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NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT House Bill 317

AMENDMENT NO. A7

(to be filled in by
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Senator Hunt

1

moves to amend the bill on page 14, line 46, to page 15, line 13, by rewriting the lines to read:

2 "2024-2025 Teacher Monthly Salary Schedule

4	Years of Experience	"A" Teachers
5	0	\$4,600
6	1	\$4,660
7	2	\$4,720
8	3	\$4,780
9	4	\$4,840
10	5	\$4,900
11	6	\$4,960
12	7	\$5,020
13	8	\$5,080
14	9	\$5,140
15	10	\$5,200
16	11	\$5,260
17	12	\$5,320
18	13	\$5,380
19	14	\$5,440
20	15-17	\$5,500
21	18-20	\$5,575
22	21-23	\$5,650
23	24-26	\$5,725
24	27-29	\$5,800
25	30+	\$5,875";
26		

26 27

and on page 16, lines 19-20, by inserting between the lines the following:

28 29

30

31

"SECTION 6.1.(g) Notwithstanding any other provision of law to the contrary, the requirements for the Department of Public Instruction for the 2024-2025 fiscal year in subsection (a) of Section 2.1 of this act shall be increased by the sum of three hundred seventy-six million



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six hundred thousand dollars (\$376,600,000) in recurring funds to raise teacher salaries in accordance with subsection (a) of this section.";

and on page 16, lines 20-21, by inserting between the lines the following:

"REINSTATE EDUCATION-BASED SALARY SUPPLEMENTS FOR TEACHERS AND INSTRUCTIONAL SUPPORT PERSONNEL

SECTION 6.1A.(a) G.S. 115C-302.10 is repealed.

SECTION 6.1A.(b) Notwithstanding any other provision of law, for the 2024-2025 fiscal year, State Board of Education policy TCP-A-006, as it was in effect on June 30, 2013, shall be used to determine (i) whether teachers and instructional support personnel are paid on the "M" salary schedule and (ii) whether they receive a salary supplement for academic preparation at the six-year or doctoral degree level.

SECTION 6.1A.(c) Notwithstanding any other provision of law to the contrary, the requirements for the Department of Public Instruction for the 2024-2025 fiscal year in subsection (a) of Section 2.1 of this act shall be increased by the sum of eight million dollars (\$8,000,000) in recurring funds to reinstate education-based salary supplements for teachers and instructional support personnel in accordance with this section.

SECTION 6.1A.(d) This section becomes effective July 1, 2024.";

on page 29, line 33, to page 30, line 34, by rewriting the lines to read:

"MORATORIUM AND ACCOUNTABILITY MEASURES FOR OPPORTUNITY SCHOLARSHIPS

SECTION 6.15.(a) Beginning with the 2024-2025 fiscal year, the State Education Assistance Authority shall not award any scholarship grant funds under Part 2A of Article 39 of Chapter 115C of the General Statutes to new persons who did not receive scholarship grant funds in the prior school year. It is the intent of the General Assembly to eliminate the program for awarding scholarship grants under Part 2A of Article 39 of Chapter 115C of the General Statutes beginning in the 2036-2037 school year or once all current recipients become ineligible for the receipt of scholarship grants.

SECTION 6.15.(b) Subsection (b) of G.S. 115C-562.2 is reenacted. **SECTION 6.15.(c)** G.S. 115C-562.1 reads as rewritten:

"§ 115C-562.1. Definitions.

The following definitions apply in this Part:

- (3a) Eligible student. A student residing in North Carolina who has not yet received a high school diploma and who meets all of the following requirements:
 - a. Is eligible to attend a North Carolina public school pursuant to Article 25 of this Chapter. A child who is the age of 4 on or before April 16 is eligible to attend the following school year if the principal, or equivalent, of the school in which the child seeks to enroll finds that

