2019-2020

SENATE EDUCATION/HIGHER EDUCATION

MINUTES

Senate Education/Higher Education Committee Membership List
2019-2020 Session

MEMBER	ASSISTANT	PHONE	OFFICE
Sen. Deanna Ballard (Chair)	William Verbiest	(919) 733-5742	521
Sen. Rick Horner (Chair)	Regina Irwin	(919)-715-3030	2106
Sen. Jerry Tillman (Chair)	Suzanne Castleberry	(919) 733-5870	309
Sen. Jay J. Chaudhuri	Ian Shannon	(919) 715-6400	1120
Sen. Don Davis	Monica Fuller	(919) 715-8363	523
Sen. Chuck Edwards	Danielle Plourd	(919) 733-5745	623
Sen. Valerie P. Foushee	James Spivey	(919) 733-5804	517
Sen. Kathy Harrington	Mary Marchman	(919) 733-5734	300-C
Sen. Todd Johnson	Joseph Stansbury	(919) 733-7659	2115
Sen. Joyce Krawiec	Debbie Lown	(919) 733-7850	308
Sen. Tom McInnis	James H. Blohm	(919) 733-5953	620
Sen. Paul Newton	Justus Cochran	(919) 733-7223	312
Sen. Gladys A. Robinson	Phyllis Cameron	(919) 715-3042	1026
Sen. Norman W. Sanderson	Emily Barnes	(919) 733-5706	628
Sen. Sam Searcy	Michael Barnhill	(919) 733-5653	1118

COMMITTEE STAFF

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Caroline Sorensen - Attorney	Caroline.Sorensen@ncleg.net

EDUCATION POLICY ADVISOR — ROOM 1406

Eric W. Naisbitt	Eric.Naisbitt@ncleg.net	919-980-0577 cell

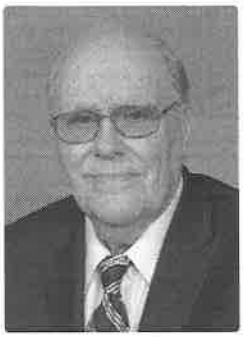
EDUCATION/HIGHER EDUCATION

Senate Standing Committee

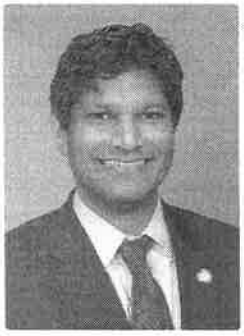
Chairs

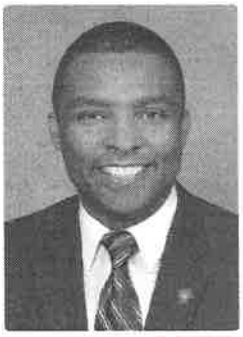
Sen. Ballard

Sen. Horner


Sen. Tillman

Members

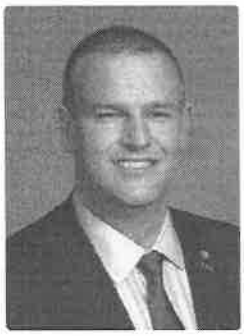

Sen. Chaudhuri


Sen. D. Davis

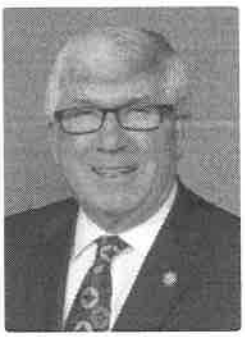
Sen. Edwards

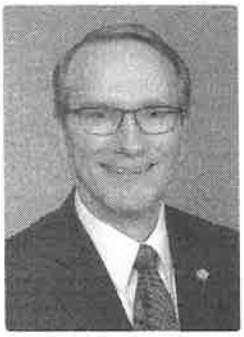
Sen. Foushee

Sen. Harrington


Sen. Johnson

Sen. Krawiec


Sen. McInnis


Sen. Newton

Sen. Robinson

Sen. Sanderson

Sen. Searcy

North Carolina General Assembly
Through Senate Committee on
Education/Higher Education

2019-2020 Biennium
Leg. Day: H-102/S-103

Date: 07/29/2019
Time: 12:03:24 PM

Bill	Introducer	Short Title		Latest Action	Date In	Date Out
H 57	Elmore	Create Term for Public Schs. & Codify NCVPS.	*R	Ch. SL 2019-51	05/24/2019	06/05/2019
H 90	Horn	DPI/EC Div. Feedback/DIT Study/PED report.	*S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	06/06/2019	
H 107	Horn	PED Oversight/EPP Changes.	*R	Ch. SL 2019-149	05/24/2019	06/26/2019
H 200	Hurley	Various Education Changes.	*S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	05/24/2019	
H 266	Riddell	School Annual Report Card.	*S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	06/12/2019	
H 276	Riddell	Modify Low-Performing School Definition.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	06/19/2019	
H 299	McGrady	Henderson Cty/Build Community College Bldgs.	*R	Ch. SL 2019-66	06/12/2019	06/19/2019
H 315	Elmore	Instructional Material Selection.	*S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	05/24/2019	
H 354	Horn	Modify Weighting/School Performance Grades.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	06/19/2019	
H 362	Horn	15-Point Scale For School Performance Grades.	*R	Ch. SL 2019-154	06/19/2019	06/26/2019
H 377	Elmore	Reduce Testing.	*S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	06/19/2019	

'$' indicates the bill is an appropriations bill.
A bold line indicates that the bill is an appropriations bill.
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'=' indicates that the original bill is identical to another bill

North Carolina General Assembly
Through Senate Committee on
Education/Higher Education

H 389	Bell	ABC/Univ Athletic Facility.	*R	Ch. SL 2019-52	05/24/2019	06/05/2019
H 411	Horn	Modify School Qual./Student Success Indicator.	*R	Ch. SL 2019-142	06/06/2019	06/19/2019
H 493	White	Abuse & Neglect Resources.	*S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	06/12/2019	
H 521	Clemmons	Transitional License/Teacher from Other State.	*S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	06/12/2019	
H 664	Fraley	myFutureNC/Postsecondary Attainment Goal.	*R	Ch. SL 2019-55	05/29/2019	06/05/2019
H 668	Fraley	Various Higher Education Changes.	*R	Ch. SL 2019-139	06/24/2019	06/26/2019
H 714	Horn	Competency-Based Assessments.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	06/06/2019	
H 798	Elmore	Low-Performing Schools.	*S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	05/24/2019	
H 924	Hall	Teacher Contract Changes.	*R	Ch. SL 2019-82	05/24/2019	06/05/2019
S 30	Ford	Stanly CC/Contracting Date Extension.	*R	Ch. SL 2019-31	04/18/2019	05/06/2019
S 38	Horner	Class Size Reporting/Principal.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	02/13/2019	
S 123	Sanderson	Geo Iso Sch/Transp Eff Buff/Currituck Cty Sch.	*S	Placed On Cal For 07/25/2019	05/01/2019	05/06/2019
$ S 134	**Tillman**	**Economics & Financial Literacy Act.**	***S**	**Re-ref Com On Appropriations/Base Budget**	**03/14/2019**	**04/03/2019**
$ S 189	**Tillman**	**CTE Pilot for Guilford Co. Schools.**	***S**	**Re-ref Com On Appropriations/Base Budget**	**03/19/2019**	**03/27/2019**
S 219	McInnis	Modify Teacher Licensing Requirements.	*R	Ch. SL 2019-71	04/04/2019	05/01/2019

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S 225	Perry	Repeal Tuition Surcharge.	R	Ch. SL 2019-68	03/14/2019	03/20/2019
S 227	Tillman	TP3/Principal Fellows Consolidation.	*R	Ch. SL 2019-60	03/14/2019	04/03/2019
S 230	Davis	Excused Absences for Military Children.	*H	Re-ref Com On Rules, Calendar, and Operations of the House	03/14/2019	03/20/2019
S 230	Davis	Excused Absences for Military Children.	*H	Re-ref Com On Rules, Calendar, and Operations of the House	03/20/2019	03/27/2019
S 293	Davis	Military Dependents/Need-Based Private School.	*S	Re-ref Com On Appropriations/Base Budget	03/19/2019	03/27/2019
S 295	Tillman	NC HS Graduation as Evidence of Residency.	H	Re-ref to the Com on Education - Universities, if favorable, Rules, Calendar, and Operations of the House	04/10/2019	04/17/2019
S 296	Gunn	ABC/Univ Athletic Facility.	S	Re-ref to Education/Higher Education. If fav, re-ref to Commerce and Insurance. If fav, re-ref to Rules and Operations of the Senate	03/20/2019	
S 301	Brown	Regional School Modifications.	*S	Pres. To Gov. 7/24/2019	03/20/2019	04/03/2019
S 340	Chaudhuri	NC Skills-Gap Study.	S	Re-ref to Education/Higher Education. If fav, re-ref to Commerce and Insurance. If fav, re-ref to Rules and Operations of the Senate	04/15/2019	
S 343	Ballard	Various Education Law Changes.	*R	Ch. SL 2019-165	03/26/2019	04/03/2019
S 354	Ballard	Sam's Law.	*S	Failed Concur In H Com Sub	03/27/2019	05/06/2019
S 366	McInnis	9th/10th Grade/College Transfer Pathways.	*S	Pres. To Gov. 7/24/2019	03/27/2019	05/01/2019
$ S 376	**Brown**	**NC Patriot Star Family Scholarship/Funds.**	***S**	**Re-ref Com On Appropriations/Base Budget**	**03/28/2019**	**04/10/2019**
S 391	Ballard	Expand Youth Internship Opportunities.	*R	Ch. SL 2019-166	03/28/2019	04/10/2019
S 392	Ballard	Various Charter School Changes.	*S	Pres. To Gov. 7/19/2019	03/28/2019	04/10/2019
S 399	Horner	Rehire High-Need Teachers.	*R	Ch. SL 2019-110	04/03/2019	04/17/2019

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North Carolina General Assembly
Through Senate Committee on
Education/Higher Education

S 412	Davis	Modify School Qual./Student Success Indicator.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	04/03/2019	
S 436	Ballard	Various Higher Education Changes.-AB	S	Re-ref to Education/Higher Education. If fav, re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate	04/09/2019	
S 438	Berger	Excellent Public Schools Act of 2019.	*S	Conf Com Appointed	04/03/2019	04/17/2019
S 448	Brown	Amend Appt For Compact on Education/Military.	R	Ch. SL 2019-38	04/03/2019	05/01/2019
S 475	Horner	Study School Accountability Measures.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	04/11/2019	
S 476	Horner	Compt-Based Assess. & Mental Hlth/Teen Viol.	*S	Failed Concur In H Com Sub	04/03/2019	04/10/2019
S 487	Jackson	Student Meal Debt Policy.	*S	Re-ref Com On Appropriations/Base Budget	04/17/2019	05/06/2019
S 500	Smith	Modify Advanced Math Course Enrollment.	*R	Ch. SL 2019-120	04/17/2019	05/01/2019
S 520	Ballard	School Ethics Training & Finance Officers.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	04/04/2019	
S 521	Tillman	Changes/Transform. Principal Prep. Program.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	04/04/2019	
S 522	Tillman	Low-Perf. Schools/Stand. Student Conduct.	*H	Regular Message Sent To Senate	05/01/2019	05/06/2019
S 533	Edwards	Patriotic Society Presentations in Schools.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	04/18/2019	
S 580	Wells	Classroom Supplies to Teachers.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	04/04/2019	

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S 600	Davis	Vets Children/Short-Term Workforce Training.	*H	Ref To Com On Rules, Calendar, and Operations of the House	04/04/2019	04/17/2019
S 609	Ballard	K-12 Scholarship Changes.	*H	Ref To Com On Rules, Calendar, and Operations of the House	04/09/2019	05/06/2019
S 611	Ballard	CTP Programs/Scholarship Eligibility.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	04/09/2019	
S 612	Ballard	HS Credit/Dual Enrollment Workforce Training.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	04/09/2019	
S 621	Tillman	Testing Reduction Act of 2019.	*S	Conferees Changed	04/09/2019	04/17/2019
S 639	Edwards	Education Funding Transparency.	S	Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate	04/18/2019	

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Senate Committee on Education/Higher Education
Wednesday, February 20, 2019, 11:00 AM
1027/1028 Legislative Building

Welcome and Opening Remarks

Introduction of Pages & Sergeant-At-Arms

Presentations:

Peter Hans, President, North Carolina Community Colleges System
Walter Dalton, President, Isothermal Community College

- 2019 Non-Budget Legislative Priorities

Hope Williams, President, North Carolina Independent Colleges and Universities

- 2019 Overview and Non-Budget Legislative Priorities

Adjournment

Senate Committee on Education/Higher Education
Wednesday, February 20, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on February 20, 2019 in Room 1027/1128 of the Legislative Building. 13 members were present.

