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SENATE BILL 593
Education/Higher Education Committee Substitute Adopted 5/5/21
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PROPOSED HOUSE COMMITTEE SUBSTITUTE S593-PCS45593-TC-71

Short Title: Schools for the Deaf and Blind.

(Public)

Sponsors:

Referred to:

April 7, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE EASTERN NORTH CAROLINA SCHOOL FOR THE
3 DEAF, THE NORTH CAROLINA SCHOOL FOR THE DEAF, AND THE GOVERNOR
4 MOREHEAD SCHOOL FOR THE BLIND ARE GOVERNED BY BOARDS OF
5 TRUSTEES AND TO PROVIDE FOR THE DUTIES OF THE BOARDS AND
6 ADMISSION PROCESS FOR SCHOOLS FOR THE DEAF AND BLIND.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. Article 9C of Chapter 115C of the General Statutes reads as rewritten:
9 "Article 9C.

10 "Schools for ~~Students with Visual and Hearing Impairments~~ Deaf and Blind Students.

11 **§ 115C-150.10. Definitions.**

12 The following definitions apply in this Part:

- 13 (1) Educational program. – The placement, services, and individualized
14 instruction provided to a student to address the student's educational strengths,
15 weaknesses, and objectives as part of the day program of a school for the deaf
16 or the school for the blind.
- 17 (2) IEP. – An individualized education program, as defined in G.S. 115C-106.3.
- 18 (3) Parent. – A student's parent or legal guardian.
- 19 (4) School. – Any of the following schools:
- 20 a. The Governor Morehead School for the Blind, serving students who
21 are blind or visually impaired.
- 22 b. The Eastern North Carolina School for the Deaf, serving students who
23 are deaf or hard of hearing.
- 24 c. The North Carolina School for the Deaf, serving students who are deaf
25 or hard of hearing.
- 26 (5) School director. – The executive officer of a school for the deaf or the school
27 for the blind.
- 28 (6) School for the blind. – A school for students who are blind or visually
29 impaired located at the Governor Morehead School for the Blind.
- 30 (7) School for the deaf. – A school serving students who are deaf or hard of
31 hearing located at either the Eastern North Carolina School for the Deaf or the
32 North Carolina School for the Deaf.
- 33 (8) Schools for the deaf and blind. – All of the following schools:



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- 1 a. The Governor Morehead School for the Blind, serving students who
 2 are blind or visually impaired.
 3 b. The Eastern North Carolina School for the Deaf, serving students who
 4 are deaf or hard of hearing.
 5 c. The North Carolina School for the Deaf, serving students who are deaf
 6 or hard of hearing.

7 **"§ 115C-150.11. ~~State Board of Education as governing agency.~~General supervision over**
 8 **schools for the deaf and blind.**

9 (a) State Board of Education Supervision. – The State Board of Education shall be the
 10 sole governing agency for the Governor Morehead School for the Blind, the Eastern North
 11 Carolina School for the Deaf, and the North Carolina School for the Deaf. The Superintendent
 12 of Public Instruction through the Department of Public Instruction shall be responsible for the
 13 administration, including appointment of staff, and oversight of a school governed by this
 14 Article, have general supervision over the schools for the deaf and blind in accordance with
 15 G.S. 115C-12 and shall establish approximately equivalent service areas for each school for the
 16 deaf that cover the entire State. In establishing the service area for each school for the deaf, the
 17 State Board shall consider both the geographic proximity to the school for the deaf and the
 18 population of the service area. The State Board shall evaluate the effectiveness of the schools for
 19 the deaf and blind and shall, through the application of the accountability system developed under
 20 G.S. 115C-83.15 and G.S. 115C-105.35, measure the educational performance and growth of
 21 students placed in each school. If appropriate, the Board may modify this system to adapt to the
 22 specific characteristics of these schools. The boards of trustees for the schools for the deaf and
 23 blind shall be subject to rules adopted by the State Board of Education in accordance with Chapter
 24 150B of the General Statutes.

25 (b) Independent Operation. – Except as otherwise provided for in this Part, the schools
 26 for the deaf and blind shall be housed administratively within the Department of Public
 27 Instruction for purposes of distribution of State funds, but each school for the deaf and blind shall
 28 operate independently with a board of trustees as the governing body. The Department of Public
 29 Instruction shall include employees of the schools for the deaf and blind in coverage for
 30 professional liability policies purchased by the Department for its employees and shall facilitate
 31 the purchase of other insurance policies for those schools. In all other matters, the Department of
 32 Public Instruction shall provide services, support, and assistance to schools for the deaf and blind
 33 in the same manner and degree as for a local school administrative unit.

34 **"§ 115C-150.12. ~~Applicability of Chapter.~~**

35 Except as otherwise provided, the requirements of this Chapter shall apply to the schools
 36 governed by this Article.

37 **"§ 115C-150.12A. Board of trustees for schools of the deaf and blind.**

38 (a) Membership. – Each school shall be governed by a separate board of trustees.

39 (1) There shall be five voting members for each board of trustees to be appointed
 40 as follows:

- 41 a. Two members appointed by the General Assembly upon the
 42 recommendation of the Speaker of the House of Representatives.
 43 b. Two members appointed by the General Assembly upon the
 44 recommendation of the President Pro Tempore of the Senate.
 45 c. One member appointed by the Governor.

46 (2) Each board of trustees shall have two additional nonvoting members as
 47 follows:

- 48 a. The president, or designee, of the alumni association for each school
 49 shall serve ex officio on the board of trustees for that school.
 50 b. For the schools for the deaf, one member for each board of trustees
 51 appointed by the Secretary of the Department of Health and Human

1 Services following consultation with the Division of Services for the
2 Deaf and Hard of Hearing.

3 c. For the school for the blind, a member appointed by the Secretary of
4 the Department of Health and Human Services following consultation
5 with the Division of Services for the Blind.

6 (b) Qualifications. – Appointing entities are strongly encouraged to fill the appointments
7 to each board of trustees with persons with expertise or experience in the areas of education for
8 those who are deaf or hard or hearing or who are blind or visually impaired, administration and
9 governance, finance and budgeting, or who otherwise have demonstrated concern for quality of
10 education for those who are deaf or hard of hearing or who are blind or visually impaired.