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1		the student meets the requirements established by the Authority
2		pursuant to G.S. 115C-562.2(d) and those findings are submitted to the
3		Authority.
4	b.	Has not been enrolled in a postsecondary institution as a full-time
5		student taking at least 12 hours of academic credit.
6	c.	Has not been placed in a nonpublic school or facility by a public
7		agency at public expense.
8	<u>d.</u>	Received a scholarship grant for the school year prior to the school
9	<u> </u>	year for which the student is applying.
10	"	
11		N 6.15.(d) G.S. 115C-562.2, as amended by subsection (b) of this section,
12	reads as rewritten:	, , , , , , , , , , , , , , , , , , ,
13	"§ 115C-562.2. Scho	plarship grants.
14		ority shall make available no later than February 1 annually applications to
15		he award of scholarship grants to attend any nonpublic school on a full- or
16	_	mation about scholarship grants and the application process shall be made
17	-	nority's Web site. website. Beginning March 15, the Authority shall begin
18		grants to students who have applied by March 1 in the following order:
19		igible students who received a scholarship grant for the school year prior to
20		e school year for which the students are applying.
21		igible students qualifying for a scholarship grant in the amount provided
22		der subdivision (1) of subsection (b2) of this section.
23		igible students qualifying for a scholarship grant in the amount provided
24		der subdivision (2) of subsection (b2) of this section.
25	(4) El	igible students qualifying for a scholarship grant in the amount provided
26		der subdivision (3) of subsection (b2) of this section.
27		lother students.March 1.
28	(b) Scholarsh	ip grants awarded to eligible students residing in households with an income
29		of the amount required for the student to qualify for the federal free or
30	reduced-price lunch	program shall be, per year per eligible student, in an amount of up to ninety
31	percent (90%) as a fu	all-time student or up to forty-five percent (45%) as a part-time student of
32	the average State pe	r pupil allocation for average daily membership in the prior fiscal year.
33	Scholarship grants av	warded to eligible students residing in households with an income level in
34	excess of the amount	required for the student to qualify for the federal free or reduced-price lunch
35	program shall be for	amounts of not more than ninety percent (90%) of the required tuition and
36	fees as a full-time s	tudent or forty-five percent (45%) of the required tuition and fees as a
37	part-time student for	the nonpublic school the eligible child will attend. Tuition and fees for a
38	nonpublic school ma	y include tuition and fees for books, transportation, equipment, or other
39	items required by the	nonpublic school. No scholarship grant shall exceed, per year per eligible
40	student, an amount e	qual to ninety percent (90%) for a full-time student or forty-five percent
41	(45%) for a part-tin	ne student of the average State per pupil allocation for average daily
42	membership in the p	rior fiscal year, and no scholarship grant shall exceed the required tuition

and fees for the nonpublic school the eligible student will attend.

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1			
2	(b2)		arship grants shall be awarded to eligible students as follows:
3		(1)	For students residing in households with an income level not in excess of the
4			amount required for the student to qualify for the federal free or reduced-price
5			lunch program, per year per eligible student, an amount of up to one hundred
6			percent (100%) of the average State per pupil allocation for average daily
7			membership in the prior fiscal year.
8		(2)	For students residing in households with an income level between the amount
9			required for the student to qualify for the federal free or reduced price lunch
10			program and not in excess of two hundred percent (200%) of that amount, per
11			year per eligible student, an amount of up to ninety percent (90%) of the
12			average State per pupil allocation for average daily membership in the prior
13			fiscal year.
14		(3)	For students residing in households with an income level of between two
15			hundred percent (200%) of the amount required for the student to qualify for
16			the federal free or reduced-price lunch program and not in excess of four
17			hundred fifty percent (450%) of that amount, per year per eligible student, an
18			amount of up to sixty percent (60%) of the average State per pupil allocation
19			for average daily membership in the prior fiscal year.
20		(4)	For all students, per year per eligible student, an amount of up to forty-five
21			percent (45%) of the average State per pupil allocation for average daily
22			membership in the prior fiscal year, unless the student qualifies for a higher
23			amount under this subsection.
24	(b3)	Tuitio	n and fees for a nonpublic school may include tuition and fees for books,
25	transporta		uipment, or other items required by the nonpublic school.
26	(b4)	No sc	holarship grant shall exceed, per year per eligible student, an amount equal to
27	one hund		recent (100%) of the average State per pupil allocation for average daily
28			ne prior fiscal year, and no scholarship grant shall exceed the required tuition
29		-	onpublic school the eligible student will attend.
30	(b5)	In add	dition to the amount of the scholarship grant, for any student receiving a
31	scholarsh		in grades three, eight, or 11, the Authority shall provide to the nonpublic school
32			to the cost of the nationally standardized test required to be administered as
33		-	115C-562.5.
34	·"		
35		SECT	TION 6.15.(e) G.S. 115C-562.5 reads as rewritten:
36	"§ 115C-	562.5.	Obligations of nonpublic schools accepting eligible students receiving
37	Ü		arship grants.
38	(a)		apublic school that accepts eligible students receiving scholarship grants shall
39	` '		following:
40	1 3	(1)	Provide Annually provide to the Authority documentation for required tuition
41		` /	and fees charged to the student by the nonpublic school. A nonpublic school
42			that accepts eligible students receiving scholarship grants shall not increase
43			tuition in a given year by more than the change in the Consumer Price Index,