Senator Jerry W. Tillman, Chair, presided. Senator Tillman called the meeting to order and recognized the pages and sergeant-at-arms.

Chairman Tillman recognized Peter Hans, President, North Carolina Community College Systems. Mr. Hans presented to the committee members the 2019 Non-Budget Legislative Priorities. Mr. Han's presentation is included as Attachment I, and is made part of the minutes.

Walton Dalton, President, Isothermal Community College was recognized and expanded on the issue of eliminating barriers to enrollment. He shared with committee members the obstacles potential students are having with the Residency Determination System (RDS).

Chairman Tillman recognized Hope Williams, President, North Carolina Independent Colleges and Universities. Dr. Williams presented to the members of the committee 2019 Overview and Non-Budget Legislative Priorities. Dr. William's presentation is included as Attachment II, and is made part of the minutes.

The meeting adjourned at 12:02.

Senator Jerry W. Tillman, Chair
Presiding

Suzanne Castleberry, Committee Clerk

NC COMMUNITY COLLEGES
CREATING SUCCESS

2019 NON-BUDGET LEGISLATIVE PRIORITIES

Presented to the Senate Education/Higher Education Committee
February 20, 2019

EXEMPT SYSTEM OFFICE IT STAFF FROM TRANSFERRING TO DIT.

Background. NC Community College System Office IT staff provide direct assistance to all 58 community colleges. However, the System Office and the State CIO are required to provide a plan by October 2019 on the transfer of these IT staff to the Department of Information Technology (DIT). Under this transfer, IT staff would not longer be employees of the Community College System Office and no longer under the direct supervision of the System President and State Board of Community Colleges. Local community college presidents would no longer be able to contact the System Office when they need IT assistance. In addition, IT needs at higher education institutions are significantly different than IT needs in cabinet agencies, e.g., financial aid, and the application and enrollment process. Finally, our higher education partner – the UNC System – is exempt from the transfer.

Request. Exempt Community College System Office IT staff from transferring to DIT.

ELIMINATE BARRIERS TO ENROLLMENT.

Background: The Residency Determination System (RDS) is an online tool that must be completed by all students applying to a community college or UNC institution. The purpose of RDS is to determine if a student is eligible for in-State tuition. Since implementation of RDS, community college presidents have expressed concerns that because of the complexity of the residency laws, going through the RDS system has become a significant barrier for potential students. The State Board of Community Colleges shares this concern. Because of the existing residency law which presumes the student has the same domicile as his or her parents, in order to receive in-State tuition, the student must show that his or her parents are domiciled in North Carolina. RDS questions are complicated and require access to information the student may not have readily available, such as parents' SSN or whether the parents provide 50% or more of the student's cost of living. In order to disprove this presumption, a student must show his or her financial independence.

The community college application and enrollment process is vastly different from four-year institutions. Four-year institutions have a long period of time between application, acceptance, and enrollment. In contrast, students who attend a community college often apply to start classes within a few days, sometimes the same or next day. If students experience difficulties with the RDS system, those students may not enroll or be forced to pay out-of-State tuition and go through an involved and time-consuming appeals process to determine in-State residency.

The State Education Assistance Authority (SEAA), which administers RDS, has worked and continues to work very closely and collaboratively with the NC Community College System to look at ways to simplify RDS internally and has taken several steps in an effort to simplify the process. The NC Association of Community College Presidents (NCACCP) also formed a task force of four community college presidents to look at ways to alleviate the RDS barriers experienced by prospective community college students. However, in June 2018, an RDS data analysis showed that over 5,200 community college admission applications were started by individuals who did not complete RDS. That number represents potentially 5,200 students who did not have an opportunity to work towards their educational goals. Many of these students "stopped out" at the questions relating to their parents and parental support.

Request. For community college students only, amend the statute that presumes that a student is domiciled with his or her parents thereby alleviating the need to obtain information from his or her parents. The student would still have to prove eligibility for in-State tuition by showing that the student is domiciled in North Carolina without regard to his or her parents' domicile.

OTHER NON-BUDGET REQUESTS.

Allow System President to Reorganize NC Community College System Office.

- **Background.** Each biennium, the System President requests a special provision in the budget allowing the President to reorganize the System Office in accordance with recommendations and plans submitted to and approved by the State Board of Community Colleges. The current authority expires June 30, 2019.
- **Request.** Eliminate the need to request this authority every biennium by codifying the System President's authority to reorganize the System Office.

Allow Colleges to Provide Insurance in Lieu of Bonds.

- **Background.** Current law requires colleges to bond employees who are authorized to draw or approve checks, employees authorized to receive institutional funds, and persons authorized to handle institutional property. However, colleges do not have the option to purchase insurance for these purposes.
- **Request:** Amend the statute to allow colleges to either obtain bonds or purchase insurance.

Reporting Changes.

- **Background.** Several legislatively required reports which must be approved by the State Board of Community Colleges contain only data.[1] In addition, two reports are required "annually" but do not have a specific due date and one of those reports goes to the Agriculture and Natural Resources Committees.[2] Finally, two joint reports from the State Board of Community Colleges and the State Board of Education on high school students enrolled in community college courses are produced from the same data.[3]
- **Requests.**
    - Allow reports containing only data to be submitted by the Community College System Office.
    - Change "annually" to September 1st for the reporting dates.
    - Change receiving entity to the House & Senate Education Appropriations Committees, and Ed. Oversight.
    - Allow reports using the same data to be combined.

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[1] Report on Activities of the Customized Training Program; Report on Tuition Waivers; Report on Capital Projects Utilizing Delegated Construction Authority; and. Report on Voluntary Shared Leave.
[2] Report on Activities of the Customized Training Program; and, Report on Apprenticeship Council Activities.
[3] Evaluation of CIHS; and, Report on Success of Students in Career & College Promise.

50th Anniversary

NORTH CAROLINA
INDEPENDENT
COLLEGES & UNIVERSITIES

Presentation to

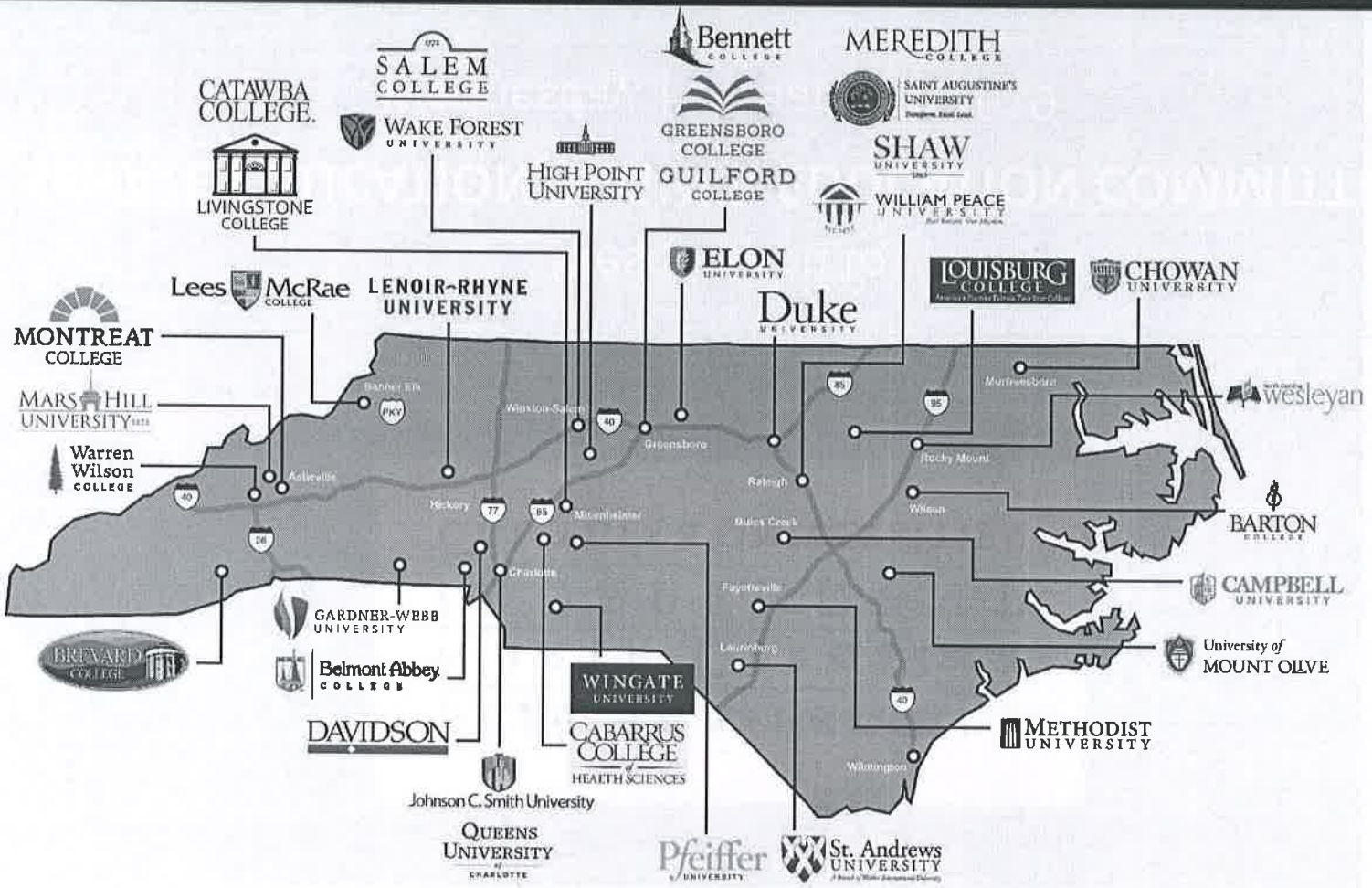
SENATE EDUCATION/HIGHER EDUCATION COMMITTEE

