

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 1096
PROPOSED COMMITTEE SUBSTITUTE H1096-PCS40656-MKa-7

Short Title: UNC Omnibus Changes/UNC Lab School Funds.

(Public)

Sponsors:

Referred to:

May 14, 2020

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES RELATED TO THE UNIVERSITY OF NORTH
3 CAROLINA SYSTEM AND TO PROVIDE FUNDS FOR THE UNIVERSITY OF NORTH
4 CAROLINA LABORATORY SCHOOLS.

5 The General Assembly of North Carolina enacts:

6
7 **PART I. REPEAL BOG MANDATORY REVIEW OF CERTAIN UNC HUMAN**
8 **RESOURCES ACTIONS**

9 SECTION 1. G.S. 116-17.3 is repealed.

10
11 **PART II. UNC LABORATORY SCHOOL MODIFICATIONS/FUNDS**

12 SECTION 2.(a) G.S. 116-239.5(a) reads as rewritten:

13 "(a) The Board of Governors, upon recommendation by the President, shall designate ~~at~~
14 ~~least nine~~ constituent institutions to submit proposals to establish at least nine laboratory schools
15 in total to serve public school students in accordance with the provisions of this Article. The
16 Board of Governors shall select constituent institutions with high-quality educator preparation
17 programs as demonstrated by the annual performance measures reported by the constituent
18 institutions in accordance with G.S. 115C-296.35. The Board of Governors' Subcommittee on
19 Laboratory Schools established under G.S. 116-239.7 shall review the proposals and approve at
20 least nine of the proposals to establish laboratory schools. The Subcommittee may select a
21 constituent institution to operate more than one laboratory school. The Subcommittee shall
22 oversee the operations of those laboratory schools to meet the purposes set forth in this Article."

23 SECTION 2.(b) G.S. 116-239.5 is amended by adding a new subsection to read:

24 "(e) In addition to all other immunities provided to them by applicable State law, the
25 Subcommittee, chancellor, the constituent institution, an advisory board, and a laboratory school,
26 and their members, employees, and agents shall be entitled to the specific immunities provided
27 for in Chapter 115C of the General Statutes applying to the State Board of Education,
28 Superintendent of Public Instruction, a local board of education, a local school administrative
29 unit, and their members and employees. Any such immunity to liability established by this
30 subsection shall not extend to gross negligence, wanton conduct, or intentional wrongdoing that
31 would otherwise be actionable. Immunity established by this subsection shall be deemed to be
32 waived to the extent of indemnification under Article 31A and Article 31B of Chapter 143 of the
33 General Statutes and to the extent sovereign immunity is waived under the Tort Claims Act, as
34 set forth in Article 31 of Chapter 143 of the General Statutes."

35 SECTION 2.(c) G.S. 116-239.7 reads as rewritten:



* H 1 0 9 6 - P C S 4 0 6 5 6 - M K A - 7 *

1 **"§ 116-239.7. The Board of Governors' Subcommittee on Laboratory Schools; selection of**
2 **laboratory schools; creation of a laboratory school; dissolution.**

3 ...

4 (a1) Approval of Laboratory Schools. – The Board of Governors, upon the
5 recommendation of the President, shall designate ~~at least nine~~ constituent institutions to establish
6 and operate a total of at least nine laboratory schools. The chancellor of each constituent
7 institution shall adopt and submit to the Subcommittee a proposal to operate ~~a one or more~~
8 laboratory school ~~schools in a one or more~~ local school administrative ~~unit~~ units that ~~meets~~ meet
9 the minimum threshold for the number of low-performing schools located in ~~the a~~ unit under
10 G.S. 116-239.6(4). The proposal shall include the governance structure of the laboratory school.
11 The Subcommittee shall evaluate the proposals for approval or disapproval by considering the
12 design components and the strategic focus of the laboratory school and any other standards
13 developed by the Subcommittee to be applicable to all laboratory schools. The Subcommittee
14 shall also consider the location of each laboratory school so that, to the extent possible, there is
15 a geographically diverse distribution of the laboratory schools throughout the ~~State and a~~
16 ~~maximum of one laboratory school located in a qualifying local school administrative unit.~~ State.
17 From the proposals submitted to the Subcommittee, the Subcommittee shall approve the
18 establishment of at least nine laboratory schools.