11 (c) Terms of Members. – Members shall be appointed for four-year terms. Terms shall
12 commence July 1. Members shall serve until their successors are appointed and qualified. All
13 vacancies shall be filled by the appointing authority for the vacating member for the remainder
14 of the unexpired term. Vacancies of members appointed by the General Assembly shall be filled
15 as provided in G.S. 120-122.

16 (d) Declarations of Vacancies. – Whenever an appointed member of a board of trustees
17 shall fail to be present at three successive regular meetings of the board, for any reason other than
18 ill health or service in the interest of the State or nation, his or her place as a member of the board
19 shall be deemed vacant.

20 (e) Chair; Vice-Chair. – A board of trustees shall elect one of its members as chair and
21 one of its members as vice-chair, each for a two-year term, at the first meeting occurring after
22 July 1 in odd-numbered years.

23 (f) Meetings. – A board of trustees shall meet at least four times a year and also at such
24 other times as it may deem necessary. A majority of the Board shall constitute a quorum for the
25 transaction of business. All meetings shall be subject to Article 33C of Chapter 143 of the General
26 Statutes. The members shall receive per diem compensation and necessary travel and subsistence
27 expenses while engaged in the discharge of their official duties, in accordance with the provisions
28 of G.S. 138-5.

29 (g) Procedures. – A board of trustees shall determine its own rules of procedure and may
30 delegate to committees that it creates any powers it deems appropriate.

31 (h) Code of Ethics. – A board of trustees shall adopt a resolution or policy containing a
32 code of ethics, as required by G.S. 160A-86.

33 (i) Training. – All members of a board of trustees shall receive a minimum of 12 clock
34 hours of training every two years. The 12 clock hours of training may be earned at any time
35 during the two-year period and may include the ethics education required by G.S. 138A-14. The
36 training shall include, but not be limited to, public school law, including special education law,
37 school finance, and duties and responsibilities of the board. The training may be provided by the
38 School of Government at the University of North Carolina at Chapel Hill or other qualified
39 sources at the choice of the board of trustees.

40 **"§ 115C-150.12B. Employees of schools for the deaf and blind.**

41 (a) Director. – Each board of trustees of a school shall appoint a director for that school,
42 who shall act as secretary to the board of trustees in accordance with G.S. 115C-150.12A and
43 shall manage day-to-day operations of the school and other duties as prescribed by the board of
44 trustees. For purposes of application to other statutes in this Chapter, the director shall be the
45 equivalent of a superintendent of schools and shall fulfill the duties of a superintendent as
46 provided in Article 18 of this Chapter.

47 (b) Director Duties. – The director shall recommend school personnel to the board of
48 trustees. The director shall supervise the administrative staff of the school, including the
49 principal, director of human resources, and director of business and finance.

50 (c) Personnel Criteria. – The board of trustees shall employ and provide salary and
51 benefits for a principal, teachers, and other employees in accordance with Article 19, Article 20,

1 Article 21, Article 21A, Article 22, and Article 23 of this Chapter. An employee hired by the
2 board of trustees shall be responsible for fulfilling the duties of that employee's position as
3 required by those Articles. All employees of schools for the deaf and blind are employees of the
4 State.

5 (d) Personnel Pay. – Schools for the deaf and blind personnel, including teachers,
6 instructional support personnel, and other employees, shall be paid, at a minimum, in accordance
7 with the appropriate State salary schedule for local school administrative unit personnel. School
8 for the deaf and blind personnel shall be eligible for all bonuses paid to local school
9 administrative unit personnel to the extent that the school for the deaf and blind personnel meet
10 all qualifications other than the employer.

11 (e) Human Resources. – The board of trustees is responsible for providing human
12 resources and employment-related services for the school. The board of trustees may delegate
13 some or all of this responsibility to the director for the school or to the director of human
14 resources, in its discretion.

15 **"§ 115C-150.12C. Powers and duties.**

16 A board of trustees shall adopt rules necessary for the administration of the school to
17 implement the requirements of this Part. Each board of trustees shall have the following powers
18 and duties:

19 (1) Sound basic education. – It shall be the duty of the board of trustees to provide
20 admitted students with the opportunity to receive a sound basic education in
21 grades kindergarten through 12, as directed by law, and to make all policy
22 decisions with that objective in mind, including employment decisions,
23 budget development, and other administrative actions. The board of trustees
24 shall comply with the requirements of Part 1 of Article 8 and Article 10A of
25 this Chapter.

26 (2) Exercise judicial functions. – The board of trustees shall employ or contract
27 with private counsel to provide advice and representation for the school. The
28 board may institute all actions, suits, or proceedings against officers, persons,
29 or corporations, or their sureties, for the recovery, preservation, and
30 application of all money or property which may be due to or should be applied
31 to the support and maintenance of the school. In all actions brought in any
32 court against a board of trustees, the order or action of the board shall be
33 presumed to be correct and the burden of proof shall be on the complaining
34 party to show the contrary. G.S. 114-2.3 and G.S. 147-17 shall not apply to
35 the schools for the deaf and blind. Upon the request of the board of trustees of
36 a school, the Attorney General shall provide representation as required by
37 G.S. 114-2.

38 (3) Academic program. – The board of trustees shall adopt rules governing class
39 size, the instructional calendar, the length of the instructional day, and the
40 number of instructional days in each term. The board of trustees shall adopt a
41 school calendar consisting of a minimum of 185 days or 1,025 hours of
42 instruction covering at least nine calendar months.

43 (4) School report cards. – A school shall ensure that the report card issued for it
44 by the State Board of Education is provided to the public. Beginning with the
45 2026-2027 school year, a school shall ensure that the measures for educational
46 performance and growth for the current and previous four school years are
47 prominently displayed on the school website.

48 (5) Standards of performance and conduct. – The board of trustees shall establish
49 policies and standards for academic performance, attendance, and conduct for
50 students of the school. The policies of the board of trustees shall comply with
51 Article 27 of this Chapter.

