

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 654

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

S654-AMK-26 [v.6]

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Amends Title [NO]
Fifth Edition

Date _____, 2021

Representative Meyer

1 moves to amend the bill on page 13, line 46, by increasing the dollar amount on that line by
2 \$10,000,000; and

3
4 on page 13, lines 49-50, by rewriting those lines to read:

5
6 "G.S. 115C-302.1, for the 2021-2024 school years, a veteran teacher,
7 beginning teacher, or growth teacher may apply to his or her principal to be
8 employed for a term of 11"; and

9
10 on page 14, line 8, by rewriting the line to read:

11
12 "a. Beginning teacher. – A teacher with three years or less experience as
13 a licensed teacher.
14 a1. Growth teacher. – A teacher who received a bonus in January of
15 2020,"; and

16
17 on page 17, line 19, through page 19, line 25, by deleting those lines; and

18
19 on page 19, lines 33-48, by rewriting those lines to read:

20 **"SECTION 12.(c) Student Success Program. -** Within the funds available pursuant
21 to subdivision (6) of this subsection, the Department shall contract with the State Education
22 Assistance Authority (Authority) to establish and administer the Student Success Program to
23 allow parents of eligible children to use federal funds intended to mitigate the negative impacts
24 of COVID-19 towards allowable educational uses of their choice to address student learning loss
25 and provide supplemental educational support. However, prior to the expenditure of any funds
26 provided under this subdivision, the Department of Public Instruction shall obtain a letter of
27 determination from the United States Department of Education that the use of funds as required
28 by this subdivision is consistent with federal law and guidelines for the expenditure of funds from
29 the Elementary and Secondary School Emergency Relief Fund under the Coronavirus Aid,
30 Relief, and Economic Security Act. Upon receipt of the determination letter from the United
31 States Department of Education that the funds may be used for this purpose, the Student Success
32 Program (Program) shall be established according to the following:



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- 1 (1) Program established; eligibility. – The Authority shall provide a one-time
2 grant to eligible children through the Program. Grants awarded to eligible
3 children shall be in an amount of one thousand dollars (\$1,000) per child. For
4 the purposes of this subdivision, an "eligible child" shall be a child residing in
5 North Carolina who has not yet received a high school diploma and who meets
6 all of the following requirements:
7 a. Is eligible to attend a North Carolina public school pursuant to
8 G.S. 115C-366.
9 b. Has not enrolled in a postsecondary institution in a matriculated status
10 eligible for enrollment for 12 hours of academic credit.
11 c. Resides in a household with an income level not in excess of one
12 hundred fifty percent (150%) of the amount required for a student to
13 qualify for the federal free or reduced-price lunch program.
14 (2) Applications; priority of awards. – The Authority shall make information on
15 the Program and the application process available on its website. Grants shall
16 be awarded to eligible children during the application period established by
17 the Authority in the order they are received according to the following priority
18 schedule:
19 a. Awards shall first be awarded to eligible children who reside in
20 households with an income level below the federal poverty level.
21 b. After the application period is open for two months, grants may also
22 be awarded to eligible children who reside in households with an
23 income level at the amount required for a student to qualify for the free
24 or reduced-price lunch program.
25 c. After the application period is open for four months, grants may also
26 be awarded to eligible children who reside in households with an
27 income level not in excess of one hundred fifty percent (150%) of the
28 amount required for a student to qualify for the free or reduced-price
29 lunch program.
30 (3) Use of grant funds. – The Authority shall enter into a written agreement with
31 the recipient of the grant to only use the funds for the following allowable
32 expenditures prior to the receipt of the funds:
33 a. Tutoring services provided by an educator licensed by North Carolina,
34 a person with experience teaching in higher education, or a person who
35 has a bachelor's degree or graduate degree in the subject area in which
36 tutoring is provided.
37 b. Textbooks, curriculum, or other instructional materials.
38 c. Therapies for children with disabilities from a licensed or accredited
39 practitioner or provider, including, but not limited to, occupational,
40 behavioral, physical, and speech language therapies.
41 d. Educational programs or courses offered for a fee or pursuant to
42 contract by a local educational agency, charter school, nonpublic

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- 1 school, institution of higher education, or career and technical
2 education program.
- 3 e. Fees for national standardized assessments, advanced placement
4 examinations, examinations related to college or university
5 admissions, or industry recognized certification examinations.
6 Grant funds must be spent by the recipient no later than September 1,
7 2023. Any unexpended funds remaining after September 1, 2023, shall
8 be returned to the Authority and to the Department of Public
9 Instruction.
- 10 (4) Authorizations; limitations. – Household members of applicants for grants
11 shall authorize the Authority to access information needed for verification of
12 applications that are held by other State agencies, including the Department
13 of Revenue, the Department of Health and Human Services, and the
14 Department of Public Instruction. Any personally identifiable information
15 included in an application related to eligible children receiving grants shall
16 not be a public record under Chapter 132 of the General Statutes. For the
17 purposes of this sub-subdivision, personally identifiable information means
18 any information directly related to a child or members of a child's household,
19 including the name, birthdate, address, social security number, telephone
20 number, email address, financial information, or any other information or
21 identification number that would provide information about a specific child or
22 members of a specific child's household.
- 23 (5) Administration. – The Authority may contract with outside organizations to
24 administer the Program, including a vendor that provides a virtual e-wallet
25 platform and an e-commerce marketplace. The outside organizations may also
26 include vendors, auditing firms, or financial institutions who can restrict the
27 use of funds to allowable expenditures or firms that preauthorize allowable
28 expenditures. Up to five percent (5.0%) of the funds available for the Program
29 may be used for administrative costs, including to contract with outside
30 organizations. The Authority shall adopt any necessary rules for the
31 administration of the Program.
- 32 (6) Funds for the Program. – Notwithstanding Section 5A of S.L. 2021-1, as
33 enacted by Section 1.2 of S.L. 2021-3, or any other provision of law to the
34 contrary, after August 15, 2021, any unencumbered funds remaining from the
35 funds made available in the Elementary and Secondary School Emergency
36 Relief II Fund and reserved pursuant to subsection (c1) of Section 5 of S.L.
37 2021-1, as enacted by Section 1.3 of S.L. 2021-3, except for those funds
38 reserved for the purposes set forth under subdivisions (6), (8), (9), (13), and
39 (14) of Section 5A of S.L. 2021-1, shall be used for the purposes of the
40 Program.
- 41 (7) Determination Letter. - Within 15 days of the date this act becomes law, the
42 Department of Public Instruction shall seek a letter of determination from the
43 United States Department of Education regarding the establishment of the

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1 Student Success Program pursuant to this subsection and whether the use of
2 funds for the Program is consistent with federal law and guidelines for the
3 expenditure of funds from the Elementary and Secondary School Emergency
4 Relief Fund under the Coronavirus Aid, Relief, and Economic Security Act,
5 as described under the authorizing legislation. Upon receipt of the
6 determination letter from the United States Department of Education, the
7 Department of Public Instruction shall notify the Authority of a determination
8 of consistency or inconsistency with federal law and guidelines on the use of
9 funds under the proposed Program and the authorizing legislation. If the letter
10 contains a determination that the use of funds is consistent with federal law
11 and guidelines, as described under the authorizing legislation, the Authority
12 shall open the application period for grants under subdivision (2) of this
13 subsection, within 30 days of notification from the Department of Public
14 Instruction."; and
15
16 by adjusting the appropriate totals accordingly.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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