

1 **16 NCAC 01A .0107 EMERGENCY BUDGET FLEXIBILITY**

2 (a) Temporary State Board Policy Changes (FY 2011-12 and FY 2012-13 only):

3 (1) The ABCs of public education enables LEAs to have flexibility in their funding.

4 (A) Transfers of funding and/or position allotments are to be submitted to the School Allotments
5 Section of the Division of School Business.

6 (B) No financial State Board of Education waivers are required.

7 (C) Expenditures will be captured in the Program Report Code (PRC) from which funds
8 are expended and reported per Uniform Education Reporting System (UERS) requirements every
9 30 days.

10 (D) All positions/months are transferred at the statewide average salary (or as otherwise noted), if
11 converting one of the following guaranteed certified positions:

12 i. Instructional Support;

13 ii. Career Technical Education Months of Employment;

14 iii. School Building Administration. (Principals at the first step of the Principal III Salary
15 Schedule. Assistant Principal at the first step of the Assistant Principal Salary Schedule.)

16 (2) For the purpose of paying for a different certified position from that being transferred into PRC
17 010 (Certified Positions converted to dollars), the dollar amount converted will equal the average
18 salary of the position, including benefits (unless otherwise noted above).

19 (3) The salary of the position to be paid from PRC 010 will be a dollar allotment and not a
20 guaranteed salary. Converting certified position allotments to dollars for the purpose of hiring the same
21 type position is not allowable.

22 (4) No transfer will be allowed from Children with Disabilities Special Funds (PRC 063) and Behavioral
23 Support (PRC 029)

24 (b) Transfers will be allowed to or from the following categories (for FY ~~2009-10~~ 2011-2012 and FY ~~2010-11~~
25 2012-2013):

26 (1) Limited English Proficiency;

27 (2) Low Wealth Supplemental Funding;

28 (3) School Technology; (no funding for FY 2011-12)

29 (4) High School Learn and Earn;

30 (5) Disadvantaged Student Supplemental Funding;

31 ~~(6)~~ (6) At Risk Student Services/Alternative Schools

32 ~~(7)~~ (7) Non-instructional Support

33 ~~(8)~~ (8) Academically & Intellectually Gifted

34 ~~(9)~~ (9) Classroom Materials/Instructional Supplies/Equipment

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36 (c) Limited transfers will be allowed for the following categories:

37 ~~(1)~~ (1) Central Office Administration: Transfers from central office administration are acceptable.
38 Transfers into this category are not allowed.

1 ~~(3) (2) Classroom Teachers: Transfers from teachers are not restricted~~ can only be to the teachers' assistant
2 allotment

3 ~~(4) Note the legislation requires LEAs to minimize the dismissal of classroom based personnel and that~~
4 class size requirements in grades K-3 shall remain unchanged. The legislation also states that LEAs shall
5 use allotted positions to maximize student achievement in grades 4-12.

6 ~~(5) (3) Teacher Assistants: Transfers into or out of teacher assistants are acceptable. Grade placement~~
7 may be waived if it is in a school's improvement plan to serve students primarily in grades K-3 when the
8 personnel are assigned to an elementary school to serve the whole school. only to the Classroom Teacher
9 allotment (as described in PRC008 in the Chart of Accounts).

10 ~~(6) (4) Transportation funds may be transferred but will impact efficiency ratings.~~

11 ~~(7) (5) Career Technical Education funds may be transferred between Months of Employment~~
12 (MOEs) and Program Support.

13 (i) Transfers out of Career Technical Education (MOEs) for other categories are allowable

14 up to the amount of increase in the State allotment for each fiscal year.

15 ~~(ii) The Department is requesting a waiver of the federal maintenance of effort restrictions that~~
16 will allow for additional transfers if approved.

17 ~~(9) (6) Children with Disabilities. Funds can be transferred from this category up to the amount of increase~~
18 in the State allotment for each fiscal year and only if the dollars per eligible student is maintained at the
19 FY 2008-09 2010-2011 level as adjusted for legislated adjustments (federal recovery money can be used as
20 part of the dollar per eligible student calculation). The Department is requesting a waiver of the federal
21 maintenance of effort restrictions that will allow for additional transfers if approved.

22 ~~(12) (7) Textbooks: Transfers into and out of this category are allowed. There is no change in carryover~~
23 provisions as outlined in policy. On ly current year appropriations can be transferred

24 (d) The final date for transfers is the last work day of May each year. Transfers received after this date cannot be
25 approved.

26 ~~(e) Note: LEAs are to make every effort to minimize the budget adjustments that impact classroom instruction and~~
27 classroom activities.

28 ~~(1) LEAs must also maximize the use of federal recover funds to assure that, when appropriate under~~
29 federal grant rules, the funds are used to expand or maintain classroom support.

30 ~~(2) As required by the federal recovery funding guidance, we will be monitoring and reporting the types of~~
31 jobs created and saved by local education agencies because of the federal recovery funds received.

32 ~~(3) This reporting will be monthly and will be posted to the web for public access to expenditure~~
33 information.

35 *HistoryNote: Authority N.C. Constitution, Article X, Sec. 5; S.L. 2009-451 s. 7.8(a)(b)(c)(d);*

36 *Eff.*