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1		as calculated and reported by the Federal Bureau of Labor Statistics, that is
2		reported in the calendar year in which the tuition increase would occur.
3	(2)	Provide to the Authority a criminal background check conducted for the staff
4	· /	member with the highest decision-making authority, as defined by the bylaws,
5		articles of incorporation, or other governing document. Information provided
6		to the Authority in accordance with this subdivision is privileged information
7		and is not a public record but is for the exclusive use of the Authority.
8	(3)	Provide to the parent or guardian of an eligible student, whose tuition and fees
9	(3)	are paid in whole or in part with a scholarship grant, an annual written
10		explanation of the student's progress, including the student's scores on
11		standardized achievement tests.
12	(4)	
	(4)	Administer, at least once in each school year, tests as provided in this
13		subdivision. Administer each school year all tests required by the State Board
14		of Education pursuant to G.S. 115C-174.11(c) for students in grades three and
15		higher in a local school administrative unit. Test performance data for students
16		shall be submitted to the Authority by July 15 of each year. The nonpublic
17		school shall retain this data for five years, and the Authority may audit the
18		nonpublic school to ensure compliance with the retention requirement. Test
19		performance data reported to the Authority or collected by the Authority under
20		this subdivision is not a public record under Chapter 132 of the General
21		Statutes. Statutes, to the extent the data contains personally identifiable
22		information. Tests shall be administered to all eligible students enrolled in
23		grades three and higher whose tuition and fees are paid in whole or in part
24		with a scholarship grant as follows:
25		a. The nationally standardized test designated by the Authority in grades
26		three and eight.
27		b. The ACT in grade 11.
28		e. A nationally standardized test or other nationally standardized
29		equivalent measurement selected by the chief administrative officer of
30		the nonpublic school in all other grades four and higher. For grades
31		four through seven, the nationally standardized test or other equivalent
32		measurement selected must measure achievement in the areas of
33		English grammar, reading, spelling, and mathematics. For grades nine,
34		10, and 12, the nationally standardized test or other equivalent
35		measurement selected must measure either (i) achievement in the areas
36		of English grammar, reading, spelling, and mathematics or (ii)
37		competencies in the verbal and quantitative areas.grant. Nothing in
38		this subdivision shall prohibit a nonpublic school from administering
39		additional tests to its students.
40	(5)	Provide to the Authority graduation rates of the students receiving scholarship
40 41	(3)	grants grants, including four-year cohort graduation rates, in a manner
41 42		consistent with nationally recognized standards Title L of the Elementary and