19 (a2) Waiver for Certain Local School Administrative Units. – Notwithstanding subsection
20 (a1) of this section, a chancellor may submit a proposal to the Subcommittee to locate a
21 laboratory school in a local school administrative unit that does not meet the minimum threshold
22 for the number of low-performing schools located in the unit under G.S. 116-239.6(4) if the
23 proposal demonstrates that the laboratory school shall primarily serve students who did not meet
24 expected growth in the prior school year in accordance with G.S. 116-239.9(c1). The
25 Subcommittee may waive the requirement for the number of low-performing schools in a local
26 school administrative unit for the location of a laboratory school, for up to a total of ~~three~~ six
27 laboratory schools established under this Article, only if both of the following conditions are met
28 for the laboratory school:

- 29 (1) The proposal has been submitted jointly by the chancellor and the local school
30 administrative unit in which the laboratory school will be located.
31 (2) The Subcommittee determines that the proposed location would satisfy the
32 purposes set forth in G.S. 116-239.5.

33 (b) Resolution by the Subcommittee to Approve a Laboratory School. – The
34 Subcommittee shall adopt a resolution upon the approval of each laboratory school, which shall
35 include the following:

- 36 (1) Name of the laboratory school.
37 (2) The local school administrative unit in which the laboratory school shall be
38 located.
39 (3) A term of operation for the laboratory school of five years from the date of
40 initial operation. At the end of the initial five years of operation, the
41 Subcommittee shall renew the term of operation for additional five-year
42 periods under the resolution if the laboratory school is still located in a local
43 school administrative unit that has twenty-five percent (25%) or more of the
44 schools located in the unit identified as low-performing under
45 G.S. 115C-105.37, or if the Subcommittee renews a waiver of this
46 requirement under subsection (a2) of this ~~section, the resolution may be~~
47 ~~renewed by the Subcommittee at the end of the term for an additional five~~
48 ~~years.~~ section. If the laboratory school is no longer (i) located in a qualifying
49 local school administrative unit or (ii) meeting the purposes of this Article
50 under a waiver at the end of five years, the Subcommittee shall may renew the
51 term of operation for additional five-year periods under the resolution if the

1 Subcommittee finds the school is successfully meeting its mission to improve
2 student performance and provide valuable exposure and training for teachers
3 and principals in the constituent institution's educator preparation program.
4 The Subcommittee may terminate operation of any laboratory school during
5 the initial term of operation or during a five-year renewal period if the
6 Subcommittee finds it is failing to meet expected progress toward meeting the
7 mission of the school consistent with the requirements of this Article. The
8 Subcommittee shall notify the Board of Governors of the end of the term of
9 operation of a laboratory school and request designation of additional
10 constituent institutions with educator preparation programs to establish a
11 laboratory school in accordance with the provisions of this Article.

12"

13 **SECTION 2.(d)** G.S. 116-239.8(b)(4) reads as rewritten:

14 "(4) Food and transportation services. – The local school administrative unit in
15 which the laboratory school is located shall provide ~~food services and~~
16 transportation to students ~~attending who reside in the local school~~
17 administrative unit and attend the laboratory school, including any
18 students who are homeless and require assistance pursuant to 42 U.S.C. §
19 11301, et seq., the McKinney-Vento Homeless Assistance Act. The
20 requirement to provide transportation to students residing in the local school
21 administrative unit shall (i) apply regardless of where a laboratory school
22 student resides in the unit or how the unit's transportation policies and
23 practices are applied to other students and (ii) include providing transportation
24 of students and personnel for laboratory school extracurricular activities and
25 educational trips in the same manner as other schools in the unit for that school
26 year. The local school administrative unit in which the laboratory school is
27 located shall ~~administer~~ administer, at its cost, the National School Lunch
28 Program for the laboratory school in accordance with G.S. 115C-264. The
29 chancellor shall arrange for the provision of these services from the local
30 school administrative unit."

