

NORTH CAROLINA GENERAL ASSEMBLY **AMENDMENT House Bill 8**

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

H8-ABN-40 [v.8]

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Amends Title [YES] Third Edition	Date	,2023
Senator Lee		

Schalor Lee

1 moves to amend the bill by rewriting the short title to read "Various Statutory Changes."; 2

and on page 1, lines 2-3, by rewriting those lines to read:

"AN ACT TO MAKE VARIOUS CHANGES TO THE GENERAL STATUTES.";

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and on page 2, line 35, by deleting the phrase "July 1, 2023." and substituting the phrase "November 1, 2023.";

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and on page 3, lines 5-6, by inserting the following between those lines:

"SECTION 2.5.(a) If House Bill 259, 2023 Regular Session, becomes law, Sections 1(a), 1(c), 2(a), and 2(c) of this act are repealed.

SECTION 2.5.(b) If House Bill 259, 2023 Regular Session, becomes law, G.S. 115C-83.31, as enacted by Section 7.72(a) of House Bill 259, 2023 Regular Session, reads as rewritten:

"§ 115C-83.31. Exit standards and graduation requirements.

- The State Board of Education shall require the following for high school graduation:
 - Successful completion of instruction in cardiopulmonary resuscitation as (1) provided in G.S. 115C-81.25(c)(10).
 - A passing grade in the semester course on the Founding Principles of the (2) United States of America and the State of North Carolina described in G.S. 115C-81.45(d)(1).
 - A passing grade in a computer science course as provided in <u>(3)</u> G.S. 115C-81.90(c). The computer science course shall fulfill one credit that is not an English, mathematics, science, or social studies credit. Students enrolling in a public high school in this State after completion of the eleventh grade shall be exempt from this requirement.
- The following restrictions apply to the State Board of Education regarding Algebra I (b) and high school graduation projects: certain graduation requirements:
 - The Board shall not adopt or enforce any rule that requires Algebra I as a graduation standard or as a requirement for a high school diploma for any student whose individualized education program (i) identifies the student as



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1		learning disabled in the area of mathematics and (ii) states that this learning
2		disability will prevent the student from mastering Algebra I.
3	(2)	The Board shall not require any student to prepare a high school graduation
4		project as a condition of graduation from high school; local boards of
5		education may, however, require their students to complete a high school
6	(0)	graduation project as provided in G.S. 115C-47(54a).
7	<u>(3)</u>	The Board shall not enforce a computer science graduation requirement for
8		any student whose individualized education program states that the student's
9		disability would prevent the student from completing that graduation
10	CE CE	requirement."
11		TON 2.5.(c) If House Bill 259, 2023 Regular Session, becomes law, the
12	•	G.S. 115C-83.31(a)(3), as enacted by this act, apply beginning with students
13	•	grade in the 2024-2025 school year.
14		TION 2.5.(d) If House Bill 259, 2023 Regular Session, becomes law, Part 1 of
15	-	ter 115C of the General Statutes is amended by adding a new section to read:
16 17		Computer science.
17 18		red Instruction. – The State Board of Education shall include instruction in in the standard course of study for middle and high school students. Computer
10 19		ean the study of computers and algorithmic processes, including their (i)
20		rdware and software designs, (iii) implementation, and (iv) impact on society.
	•	uctory Course. – Each public school unit shall offer to middle school students
21 22		uctory computer science course that surveys the field of computer science. The
23		lucation, in consultation with the Department of Public Instruction, shall adopt
23 24	·	d courses that fulfill this requirement and make it publicly available on the
25	Department's web	
26	-	ation Requirement. – Each public school unit shall offer to high school students
27		ce course which includes instruction in using existing technologies and creating
28		. The public school unit may offer such a course to middle school students. The
29		lucation, in consultation with the Department of Public Instruction, shall adopt
30		d courses that fulfill this requirement and make it publicly available on the
31		osite. A passing grade in this course, whether taken in middle school or high
32	school, satisfies th	he graduation requirement established in G.S. 115C-83.31(a)(3).
33	(d) Instruc	ctional Setting Public school units shall ensure that computer science courses
34	be conducted in	an in-person setting when practicable. When an in-person setting is not
35	practicable, comp	outer science courses may be provided through enrollment in remote courses
36	that meet the requ	irements of Part 11 of Article 16 of this Chapter."
37	SECT	TION 2.5.(e) If House Bill 259, 2023 Regular Session, becomes law, for the
38	2024-2025 and 20	025-2026 school years only, by July 1 of each school year, a public school unit
39	may submit a sign	ned notification to the Department of Public Instruction stating that a computer
40		Ifilling the requirements of G.S. 115C-81.90(c), as enacted by this section, was
41		tudents. This submission waives the requirement to offer such a course for the
42		ich the submission is made. Submission of a notification that a course fulfilling
43	G.S. 115C-81.90((c) was not available shall waive the graduation requirement established by