Wednesday, February 20, 2019

A. HOPE WILLIAMS, President

ATTACHMENT II

North Carolina Independent Colleges and Universities



NCICU

36 PRIVATE COLLEGES AND UNIVERSITIES

90k STUDENTS

50k FROM NORTH CAROLINA

North Carolina
Independent
Colleges & Universities

Degrees Awarded – Education Value to the State

46% Medical Degrees

55% Pharmacy Degrees

58% Nursing Masters Degrees

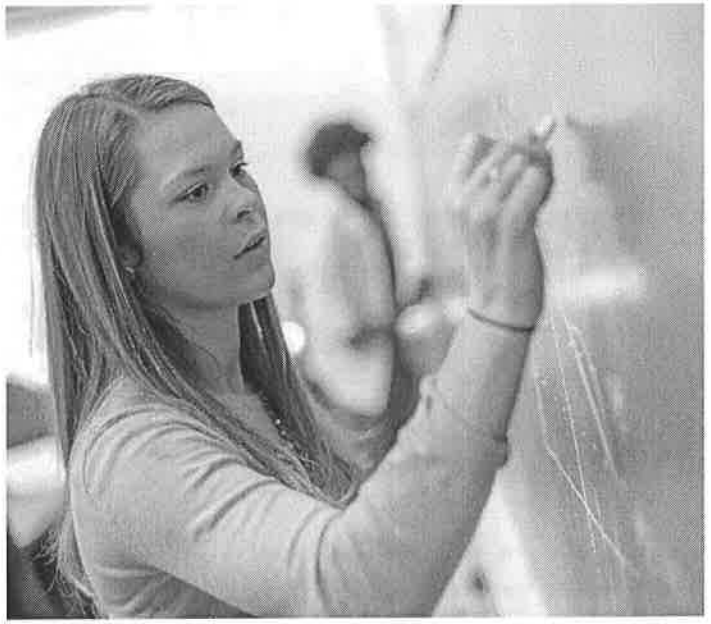
63% Law Degrees

92% PA Degrees

NORTH CAROLINA
INDEPENDENT
COLLEGES & UNIVERSITIES

Teacher Education

- One of the foundations of private higher education in North Carolina
- **31** NCICU institutions have teacher education programs
- Continuing challenges in recruitment
- Leading Digital Learning Initiative for teacher educators
- Opportunities for NCICU campuses to have Lab Schools



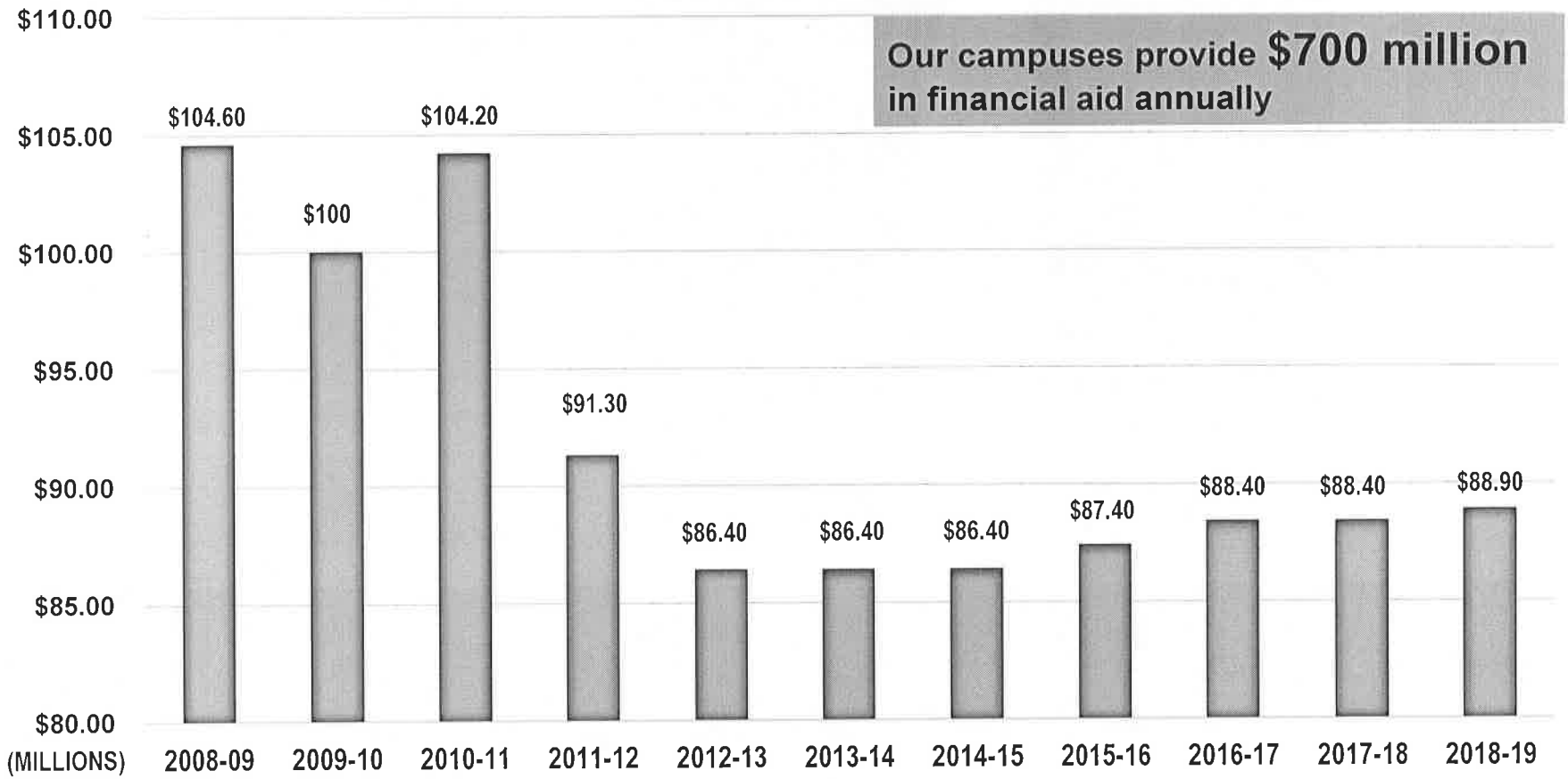
NORTH CAROLINA
INDEPENDENT
COLLEGES & UNIVERSITIES

- $14.2 Billion
- 66K employees
- Students from all 100 NC counties, 50 states & around the world

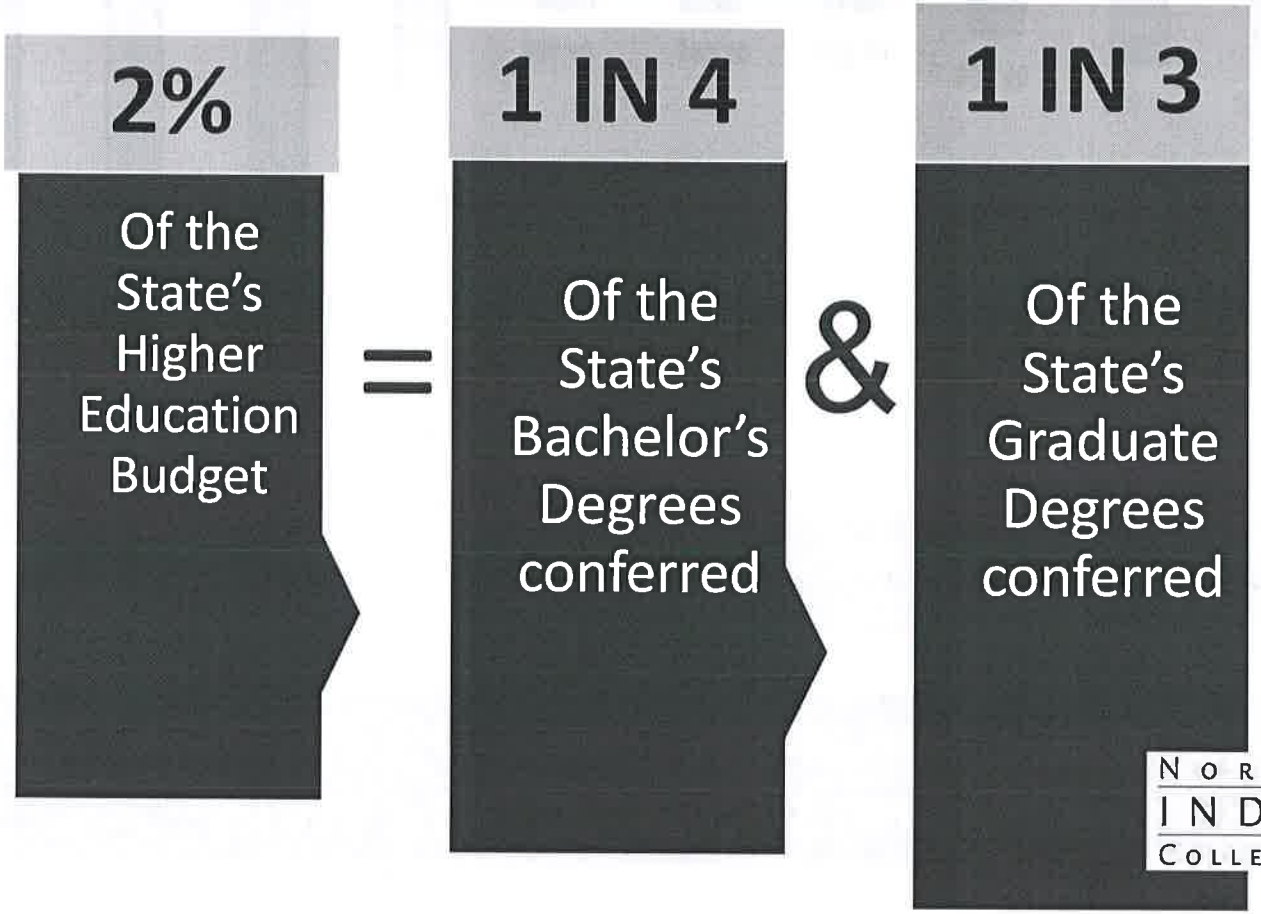
NCICU Economic Impact for North Carolina