- 1 (6) School attendance. – Every parent or other person in this State having charge
2 or control of a child who is enrolled in schools for the deaf and blind who is
3 less than 16 years of age shall cause such child to attend that school
4 continuously for a period equal to the time that the school shall be in session.
5 No person shall encourage, entice, or counsel any child to be unlawfully
6 absent from the school. Any person who aids or abets a student's unlawful
7 absence from the school shall, upon conviction, be guilty of a Class 1
8 misdemeanor. The principal shall be responsible for implementing such
9 additional policies concerning compulsory attendance as shall be adopted by
10 the board of trustees, including regulations concerning lawful and unlawful
11 absences, permissible excuses for temporary absences, maintenance of
12 attendance records, and attendance counseling.
- 13 (7) Uniform Education Reporting System. – The board of trustees shall comply
14 with the reporting requirements established by the State Board of Education
15 in the Uniform Education Reporting System.
- 16 (8) Education of children with disabilities. – The board of trustees shall require
17 compliance with federal and State laws and policies relating to the education
18 of children with disabilities for all students admitted to the school. An IEP
19 shall be developed by the school for all newly admitted students granted an
20 educational program assignment.
- 21 (9) Extracurricular activities. – The board of trustees shall make all rules
22 necessary for the conducting of extracurricular activities, including a program
23 of athletics, where desired, without assuming liability therefor; provided, that
24 all interscholastic athletic activities shall be conducted in accordance with
25 rules and regulations prescribed by the State Board of Education.
- 26 (10) Fees, charges, and solicitations. – The board of trustees shall adopt rules
27 governing solicitations of, sales to, and fund-raising activities conducted by
28 the students and faculty members in the school, and no fees, charges, or costs
29 shall be collected from students and school personnel without approval of the
30 board of trustees as recorded in the minutes of said board; provided, this
31 subdivision shall not apply to such textbooks fees as are determined and
32 established by the State Board of Education. The board of trustees shall
33 publish a schedule of approved fees, charges, and solicitations on the school's
34 website by October 15 of each school year and, if the schedule is subsequently
35 revised, within 30 days following the revision.
- 36 (11) Federal or private funds. – The board of trustees shall have power and
37 authority to accept, receive, and administer any funds or financial assistance
38 given, granted, or provided under the provisions of the Elementary and
39 Secondary Education Act of 1965 (Public Law 89-10, 89th Congress, HR
40 2362) and under the provisions of the Economic Opportunity Act of 1964
41 (Public Law 88-452, 88th Congress, S. 2642), or other federal acts or funds
42 from foundations or private sources, and to comply with all conditions and
43 requirements necessary for the receipt, acceptance, and use of said funds. In
44 the administration of such funds, the board of trustees shall have authority to
45 enter into contracts with and to cooperate with and to carry out projects with
46 nonpublic elementary and secondary schools, community groups, and
47 nonprofit corporations, and to enter into joint agreements for these purposes
48 with other governing bodies of public school units. The board of trustees shall
49 furnish such information as shall be requested by the State Board of
50 Education, from time to time, relating to any programs related or conducted
51 pursuant to this subdivision.

- 1 (12) Educational research. – The board of trustees is authorized to sponsor or
2 conduct educational research and special projects approved by the Department
3 of Public Instruction and the State Board of Education that may improve the
4 school. Such research or projects may be conducted during the summer
5 months, and the board may use any available funds for such purposes.
- 6 (13) Anti-nepotism policies. – The board of trustees shall adopt rules requiring that
7 before any immediate family, as defined in G.S. 115C-12.2, of any board of
8 trustees' member or administrator, including directors, supervisors,
9 specialists, staff officers, or principals, shall be employed or engaged as an
10 employee, independent contractor, or otherwise by the board of trustees in any
11 capacity, such proposed employment or engagement shall be (i) disclosed to
12 the board of trustees and (ii) approved by the board of trustees in a duly called
13 open-session meeting. The burden of disclosure of such a conflict of interest
14 shall be on the applicable board member or administrator.
- 15 (14) Conduct and duties of personnel. – The board of trustees, upon the
16 recommendation of the director, shall have full power to make rules governing
17 the conduct of teachers, principals, and supervisors; the kind of reports they
18 shall make; and their duties in the care of school property. Prior to the
19 beginning of each school year, the board of trustees shall identify all reports
20 that are required for the school year and shall, to the maximum extent possible,
21 eliminate any duplicate or obsolete reporting requirements and consolidate
22 remaining reporting requirements. Prior to the beginning of each school year,
23 the board of trustees shall also identify software protocols that could be used
24 to minimize repetitious data entry and shall make them available to teachers
25 and other employees.
- 26 (15) Health and safety. – The board of trustees shall require that the school meet
27 the same health and safety standards required of a local school administrative
28 unit. The board shall comply with the requirements of Article 25A of this
29 Chapter, including the following:
- 30 a. The board shall ensure that the school provides parents with
31 information about cervical cancer, cervical dysplasia, human
32 papillomavirus, and the vaccines available to prevent these diseases.
33 This information shall be provided at the beginning of the school year
34 to parents of children entering grades five through 12. This
35 information shall include the causes and symptoms of these diseases,
36 how they are transmitted, how they may be prevented by vaccination,
37 including the benefits and possible side effects of vaccination, and
38 places parents may obtain additional information and vaccinations for
39 their children.
- 40 b. The board shall adopt policies to ensure that students in grades nine
41 through 12 receive information annually on the manner in which a
42 parent may lawfully abandon a newborn baby with a responsible
43 person, in accordance with G.S. 7B-500.
- 44 (16) School-based mental health. – The board of trustees shall adopt a school-based
45 mental health plan, including a mental health training program and suicide
46 risk referral protocol, in accordance with G.S. 115C-376.5.
- 47 (17) School safety. – The board of trustees shall comply with the requirements of
48 Article 8C of this Chapter, including the following:
- 49 a. School Risk Management Plan. – The board of trustees, in
50 coordination with local law enforcement agencies, shall adopt a
51 School Risk Management Plan (SRMP) relating to incidents of school

