions establishing the lab schools be the administrative head of the lab school rather than the boards of trustees of these institutions. The chancellor, with advice and input from an advisory board (described below) will adopt policies, operating procedures, and the courses of study for the lab school. The chancellor could delegate these duties to other personnel.

Instead of the boards of trustees, the chancellor will establish an advisory board to provide advice and guidance. The advisory board will have up to 10 members, including the dean of the constituent institution's educator preparation program, a member of the board of trustees, faculty members, the superintendent of the LEA in which the lab school is located, a member of the community, and others deemed necessary. The terms of the advisory board members will increase from two to four years and be limited to two complete consecutive terms.

Student Admissions and Assignment

The act clarifies that any student residing in a LEA in which a lab school is located is eligible to attend if the student is (i) enrolled in a low-performing school at the time of the student's application to the lab school **or** (ii) the student did not meet expected growth in the prior school year based on various factors.

The act further clarifies that a lab school must enroll eligible students up to the capacity of a program, class, grade level, or building, in the order in which the applications are received.

Employees of Lab Schools

The act clarifies that the chancellor of the constituent institution establishing the lab school will appoint all staff, rather than the board of trustees. The Superintendent of Public Instruction may recommend waiver of licensure requirements for the principal of the lab school and may also recommend waiver of the requirement that at least 50% of the teachers hold teaching licenses. Both of these waiver recommendations to the State Board of Education (SBE) must be upon the submission of a request of the chancellor that is approved by the Subcommittee. Employees are considered State employees.

Review of Lab Schools

The act will change who reviews and evaluates the lab schools from the UNC BOG, the SBE, and the constituent institutions to the BOG Subcommittee. The Subcommittee will then submit the annual report to the Joint Legislative Education Oversight Committee.

Technical and Conforming Changes

The act also makes technical and conforming changes throughout the affected statutes. Finally, it directs that the nine lab schools must be in operation by the beginning of the 2019-2020 school year, rather than the 2017-2018 school year.

EFFECTIVE DATE: This act became effective July 18, 2017.

**This summary was substantially contributed to by Drupti Chauhan, Committee Counsel.*