NORTH CAROLINA
INDEPENDENT
COLLEGES & UNIVERSITIES

State Financial Aid for NC Independent College/University Students



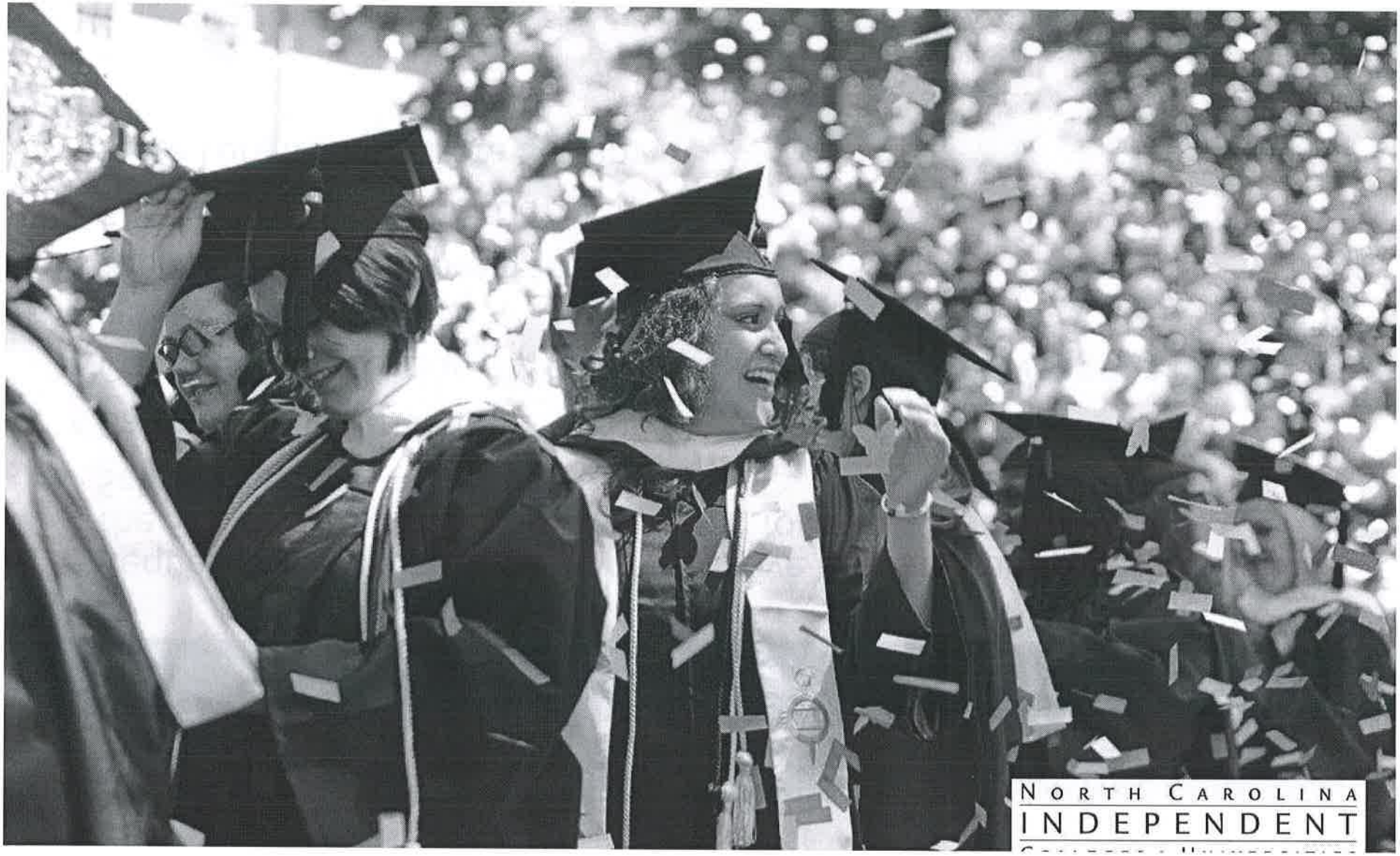
NCICU – Cost/Benefit to the State



NORTH CAROLINA
INDEPENDENT
COLLEGES & UNIVERSITIES

Legislative Priorities for 2019

- Requesting that dependents of all active duty military & veterans in the State be eligible to be considered for the NC Need Based Scholarship
- Campus police training
- Continued Protection of Private Property Rights re: weapons on campus
- Teacher Education program options
- Educational attainment of NC citizens
- State Longitudinal Data System


NORTH CAROLINA
INDEPENDENT

SIGN-UP SHEET

Senate Education/Higher Education

February 20, 2019 – Room 1027/1128 LB – 11:00 AM

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Peter Hans	President, NC Community College
Walter Dalton	President, Isothermal Community College
Mary Shuping	Director of Gov. Relations, NC Comm. College.
Hope Williams	Pres. N.C. Independent Colleges & Universities

Senate Committee on

Education/Higher Education

February 20, 2019 – Room 1027/1128 LB – 11:00 AM

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
April Neumann	MWC

Senate Committee on

Education/Higher Education

February 20, 2019 – Room 1027/1128 LB – 11:00 AM

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Dan Moretz	UNC System
Mike Foreman	NCAE
Claudia Sommerkamp	Governor's office
Ed [illegible]	BJP
Jon Ryall	NCFPC
Austin Nordell	UNC System
Clarissa Greene	Senate Intern

Senate Committee on

Education/Higher Education

February 20, 2019 – Room 1027/1128 LB – 11:00 AM

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Maria A. Pham	South Piedmont Comm College
Richard Bostic	NC SBA
Holden McLemore	NCICU
Adam Pridemore	NCACCE
John Palacios	NCAPSA
Jennifer Haygood	NCCCS
Anne Baron	NCCCS
Renee Sokel	Save our Schools NC
[illegible]	Apply Partnership for [illegible]
Amy Ruth	UNC-Chapel Hill
Ross Burnheart	NP
Amanda Donovan	KTS
Bruce Mildwurf	NCSBA
David Powers	UNC BOG
Louis Piconi	Imagine Learning
FIONA PICONI	IMAGINE
[illegible]	NNC
Betty Daske	UNC Charlotte

Senate Committee on

Education/Higher Education

February 20, 2019 – Room 1027/1128 LB – 11:00 AM

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Hope Williams	NCICU
Tom Hart	NCICU
Sandy M. Briscar	NCICU
Phil Kirk	NCICU
Haden Rutter	Rockingham Community College
[illegible]	Com. College System
Mary Shipping	NCCCS
Emma Shelby	The Policy Group
JOHN MOTSINGER	Policy Group
Chris Wall	Policy Group
Rhonda Billingham	NC Assoc for Pub Charter Sch.
Suzanne Brantley	SEANC
Rusha Fortson	SEANC
Courtney Wilson	NCCU / Advance Comm Health
Zane Stilwell	TSG
Emily Robertson	IL

Senate Committee on Education/Higher Education
Wednesday, February 27, 2019, 11:30 AM
1027/1128 Legislative Building

AGENDA

I. Welcome and Opening Remarks

Chairs: Senator Deanna Ballard, Co-Chair, presiding
Senator Rick Horner, Co-Chair
Senator Jerry Tillman, Co-Chair

II. Presentations

2019 Non-Budget Legislative Priorities

- Eric C. Davis, Chairman, State Board of Education
- Mark Johnson, North Carolina State Superintendent, Department of Public Instruction

III. Adjournment

Senate Committee on Education/Higher Education
Wednesday, February 27, 2019 at 11:30 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Appropriations on Education/Higher Education met at 11:30 AM on February 27, 2019 in Room 423 of the Legislative Office Building. 12 Senate members were present.

Senator Deanna Ballard, Chair, presided. Senator Ballard called the meeting to order and recognized the pages and sergeant-at-arms.

Chairwoman Ballard recognized Eric C. Davis, Chairman of the State Board of Education. Chairman Davis presented the State Board of Education's 2019 Legislative Non-Budget Requests. This presentation is included as Attachment I and is made part of the minutes.

Following Chairman Davis's presentation, Chairwoman Ballard recognized members for questions and comments.

Chairwoman Ballard then recognized Mark Johnson, Superintendent of Public Instruction for the Department of Public Instruction. Superintendent Johnson gave a presentation on his proposed #NC2030 plan. This presentation is included as Attachment II and is made part of the minutes.

Following Superintendent Johnson's presentation, Chairwoman Ballard recognized members for questions and comments.

The meeting adjourned at 12:33 PM.

Senator Deanna Ballard, Chair
Presiding

William Verbiest, Committee Clerk

Public Schools of North Carolina

N.C. State Board of Education

2019 Legislative Non-Budget Requests

Eric Davis, SBE Chair

February 27, 2019

NC Constitution Powers and Duties

The State Constitution of North Carolina 1971, Article 9, Sections 1-10.

The State Board of Education shall *supervise and administer the free public school system and the educational funds* provided for its support, except the funds mentioned in Section 7 of this Article, and shall make all needed rules and regulations in relation thereto, subject to laws enacted by the **General Assembly**.

N.C. State Board of Education Goals

1. **Every student** in the NC Public School System **graduates** from high school **prepared** for work, further education, and citizenship.
2. **Every student**, every day has **excellent educators.**
3. **Every student** is **healthy, safe, and responsible.**
4. Ensure **equity of educational opportunity** for **all students**.
5. **Every student** has a **personalized education**.
6. Every school district has **up-to-date** financial, business, and technology **systems** to **serve its students, parents and educators**.

NC Public Education

~1.5 Million Students

~100,000 Teachers

~2,600 Schools

~$14.5 Billion Budget (local, state and federal funds)

Biennium Legislative Successes

- **$500 Million Increase in preK-12 Education Funding**
  - Teacher Pay and Bonuses
  - Principal Pay and Bonuses
  - School Safety Grants
  - School Construction Funds
  - Hurricane Relief Efforts
  - +3500 Pre-K Seats

- **Quality Educators**
  - Professional Educator Preparation Standards Commission Created
  - Advanced Teaching Roles Pilots Expanded
  - Teaching Fellows Program Reinstated
  - Teacher Assistance Tuition Reimbursement Program Expanded

Student and School Challenges

Student Challenges

- ~24% coping with **adverse childhood experiences** (ACEs)
  - Divorce, sex abuse, parental physical and drug/alcohol abuse and incarceration, socioeconomic hardship
- ~60% living in households at 185% or below **poverty** and **food insecure** (free & reduced lunch)
- ~15% chronically **absent** from school
- ~30K **homeless** students (6400 due to hurricane)
- 8.2% of high schoolers **attempting suicide** and double seriously considering
- 22% enrolled in State pre-K

Growing challenges for schools and districts:

- **Shortage of School Support positions** (Nurses, Psychologists, Counselors, Social Workers): ~+9K to meet national recommended ratios
- **Equity disparities** economically, socially and geographically
- **Shrinking rural** and **growing urban districts**
- **Restrictions** on funding and calendar flexibility
- **Cultural differences** and **English as a second language**
- **Hurricane**

Challenges Implementing with Fidelity

Districts look to SBE/DPI to meet needs while:

- **DPI administering increasingly complex** and diverse make-up of schools:
  - 116 LEAs including:
    - 1 Innovative School District School (SBE serves as Local Board)
    - 1 Renewal School District
    - 41 LEAs with <4K students, thus reliant upon DPI supports
  - 183 Charter Schools (DPI serves as "local district" support)
  - 5 Lab Schools
  - NC Virtual Public School
  - 1 Regional School
  - 3 Residential Schools (SBE serves as Local Board)
- **Shrinking resources**
  - ~$29 Million in cuts to DPI since 2009
  - ~300 positions cut from DPI since 2009
- **Restructuring and retooling**
- **130+ legislated agency reports**
- **No data analytics** resources to make data-driven decisions
- **SBE now subject to Administrative Procedure Act (Rulemaking)**

Reach to Teach

Public Schools of North Carolina

Student Challenges

- ~24% coping with **adverse childhood experiences** (ACEs)
  - Divorce, sex abuse, parental physical and drug/alcohol abuse and incarceration, socioeconomic hardship
- ~60% living in households at 185% or below **poverty** and **food insecure** (free & reduced lunch)
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- 22% enrolled in State pre-K

2019 Non-Appropriation Legislative Requests

Legislative Request and SBE Action
Early Literacy
Partner with GA on **Read to Achieve** recommendations to maximize student outcomes. Examples may include:
District flexibility to deploy unused summer reading camp funds on evidence-based teacher supports.
Targeted spending on evidence-based practices to improve reading scores.
District ability to request teacher, TA and textbook allotment flexibility if plan improves reading.
Strengthen teacher preparation focus on reading instruction.
Greater teacher support: reading coaches and high quality curriculum.
Improve quality of summer reading camps.
Note: SBE budget requests focus on major factors that impact children's 3rd grade reading proficiency.

