

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 337

AMENDMENT NO. A1  
(to be filled in by  
Principal Clerk)

S337-ATC-49 [v.2]

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Comm. Sub. [NO]  
Amends Title [NO]  
Third Edition

Date \_\_\_\_\_, 2013

Senator Tillman

1 moves to amend the bill on page 1, line 5, through page 2, line 38, by deleting those lines and  
2 substituting the following:

3  
4 "SECTION 1.(a) G.S. 115C-238.29A reads as rewritten:

5 "§ 115C-238.29A. Purpose of charter schools and establishment of North  
6 Carolina Public Charter Schools Board.

7 (a) Purpose of charter schools. – The purpose of this Part is to authorize a system of  
8 charter schools to provide opportunities for teachers, parents, pupils, and community members  
9 to establish and maintain schools that operate independently of existing schools, as a method to  
10 accomplish all of the following:

- 11 (1) Improve student learning;
- 12 (2) Increase learning opportunities for all students, with special emphasis on  
13 expanded learning experiences for students who are identified as at risk of  
14 academic failure or academically gifted;
- 15 (3) Encourage the use of different and innovative teaching methods;
- 16 (4) Create new professional opportunities for teachers, including the  
17 opportunities to be responsible for the learning program at the school site;
- 18 (5) Provide parents and students with expanded choices in the types of  
19 educational opportunities that are available within the public school system;  
20 and
- 21 (6) Hold the schools established under this Part accountable for meeting  
22 measurable student achievement results, and provide the schools with a  
23 method to change from rule-based to performance-based accountability  
24 systems.

25 (b) North Carolina Public Charter Schools Board. – There is created the North Carolina  
26 Public Charter Schools Board, hereinafter referred to in this Part as the Charter Board. The  
27 Charter Board shall be located administratively within the Department of Public Instruction but  
28 shall exercise its powers and duties independently of the State Board of Education and  
29 Department of Public Instruction, except as provided in this section.

- 30 (1) Purpose. – The purpose of the Charter Board is to authorize and oversee  
31 high-quality public charter schools throughout the State, consistent with the



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- 1 purposes of this Part, and to exercise authority for approval of any charter  
2 applicant.
- 3 (2) Membership. – The State Superintendent of Public Instruction shall be the  
4 secretary of the Charter Board and a nonvoting member. The Charter Board  
5 shall consist of the following 11 voting members:
- 6 a. Three members appointed by the Governor.  
7 b. Three members appointed by the General Assembly upon the  
8 recommendation of the President Pro Tempore of the Senate, in  
9 accordance with G.S. 120-121.  
10 c. Three members appointed by the General Assembly upon the  
11 recommendation of the Speaker of the House of Representatives, in  
12 accordance with G.S. 120-121.  
13 d. The State Treasurer or the Treasurer's designee.  
14 e. The Lieutenant Governor or the Lieutenant Governor's designee.
- 15 (3) Qualifications of Members. – Members appointed to the Charter Board shall  
16 collectively possess strong experience and expertise in public and nonprofit  
17 governance, management and finance, public school leadership, assessment,  
18 curriculum and instruction, public charter schools, and public education law.  
19 All appointed members of the Charter Board shall have demonstrated an  
20 understanding of and a commitment to charter schools as a strategy for  
21 strengthening public education.
- 22 (4) Terms of Office and Vacancy Appointments. – Appointed members shall  
23 serve four-year terms of office beginning on July 1. No appointed member  
24 shall serve more than eight consecutive years. Vacancy appointments shall  
25 be made by the appointing authority for the remainder of the term of office.
- 26 (5) Officers. – The Charter Board shall annually elect a chair and a vice-chair  
27 from among its membership. In the absence of the chair, the vice-chair shall  
28 preside over the Charter Board's meetings. A majority of the Charter Board  
29 constitutes a quorum. The Charter Board shall adopt rules to govern its  
30 proceedings.
- 31 (6) Meetings. – Meetings of the Charter Board shall be held upon the call of the  
32 chair or the vice-chair with the approval of the chair.
- 33 (7) Expenses. – Members of the Charter Board shall be reimbursed for travel  
34 and subsistence expenses at the rates allowed to State officers and  
35 employees by G.S. 138-6(a).
- 36 (8) Removal. – Any appointed member of the Charter Board may be removed  
37 by a vote of at least two-thirds of the members of the Charter Board at any  
38 duly held meeting for any cause that renders the member incapable or unfit  
39 to discharge the duties of the office.
- 40 (9) Office of Charter Schools. – The Office of Charter Schools shall be the  
41 principal administrative unit under the direction of the Charter Board. The  
42 Department of Public Instruction shall provide staff, offices, office

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- 1 equipment, and meeting space to the Charter Board and Office of Charter
- 2 Schools.
- 3 (10) Powers and Duties. – The Charter Board shall have the following duties:
- 4 a. To provide technical assistance, through the Office of Charter
- 5 Schools and the Department of Public Instruction, to charter school
- 6 applicants and to charter schools that are approved under this Part.
- 7 b. To adopt rules in accordance with Article 2A of Chapter 150B of the
- 8 General Statutes regarding all aspects of charter school operation,
- 9 including time lines, standards, and criteria for acceptance and
- 10 approval of applications, monitoring of charter schools, and grounds
- 11 for revocation of charters.
- 12 c. To oversee the process for accepting and approving applications for
- 13 charters and to make final approval of charter applications.
- 14 d. To oversee the process for monitoring the operation of charter
- 15 schools with the assistance and counsel of staff from the Department
- 16 of Public Instruction.
- 17 e. To take any actions regarding a charter school, including renewals of
- 18 charters, nonrenewals of charters, and revocation of charters.
- 19 f. To undertake any duties and responsibilities consistent with the
- 20 above powers and duties and incident thereto.
- 21 (11) The State Board shall have the authority to veto by a three-fourths vote any
- 22 action adopted by vote of the Charter Board if the State Board's veto vote is
- 23 taken within 45 days of the date the Charter Board voted to adopt the
- 24 action.";

25  
26 and on page 15, line 26, by rewriting that line to read:

27 "SECTION 6. Notwithstanding G.S. 115C-238.29A, as amended by this act,  
28 initial".

29  
30  
31  
  
SIGNED \_\_\_\_\_  
Amendment Sponsor

**The official copy of this document, with signatures  
and vote information, is available in the  
Senate Principal Clerk's Office**