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1		Secondary Education Act of 1965, as amended, and any associated federal
2		regulations.
3	(6)	Contract with a certified public accountant to perform a financial review, an
4		audit, consistent with generally accepted methods of accounting or any other
5		comprehensive basis of accounting recognized by the American Institute of
6		Certified Public Accountants (AICPA) for each school year in which the
7		school enrolls 70 or more students receiving scholarship grants or scholarship
8		funds awarded by the Authority-accepts students receiving one hundred
9		thousand dollars (\$100,000) or more in scholarship grants awarded under this
10		Part. If a school accepts students receiving less than one hundred thousand
11		dollars (\$100,000), it shall contract pursuant to this subdivision for an audit
12		every three years. A nonpublic school shall report the results of an audit by
12 13		December 31 of the year in which the audit is conducted.
14	(7)	Maintain a school facility within the State where in-person instruction is
15		provided. This subdivision does not prohibit a school from offering
16		remote-only courses of instruction in addition to in-person instruction.
17	(8)	Provide the following information annually to the Division:
18	, ,	a. Name and address of the school, including physical location address.
19		A school with more than one physical location shall establish a
20		separate notice of intent for each physical location and shall provide
21		all information required by this subdivision for each physical location.
21 22 23 24 25 26 27 28		b. The name of the owners and chief administrator, administrator,
23		including contact information.
24		c. Number of students in attendance at the school as of October 1.
25		d. All attendance records of students receiving scholarship grants from
26		the previous school year.
27		e. Documentation of a completed fire inspection in the previous 365
28		days.
29	<u>(9)</u>	For any child with a disability who is a recipient of scholarship funds, educate
30	<u> </u>	that child in accordance with his or her Individualized Education Program
31		(IEP) and in compliance with IDEA, as defined in G.S. 115C-106.3(6), and
32		applicable policies adopted by the State Board of Education for local school
33		administrative units under Article 9 of Chapter 115C of the General Statutes.
34	(10)	Comply with the requirements of Article 8C of this Chapter, including the
35	(10)	following:
		a. School Risk Management Plan. – The nonpublic school, in
37		coordination with local law enforcement agencies, shall adopt a
36 37 38		School Risk Management Plan (SRMP) relating to incidents of school
39		violence. In constructing and maintaining these plans, the nonpublic
40		school shall utilize the School Risk and Response Management
41		System established pursuant to G.S. 115C-105.49A. These plans are
42		not considered a public record as the term "public record" is defined

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1		under G.S. 132-1 and shall not be subject to inspection and
2	1	examination under G.S. 132-6.
3	<u>b.</u>	Schematic diagrams and school crisis kits. – The nonpublic school
4		shall provide schematic diagrams and keys to the main entrance of
5		school facilities to local law enforcement agencies, in addition to
6		implementing the provisions in G.S. 115C-105.52.
7	<u>c.</u>	School safety exercises. – At least once a year, the nonpublic school
8		shall hold a full school-wide lockdown exercise with local law
9		enforcement and emergency management agencies that are part of the
10	•	school's SRMP.
11	<u>d.</u>	Safety information provided to the Department of Public Safety,
12		Division of Emergency Management. – The nonpublic school shall
13		provide the following: (i) schematic diagrams, including digital
14		schematic diagrams, and (ii) emergency response information
15		requested by the Division for the SRMP. The schematic diagrams and
16		emergency response information are not considered public records as
17		the term "public record" is defined under G.S. 132-1 and shall not be
18		subject to inspection and examination under G.S. 132-6.
19	. ,	school that accepts students receiving scholarship grants shall not require
20		d on the status of the student as a scholarship grant recipient.
21		school enrolling more than 25 students in any grade whose tuition and
22		in part with a scholarship grant shall provide and retain information on
23		e in each grade with more than 25 students, as follows:
24	· · · · · · · · · · · · · · · · · · ·	rt to the Authority on the aggregate standardized test performance of
25		le students in grades three, eight, and 11. three and higher pursuant to
26		vision (4) of subsection (a) of this section. Aggregate test performance
27		reported to the Authority which does not contain personally identifiable
28		nt data shall be a public record under Chapter 132 of the General Statutes.
29	·	tes, and the Authority shall post this data on its website. Test
30	-	rmance data may be shared with public or private institutions of higher
31		tion located in North Carolina and shall be provided to an independent
32		rch organization selected by the Authority for research purposes as
33	-	itted by the Federal Education Rights and Privacy Act, 20 U.S.C. §
34	1232	
35	• /	n standardized test performance data for eligible students in all other
36	•	s and annually certify to the Authority compliance with the requirements
37		odivision (4) of subsection (a) of this section.
38	` '	school shall not discriminate with respect to the categories listed in 42
39		statute read on January 1, 2014. 2014, or on the basis of disability, as
40	· ·	s with Disabilities Act, 42 U.S.C. § 12102, as that statute read on January
41	<u>1, 2024.</u>	
42	•••	