2019 Non-Appropriation Legislative Requests

Legislative Request and SBE Action
Comprehensive Turn Around Strategy Considerations
Shifting focus from limited, targeted intervention to a model that offers a continuum of progressive support, including but not limited to: Regional System of Support, MTSS, Restart, Turnaround.....and the ISD
Innovative School District process improvements
Refining the identification timeline of and communication process to ISD eligible schools
I-Zone participation w/o retribution of entry to ISD
Schools meeting growth would no longer be considered as low performing
Note: SBE budget requests for regional model, school support positions and data analytics undergird turn-around strategies.

2019 Non-Appropriation Legislative Requests

Legislative Request
SBE Executing with Fidelity
Rulemaking Requirements (extend interim and permanent rule dates by one year)
PEPSC : Stagger terms & reappointments
Licensure Exemption from Rulemaking
Note: SBE budget request for rulemaking coordinator aligns with extension.

2019 Non-Appropriation Legislative Requests

Legislative Request
Local Funding, Accountability & Flexibility
Permanent 15 point A-F grading scale : reverts to 10 point scale next year (NC Economic Stability and School Climate)
School Performance Grades: Partner with GA on Weighting & Composition Model
Calendar, teacher and funding flexibility (districts must apply to SBE)
Textbook & Digital Resources Allotment : Also allow for use of funds for digital resources required for on-line content and textbook rental
Reinstate State Sales Tax Refund for School Districts
Principal Pay – Hold Harmless
Principal Pay Double bonus language: To use School Performance Grade from prior year (fix for this year and for future years)

Questions?

Appendix

N.C. State Board of Education

The State Board consists of:

- Lieutenant Governor
- State Treasurer
- State Superintendent of Public Instruction (ex-officio: Secretary)
- 11 Governor appointees including:
  - 3 at-large members (8 year term)
  - 8 regional members (8 year term)
- 2 Student Advisors (advisory capacity only)
- State Teacher of the Year (2 year term ex-officio advisor)
- Immediate past Teacher of the Year (2 year term ex-officio advisor)
- Principal of the Year (2 year term ex-officio advisor)
- Superintendent of the Year (1 year term ex-officio advisor)
- Local Board of Education Member (1 year term ex-officio advisor)

N.C. State Board of Education

Board Members and Advisors:

- Lt. Governor Dan Forest
- State Treasurer Dale Folwell
- State Superintendent Mark Johnson (ex officio), secretary
- Eric C. Davis (at-large), chairman[3]
- Alan Duncan (Piedmont Triad district), vice-chairman
- Patricia N. Willoughby (at-large)
- JB Buxton (at-large)
- Jill Camnitz (Northeast district)
- Reginald Kenan (Southeast district)
- Amy White (North Central district)
- Olivia Oxendine (Sandhills district)
- Todd Chasteen (Northwest district)
- James E. Ford (Southwest district)
- Wayne McDevitt (Western district)
- Freebird McKinney (NC Teacher of the Year)
- Lisa Godwin (immediate past NC Teacher of the Year)
- Tabari Wallace (NC Principal of the Year)
- Janet Mason (NC Superintendent of the Year
- Christian Overton (LEA Advisor)

Note: The State Board traditionally meets the first Thursday of each month and the Wednesday preceding it, unless otherwise voted upon by the Board.

2017-2019 Biennium & Short-Session Successes

	Net Additional Appropriation	Net Changes with Receipts	Revised Net Appropriation
2017-18	$307,182,636	$377,769,868	$9,046,403,622
2018-19	$701,388,440	$716,422,125	$9,425,109,426
2018-19 Short-session	$59,847,276	$167,847,276	$9,546,315,927

Total biennium increase = $500 Million

2017-19: Long Session Expansion Budget

In addition to the base budget, the bulk of the subsequent K-12 state funding for public schools was allocated to the following areas:

- Teacher Compensation: +$373M
- Principal / Assistant Principal Compensation: +$41M
- School District Personnel Compensation ($1K/person): +$62M
- School Teachers & Other Personnel Retirement & Health Plan $194M
- Advanced Teaching Roles Pilots $7.2M NR
- Math/Reading/Veteran Teacher Bonuses: +$50M ($15M R)
- Children with Disabilities (cap raised to 12.75%): +$6.3M
- CTE/EWIC Grants: +$6.2M ($2.7M R)
- Textbooks & Digital Resources: +$11M NR
- Digital Learning Plan $2.4M
- Charter School Transportation Grant $2.5M NR
- Business Systems Modernization $29M NR

***List only reflects highest funded items.**

2018-19: Short Session Expansion Budget

In addition to the planned budget identified in the 2017-19 biennium, the bulk of the subsequent K-12 state funding for public schools was allocated to the following areas:

- Teacher Compensation: +$11.8M
  ~9% over biennium
- Principal / Assistant Principal Compensation: +$12.4M
  ~6.9% over biennium
- School District Personnel Compensation/Retirement: +$54.8M
  2%
- Math/Reading Teacher Bonuses: +$22.9M (made recurring)
- School Safety: +$28M ($5M R)
- Textbooks & Digital Resources: +$11M NR

Lottery: Needs-based Public School Capital Fund: +$171.7M biennium total

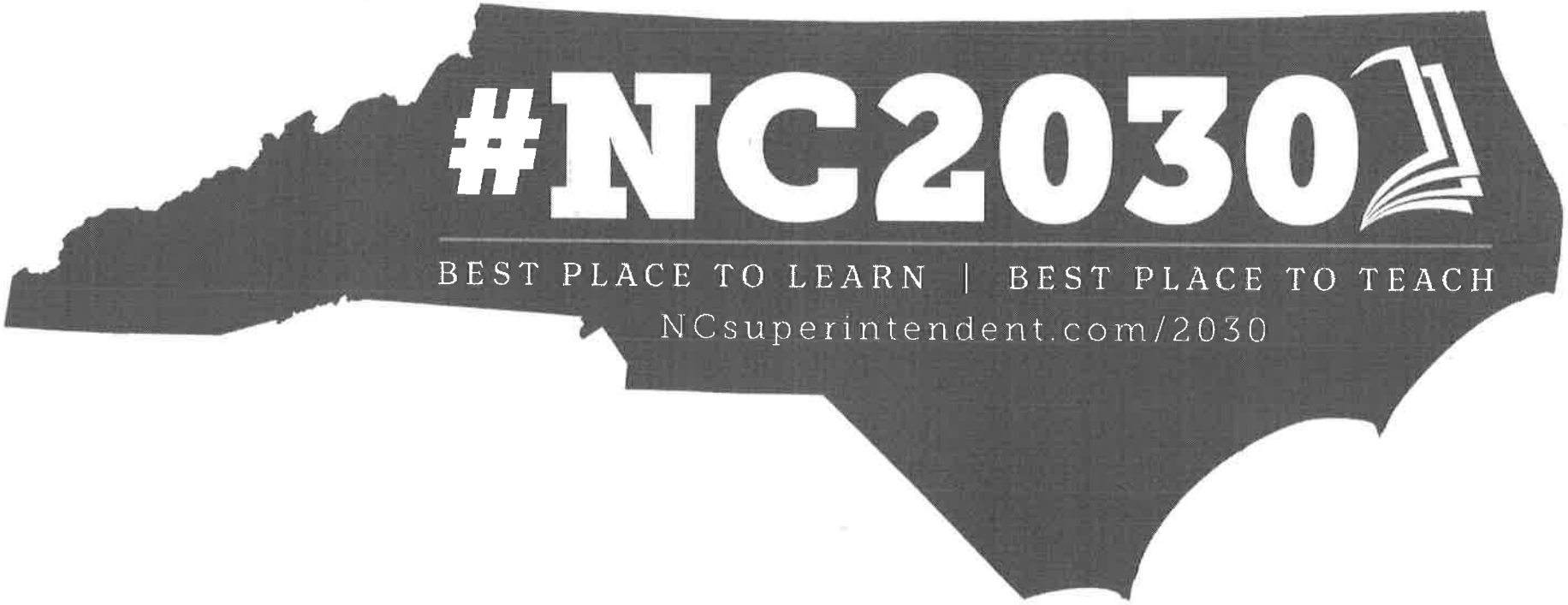
***List only reflects highest funded items.**

2018-19: Special Sessions

Hurricane Disaster Recovery

- $25 Million non-recurring (lottery)
- $35 Million non-recurring (GA special funding)
- $23.5 Million repairs and renovations
- $6.5 Million for lost compensation of school nutrition employees
- $1.5 Million to cover school nutrition food, equipment, supplies losses
- Principal ADM hold harmless (schools missing 10+ days)
- $350K Florence Aid to Students and Teachers of NC
- Calendar flexibility
- Compensation to school employees for lost days of work
- Educator Preparation Program internship requirement flexibility

February 27, 2019


#NC2030
BEST PLACE TO LEARN | BEST PLACE TO TEACH
NCsuperintendent.com/2030

Start early

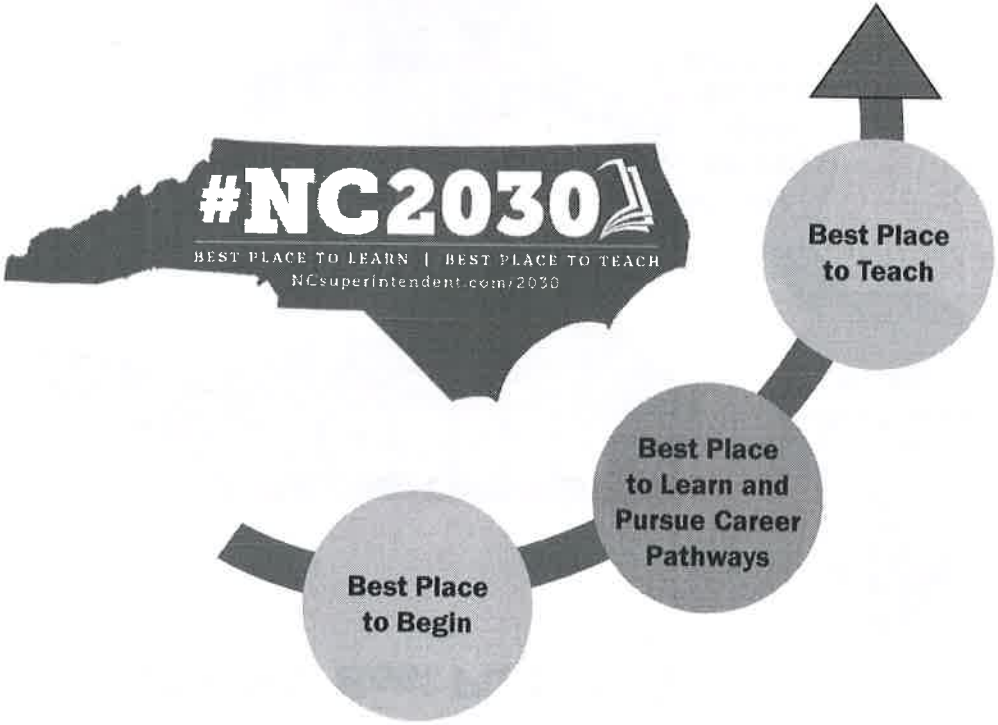
#NC2030: Best Place to Begin

1. **High-quality preschool**
2. **Kindergarten readiness**
3. **Improve Read to Achieve implementation**