31 **SECTION 2.(e)** G.S. 116-239.9 reads as rewritten:

32 **"§ 116-239.9. Student admissions and assignment.**

33 (a) A child shall be eligible to attend a laboratory school if the child resides in the local
34 school administrative unit in which a laboratory school is located and meets at least one of the
35 following criteria:

- 36 (1) Is assigned to a low-performing school, as defined by G.S. 115C-105.37 at the
37 time of the student's application.
38 (2) Did not meet expected growth in the prior school year based on one or more
39 indicators listed in subsection (c1) of this section.
40 (3) Is the sibling of a child who is eligible under subdivision (1) or (2) of this
41 subsection.
42 (4) Is the child of a laboratory school employee.

43 (b) No local board of education shall require any student enrolled in the local school
44 administrative unit to attend a laboratory school.

45 (c) During each period of enrollment, the laboratory school shall enroll an eligible student
46 under subsection (a) of this section who submits a timely application, up to the capacity of a
47 program, class, grade level, or building, in the order in which applications are received. Once
48 enrolled, students are not required to reapply in subsequent enrollment periods. The laboratory
49 school may give enrollment priority to the sibling of an enrolled student who attended the
50 laboratory school in the prior school year.

1 (c1) For the purposes of this Article, any of the following shall serve as indicators that a
2 student did not meet expected student growth in the prior school year: (i) grades, (ii) observations,
3 (iii) diagnostic and formative assessments, (iv) State assessments, or (v) other factors, including
4 reading on grade level.

5 (c2) Notwithstanding the requirements of subsection (a) of this section, if a laboratory
6 school has not reached enrollment capacity in a program, class, grade level, or building by March
7 1, prior to the start of the next school year, the laboratory school may enroll children who reside
8 in the local school administrative unit in which the laboratory school is located but do not meet
9 one of the criteria set forth in subdivisions (1) through (4) of subsection (a) of this section for up
10 to twenty percent (20%) of the total capacity of the program, class, grade level, or building.

11 (d) Notwithstanding any law to the contrary, a laboratory school may refuse admission
12 to any student who has been expelled or suspended from a public school under G.S. 115C-390.5
13 through G.S. 115C-390.11 until the period of suspension or expulsion has expired.

14 (e) Within one year after a laboratory school begins operation, the laboratory school shall
15 make reasonable efforts in the recruitment process for the population of the school to reasonably
16 reflect the racial, ethnic, and socioeconomic composition of the general population of the students
17 residing within the local school administrative unit in which the school is located. A laboratory
18 school shall not unlawfully discriminate when making admissions determinations."

19 **SECTION 2.(f)** Section 11.6(d) of S.L. 2016-94, as amended by Section 4 of S.L.
20 2017-117, reads as rewritten:

21 "**SECTION 11.6.(d)** Notwithstanding G.S. 116-239.5, (i) at least ~~nine~~ six laboratory schools
22 shall be established pursuant to Article 29A of Chapter 116 of the General Statutes, as enacted
23 by this section, and in operation by the beginning of the ~~2019-2020-2020-2021~~ school year and
24 (ii) at least an additional three laboratory schools shall be established pursuant to Article 29A of
25 Chapter 116 of the General Statutes and in operation by the beginning of the 2022-2023 school
26 year."

27 **SECTION 2.(g)** There is appropriated from the General Fund to the Board of
28 Governors of The University of North Carolina the sum of five hundred thousand dollars
29 (\$500,000) in recurring funds for the 2020-2021 fiscal year for administrative and technical
30 assistance related to the UNC Teacher and Principal Preparation Laboratory School Program for
31 support services. These funds shall not be used to create new positions or to hire additional
32 consultants for The University of North Carolina System Office.