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	C
to the Aut nonpublic administra of subsect	If a nonpublic school terminates operation during the school's regular schedule and report the date of the closure to the Division within 14 days and (ii) return funds owed thority in a timely manner for students who received scholarship grants, any other school opened during that school year or subsequent school years by an owner or chief ator listed in the report submitted to the Division under subdivision (7) subdivision (8) ion (a) of this section for that closed school shall be ineligible to receive scholarship il such time the Authority determines the obligation to return those funds has been SECTION 6.15.(f) G.S. 115C-562.7 reads as rewritten:
"§ 115C-5	662.7. Reporting requirements.
 (b)	The Authority shall report annually, no later than October 15, to the Joint Legislative Oversight Committee on the following information from the prior school year: (1) Total number, grade level, race, ethnicity, and sex of eligible students receiving scholarship grants. (2) Total amount of scholarship grant funding awarded.
	 (4) Nonpublic schools in which scholarship grant recipients are enrolled, including numbers of scholarship grant students at each nonpublic school. (5) Nonpublic schools deemed ineligible to receive scholarships. (6) Compliance with the goodomic assessments required by
	(6) Compliance with the academic assessments required by
 (g)	G.S. 115C-562.5(a)(4). No later than September 30 of each year, the Authority, in consultation with the
	No later than September 30 of each year, the Authority, in consultation with the nt of Public Instruction, shall publish on its website school achievement, growth, and
	ace scores of nonpublic schools accepting more than 25 students in any grade whose
	l fees are paid in whole or in part with a scholarship grant. The scores shall be calculated
	o the methodology provided in G.S. 115C-83.15."
-	SECTION 6.15.(g) G.S. 115C-562.8 reads as rewritten:
"§ 115C-5	562.8. The Opportunity Scholarship Grant Fund Reserve.

... (b)

(b) The General Assembly finds that, due to the critical need in this State to provide opportunity for school choice for North Carolina students, it is imperative that the State provide an increase of funds for 15 years to the Opportunity Scholarship Grant Fund Reserve. Therefore, there There is appropriated from the General Fund to the Reserve the following amounts for each fiscal year to be used for the purposes set forth in this section:

37	Fiscal Year	Appropriation
38		
39	2025-2026	\$415,540,000 \$174,236,499
40	2026-2027	\$430,540,000 \$166,919,213
41	2027-2028	\$445,540,000\$158,337,000
42	2028-2029	\$460,540,000\$147,151,195
43	2029-2030	\$475,540,000\\$134,275,040

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1	2030-2031	\$490,540,000\$119,413,575
2	2031-2032	\$505,540,000\\$105,039,929
3	<u>2032-2033</u>	\$89,344,633
4	<u>2033-2034</u>	\$71,034,400
5	<u>2034-2035</u>	<u>\$48,759,219</u>
6	<u>2035-2036</u>	\$24,022,254

For the 2032-2033-2036-2037 fiscal year and each fiscal year thereafter, there is appropriated from the General Fund to the Reserve the sum of five hundred twenty million five hundred forty thousand dollars (\$520,540,000) to be used for the purposes set forth in this section. no funds shall be appropriated to the Reserve. When developing the base budget, as defined by G.S. 143C-1-1, for each fiscal year specified in this subsection, the Director of the Budget shall include the appropriated amount specified in this subsection for that fiscal year.

...."

SECTION 6.15.(h) Subsections (i) and (j) of Section 8A.6 of S.L. 2023-134 are repealed.