#NC 2030 → Present NC → Best Place to Learn → Best Place to Teach

Transform our education system

#NC2030: Best Place to Learn and Pursue Career Pathways



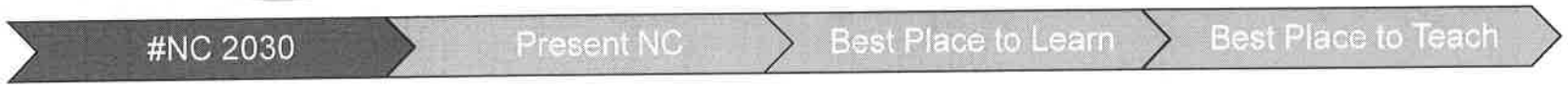
1. **Personalized learning for low-stress, engaging lessons while maintaining rigor and accountability**
2. **Career pathways education starting in middle school**
3. **Safe, supportive, 21st century school environments for all**

#NC 2030 | Present NC | Best Place to Learn | Best Place to Teach

21st Century tools, support and compensation

#NC2030: Best Place to Teach

1. **Professional Teaching Cohorts for new teachers and teacher leaders**
2. **Competitive pay for all educators**
3. **Continuous improvement of teacher working conditions**

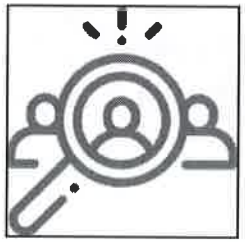


Progress measurements to inform strategies

Four-year-olds engaged in high-quality kindergarten-readiness programs

Fourth graders reading on grade level

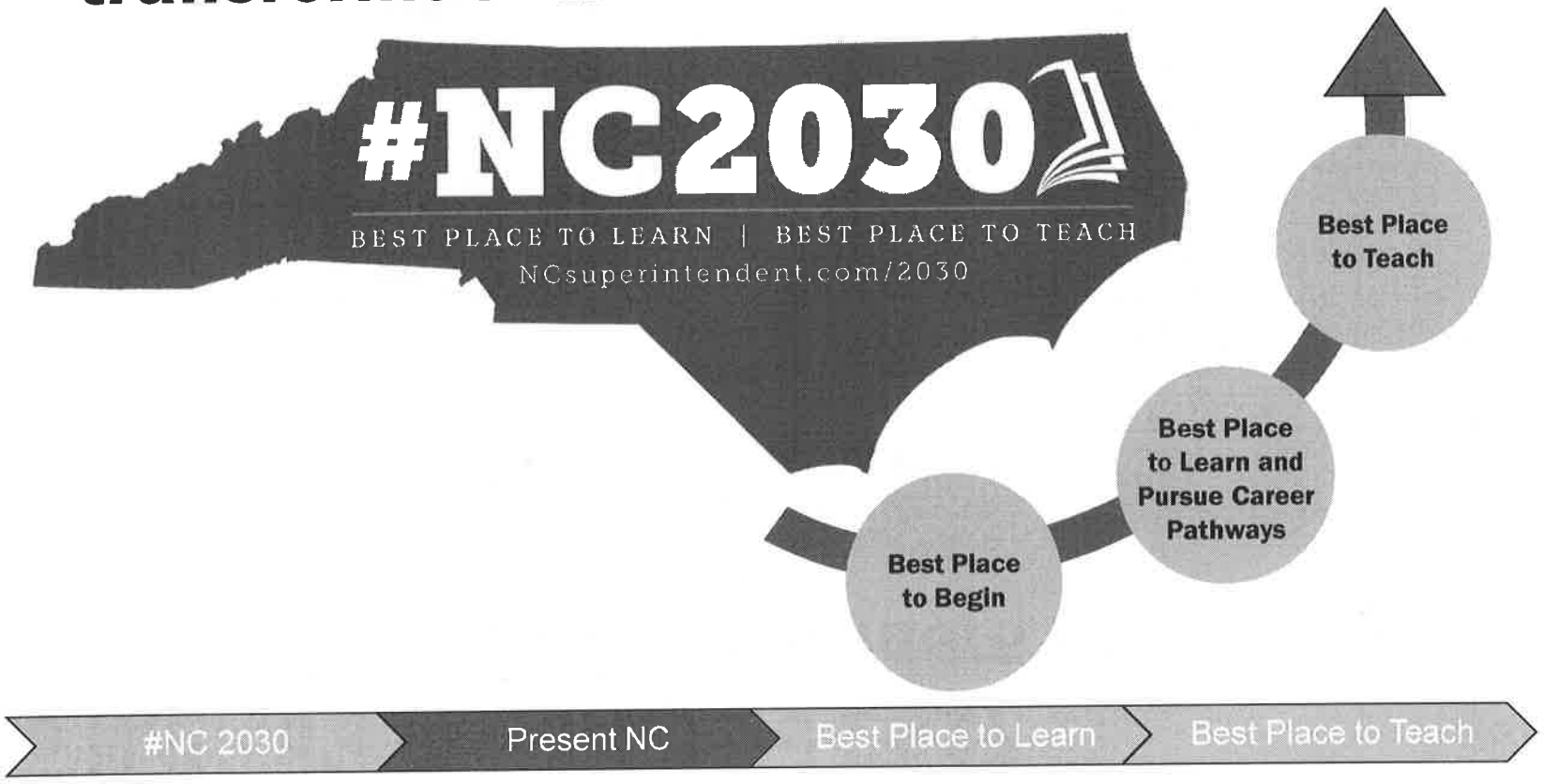
Students on track to their chosen, fulfilling career after high school



Recruits to education professions and educators remaining in the field

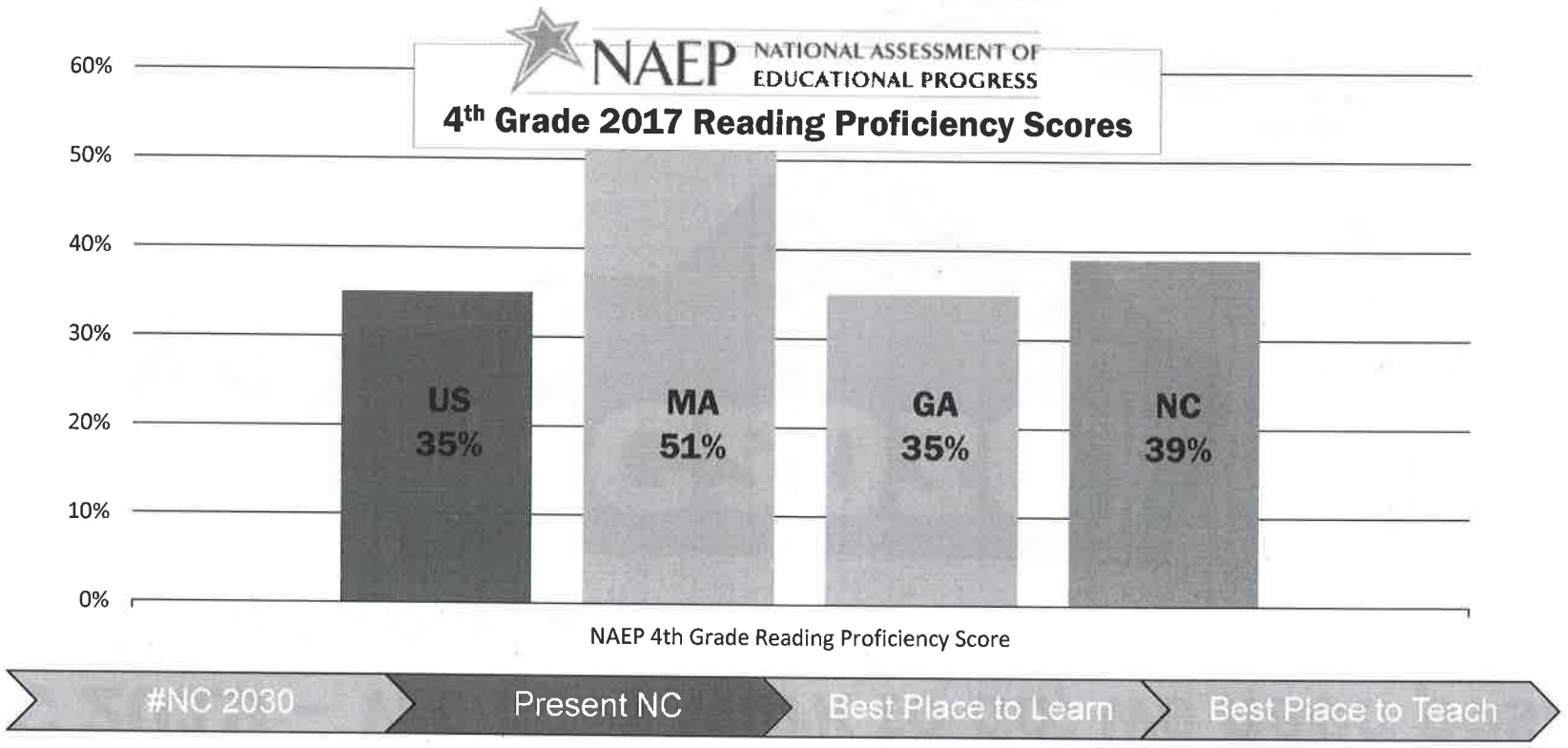
#NC 2030 | Present NC | Best Place to Learn | Best Place to Teach

