

1 16 NCAC 06G .0304 is readopted as published in 38:23 NCR 1504 as follows:

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3 **16 NCAC 06G .0304 SCHOOL IMPROVEMENT PLAN DISPUTE RESOLUTION PROCESS**

4 (a) ~~In the event a~~ If a local board of education (board) does not accept a school's improvement plan within 60 days
5 after the ~~school principal~~ initially submitted the plan to the board, the local board or the school (hereinafter collectively
6 “the parties”) ~~may request the SBE to mediate the disagreement~~ shall have 30 days to file a request with the SBE to
7 resolve any disagreement over the plan. The request shall be signed by either the board chair or the principal. The
8 principal shall represent the position of the school improvement team. The request shall include the school’s proposed
9 improvement plan, the board’s proposed changes to that plan, and a summary of the disputed issues.

10 (b) ~~Either the principal of the school or the local board of education may submit a request for mediation to the~~
11 ~~Department, office of instructional and accountability services.~~

12 (c) ~~The request shall summarize the dispute issues. Both the principal of the school and the chair of the local board of~~
13 ~~education shall sign the request.~~

14 (d) ~~The office of instructional and accountability services shall review the request and shall inform the principal of~~
15 ~~the school and the chair of the local board of education of the time and place for the mediation.~~

16 (e) ~~The office of instructional and accountability services shall assign a mediator from persons who have been selected~~
17 ~~as assistance team members pursuant to G.S. 115C-105.31.~~

18 (f) ~~The mediator shall assist the parties to identify options for solving the disagreement.~~

19 (g) ~~If the mediator determines that the parties can reach an agreement, the mediator shall suggest language and shall~~
20 ~~write the agreement. Each party involved shall agree on each part.~~

21 (h) ~~Each party shall sign the agreement. The agreement shall become a part of the school’s improvement plan. The~~
22 ~~school shall then submit the improvement plan to the local board of education for its approval.~~

23 The Superintendent of Public Instruction or the Superintendent’s delegee shall appoint a decisionmaker to conduct
24 and control all the proceedings related to the dispute and resolve the dispute.

25 (c) The decisionmaker shall give the parties the opportunity to submit evidence, state their arguments, and respond to
26 the other party’s evidence and arguments.

27 (d) If the parties reach a voluntary resolution of the dispute before the decisionmaker serves a signed school
28 improvement plan on the parties under Subparagraph (e), they shall serve a school improvement plan signed by all the
29 parties on the decisionmaker. The served plan shall become the school improvement plan.

30 (e) After the decisionmaker has given the parties the opportunity to submit evidence and arguments, the decisionmaker
31 shall create a school improvement plan that consists of those components on which the parties agree and those
32 components from either the school improvement team’s proposed plan or the board’s proposed plan that the
33 decisionmaker determines are most likely improve student performance.

34 (f) Once the decisionmaker has signed the plan and served it on the parties, the decisionmaker’s plan shall become the
35 school improvement plan and shall constitute a final resolution of the dispute under G.S. 115C-105.20(b)(5).

1 (g) Any requests, notices, or correspondence from the decisionmaker or any party required or permitted under this
2 Rule shall be served on the other party and the decisionmaker in the manner prescribed in G.S. 1A-1, Rule 5 of the
3 North Carolina Rules of Civil Procedure.

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5 *History Note: Authority G.S. 115C-12(9)c4; 115C-105.20(b)(5);*
6 *Eff. November 1, ~~1997~~ 1997;*
7 *Readoption Eff. November 1, 2024.*