SECTION 6.15.(i) Notwithstanding any other provision of law to the contrary, the requirements for the Board of Governors of The University of North Carolina for Related Educational Programs for the 2024-2025 fiscal year in subsection (a) of Section 2.1 of this act shall be decreased as follows:

- (1) By the sum of three hundred eighty-nine million six hundred thirty-one thousand, seven hundred twenty-nine dollars (\$389,631,729) in recurring funds to reflect a decrease in the Opportunity Scholarship Grant Fund Reserve so that the total recurring appropriation to the Reserve is one hundred eighty million three hundred sixty-eight thousand two hundred seventy-one dollars (\$180,368,271).
- (2) By the sum of two hundred forty-eight million dollars (\$248,000,000) in nonrecurring funds to reflect the requirement in subsection (a) of this section that the State Education Assistance Authority shall not award any scholarship grant funds under Part 2A of Article 39 of Chapter 115C of the General Statutes to new persons who did not receive scholarship grant funds in the prior school year.

SECTION 6.15.(j) This section becomes effective July 1, 2024, and applies beginning with the 2024-2025 school year.";

and on page 31, lines 37-38, by inserting between the lines the following:

"ACCOUNTABILITY MEASURES FOR PERSONAL EDUCATION STUDENT ACCOUNTS

SECTION 6.16A.(a) Article 41 of Chapter 115C of the General Statutes is amended by adding the following new section to read:

"§ 115C-593.5. Academic assessments.

(a) A nonpublic school that accepts eligible students receiving scholarship funds shall administer, at least once in each school year, all tests required by the State Board of Education

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pursuant to G.S. 115C-174.11(c)	for	students	in	grades	three	through	12	in	a l	local	school
administrative unit.											

- (b) Test performance data for students shall be submitted to the Authority by July 15 of each year. The nonpublic school shall retain this data for five years, and the Authority may audit the nonpublic school to ensure compliance with the retention requirement. Test performance data reported to the Authority or collected by the Authority under this section is not a public record under Chapter 132 of the General Statutes, to the extent the data contains personally identifiable information.
- (c) Tests shall be administered to all eligible students enrolled in grades three and higher whose tuition and fees are paid in whole or in part with scholarship funds.
- (d) The Authority shall provide the parent or guardian of an eligible student, whose tuition and fees are paid in whole or in part with scholarship funds, an annual written explanation of the student's progress, including the student's scores on standardized achievement tests. If an eligible student received a written assessment pursuant to G.S. 115C-562.5(a)(3) for a school year, the written assessment may be used to meet the requirements of this subsection.
- (d) Nothing in this section shall prohibit a nonpublic school from administering additional tests to its students."

SECTION 6.16A.(b) G.S. 115C-598 reads as rewritten:

"§ 115C-598. Reporting requirements.

- (a) The Authority shall report annually, no later than October 15, to the Joint Legislative Education Oversight Committee on the following information from the prior school year:
 - (6) Compliance with the academic assessments required by G.S. 115C-593.5.

SECTION 6.16A.(c) This section becomes effective July 1, 2024, and applies beginning with the 2024-2025 school year.";

and on page 31, lines 46-47, by inserting between the lines the following:

"SOME OPPORTUNITY SCHOLARSHIP FUNDS TO BE ALLOCATED TO PUBLIC SCHOOLS

SECTION 6.18 Notwithstanding any other provision of law to the contrary, the requirements for the Department of Public Instruction for the 2024-2025 fiscal year in subsection (a) of Section 2.1 of this act shall be increased by the amount of funding made available from the Board of Governors of The University of North Carolina pursuant to Section 6.15(i) of this act that are not otherwise allocated pursuant to a provision of this act. The State Board of Education shall allocate these funds to all public school units on the basis of average daily membership.";

and by adjusting the appropriate totals accordingly.

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SIGNED		
_	Amendment Sponsor	_
SIGNED _		_
	Committee Chair if Senate Committee Amendment	
ADOPTED	FAILED	TABLED