

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 105

AMENDMENT NO. A20
(to be filled in by
Principal Clerk)

S105-AMM-19 [v.19]

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Amends Title [NO]
Fifth Edition

Date _____, 2021

Representative Lofton

1 **PART I. GENERAL PROVISIONS**

2
3 Moves to amend the bill on page 39, line 38, through page 41, line 3, by deleting those lines.;
4 and

5
6 **PART II. EDUCATION**

7
8 on page 87, line 28, through page 94, line 49, by deleting those lines; and

9
10 on page 96, lines 26-33, by rewriting the lines to read:

11 "(a) ~~Local boards of education~~ Governing bodies of public school units, in consultation
12 with teachers, school-based administrators, and parents, shall adopt policies to govern the
13 conduct of students and establish procedures to be followed by school officials in disciplining
14 students. These policies must be consistent with the provisions of this Article and the
15 constitutions, statutes, and regulations of the United States and the State of North Carolina. In
16 adopting these policies, governing bodies of public school units shall consider any existing
17 federal guidance for the discipline of students with disabilities as well as other guidance on school
18 discipline practices issued by the United States Department of Education."; and

19
20 on page 97, lines 1-9, by rewriting the lines to read:

21 "(f) ~~Board~~ Governing body policies shall minimize the use of long-term suspension and
22 expulsion by restricting the availability of long-term suspension or expulsion to those violations
23 deemed to be serious violations of the ~~board's~~ governing body's Code of Student Conduct that
24 either threaten the safety of students, staff, or school visitors or threaten to substantially disrupt
25 the educational environment. Examples of conduct that would not be deemed to be a serious
26 violation include the use of inappropriate or disrespectful language, noncompliance with a staff
27 directive, dress code violations, and minor physical altercations that do not involve weapons or
28 injury. The principal may, however, in his or her discretion, determine that aggravating
29 circumstances justify treating a minor violation as a serious violation."; and

30
31 on page 105, lines 4-9, by rewriting the lines to read:



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- 1 "(1) Three persons appointed by the Speaker of the House of Representatives as
2 follows:
3 a. Two persons who are members of the House of Representatives at the
4 time of appointment, at least one of whom represents the minority
5 party.
6 b. One teacher from a North Carolina public school.
7 (2) Three persons appointed by the President Pro Tempore of the Senate as
8 follows:
9 a. Two persons who are members of the Senate at the time of
10 appointment, at least one of whom represents the minority party.
11 b. One teacher from a North Carolina public school."; and
12

13 on page 109, line 34, through page 112, line 13, by deleting those lines; and
14

15 on page 113, lines 29-45, by deleting those lines; and
16

17 on page 115, line 18, through page 116, line 2, by deleting those lines; and
18

19 on page 130, line 28, through page 135, line 35, by rewriting the lines to read:
20

21 **"STATE BOARD OF EDUCATION RULEMAKING/STANDARD COURSE OF STUDY**

22 **SECTION 7.56.(a)** G.S. 115C-12 reads as rewritten:

23 **'§ 115C-12. Powers and duties of the Board generally.**

24 The general supervision and administration of the free public school system shall be vested
25 in the State Board of Education. The State Board of Education shall establish all needed rules
26 and regulations for the system of free public schools, subject to laws enacted by the General
27 Assembly. Except as otherwise provided by law, the State Board of Education shall adopt any
28 rules, regulations, policies, standards, or statements of general applicability in accordance with
29 Chapter 150B of the General Statutes. Any such rules, regulations, policies, standards, or
30 statements of general applicability are not valid unless they are adopted in substantial compliance
31 with Chapter 150B of the General Statutes. In accordance with Sections 7 and 8 of Article III of
32 the North Carolina Constitution, the Superintendent of Public Instruction, as an elected officer
33 and Council of State member, shall administer all needed rules and regulations adopted by the
34 State Board of Education through the Department of Public Instruction. The powers and duties
35 of the State Board of Education are defined as follows:

36'

37 **SECTION 7.56.(b)** G.S. 115C-81.5(a) reads as rewritten:

38 '(a) All children can learn. It is the intent of the General Assembly that the mission of the
39 public school community is to challenge with high expectations each child to learn, to achieve,
40 and to fulfill his or her potential. With that mission as its guide, the State Board of Education
41 shall adopt a plan of education and rules establishing a standard course of study as provided as
42 provided in G.S. 115C-12(9c) for the public schools of the State. It is the intent of the General
43 Assembly that the focus of State educational funding shall be to ensure that each student receives
a sound basic education. It is further a goal of the General Assembly to provide supplemental

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1 funds to low-wealth counties to allow those counties to enhance the instructional program and
2 student achievement. Instruction shall be offered in the areas of arts, communication skills,
3 physical education and personal health and safety, mathematics, media and computer skills,
4 science, second languages, social studies, and career and technical education. In addition,
5 instruction shall be offered in all of the areas provided in this Part.'

6 **SECTION 7.56.(c)** Notwithstanding G.S. 150B-21.2, the current standards that
7 make up the standard course of study adopted pursuant to G.S. 115C-12(9c) and Part 1 of Article
8 8 of Chapter 115C of the General Statutes, which are subject to rulemaking as provided in
9 Chapter 150B of the General Statutes, shall be deemed permanent rules so long as they meet the
10 following criteria:

- 11 (1) The standards were adopted by the State Board of Education prior to the date
12 this act becomes law.
- 13 (2) The State Board of Education submits the standards to the Codifier of Rules
14 in accordance with the requirements in 26 NCAC 02C no later than 60 days
15 after the date this act becomes law.

16 Permanent rules submitted in accordance with this subsection shall be effective on
17 the date they are submitted to the Codifier of Rules.

18 **SECTION 7.56.(d)** Any standards that make up the standard course of study that do
19 not meet the criteria of subsection (c) of this section shall not be deemed permanent rules and
20 shall be subject to the requirements of subsection (a) of this section and the provisions of Chapter
21 150B of the General Statutes. The standard course of study shall continue to be revised on the
22 timeline provided in the comprehensive plan developed by the State Board of Education under
23 G.S. 115C-12(9c), and in accordance with the rulemaking process under Chapter 150B of the
24 General Statutes.

25 **SECTION 7.56.(e)** This section becomes effective the date this act becomes law, and
26 applies to all standard courses of study implemented on or after that date."; and

27
28 on page 153, line 9, through page 155, line 15, by deleting those lines; and

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30 **PART III. AGRICULTURE AND NATURAL RESOURCES**

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32 on page 167, line 42, through page 168, line 22, by deleting those lines; and

33
34 on page 362, lines 11-14 and lines 21-47, by deleting those lines; and

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36 on page 365, line 20, through page 367, line 24, by deleting those lines; and

37
38 on page 368, lines 23-34, by deleting those lines; and

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40 on page 620, line 24 through page 621, line 39, by deleting those lines; and

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42 **PART IV. JUSTICE AND PUBLIC SAFETY**

43

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- 1 on page 405, line 15, through page 406, line 12, by deleting those lines; and
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3 on page 406, lines 31-41, by deleting those lines; and
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5 on page 407, lines 10-11 and 32-33, by deleting those lines; and
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7 on page 408, line 51, through page 410, line 4, by deleting those lines; and
8
9 on page 471, line 20, through page 475, line 9, by deleting those lines; and
10
11 **PART V. TRANSPORTATION**
12
13 on page 620, line 24, through page 621, line 39, by deleting those lines; and
14
15
16 By adjusting the appropriate totals accordingly.
17
18

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**