- 1 violence. In constructing and maintaining these plans, the board of
2 trustees shall utilize the School Risk and Response Management
3 System established pursuant to G.S. 115C-105.49A. These plans are
4 not considered a public record as the term "public record" is defined
5 under G.S. 132-1 and shall not be subject to inspection and
6 examination under G.S. 132-6.
- 7 b. Schematic diagrams and school crisis kits. – The board of trustees shall
8 provide schematic diagrams and keys to the main entrance of school
9 facilities to local law enforcement agencies, in addition to
10 implementing the provisions in G.S. 115C-105.52.
- 11 c. School safety exercises. – At least once a year, a school shall hold a
12 full school-wide lockdown exercise with local law enforcement and
13 emergency management agencies that are part of the school's SRMP.
- 14 d. Safety information provided to the Department of Public Safety,
15 Division of Emergency Management. – The board of trustees shall
16 provide the following: (i) schematic diagrams, including digital
17 schematic diagrams, and (ii) emergency response information
18 requested by the Division for the SRMP. The schematic diagrams and
19 emergency response information are not considered public records as
20 the term "public record" is defined under G.S. 132-1 and shall not be
21 subject to inspection and examination under G.S. 132-6.
- 22 e. Anonymous tip line. – A school shall develop and operate an
23 anonymous tip line in accordance with G.S. 115C-105.51.
- 24 (18) Reporting school violence. – A board of trustees shall report all acts of school
25 violence to the State Board of Education in accordance with
26 G.S. 115C-12(21).
- 27 (19) Driving eligibility certificates and drivers' education. – The board of trustees
28 shall apply the rules and policies established by the State Board of Education
29 for issuance of driving eligibility certificates. The board of trustees shall
30 provide drivers' education in accordance with Article 14 of this Chapter.
- 31 (20) Instructional materials. – The board of trustees shall have the authority to
32 select, procure, and use textbooks not adopted by the State Board of Education
33 as provided in G.S. 115C-98(b1). The board shall have sole authority to select
34 and procure supplementary instructional materials, whether or not the
35 materials contain commercial advertising, pursuant to the provisions of
36 G.S. 115C-98(b).
- 37 (21) Policy against bullying. – The board of trustees shall adopt a policy against
38 bullying or harassing behavior, including cyber-bullying, in accordance with
39 Article 29C of this Chapter, and shall at the beginning of each school year
40 provide the policy to staff, students, and parents as defined in
41 G.S. 115C-390.1(b)(8).
- 42 (22) Religious activity and moment of silence. – The board of trustees shall comply
43 with the requirements of Article 29D of this Chapter. To afford students and
44 teachers a moment of quiet reflection at the beginning of each day in the public
45 schools, to create a boundary between school time and nonschool time, and to
46 set a tone of decorum in the classroom that will be conducive to discipline and
47 learning, the board of trustees may adopt a policy to authorize the observance
48 of a moment of silence at the commencement of the first class of each day in
49 all grades in the public schools. Such a policy shall provide that the teacher in
50 charge of the room in which each class is held may announce that a period of
51 silence not to exceed one minute in duration shall be observed and that during

- 1 that period silence shall be maintained and no one may engage in any other
2 activities. Such period of silence shall be totally and completely unstructured
3 and free of guidance or influence of any kind from any sources.
- 4 (23) Display of the United States and North Carolina Flags and Recitation of the
5 Pledge of Allegiance. – The board of trustees shall adopt policies to (i) require
6 the display of the United States and North Carolina flags in each classroom,
7 when available, (ii) require that recitation of the Pledge of Allegiance be
8 scheduled on a daily basis, and (iii) provide age-appropriate instruction on the
9 meaning and historical origins of the flag and the Pledge of Allegiance. These
10 policies shall not compel any person to stand, salute the flag, or recite the
11 Pledge of Allegiance. If flags are donated or are otherwise available, flags
12 shall be displayed in each classroom.
- 13 (24) Child sexual abuse and sex trafficking training program. – The board of
14 trustees shall adopt and implement a child sexual abuse and sex trafficking
15 training program in accordance with G.S. 115C-375.20.
- 16 (25) Science safety requirements. – A board of trustees shall:
- 17 a. Certify annually to the State Board of Education that the school's
18 science laboratories for high school and middle school students are
19 equipped with appropriate personal protective equipment for students
20 and teachers.
- 21 b. Ensure that the school complies with all State Board of Education
22 policies related to science laboratory safety.
- 23 (26) Graduation projects. – A board of trustees shall not require a high school
24 graduation project as a condition of graduation unless the board provides a
25 method of reimbursement of up to seventy-five dollars (\$75.00) for expenses
26 related to the high school graduation project for any student identified as an
27 economically disadvantaged student.
- 28 (27) Group accident and health insurance for students. – A board of trustees may
29 purchase group accident, group health, or group accident and health insurance
30 for students in accordance with G.S. 58-51-81.
- 31 (28) Access for youth groups. – Schools for the deaf and blind are encouraged to
32 facilitate access for students to participate in activities provided by any youth
33 group listed in Title 36 of the United States Code as a patriotic society, such
34 as the Boy Scouts of America, and its affiliated North Carolina groups and
35 councils, and the Girl Scouts of the United States of America, and its affiliated
36 North Carolina groups and councils. Student participation in any activities
37 offered by these organizations shall not interfere with instructional time
38 during the school day for the purposes of encouraging civic education.
- 39 (29) Parental notification of certain acts reported to law enforcement. – A board of
40 trustees shall adopt a rule on the notification to parents of any students alleged
41 to be victims of any act that is required to be reported to law enforcement and
42 the superintendent under G.S. 115C-288(g).
- 43 (30) Seclusion and restraint report. – A board of trustees shall maintain a record of
44 incidents reported under G.S. 115C-391.1(j)(4) and shall provide this
45 information annually to the State Board of Education.
- 46 (31) Use of pesticides. – A board of trustees shall adopt rules that address the use
47 of pesticides in schools. These policies shall:
- 48 a. Require the principal or the principal's designee to annually notify the
49 students' parents as well as school staff of the schedule of pesticide use
50 on school property and their right to request notification. Such
51 notification shall be made, to the extent possible, at least 72 hours in

1 advance of nonscheduled pesticide use on school property. The
 2 notification requirements under this subdivision do not apply to the
 3 application of the following types of pesticide products: antimicrobial
 4 cleansers, disinfectants, self-contained baits and crack-and-crevice
 5 treatments, and any pesticide products classified by the United States
 6 Environmental Protection Agency as belonging to the U.S.E.P.A.
 7 Toxicity Class IV, "relatively nontoxic" (no signal word required on
 8 the product's label).

9 b. Require the use of Integrated Pest Management. As used in this
 10 sub-subdivision, "Integrated Pest Management" or "IPM" means the
 11 comprehensive approach to pest management that combines
 12 biological, physical, chemical, and cultural tactics as well as effective,
 13 economic, environmentally sound, and socially acceptable methods to
 14 prevent and solve pest problems that emphasizes pest prevention and
 15 provides a decision-making process for determining if, when, and
 16 where pest suppression is needed and what control tactics and methods
 17 are appropriate.