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G.S. 115C-83.81(a)(3), as enacted by this act, for students entering the ninth grade in the school year in which the notification is submitted. The Department shall maintain a list of public school units that submitted a notification under this section.

SECTION 2.6.(a) If House Bill 259, 2023 Regular Session, becomes law, Sections 8A.6(k) and 8A.6(l) of that act are repealed.

SECTION 2.6.(b) If House Bill 259, 2023 Regular Session, becomes law, G.S. 115C-83.31, as enacted by Section 7.72(a) of House Bill 259, 2023 Regular Session, and amended by Section 2.5(b) of this act, reads as rewritten:

"§ 115C-83.31. Exit standards and graduation requirements.

...

- (b) The following restrictions apply to the State Board of Education regarding certain graduation requirements:
 - (1) The Board shall not adopt or enforce any rule that requires Algebra I as a graduation standard or as a requirement for a high school diploma for any student whose individualized education program (i) identifies the student as learning disabled in the area of mathematics and (ii) states that this learning disability will prevent the student from mastering Algebra I.
 - (2) The Board shall not require any student to prepare a high school graduation project as a condition of graduation from high school; local boards of education may, however, require their students to complete a high school graduation project as provided in G.S. 115C-47(54a).school.
 - (3) The Board shall not enforce a computer science graduation requirement for any student whose individualized education program states that the student's disability would prevent the student from completing that graduation requirement.
- (c) The State Board of Education shall develop a sequence of courses that shall be available in all local school administrative units to allow a student to complete the credits required for graduation in a three-year period. The Board shall indicate on a student's transcript if the student graduates from a public high school within three years of entering the ninth grade. A local board of education shall not require any additional credits beyond those mandated by the Board for high school graduation."

SECTION 2.6.(c) If House Bill 259, 2023 Regular Session, becomes law, G.S 115C-47(53a), as enacted by Section 8A.6(o) of House Bill 259, 2023 Regular Session, reads as rewritten:

- "(53a) To Encourage Early High School Graduation. Local boards of education shall offer a sequence of courses in accordance with G.S. 115C-12(9d) G.S. 115C-83.31(c) and to shall advise students using this sequence to graduate within three years of entering the ninth grade of the availability of early graduate scholarships under Part 7 of Article 23 of Chapter 116 of the General Statutes."
- **SECTION 2.6.(d)** If House Bill 259, 2023 Regular Session, becomes law, G.S. 115C-218.85(a)(6), as enacted by Section 8A.6(p) of House Bill 259, 2023 Regular Session, reads as rewritten:

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1	"(6)(7) A charter school may offer a sequence of courses in accordance with
2	G.S. 115C-12(9d)G.S. 115C-83.31(c) and shall advise students using this
3	sequence to graduate within three years of entering the ninth grade of the
4	availability of early graduate scholarships under Part 7 of Article 23 of
5	Chapter 116 of the General Statutes."
6	SECTION 2.6.(e) If House Bill 259, 2023 Regular Session, becomes law,
7	G.S. 115C-238.66(1)f., as enacted by Section 8A.6(q) of House Bill 259, 2023 Regular Session,
8	reads as rewritten:
9	"f.g. The board of directors may offer a sequence of courses in accordance
10	with G.S. 115C-12(9d)G.S. 115C-83.31(c) and shall advise students
11	using this sequence to graduate within three years of entering the ninth
12	grade of the availability of early graduate scholarships under Part 7 of
13	Article 23 of Chapter 116 of the General Statutes."
14	SECTION 2.6.(f) If House Bill 259, 2023 Regular Session, becomes law, Section
15	8A.6(r) of that act reads as rewritten:
16	"SECTION 8A.6.(r) Governing bodies of other public school units that offer a
17	sequence of courses in accordance with G.S. 115C-12(9d)G.S. 115C-83.31(c) and all local
18	boards of education shall report to the Department of Public Instruction on the number of rising
19	eleventh graders utilizing the sequence of courses to complete the credits required for graduation
20	in a three-year period by May 15, 2025, and May 15, 2026. The Department of Public Instruction
21	shall report the total number of rising eleventh graders utilizing the sequence of courses to
22	complete the credits required for graduation in a three-year period by public school unit to the
22 23	Fiscal Research Division by June 1, 2025, and June 1, 2026."";
24	110000 110000000 2110000 2, 2020, 4000 0000 1, 20200 ,
24 25	and on page 3, lines 20-21, by inserting the following between those lines:
26	"SECTION 3.1.(a) G.S. 116-11 is amended by adding a new subdivision to read:
27	"(3c) The Board of Governors shall adopt a policy requiring constituent institutions
28	to be accredited in accordance with G.S. 116-11.4."
29	SECTION 3.1.(b) Article 1 of Chapter 116 of the General Statutes is amended by
30	adding a new section to read:
31	"§ 116-11.4. Accreditation.
32	(a) Definitions. – The following definitions apply in this section:
33	(1) Accreditation cycle. – The period of time during which a constituent
34	institution of The University of North Carolina is accredited.
35	(2) Accrediting agency. – An agency or association that accredits institutions of
36	higher education.
37	(3) Regional accrediting agency. – One of the following accrediting agencies:
38	a. Higher Learning Commission.
39	b. Middle States Commission on Higher Education.
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41	 <u>C.</u> New England Commission on Higher Education. <u>Morthwest Commission on Colleges and Universities.</u>
12	e. Southern Association of Colleges and Schools Commission on
43	Colleges.
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in accordance with G.S. 115D-6.2."

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1			<u>f.</u>	Western Association of Schools and Colleges Senior College and
2				University Commission.
3	<u>(b)</u>	Prohib	oit Co	nsecutive Accreditation by an Accrediting Agency A constituent
4	institution	of The	Unive	ersity of North Carolina shall not receive accreditation by an accrediting
5	agency for	r conse	cutive	accreditation cycles except as provided in subsection (c) of this section.
6	<u>(c)</u>	Accre	ditatio	n Transfer Procedure A constituent institution that pursues
7	<u>accreditati</u>	on with	h a dif	ferent accrediting agency in accordance with this section shall pursue
8	accreditati	on wit	h a reg	gional accrediting agency. If the constituent institution is not granted
9	candidacy	status	by any	regional accrediting agency that is different from its current accrediting
10	agency at	least the	hree ye	ears prior to the expiration of its current accreditation, the constituent
11	institution	may re	<u>emain v</u>	with its current accrediting agency for an additional accreditation cycle.
12	<u>(d)</u>		-	grams Exempt The requirements of this section do not apply to
13				lepartmental, or certificate programs at constituent institutions that have
14				quirements or best practices, including law, pharmacy, engineering, and
15				al programs, as identified by the Board of Governors of The University
16	of North C			
17	<u>(e)</u>			ion. – A constituent institution may bring a civil action, as follows:
18		<u>(1)</u>		nst any person who makes a false statement to the accrediting agency of
19			the co	onstituent institution, if all of the following criteria are met:
20			<u>a.</u>	The statement, if true, would mean the constituent institution is out of
21				compliance with its accreditation standards.
22			<u>b.</u>	The person made the statement with knowledge that the statement was
23				false or with reckless disregard as to whether it was false.
24			<u>c.</u>	The accrediting agency conducted a review of the constituent
25				institution as a proximate result of the statement.
26			<u>d.</u>	The review caused the constituent institution to incur costs.
27		<u>(2)</u>		nstituent institution that prevails on a cause of action initiated pursuant
28			to thi	s subsection shall be entitled to the following:
29			<u>a.</u>	Costs related to the review conducted by the accrediting agency,
30				including for the following:
31				1. Additional hours worked by university personnel.
32				 Contracted services, including outside legal counsel. Travel, lodging, and food expenses.
33				
34				4. Fees required by the agency.
35			<u>b.</u>	Reasonable attorney fees.
36		~~~	<u>c.</u>	Court costs."
37	4			3.1.(c) This section is effective when it becomes law and applies to
38	application			ation submitted by constituent institutions on or after that date.
39		SECT	TON 3	3.2.(a) G.S. 115D-5 is amended by adding a new subsection to read:

SECTION 3.2.(b) Article 1 of Chapter 115D of the General Statutes is amended by adding a new section to read:

The State Board shall adopt a policy requiring community colleges to be accredited

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"§ 115D-6.2. Accreditation.

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2	<u>(a)</u>	Defin	itions. – The following definitions apply in this section:
3		<u>(1)</u>	Accreditation cycle. – The period of time during which a community college
4			is accredited.
5		<u>(2)</u>	Accrediting agency An agency or association that accredits institutions of
6			higher education.
7		<u>(3)</u>	Regional accrediting agency. – One of the following accrediting agencies:
8			a. <u>Higher Learning Commission.</u>
9			b. Middle States Commission on Higher Education.
10			c. New England Commission on Higher Education.
11			d. Northwest Commission on Colleges and Universities.
12			e. Southern Association of Colleges and Schools Commission on
13			Colleges.
14			f. Western Association of Schools and Colleges Accrediting
15			Commission for Community and Junior Colleges.
16	(b)	Prohi	bit Consecutive Accreditation by an Accrediting Agency. – A community
17			receive accreditation by an accrediting agency for consecutive accreditation
18			provided in subsection (c) of this section.
19	(c)	Accre	editation Transfer Procedure. – A community college that pursues accreditation
20	with a dif		ccrediting agency in accordance with this section shall pursue accreditation with
21	a regiona	l accred	liting agency. If the community college is not granted candidacy status by any
22	regional	accredit	ing agency that is different from its current accrediting agency at least three
23	years pric	or to the	expiration of its current accreditation, the community college may remain with
23 24	its curren	t accred	liting agency for an additional accreditation cycle.
25	<u>(d)</u>		in Programs Exempt. – The requirements of this section do not apply to
26	professio	nal, der	partmental, or certificate programs at community colleges that have specific
27	accredita	tion req	uirements or best practices, as identified by the State Board of Community
28	Colleges.	<u>-</u>	·
29	(e)	Cause	e of Action. – A community college may bring a civil action, as follows:
30		(1)	Against any person who makes a false statement to the accrediting agency of
31			the community college, if all of the following criteria are met:
32			a. The statement, if true, would mean the community college is out of
33			compliance with its accreditation standards.
34			b. The person made the statement with knowledge that the statement was
35			false or with reckless disregard as to whether it was false.
36			c. The accrediting agency conducted a review of the community college
37			as a proximate result of the statement.
38			d. The review caused the community college to incur costs.
39		<u>(2)</u>	A community college that prevails on a cause of action initiated pursuant to
40			this subsection shall be entitled to the following:
41			a. Costs related to the review conducted by the accrediting agency,
42			including for the following:
43			1. Additional hours worked by community college personnel.

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1	<u>2.</u> <u>Contracted services, including outside legal counsel.</u>
2	<u>3.</u> <u>Travel, lodging, and food expenses.</u>
3	<u>4.</u> <u>Fees required by the agency.</u>
4	<u>b.</u> <u>Reasonable attorney fees.</u>
5	<u>c.</u> <u>Court costs.</u> "
6	SECTION 3.2.(c) This section is effective when it becomes law and applies to
7	applications for accreditation submitted by community colleges on or after that date.

applications for accreditation submitted by community colleges on or after that date.

SECTION 3.3. The Board of Governors of The University of North Carolina shall establish a Commission to study alternatives to the current process by which institutions of higher

establish a Commission to study alternatives to the current process by which institutions of higher education are accredited and shall invite stakeholders, including stakeholders from other states, to participate. The Board of Governors shall provide an interim report on the Commission's efforts to recruit stakeholders to participate to the Joint Legislative Education Oversight Committee by January 1, 2024. The Commission shall report any findings it develops to the Joint Legislative Education Oversight Committee by September 1, 2024.

