



SENATE BILL 461: Modify UNC Laboratory Schools.

2017-2018 General Assembly

Committee: Senate Education/Higher Education. **If Date:** April 19, 2017
favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate

Introduced by: Sens. Barefoot, Curtis, Lee

Prepared by: Drupti Chauhan

Analysis of: First Edition

Committee Counsel

OVERVIEW: *Senate Bill 461 would make modifications to the governance and operation of The University of North Carolina Laboratory Schools.*

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: Senate Bill 461 would make various changes to the 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), would 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 bill would allow 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

Karen Cochran-Brown
Director



Legislative Analysis
Division
919-733-2578

Senate Bill 461

Page 2

the lab school would 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 bill would require 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 5 year term of operation or because the constituent institution's educator preparation program is going to be terminated, the chancellor of the constituent must 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 bill would provide 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) would adopt policies, operating procedures, and the courses of study for the lab school. The chancellor could designate these duties to other personnel.

Instead of the boards of trustees, the chancellor would establish an advisory board to provide advice and guidance. The advisory board would 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 would increase from 2 to 4 years and be limited to 2 complete consecutive terms.

Student Admissions and Assignment

The bill would clarify that any student residing in a LEA in which a lab school is located is eligible to attend if 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 bill 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 bill clarifies that the chancellor of the constituent institution establishing the lab school would 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

Senate Bill 461

Page 3

request of the chancellor that is approved by the Subcommittee. Employees are considered State employees.

Review of Lab Schools

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

Technical and Conforming Changes

The bill also makes technical and conforming changes throughout the affected statutes. Finally, it directs that the 9 lab schools must be in operation by the beginning of the 2019-2020 school year, rather than the 2017-2018 school year.

EFFECTIVE DATE: The bill would become effective when it becomes law.