18 (32) Arsenic-treated wood. – A board of trustees shall prohibit the purchase or
 19 acceptance of chromated copper arsenate-treated wood for future use on
 20 school grounds. A board of trustees shall seal existing arsenic-treated wood in
 21 playground equipment or establish a time line for removing existing
 22 arsenic-treated wood on playgrounds, according to the guidelines established
 23 under G.S. 115C-12(34).

24 (33) Exposure to diesel exhaust fumes. – A board of trustees shall adopt rules to
 25 reduce students' exposure to diesel emissions.

26 (34) Nonprofit corporations. – A board of trustees may establish, control, and
 27 operate a nonprofit corporation that is created under Chapter 55A of the
 28 General Statutes and is a tax-exempt organization under the Internal Revenue
 29 Code to further their authorized purposes. A nonprofit corporation established
 30 as provided in this subdivision shall not have regulatory or enforcement
 31 powers and shall not engage in partisan political activity or policy advocacy.
 32 A board of trustees that establishes a nonprofit corporation shall make a report
 33 annually to the Joint Legislative Education Oversight Committee.

34 (35) Preschool programs. – The board of trustees may, within funds available,
 35 provide programs, education, and training for children under the age of 5 who
 36 are (i) blind or visually impaired or (ii) deaf or hard of hearing, and for the
 37 parents of those children.

38 (36) Rulemaking. – The board of trustees shall be exempt from Article 2A of
 39 Chapter 150B of the General Statutes.

40 **§ 115C-150.13. Rule making.**

41 ~~(a) The State Board of Education shall adopt rules necessary for the Department of Public~~
 42 ~~Instruction to implement this Article, including, at a minimum, rules to address eligibility for~~
 43 ~~admission criteria. In determining rules for admission criteria, the State Board of Education shall~~
 44 ~~take into account the following factors:~~

45 ~~(1) State and federal laws.~~

46 ~~(2) Optimal academic and communicative outcomes for the child.~~

47 ~~(3) Parental input and choice.~~

48 ~~(4) Recommendations in a child's Individualized Education Program (IEP).~~

49 ~~(b) Rules shall be adopted in accordance with Chapter 150B of the General Statutes.~~

50 **§ 115C-150.13A. Admissions.**

1 (a) Rules. – Schools for the deaf and blind shall admit students in accordance with
2 eligibility criteria, standards, and procedures established through rules by the board of trustees in
3 accordance with the requirements of this Article.

4 (b) Eligibility Criteria. – Eligibility criteria shall include consideration of the following:

5 (1) Evidence of hearing loss for schools for the deaf or vision loss for the school
6 for the blind.

7 (2) State and federal laws.

8 (3) Optimal academic and communicative outcomes for the student.

9 (4) Parental input and choice.

10 (5) Student's possession of minimum daily living skills and level of functioning
11 necessary to participate in the educational program.

12 (c) Procedures. – Admission procedures shall include the following:

13 (1) An application process that may be directly made by a parent to the school or
14 upon recommendation of a local school administrative unit or charter school.
15 If a student has not been evaluated by the local school administrative unit or
16 charter school and determined to be a child with a disability, the procedure for
17 the school and local school administrative unit or charter school to enter into
18 an agreement to determine if the student is a child with a disability.

19 (2) An admissions committee to make recommendations on an admissions status
20 that includes, but is not limited to, the following members:

21 a. A chair designated by the director of the school.

22 b. The applicant's parent.

23 c. Any professionals necessary to interpret the evaluation results.

24 d. If the applicant is currently enrolled in a local school administrative
25 unit or charter school, a written invitation shall be extended to a
26 representative from that local school administrative unit or charter
27 school to attend and participate in the evaluation.

28 (3) An admissions evaluation that uses multiple sources of information in
29 determining eligibility, including assessments, teacher recommendations,
30 evidence of the applicant's physical and emotional health, indications of the
31 applicant's level of functioning, including adaptive behavior skills, and the
32 student's current or proposed individualized education plan.

33 (4) A final admissions determination made by the director of the school, or
34 designee.

35 (d) Admission Status. – A student may be admitted in one of the following statuses:

36 (1) Temporary assignment. – An applicant admitted for no more than 90 school
37 days for the school staff to complete evaluations and gather additional
38 information for the admissions committee to make an eligibility
39 determination. A student admitted to a temporary assignment status is not
40 guaranteed admission to the educational program as a student who meets the
41 school's eligibility criteria.

42 (2) Educational program assignment. – An applicant determined to meet the
43 eligibility criteria and granted admission to the educational program.

44 (e) Disenrollment. – A student's continued enrollment in an educational program
45 assignment status shall be subject to reevaluation by the admissions committee when determined
46 necessary by the school to assess if the student continues to meet eligibility criteria. The
47 disenrollment assessment shall follow the same procedures as the admissions process, and a final
48 determination shall be made by the director, or director's designee.

49 (f) Free Appropriate Public Education. – The local school administrative unit or charter
50 school in which the student is enrolled shall have the initial responsibility of identifying and
51 evaluating the special education needs of the student and providing a special educational program

1 and related services in accordance with Article 9 of this Chapter. If a parent submits an
2 application to the school for enrollment of the parent's child in the school's educational program,
3 and if the child is determined to meet the eligibility criteria for admission to the school's
4 educational program, the school is responsible for the provision of a free appropriate public
5 education. However, a subsequent determination by the school that the student no longer meets
6 eligibility criteria immediately transfers the responsibility for the provision of a special
7 educational program and related services to ensure a free appropriate public education back to
8 the local school administrative unit or charter school in which the student was previously
9 enrolled.

10 (g) Mediation. – Prior to seeking a due process hearing as provided in Article 9 of this
11 Chapter, parents are encouraged to seek mediation under Article 9 of this Chapter in resolving
12 any dispute with regards to a student's eligibility determination or IEP.

13 (h) Due Process Hearing. – A parent may seek an impartial due process hearing following
14 a final determination on a student's eligibility by the director. If the parent pursues a due process
15 hearing to challenge the school's ineligibility determination, the student's "stay put" placement
16 shall not be the school but shall be the student's local school administrative unit or charter school.

17 **"§ 115C-150.14. Tuition and room and board. Tuition, room and board for resident**
18 **students.**

19 (a) ~~Only children~~ A student who are residents is a resident of North Carolina are is
20 entitled to free tuition and room and board at a school governed by this Article for the educational
21 programs provided by the schools for the deaf and blind.