NC 2019 – *We have work to do; we need positive transformation*

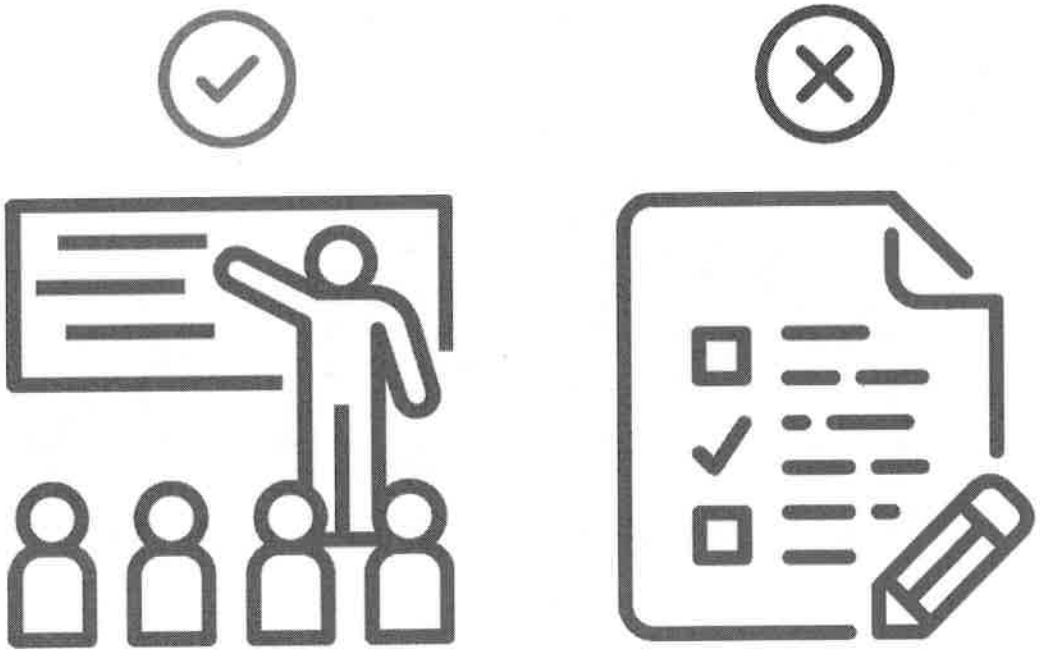


The Nation's Report Card 2017

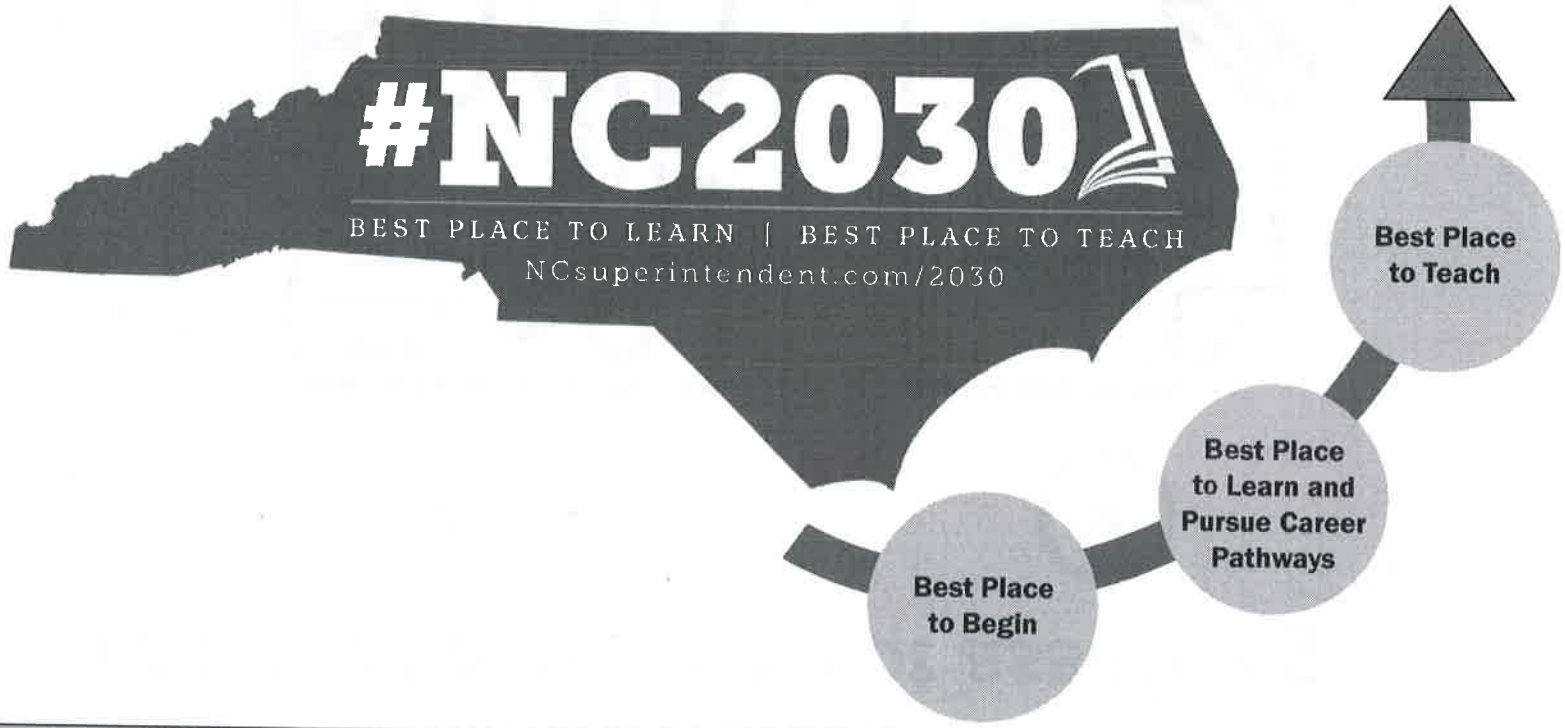
Only 39% of NC 4th graders read proficiently



Read to Achieve implementation must *Focus on teaching, not assessing*



Best place to learn



#NC 2030 > Present NC > Best Place to Learn > Best Place to Teach

Read to Achieve implementation at NC DPI

- New guiding principles for high-quality literacy instruction:
  - aligning educator prep programs
  - increasing ongoing, job-embedded, professional learning
  - promoting best curricula for the early grades
  - encouraging district- and school-wide team approaches to improving literacy
- NC DPI professional development will now focus on evidence-based methods for teaching students how to read
- Data will provide feedback to educators on the effectiveness of reading interventions to improve future work

Read to Achieve implementation beyond DPI

- **Wolfpack WORKS, launched in partnership with College of Education at NC State, provides intensive training and support to new K-2 teachers in districts with the highest needs**
- **Alternative assessments must not lower the standards for third grade reading proficiency**
- **Summer reading camp best practices, working groups, and DPI summit to increase utilization and effectiveness – grant flexibility**
- **Best reading curricula for K-3 reading instruction**

Reducing over-testing: state policies

INITIATIVE	PROCESS
Reduce the length of required tests	Reduce the number of questions and review historical data on actual time students require to take the online tests
Reduce the stress at schools around testing time	Revising test administration guides: use of proctors a local decision, allow classroom review of testing strategies immediately prior to the test
Reduce the number of locally required tests	Working with local leaders to identify assessments that are useful and contribute to educational planning
Pushing to eliminate tests not required by Washington, D.C.	Continue to review testing requirements with State decisionmakers
Giving students other ways to show progress if they have a bad test day	Providing guidance to districts on how to consider other data beyond test scores and how to scale
Using the appropriate amount of technology as a tool for students and teachers to personalize learning and eliminate tests	Pursuing innovative methods for testing such as embedding assessments in instruction

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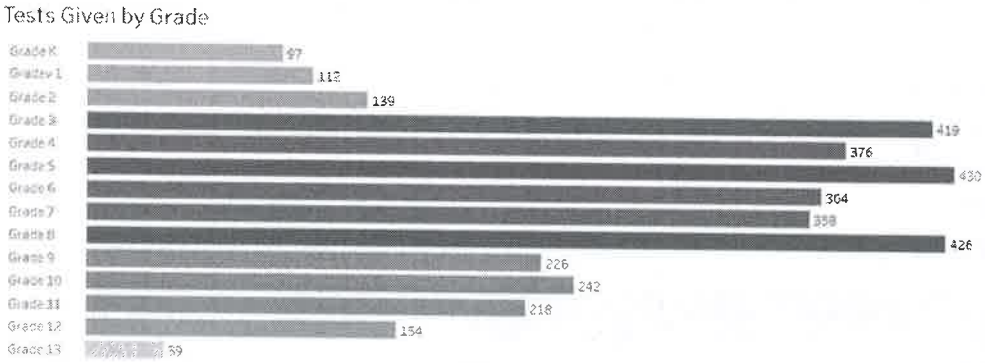
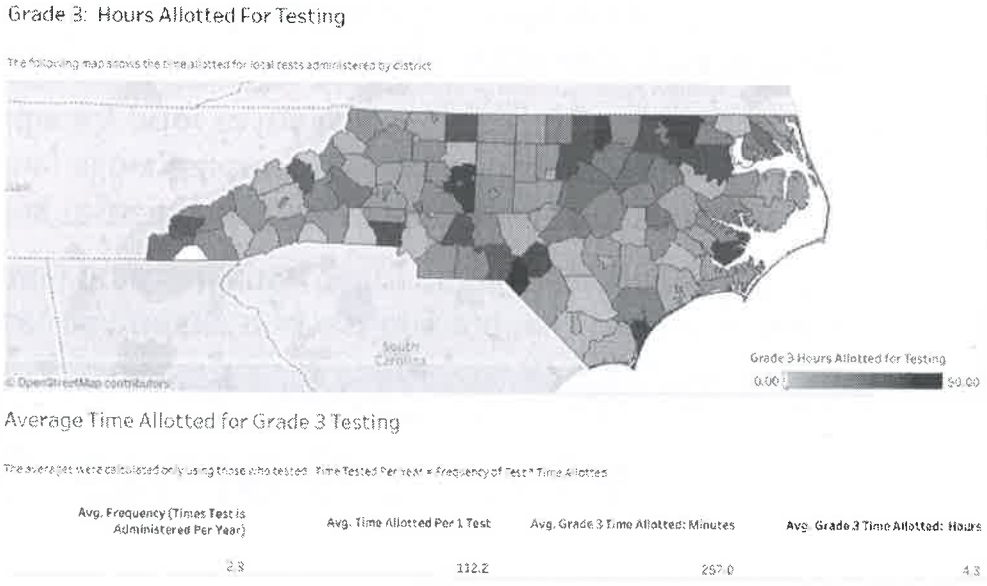
Reducing over-testing: work with locals

- **7th grade average hours on local assessments = 4.8 hours per student per year. Some districts exceed 25 hours per student per year.**

Sample Local Assessment Data





Average Time Allotted for Grade 3 Testing

The averages were calculated only using those who tested. Time Tested Per Year = Frequency of Test * Time Allotted

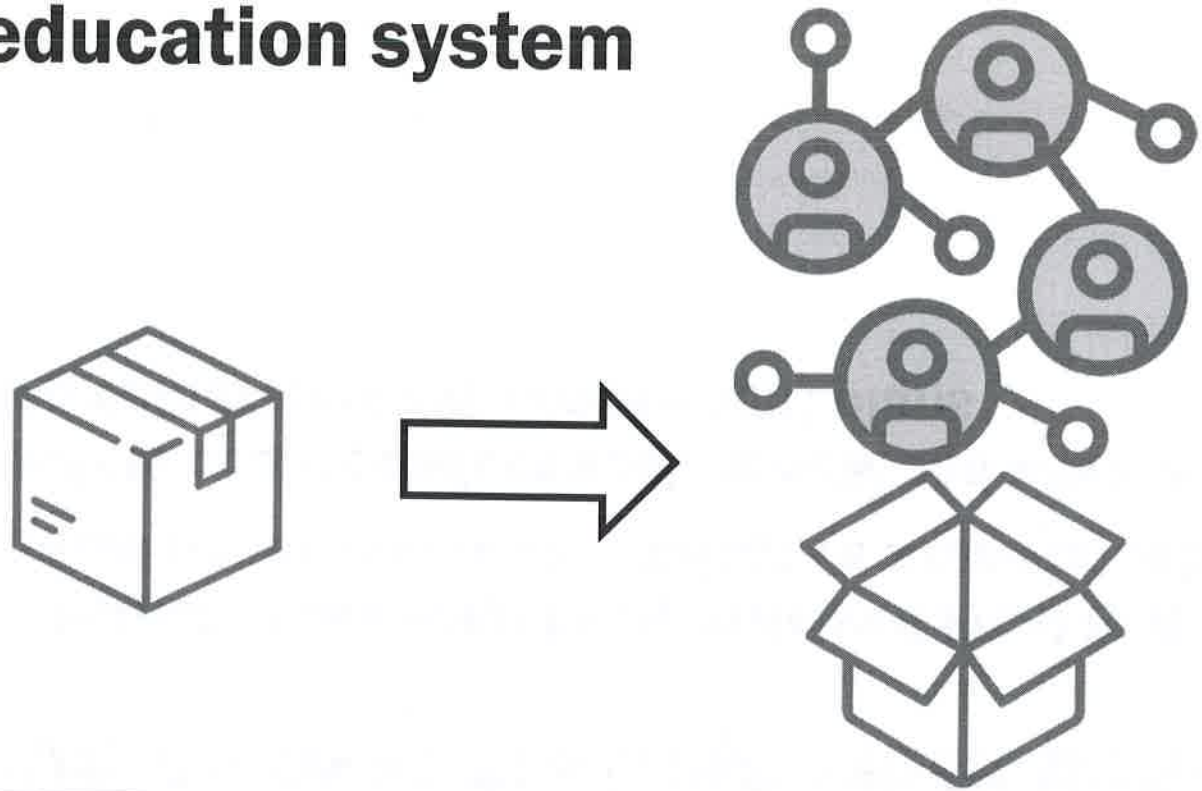
Avg. Frequency (Times Test is Administered Per Year)	Avg. Time Allotted Per 1 Test	Avg. Grade 3 Time Allotted: Minutes	Avg. Grade 3 Time Allotted: Hours
2.3	112.2	257.0	4.3