33 **SECTION 2.(h)** Subsection (g) of this section becomes effective July 1, 2020. The
34 remainder of this section is effective when the act becomes law. Subsection (b) of this section
35 applies to an action or omission of an action occurring on or after the date this act becomes law.
36 Subsections (d) and (e) of this section apply beginning with the 2020-2021 school year.
37

38 **PART III. EXTEND REPORT DATE FOR UNC BOARD OF GOVERNORS PLANNING** 39 **TASK FORCE**

40 **SECTION 3.** Section 36.6 of S.L. 2018-5 reads as rewritten:

41 "**SECTION 36.6.(a)** There is created the UNC Board of Governors Planning Task Force.
42 The Task Force shall consist of four current Board members appointed by the Board of
43 Governors, one of whom shall be designated as chair. These appointments shall be made no later
44 than August 1, 2018.

45 "**SECTION 36.6.(b)** The Task Force shall conduct a systemwide analysis of the capital
46 needs of the campuses of each constituent institution in relation to the Science Technology
47 Engineering and Mathematics (STEM) subject area, taking into account the strengths,
48 weaknesses, opportunities, and needs of each constituent institution, and any regional similarities
49 and differences. The Task Force shall also consider the impact of any relevant programmatic
50 planning elements being currently utilized that could be implemented as a best-practice among
51 other similar programmatic areas to encourage systemwide efficiencies. In particular, the Task

1 Force shall consider the capital needs relating to the Brody School of Medicine at East Carolina
2 University, the UNC Applied Physical Sciences and Institute for Convergent Science in Chapel
3 Hill, and other STEM projects to determine areas where capital funds may be used more
4 efficiently and effectively. The Task Force shall use the information gathered pursuant to this
5 subsection to compile a UNC System Plan.

6 "**SECTION 36.6.(c)** The three million dollars (\$3,000,000) appropriated to the Board of
7 Governors of The University of North Carolina in Section 36.2 of this act shall be used by the
8 Task Force in conducting the analysis described in subsection (b) of this section. On or before
9 ~~April 1, 2019,~~ July 30, 2020, the Task Force shall submit a report containing the UNC System
10 Plan and any legislative recommendations to the Joint Legislative Capital Improvements
11 Oversight Committee and the Fiscal Research Division."
12

13 **PART IV. MODIFY FUTURE TEACHERS OF NORTH CAROLINA**

14 **SECTION 4.(a)** G.S. 116-41.30(b) reads as rewritten:

15 "(b) Program. – FTNC shall be a ~~program providing professional development and~~
16 ~~curricula for courses that provide selective, application-based symposium for high school juniors~~
17 ~~and seniors, offering a challenging introduction to teaching as a profession for high school~~
18 ~~students through courses offered by participating high schools in conjunction with college~~
19 ~~partners.~~ profession. FTNC courses shall include both content on pedagogy and the profession
20 of teaching and field experiences for high school students. provide instruction on pedagogy, ethics
21 and professionalism, child development, successful teaching strategies and classroom
22 management practices, effective lesson planning, assessment and intervention, and requirements
23 of teacher licensure. The FTNC Symposium should provide practical benefits to participating
24 students, which may include interaction with current educators, administrators, and educator
25 preparation program faculty members; a simulated student teaching experience; and information
26 about financial aid and scholarship opportunities."