22 (b) ~~A school governed by this Article may enroll a foreign exchange student and shall~~
23 ~~charge the student the full, unsubsidized per capita cost of providing education at the school for~~
24 ~~the period of the student's attendance. A school that seeks to enroll foreign exchange students~~
25 ~~under this section shall submit a plan prior to enrolling any of those students to the State Board~~
26 ~~of Education for approval, including the proposed costs to be charged to the students for~~
27 ~~attendance and information on compliance with federal law requirements. For the purposes of~~
28 ~~this section, a foreign exchange student is a student who is domiciled in a foreign country and~~
29 ~~has come to the United States on a valid, eligible student visa.~~

30 (c) ~~Notwithstanding subsection (b) of this section, foreign exchange students who have~~
31 ~~obtained the status of nonimmigrants pursuant to the Immigration and Nationality Act, 8 U.S.C.~~
32 ~~§ 1101(a)(15)(F) may only be enrolled in a school governed by this Article in grades nine through~~
33 ~~12 for a maximum of 12 months at the school. A student who is a resident of North Carolina~~
34 ~~whose parent elects for the student to board at the school in order to access the educational~~
35 ~~program is entitled to free room and board.~~

36 **"§ 115C-150.14A. Nonresident students.**

37 (a) For the purposes of this section, the following definitions shall apply:

38 (1) Foreign exchange student. – A student who is domiciled in a foreign country
39 and has come to the United States on a valid, eligible student visa.

40 (2) Nonresident student. – An out-of-state student or foreign exchange student.

41 (3) Out-of-state student. – A student who is domiciled in a state other than North
42 Carolina.

43 (b) Schools for the deaf and blind may enroll nonresident students in the educational
44 program who otherwise meet admissions criteria established for all students. A school shall
45 charge the full, unsubsidized per capita cost of providing education at the school for the period
46 of the nonresident student's attendance, including the cost of tuition, and the cost of room and
47 board for any student whose parent elects for the student to board at the school in order to access
48 the educational program.

49 (c) Schools for the deaf and blind that seek to enroll nonresident students under this
50 section shall submit a plan prior to enrolling any of those students to the board of trustees for

1 approval, including the proposed costs to be charged to the nonresident students for tuition and
2 room and board and information on compliance with federal law requirements.

3 **"§ 115C-150.15. Reporting to residential schools on deaf and blind children.**

4 (a) Request for Consent. – Local superintendents shall require that the following request
5 for written ~~consent~~ consent, along with any informational materials provided by the school for
6 the blind or the school for the deaf in the service area in which the local school administrative
7 unit is located, be presented to parents, guardians, parents or custodians of any hearing impaired
8 or visually impaired children children who are deaf or hard of hearing or are blind or visually
9 impaired no later than October 1 of each school year: "North Carolina provides three public
10 residential schools serving visually and hearing impaired students: the Governor Morehead
11 School for the Blind, the Eastern North Carolina School for the Deaf, and the North Carolina
12 School for the Deaf. Do you consent to the release of your contact information and information
13 regarding your child and his or her impairment to these schools so that you can receive more
14 information on services offered by those campuses?" North Carolina provides two public schools
15 for the deaf serving students who are deaf or hard of hearing: the Eastern North Carolina School
16 for the Deaf and the North Carolina School for the Deaf. North Carolina also has a public school
17 for the blind serving students who are blind or visually impaired: the Governor Morehead School
18 for the Blind. Do you consent to the release of your contact information and information
19 regarding your child and his or her hearing or vision status to these schools so that you can receive
20 more information on services offered by those campuses?"

21 (b) Annual Report to Residential Schools. – Schools for the Deaf and Blind. – Local
22 superintendents shall report by November 30 each year the names and addresses of ~~parents,~~
23 ~~guardians, parents~~ parents, guardians, parents or custodians of any ~~hearing impaired deaf or hard of hearing or blind or~~
24 ~~visually impaired children~~ visually impaired children who have given written consent to the directors of the ~~Governor~~
25 ~~Morehead School for the Blind, the Eastern North Carolina School for the Deaf, and the North~~
26 ~~Carolina School for the Deaf.~~ schools for the deaf and blind. The report shall include ~~the type of~~
27 ~~disability of each child, including~~ whether the hearing and visual impairments range from partial
28 to total disability, and if the child has multiple disabilities with the visual or hearing impairment
29 not identified as the primary disability of the student. The report shall also be made to the
30 Department of Public Instruction.

31 (c) Confidentiality of Records. – The directors of the ~~Governor Morehead School for the~~
32 ~~Blind, the Eastern North Carolina School for the Deaf, and the North Carolina School for the~~
33 ~~Deaf~~ schools for the deaf and blind shall treat any information reported to the schools by a local
34 superintendent under subsection (b) of this section as confidential, except that a director or the
35 director's designee may contact the ~~parents, guardians, parents~~ parents, guardians, parents or custodians of any hearing
36 impaired or visually impaired children whose information was included in the report. The
37 information shall not be considered a public record under G.S. 132-1.

38 (d) Transfer of Information. – Upon the written request of a parent or custodian of a
39 student who has applied to a school for the deaf or school for the blind, the local superintendent,
40 or if there is no superintendent, the staff member with the highest decision-making authority,
41 shall share with the director of the school a copy of all current evaluation data and a copy of the
42 current or proposed individualized education plan for any child enrolled in that public school unit
43 who is identified as a child with a disability who is deaf, hard of hearing, blind, or visually
44 impaired.

45 **"§ 115C-150.16. Applicability of Chapter.**

46 Except as otherwise provided in this Part, the requirements of this Chapter shall not apply to
47 the schools for the deaf and the blind. Schools for the deaf and blind shall be considered a State
48 agency, as defined in G.S. 143C-1-1, and shall comply with all requirements for State agencies
49 unless otherwise specified in this Part. Schools for the deaf and blind shall not be considered
50 local school administrative units."

51 **SECTION 2.(a)** G.S. 115C-5 reads as rewritten:

1 "§ 115C-5. Definitions.

2 As used in this Chapter unless the context requires otherwise:

3 ...

4 (3a) The governing body of a public school unit is the following:

- 5 a. For a local school administrative unit, the local board of education.
 6 b. For a charter school, the nonprofit corporation board of directors.
 7 c. For a regional school, the regional school board of directors.
 8 d. For a school operated under Article 9C of this Chapter, the ~~State Board~~
 9 ~~of Education~~ board of trustees.
 10 e. For a school operated under Article 29A of Chapter 116 of the General
 11 Statutes, the chancellor of the constituent institution.