SECTION 3.4.(a) G.S. 90-631(b) reads as rewritten:

"(b) A massage and bodywork therapy program operated by a North Carolina community college that is accredited by the Southern Association of Colleges and Schools a regional accrediting agency, as defined in G.S. 115D-6.2, is exempt from the approval process, licensure process, or both, established by the Board. The college shall certify annually to the Board that the program meets or exceeds the minimum standards for curriculum, faculty, and learning resources established by the Board. Students who complete the program shall qualify for licenses from the Board as if the program were approved, licensed, or both, by the Board."

SECTION 3.4.(b) G.S. 93A-4(a2) reads as rewritten:

"(a2) A certified real estate education provider shall pay a fee of ten dollars (\$10.00) per licensee to the Commission for each licensee completing a postlicensing education course conducted by the school, provided that these fees shall not be charged to a community college, junior college, college, or university located in this State and accredited by the Southern Association of Colleges and Schools.a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, respectively."

SECTION 3.4.(c) G.S. 93A-38.5(e) reads as rewritten:

"(e) The Commission may establish a nonrefundable course application fee to be charged to private real estate education providers for the review and approval of a proposed continuing education course. The fee shall not exceed one hundred twenty-five dollars (\$125.00) per course. The Commission may charge the private real estate education providers of an approved course a nonrefundable fee not to exceed seventy-five dollars (\$75.00) for the annual renewal of course approval.

A private real estate education provider shall pay a fee of ten dollars (\$10.00) per licensee to the Commission for each licensee completing an approved continuing education course conducted by the sponsor.

The Commission shall not charge a course application fee, a course renewal fee, or any other fee for a continuing education course sponsored by a community college, junior college, college, or university located in this State and accredited by the Southern Association of Colleges and

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Schools.a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, respectively."

SECTION 3.4.(d) G.S. 93E-1-7(b2) reads as rewritten:

"(b2) The Board shall not charge a course application fee, a course renewal fee, or any other fee for a continuing education course offered by a North Carolina college, university, junior college, or community or technical college accredited by the Southern Association of Colleges and Schools—a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, respectively, or an agency of the federal, State, or local government."

SECTION 3.4.(e) G.S. 93E-1-8 reads as rewritten:

"§ 93E-1-8. Education program approval and fees.

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(b) The Board may by rule set nonrefundable fees chargeable to private real estate appraisal schools or course sponsors, including appraisal trade organizations, for the approval and annual renewal of approval of their qualifying courses required by G.S. 93E-1-6(a), or equivalent courses. The fees shall be one hundred dollars (\$100.00) per course for approval and fifty dollars (\$50.00) per course for renewal of approval. No fees shall be charged for the approval or renewal of approval to conduct appraiser qualifying courses where such courses are offered by a North Carolina college, university, junior college, or community or technical college accredited by the Southern Association of Colleges and Schools, a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, respectively, or an agency of the federal, State, or local government.

. . .

(d) Nonrefundable fees of one hundred dollars (\$100.00) per course may be charged to schools and course sponsors for the approval to conduct appraiser continuing education courses and fifty dollars (\$50.00) per course for renewal of approval. However, no fees shall be charged for the approval or renewal of approval to conduct appraiser continuing education courses where such courses are offered by a North Carolina college, university, junior college, or community or technical college accredited by the Southern Association of Colleges and Schools, a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, respectively, or by an agency of the federal, State, or local government. A nonrefundable fee of fifty dollars (\$50.00) per course may be charged to current or former licensees or certificate holders requesting approval by the Board of a course for continuing education credit when approval of such course has not been previously obtained by the offering school or course sponsor."