27 **SECTION 4.(b)** G.S. 116-41.31 reads as rewritten:

28 "**§ 116-41.31. Oversight of Future Teachers of North Carolina.**

29 (a) ~~FTNC General Administration–System Office.~~ – FTNC shall be administratively
30 located in The University of North Carolina System Office. The President shall ~~select three~~
31 ~~constituent institutions with highly successful schools of education located in the western,~~
32 ~~central, and eastern regions of the State, respectively, to collaborate on development of curricula~~
33 ~~for FTNC and to provide professional development to high school teachers who will teach FTNC~~
34 ~~courses. The three constituent institutions shall also work with other constituent institutions and~~
35 ~~other institutions of higher education in the State to seek input in the development of curricula~~
36 ~~and professional development for FTNC and to create a network of college faculty to provide~~
37 ~~support to high schools offering FTNC courses.~~ establish a Future Teachers of North Carolina
38 Advisory Council (FTNC Council) to oversee the FTNC program. At the President's discretion,
39 the FTNC Council shall coordinate with constituent institutions to utilize expertise from
40 administrators, faculty, and staff members of institutions of higher education in designing the
41 agenda and instructional content for the FTNC Symposium. The FTNC Council shall ensure
42 diverse representation of the educator preparation programs represented at the FTNC
43 Symposium. The FTNC Council shall also be responsible for creating an application process for
44 interested high school students, reviewing submitted applications, selecting students to attend,
45 and recruitment and outreach efforts.

46 (b) ~~FTNC Site Applications.~~ – ~~All high schools in the State are encouraged to offer FTNC~~
47 ~~courses to students. A high school shall apply to offer FTNC courses with the geographically~~
48 ~~appropriate constituent institution overseeing FTNC and shall ensure that all teachers teaching~~
49 ~~FTNC courses have received appropriate training. High schools shall also seek a partner~~
50 ~~institution of higher education to provide support from college faculty. High schools participating~~
51 ~~in the FTNC program shall report demographic, survey, and other available outcome data to The~~

1 University of North Carolina System Office as necessary for completion of the FTNC annual
2 report required by G.S. 116-41.32.

3 (e) ~~FTNC Institution of Higher Education Partners.—~~ Constituent institutions that partner
4 with high schools shall offer dual credit for high school students who successfully complete the
5 FTNC course with a grade of "B" or higher. Other institutions of higher education that partner
6 with high schools are encouraged to offer dual credit for high school students who successfully
7 complete the FTNC course with a grade of "B" or higher. Constituent institutions shall provide
8 annually to The University of North Carolina System Office data on students who have received
9 dual credit for completion of an FTNC course and students who applied for admission into an
10 educator preparation program at a constituent institution who indicated in the application for
11 admission that the student completed an FTNC course. Other institutions of higher education are
12 encouraged to provide annually to The University of North Carolina System Office data on
13 students who have received dual credit for completion of an FTNC course and students who
14 applied for admission into an educator preparation program at the institution of higher education
15 who indicated in the application for admission that the student completed an FTNC course."

16 **SECTION 4.(c)** G.S. 116-41.32 reads as rewritten:

17 **"§ 116-41.32. Future Teachers of North Carolina reporting.**

18 The University of North Carolina System Office shall report annually, beginning October 15,
19 ~~2019, 2021~~, on the following:

- 20 (1) ~~Total number and names of local school administrative units with List of high~~
21 ~~schools and local school administrative units represented by participating in~~
22 ~~FTNC, total number and names of high schools offering FTNC, partner~~
23 ~~institution of higher education for each high school, and number of sections~~
24 ~~of the course being offered at each high school.~~students.
- 25 (1a) Number of students who submitted an application to attend the FTNC
26 Symposium.
- 27 (1b) Number of students attending the FTNC Symposium, including distribution
28 by region.
- 29 (2) Demographic information of students enrolled in FTNC courses attending the
30 FTNC Symposium.
- 31 (2a) Description of the event agenda and content.
- 32 (3) Percentage of students who, after completing the course, attending the FTNC
33 Symposium, reported the following:
- 34 a. The student plans to choose teaching as a profession.
- 35 a1. The student plans to enroll in a community college, a constituent
36 institution, a private postsecondary institution located in North
37 Carolina, or a postsecondary institution located in another state.
- 38 b. ~~The course—FTNC Symposium~~ was very or somewhat effective in
39 helping the student formulate a positive perception of the education
40 profession.
- 41 c. ~~The coursework and activities—FTNC Symposium~~ increased the
42 student's knowledge of the teaching profession and other careers in
43 education.
- 44 d. ~~The field experience helped the student understand the many factors~~
45 ~~that contribute to effective teaching.~~
- 46 (4) ~~Percentage of students who completed an FTNC course who received dual~~
47 ~~credit for successful completion of the course, by institution.~~
- 48 (5) ~~Percentage of students who completed an FTNC course who applied for~~
49 ~~admission into an educator preparation program, by institution.~~
- 50 (6) ~~Number of teachers provided professional development for FTNC."~~
- 51