12 ...

13 (7a) Public school unit. – Any of the following:

- 14 a. A local school administrative unit.
 15 b. A charter school.
 16 c. A regional school.
 17 d. A school providing elementary or secondary instruction operated by
 18 ~~one of the following:~~
 19 ~~1. The State Board of Education, including schools operated~~
 20 ~~under Article 9C of this Chapter.~~
 21 ~~2. The University of North Carolina under Article 29A of Chapter~~
 22 ~~116 of the General Statutes.~~
 23 e. Schools for the deaf and blind operated under Article 9C of this
 24 Chapter.

25"

26 **SECTION 2.(b)** G.S. 115C-105.51(g) reads as rewritten:

27 "(g) For the purposes of this section, a "public secondary school" is any of the following
 28 types of public school serving grades six or higher:

- 29 (1) A school under the control of a local school administrative unit.
 30 (2) A school ~~under the control of the State Board of Education, including schools~~
 31 ~~for the deaf or blind operated under Article 9C of this Chapter.~~
 32 (3) A school under the control of The University of North Carolina.
 33 (4) A charter school.
 34 (5) A regional school."

35 **SECTION 2.(c)** G.S. 126-5(c1) reads as rewritten:

36 "(c1) Except as to the provisions of Articles 6 and 7 of this Chapter, the provisions of this
 37 Chapter shall not apply to:

38 ...

39 (8a) Employees of a regional school established pursuant to Part 10 of Article 16
 40 of Chapter 115C of the General Statutes.

41 (8b) Employees of a school for the deaf or blind governed by Article 9C of Chapter
 42 115C of the General Statutes.

43"

44 **SECTION 2.(d)** G.S. 138-5(a) reads as rewritten:

45 "(a) Except as provided in subsections (c) and (f) of this section, members of State boards,
 46 commissions, committees and councils which operate from funds deposited with the State
 47 Treasurer shall be compensated for their services at the following rates:

- 48 (1) Except as otherwise provided by this subdivision, compensation at the rate of
 49 fifteen dollars (\$15.00) per diem for each day of service. Members of the
 50 North Carolina Vocational Rehabilitation Council, the Statewide Independent
 51 Living Council, and the Commission for the Blind who are unemployed or

1 who shall forfeit wages from other employment to attend Council or
2 Commission meetings or to perform related duties, may receive compensation
3 not to exceed fifty dollars (\$50.00) per diem for attending these meetings or
4 performing related duties, as authorized by sections 105 and 705 of the
5 Rehabilitation Act of 1973, P.L. 102-569, 42 U.S.C. § 701, et seq., as
6 amended. Members of the Board of Trustees of the Eastern North Carolina
7 School for the Deaf, the Board of Trustees of the North Carolina School for
8 the Deaf, and the Board of Trustees of the Governor Morehead School for the
9 Blind may receive compensation not to exceed fifty dollars (\$50.00) per diem
10 for attending trustee meetings or performing related duties.

11 (2) Reimbursement of subsistence expenses at the rates allowed to State officers
12 and employees by subdivision (3) of G.S. 138-6(a).

13 (3) Reimbursement of travel expenses at the rates allowed to State officers and
14 employees by subdivisions (1) and (2) of G.S. 138-6(a).

15 (4) For convention registration fees, the actual amount expended, as shown by
16 receipt."

17 **SECTION 2.(e)** G.S. 150B-1(d) is amended by adding a new subdivision to read:

18 "(32) The Eastern North Carolina School for the Deaf, the North Carolina School
19 for the Deaf, and the Governor Morehead School for the Blind."

20 **SECTION 2.(f)** Section 10 of S.L. 2013-247 is repealed.

21 **SECTION 3.** Section 8.15(b) of S.L. 2013-360 is repealed.

22 **SECTION 4.(a)** For the 2022-2023 school year only, the State Board of Education
23 shall adopt rules by August 4, 2022, for eligibility criteria, standards, and procedures for
24 admission to the schools for the deaf and blind in accordance with this section following
25 consultation with the Superintendent of Public Instruction and directors of the schools for the
26 deaf and blind. These rules shall be exempt from the requirements of Article 2A of Chapter 150B
27 of the General Statutes.

28 **SECTION 4.(b)** The adopted eligibility criteria shall include consideration of the
29 following:

30 (1) Evidence of hearing loss for schools for the deaf or vision loss for the school
31 for the blind.

32 (2) State and federal laws.

33 (3) Optimal academic and communicative outcomes for the student.

34 (4) Parental input and choice.

35 (5) Student's possession of minimum daily living skills and level of functioning
36 necessary to participate in the educational program.

37 **SECTION 4.(c)** The adopted admission procedures shall include the following:

38 (1) An application process that may be directly made by a parent or legal guardian
39 to the school or upon recommendation of a local school administrative unit or
40 charter school. If a student has not been evaluated by the local school
41 administrative unit or charter school and determined to be a child with a
42 disability, a process for the school and local school administrative unit or
43 charter school to enter into an agreement to determine if the student is a child
44 with a disability.

45 (2) An admissions committee to make recommendations on an admissions status
46 that includes, but is not limited to, the following members:

47 a. A chair designated by the director of the school.

48 b. The applicant's parent or legal guardian.

49 c. Any professionals necessary to interpret the evaluation results.

50 d. If the applicant is currently enrolled in a local school administrative
51 unit or charter school, a written invitation shall be extended to a

1 representative from that local school administrative unit or charter
2 school to attend and participate in the evaluation.

3 (3) An admissions evaluation that uses multiple sources of information in
4 determining eligibility, including assessments, teacher recommendations,
5 evidence of the applicant's physical and emotional health, indications of the
6 applicant's level of functioning, including adaptive behavior skills, and the
7 student's current or proposed individualized education plan.

8 (4) A final admissions determination made by the director of the school, or
9 designee.

10 **SECTION 4.(d)** The standards for admission shall provide that a student may be
11 admitted in one of the following statuses:

12 (1) Temporary assignment. – An applicant admitted for no more than 90 school
13 days for the school staff to complete evaluations and gather additional
14 information for the admissions committee to make an eligibility
15 determination. A student admitted to a temporary assignment status is not
16 guaranteed admission to the educational program as a student who meets the
17 school's eligibility criteria.

18 (2) Educational program assignment. – An applicant determined to meet the
19 eligibility criteria and granted admission to the educational program.