SECTION 3.4.(f) G.S. 116-201(b)(8) reads as rewritten:

"(8) "Private institution" means an institution other than a seminary, Bible school, Bible college or similar religious institution in this State that is not owned or operated by the State or any agency or political subdivision thereof, or by any combination thereof, that offers post-high school education and is accredited by a regional accrediting agency, as defined in G.S. 115D-6.2 and G.S. 116-11.4, or the Transnational Association of Christian Colleges and Schools, the Southern Association of Colleges and Schools or, in the case of institutions that are not eligible to be considered for accreditation, accredited

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1		in those categories and by those nationally recognized accrediting agencies
2		that the Authority may designate;"
3		SECTION 3.4.(g) G.S. 116-280(3) reads as rewritten:
4		'(3) Eligible private postsecondary institution. – A school that is any of the
5		following:
6		a. A nonprofit postsecondary educational institution with a main
7		permanent campus located in this State that is not owned or operated
8		by the State of North Carolina or by an agency or political subdivision
9		of the State or by any combination thereof that satisfies all of the
10		following:
11		1. Is either (i) accredited by a regional accrediting agency, as
12		defined in G.S. 115D-6.2 and G.S. 116-11.4, or the
13		Transnational Association of Christian Colleges and Schools
14		the Southern Association of Colleges and Schools Commission
15		on Colleges (SACSCOC) or by the New England Association
16		of Schools and Colleges through its Commission of Higher
17		Education-or (ii) was accredited by SACSCOC on January 1,
18		2021, and, beginning January 1, 2021, was a member of the
19		Transnational Association of Christian Colleges and Schools.
20		2. Awards a postsecondary degree as defined in G.S. 116-15.
21		b. A postsecondary institution owned or operated by a hospital authority
22		as defined in G.S. 131E-16(14) or school of nursing affiliated with a
23		nonprofit postsecondary educational institution as defined in
24		sub-subdivision a. of this subsection."
25		SECTION 3.4.(h) G.S. 115D-5(a) reads as rewritten:
26	"(a)	The State Board of Community Colleges may adopt and execute such policies,

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The State Board of Community Colleges shall require all community colleges each community college to meet the faculty credential requirements of the Southern Association of Colleges and Schools its accrediting agency for all community college programs."

regulations and standards concerning the establishment, administration, and operation of institutions as the State Board may deem necessary to insure the quality of educational programs,

to promote the systematic meeting of educational needs of the State, and to provide for the

SECTION 3.4.(i) G.S. 130A-309.28 reads as rewritten:

equitable distribution of State and federal funds to the several institutions.

"§ 130A-309.28. University research.

Research, training, and service activities related to solid and hazardous waste management conducted by The University of North Carolina shall be coordinated by the Board of Governors of The University of North Carolina through the Office of the President. Proposals for research contracts and grants; public service assignments; and responses to requests for information and technical assistance by the State and units of local government, business, and industry shall be addressed by a formal process involving an advisory board of university personnel appointed by the President and chaired and directed by an individual appointed by the President. The Board of

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1 2	the research pro	he University of North Carolina shall consult with t grams and provide the Department with a copy of the	ne proposed research program				
3	for review and comment before the research is undertaken. Research contracts shall be awarded						
4	-	to independent nonprofit colleges and universities within the State which are accredited by the					
5		eiation of Colleges and Schools a regional accre-					
6		on the same basis as those research contracts awarde	ed to The University of North				
7	Carolina. Resea	rch activities shall include the following areas:					
8	(1)	Methods and processes for recycling solid and h	azardous waste; waste.				
9	(2)	Methods of treatment for detoxifying hazardous	waste; and waste.				
10	(3)	Technologies for disposing of solid and hazardo	ous waste."";				
11							
12	and on page 3, 1	lines 20-21, by inserting the following between those	se lines:				
13	"SE	CTION 3.10 If House Bill 259, 2023 Regular Sessi	on, becomes law, subdivision				
14	(4) of Section 8	.5(a) of that act reads as rewritten:					
15	"(4)	•					
16		University of North Carolina at Chapel Hill. Th					
17		hired with permanent tenure or be eligible to	<u> </u>				
18		accordance with policies adopted by The B					
19		University of North Carolina and the University					
20		Hill. The School shall not hire any faculty mer	* *				
21		dean of the School. All faculty hired by or appearance					
22		subject to the approval of the dean of the School	<u>l.</u> Faculty members may hold				
23		joint or courtesy appointments with other existi	ing units of the University of				
24		North Carolina at Chapel Hill."".					
	SIGNED		_				
		Amendment Sponsor					
	SIGNED		_				
	C	ommittee Chair if Senate Committee Amendment					
	ADOPTED	FAILED	TABLED				

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