

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

(a) If a local board of education (board) does not accept a school's improvement plan within 60 days after the principal initially submitted the plan to the board, the board or the school (hereinafter collectively "the parties") shall have 30 days to file a request with the SBE to resolve any disagreement over the plan. The request shall be signed by either the board chair or the principal. The principal shall represent the position of the school improvement team. The request shall include the school's proposed improvement plan, the board's proposed changes to that plan, and a summary of the disputed issues.

(b) The Superintendent of Public Instruction or the Superintendent's delegee shall appoint a decisionmaker to conduct and control all the proceedings related to the dispute and resolve the dispute.

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

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

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

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

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

History Note: Authority G.S. 115C-12(9)c4; 115C-105-20(b)(5)

Eff. November 1, 1997; Amended ???