PART V. MODIFY NC TEACHING FELLOWS PROGRAM

SECTION 5.(a) G.S. 116-209.62, as amended by subsections (b) and (c) of this section, reads as rewritten:

"§ 116-209.62. North Carolina Teaching Fellows Program established; administration.

...

(f) Program Selection Criteria. – The Authority shall administer the Program in cooperation with ~~five~~ up to eight institutions of higher education with approved educator preparation programs selected by the Commission that represent a diverse selection of both postsecondary constituent institutions of The University of North Carolina and private postsecondary institutions operating in the State. The Commission shall adopt stringent standards for selection of the most effective educator preparation programs, including the following:

- (1) Demonstrates high rates of educator effectiveness on value-added models and teacher evaluations, including using performance-based, subject-specific assessment and support systems, such as edTPA or other metrics of evaluating candidate effectiveness that have predictive validity.
- (2) Demonstrates measurable impact of prior graduates on student learning, including impact of graduates teaching in STEM or special education licensure areas.
- (3) Demonstrates high rates of graduates passing exams required for teacher licensure.
- (4) Provides curricular and co-curricular enhancements in leadership, facilitates learning for diverse learners, and promotes community engagement, classroom management, and reflection and assessment.
- (5) Requires at least a minor concentration of study in the subject area that the candidate may teach.
- (6) Provides early and frequent internship or practical experiences, including the opportunity for participants to perform practicums in diverse school environments.
- (7) Is approved by the State Board of Education as an educator preparation program.

(g) Awards of Forgivable Loans. – The Program shall provide forgivable loans to selected students to be used at ~~the five~~ up to eight selected institutions for completion of a program leading to initial teacher licensure as follows:

...."

SECTION 5.(b) G.S. 116-209.62(c)(3) reads as rewritten:

"(3) The Authority shall provide the Commission with up to six hundred thousand dollars (\$600,000) from the Trust Fund in each fiscal year for the Commission to provide mentoring and coaching support to forgivable loan recipients through the North Carolina New Teacher Support Program ~~as follows:~~

- a. ~~Up in an amount of up to two thousand two hundred dollars (\$2,000) (\$2,200) for each Program recipient-recipient. Funds shall be prioritized for teachers serving as a teacher in a North Carolina public school-schools identified as low-performing under G.S. 115C-105.37.~~
- b. ~~Up to one thousand dollars (\$1,000) for each Program recipient serving as a teacher in a North Carolina public school not identified as low-performing under G.S. 115C-105.37."~~

SECTION 5.(c) G.S. 116-209.62(g)(4) reads as rewritten:

"(4) Students matriculating at institutions of higher education who are changing to enrollment in an approved program of study at a selected educator preparation program. – Forgivable loans of up to four thousand one hundred twenty-five dollars (\$4,125) per semester for up to four semesters."

1 **SECTION 5.(d)** Subsection (a) of this section applies to the award of forgivable
2 loans beginning with the 2021-2022 academic year. Subsection (b) of this section becomes
3 effective July 1, 2020.