20 **SECTION 4.(e)** The standards for admission shall provide that a student's continued
21 enrollment in an educational program assignment status shall be subject to reevaluation by the
22 admissions committee when determined necessary by the school to assess if the student continues
23 to meet eligibility criteria. The disenrollment assessment shall follow the same procedures as the
24 admissions process, and a final determination shall be made by the director, or director's
25 designee.

26 **SECTION 4.(f)** The standards for admission shall provide that the local school
27 administrative unit or charter school in which the child is enrolled shall have the initial
28 responsibility of identifying and evaluating the special education needs of the student and
29 providing a special educational program and related services in accordance with Article 9 of this
30 Chapter. If a parent submits an application to the school for enrollment of the parent's child in
31 the school's educational program, and if the child is determined to meet the eligibility criteria for
32 admission to the school's educational program, the school is responsible for the provision of a
33 free appropriate public education. However, a subsequent determination by the school that the
34 student no longer meets eligibility criteria immediately transfers the responsibility for the
35 provision of a special educational program and related services to ensure a free appropriate public
36 education back to the local school administrative unit or charter school in which the child was
37 previously enrolled.

38 **SECTION 4.(g)** The standards for admission shall provide that, prior to seeking a
39 due process hearing as provided in Article 9 of Chapter 115C of the General Statutes, parents be
40 encouraged to seek mediation under Article 9 of Chapter 115C of the General Statutes in
41 resolving any dispute with regards to a student's eligibility determination or individualized
42 education plan. A parent may seek an impartial due process hearing following a final
43 determination on a student's eligibility by the director. If the parent pursues a due process hearing
44 to challenge the school's ineligibility determination, the student's "stay put" placement shall not
45 be the school but shall be the local school administrative unit or charter school in which the child
46 is enrolled.

47 **SECTION 5.** Notwithstanding Article 9C of Chapter 115C of the General Statutes,
48 as amended by this act, the Department of Public Instruction shall continue its administrative
49 duties and responsibilities for the North Carolina School for the Deaf, the Eastern North Carolina
50 School for the Deaf, and the Governor Morehead School for the Blind subject to Article 9C of
51 Chapter 115C of the General Statutes as of June 30, 2023, until the board of trustees for each

1 school has successfully transitioned into the administrative role required by this act, but in no
2 event later than October 1, 2023.

3 **SECTION 6.** Notwithstanding G.S. 146-30 or any other provision of law, during the
4 2022-2023 fiscal year, the Department of Public Instruction shall retain all proceeds generated
5 from any water or other utility easement on the school campus of the Governor Morehead School
6 for the Blind and shall allocate all receipts generated from those easements to the Governor
7 Morehead School for the Blind, less five percent (5%) to the Department of Administration for
8 the costs of processing the transaction. These receipts shall be used to supplement the funds for
9 the general operations of the school beginning with the 2023-2024 school year and shall not be
10 used to support administrative functions within the Department of Public Instruction. The funds
11 shall be placed in the Governor Morehead School for the Blind Special Revenue Fund Code
12 23510-2364.

13 **SECTION 7.(a)** By November 1, 2022, the General Assembly and the Governor
14 shall appoint the initial members of the boards of trustees for the North Carolina School for the
15 Deaf, the Eastern North Carolina School for the Deaf, and the Governor Morehead School for
16 the Blind to take office effective January 1, 2023. If the General Assembly has adjourned to a
17 date certain, which date is more than 20 days after the date of adjournment when this act becomes
18 law, the initial members of the boards appointed by the General Assembly shall be made in the
19 same manner as a vacancy appointment as provided in G.S. 120-122. Upon the expiration of the
20 initial terms appointed by November 1, 2022, all subsequent appointments by all appointing
21 entities shall be for a four-year term of office, as provided in G.S. 115C-150.12A, as enacted by
22 this act. Notwithstanding G.S. 115C-150.12A, as enacted by this act, terms of initial
23 appointments to each board made by November 1, 2022, shall be as follows:

- 24 (1) The General Assembly shall appoint one of the members recommended by the
25 Speaker of the House of Representatives and one of the members
26 recommended by the President Pro Tempore of the Senate to a two-year term
27 of office expiring June 30, 2025.
- 28 (2) The General Assembly shall appoint one of the members recommended by the
29 Speaker of the House of Representatives and one of the members
30 recommended by the President Pro Tempore of the Senate to a four-year term
31 of office expiring June 30, 2027.
- 32 (3) The Governor shall appoint one member to a term expiring June 30, 2025.
- 33 (4) The Secretary of the Department of Health and Human Services shall appoint
34 one nonvoting member to a term expiring June 30, 2027.

35 **SECTION 7.(b)** Notwithstanding G.S. 115C-150.12A, as enacted by this act,
36 following the appointment of a majority of members of the boards of trustees of each of the
37 schools for the deaf and blind, as provided in subsection (a) of this section, and no later than
38 January 15, 2023, the director of each school shall call an initial meeting of each board.

39 **SECTION 8.** The Department of Public Instruction shall, in collaboration with the
40 personnel and boards of trustees from the North Carolina School for the Deaf, the Eastern North
41 Carolina School for the Deaf, and the Governor Morehead School for the Blind, develop a
42 transition plan for the change in administration of the schools for the deaf and blind in accordance
43 with the requirements of this act to be effective July 1, 2023. The Department of Public
44 Instruction shall provide an initial report to the State Board of Education and the Joint Legislative
45 Education Oversight Committee by December 15, 2022, and a final report by March 15, 2023,
46 on the plans for transition in administration of the schools for the deaf and blind. The plans for
47 transition shall include the following:

- 48 (1) An estimate of the costs for administrative services provided by the
49 Department of Public Instruction to the schools for the deaf and blind, on
50 average, for the prior three school years.

- 1 (2) An assessment of the employment rights, salaries, and benefits for current
2 employees of the schools for the deaf and blind under the State Human
3 Resources Act and State salary schedules as compared to those rights, salaries,
4 and benefits of local school administrative unit employees under Chapter
5 115C of the General Statutes, and identification of any areas where the
6 transition may provide lesser protections, salaries, or benefits.
7 (3) Any other issues identified as part of the transition process, and any legislative
8 recommendations necessary to effectuate the transition.
9 **SECTION 9.** Sections 1 through 3 of this act become effective July 1, 2023. The
10 remainder of this act is effective when it becomes law.