4
5 **PART VI. CERTAIN UNC CAPITAL PROJECTS**

6 **SECTION 6.(a)** G.S. 143C-8-13 reads as rewritten:

7 "**§ 143C-8-13. Repairs and Renovations.**

8 (a) Use of Funds. – ~~Funds~~ Except as otherwise provided for in this section, funds for
9 repairs and renovations shall be available for expenditure only upon an act of appropriation by
10 the General Assembly. Funds appropriated for repairs and renovations shall be used only for
11 State facilities and related infrastructure that are supported from the General Fund or the State
12 Capital and Infrastructure Fund and for Department of Information Technology facilities and
13 related infrastructure. Funds appropriated for repairs and renovations projects shall not be used
14 for new construction or the expansion of the building area (sq. ft.) of an existing facility unless
15 required in order to comply with federal or State codes or standards. Allowable projects include
16 any of the following:

17 ...

18 (c) Notwithstanding any provision of G.S. 143C-8-7 to the contrary, the chancellor of a
19 constituent institution of The University of North Carolina may pay for projects for repairs and
20 renovations with funds available to the constituent institution according to the following:

21 (1) The project meets all of the following requirements:

22 a. The total project costs do not exceed one million dollars (\$1,000,000).

23 b. The project is one of the types set forth in subdivisions (1) through
24 (13) of subsection (a) of this section, regardless of whether the relevant
25 facilities and related infrastructure are supported from the General
26 Fund or the State Capital and Infrastructure Fund.

27 (2) The constituent institution reports on projects undertaken pursuant to this
28 subsection to the Board of Governors of The University of North Carolina and
29 the Fiscal Research Division on a quarterly basis. The report shall include all
30 of the following information for each project:

31 a. The facility at which the project is being undertaken.

32 b. The nature and scope of the project.

33 c. The source of funds for the project.

34 d. The category of projects set forth in subsection (a) of this section that
35 the project falls within.

36 (3) Any funds from a General Fund appropriation that are contractually obligated
37 for a project pursuant to this subsection shall not revert at the end of the fiscal
38 year but shall remain available to fund the completion of the project.

39 (d) In making campus allocations of funds allocated to the Board of Governors of The
40 University of North Carolina for the purposes described in subsection (a) of this section, the
41 Board of Governors shall negatively weight the availability of non-State resources and
42 carryforward funds available for repair and renovations and shall include information about the
43 manner in which this subsection was complied with in any report submitted pursuant to this
44 section."

45 **SECTION 6.(b)** This section becomes effective July 1, 2020.

46
47 **PART VII. EXEMPT UNC-OPERATED ELEMENTARY AND SECONDARY**
48 **SCHOOLS FROM PUBLIC SCHOOL UNIT DEFINITION**

49 **SECTION 7.** G.S. 115C-5(7a) reads as rewritten:

50 "(7a) Public school unit. – Any of the following:

51 a. A local school administrative unit.

- 1 b. A charter school.
 2 c. A regional school.
 3 d. A school providing elementary or secondary instruction operated by
 4 one of the following:
 5 1. The State Board of Education, including schools operated
 6 under Article 7A and Article 9C of this Chapter.
 7 2. ~~The University of North Carolina, including schools operated~~
 8 ~~under Articles 4, 29, and 29A of Chapter 116 of the General~~
 9 ~~Statutes."~~

11 **PART VIII. POLICE OFFICER POSITION EXEMPTION**

12 **SECTION 8.** G.S. 126-5 is amended by adding a new subsection to read:

13 "(c16) Except as to the provisions of Articles 6, 7, and 8 of this Chapter, the provisions of
 14 this Chapter shall not apply to commissioned police officer positions of the University of North
 15 Carolina. Employees in positions covered by this exception shall be eligible for all employment
 16 and retirement benefits provided to State law enforcement officers subject to this Chapter."

18 **PART IX. REMOVE DEBT SERVICE FEES FROM THE STUDENT FEE CAP DETERMINATION**

19 **SECTION 9.** G.S. 116-143.10 reads as rewritten:

20 "**§ 116-143.10. Cap on student fees.**

21 Notwithstanding G.S. 116-143 and G.S. 116-11(7), the Board of Governors of The
 22 University of North Carolina and the Board of Trustees at each constituent institution may
 23 increase the cumulative total of all undergraduate student fees approved by either the Board of
 24 Governors or the Board of Trustees by no more than three percent (3%) per academic year. Debt
 25 service fees shall not be included in determining the cumulative total of all undergraduate student
 26 fees for the purposes of this section."

29 **PART X. MILLENNIAL CAMPUS DESIGNATION FOR UNC-AFFILIATED INSTITUTIONS**

30 **SECTION 10.(a)** G.S. 116-198.33 reads as rewritten:

31 "**§ 116-198.33. Definitions.**

32 As used in this Article, the following words and terms shall have the following meanings,
 33 unless the context shall indicate another or different meaning or intent:

34 ...

- 35 (3) The word "Institution" shall mean North Carolina State University at Raleigh
 36 and the University of North Carolina at Chapel Hill, or a constituent institution
 37 or affiliated institution of The University of North Carolina with a Millennial
 38 Campus as defined by G.S. 116-198.33(4b).

39 ...

- 40 (4b) The term "Millennial Campus" means all real property and appurtenant
 41 facilities designated by the Board of Governors as part of a Millennial Campus
 42 of a constituent institution or affiliated institution of The University of North
 43 Carolina other than North Carolina State University or the University of North
 44 Carolina at Chapel Hill. The properties designated by the Board of Governors
 45 do not have to be contiguous with the constituent institution or an affiliated
 46 institution to be designated as part of the institution's Millennial Campus.

47 "

48 **SECTION 10.(b)** G.S. 116-198.34(8b) reads as rewritten:

49 "(8b) Acting on recommendation made by the President of The University of North
 50 Carolina after consultation by the President with the Chancellor and the Board
 51

1 of Trustees of a constituent institution, or by the President with the chief
2 executive officer or equivalent executive position for an affiliated institution,
3 to designate real property held by, or to be acquired by, a constituent
4 institution or an affiliated institution as a "Millennial Campus" of the
5 institution. That designation shall be based on an express finding by the Board
6 of Governors that the institution desiring to create a "Millennial Campus" has
7 the administrative and fiscal capability to create and maintain such a campus
8 and provided further, that the Board of Governors has found that the creation
9 of the constituent institution's or affiliated institution's "Millennial Campus"
10 will enhance the institution's research, teaching, and service missions as well
11 as enhance the economic development of the region served by the institution.
12 Upon formal request by the ~~constituent~~-institutions, the Board of Governors
13 may authorize two or more ~~constituent~~-institutions which meet the
14 requirements of this section to create a joint Millennial Campus."
15

16 **PART XI. NC ARBORETUM SPECIALTY PLATE**

17 **SECTION 11.(a)** G.S. 20-63(b1) is amended by adding a new subdivision to read:

18 "Q The North Carolina Arboretum."

19 **SECTION 11.(b)** The Revisor of Statutes is authorized to alphabetize, number, and
20 renumber the special registration plates listed in G.S. 20-63(b1) to ensure that all the special
21 registration plates are listed in alphabetical order and numbered accordingly.

22 **SECTION 11.(c)** The plate authorized by this section is not subject to the
23 requirements to establish a new special registration plate in G.S. 20-79.3A.
24

25 **PART XII. APPLICABILITY OF HOUSE BILL 966, 2019 REGULAR SESSION**

26 **SECTION 12.(a)** If House Bill 966, 2019 Regular Session, becomes law,
27 subsections (a) and (b) of Section 39.8 and Sections 8.4, 8.5, 8.6, 8.12, and 8A.6 of that act are
28 repealed.

29 **SECTION 12.(b)** If House Bill 966, 2019 Regular Session, becomes law, and any
30 provision of that act or a provision of the Committee Report described in Section 42.2 of that act
31 conflicts with this act, this act shall control.
32

33 **PART XIII. EFFECTIVE DATE**

34 **SECTION 13.** Except as otherwise provided, this act is effective when it becomes
35 law.