14

Reducing over-testing: work with locals

- **Some districts have voluntarily reviewed local tests and eliminated unnecessary or duplicative assessments**
- **All districts could conduct such review and work with NC DPI to develop comprehensive assessment plans**

We need positive transformation for our education system



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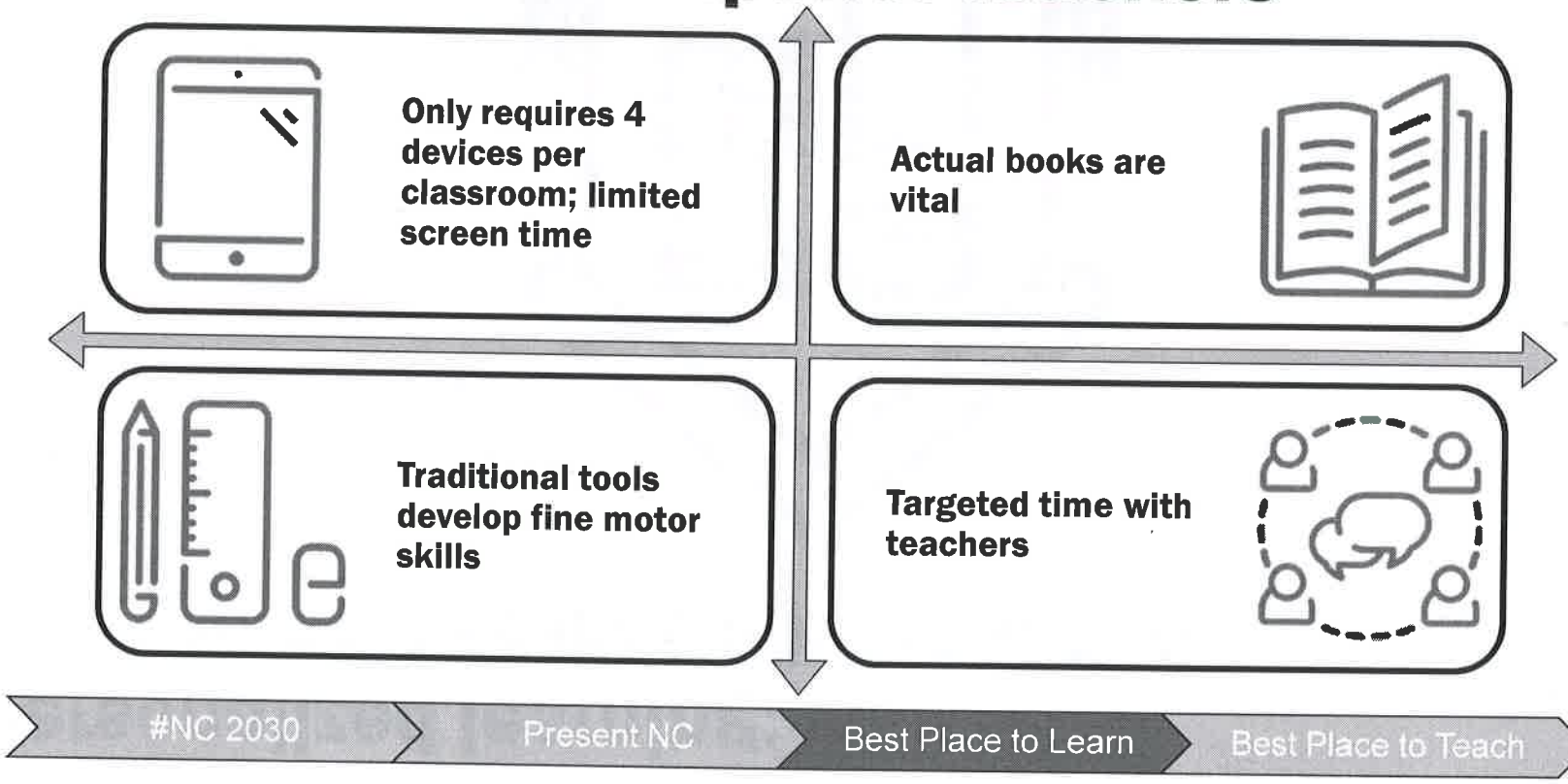
Personalized learning:
The necessary transformation

Personalized learning classrooms engage students and empower teachers



Personalized Learning: *We can better engage students and empower teachers now*

NC DPI is encouraging personalized learning through:

- **Digital Learning grants**
- **School-level professional development through Friday Institute partnership**
- **Making available classroom resources aligned to the four pillars of personalized learning (learner profiles, individualized learning paths, competency-based progression, and flexible learning environments)**

NC DPI is asking for:

- **Additional resources and flexibility to transform classroom practices**
- **Allow a working group of districts to opt out of the NC Mathematics Standard Course of Study through a pilot study using clear, rigorous, and results-driven math standards and personalized-learning tools**

Safe, Supportive School Environments

- Continue working with Senate and House to support and add school safety and mental-health professionals and equipment grants and encourage innovative approaches, partnerships, and training
- Provide additional resources and support to meet the unique needs of military families and align calendars with military and higher education needs
- Continue to provide innovative school choices to families to best meet their needs while holding innovative options accountable for results
- Empower teachers with direct control over the use of state funding for classroom supplies

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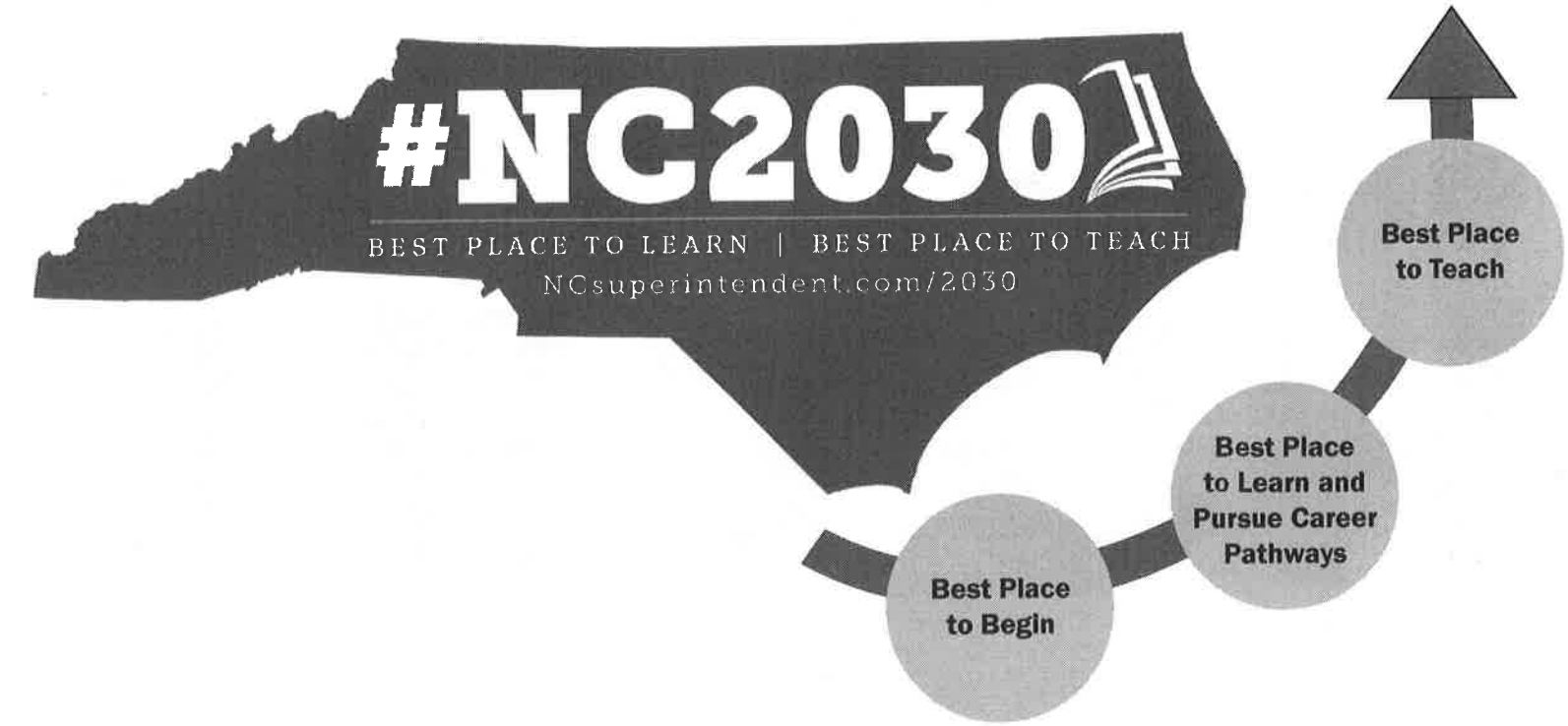
Best Place to Teach



#NC 2030 > Present NC > Best Place to Learn > Best Place to Teach

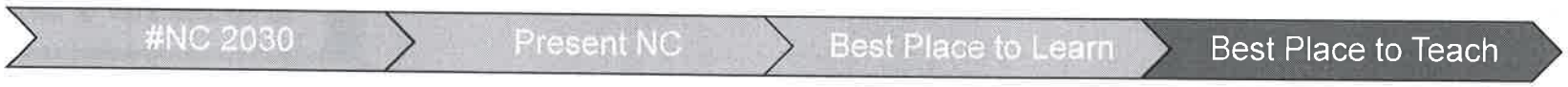
TEACH NC.ORG

TEACHERS HAVE BETTER WORK STORIES

#NC 2030 > Present NC > Best Place to Learn > Best Place to Teach

Licensure Process Improvements Underway

- Repurposing Regional Alternative Licensing Centers as regional hubs that pre-screen license applications and provide technical assistance to prioritize district requests
- Streamlining process of granting out-of-state teachers' initial NC licenses
- Enhancing online licensure system to prioritize time-sensitive applications and improve efficiency
- Supplementing staff with temporary employees to process applications for new EPP graduates with recommendations from their EPP



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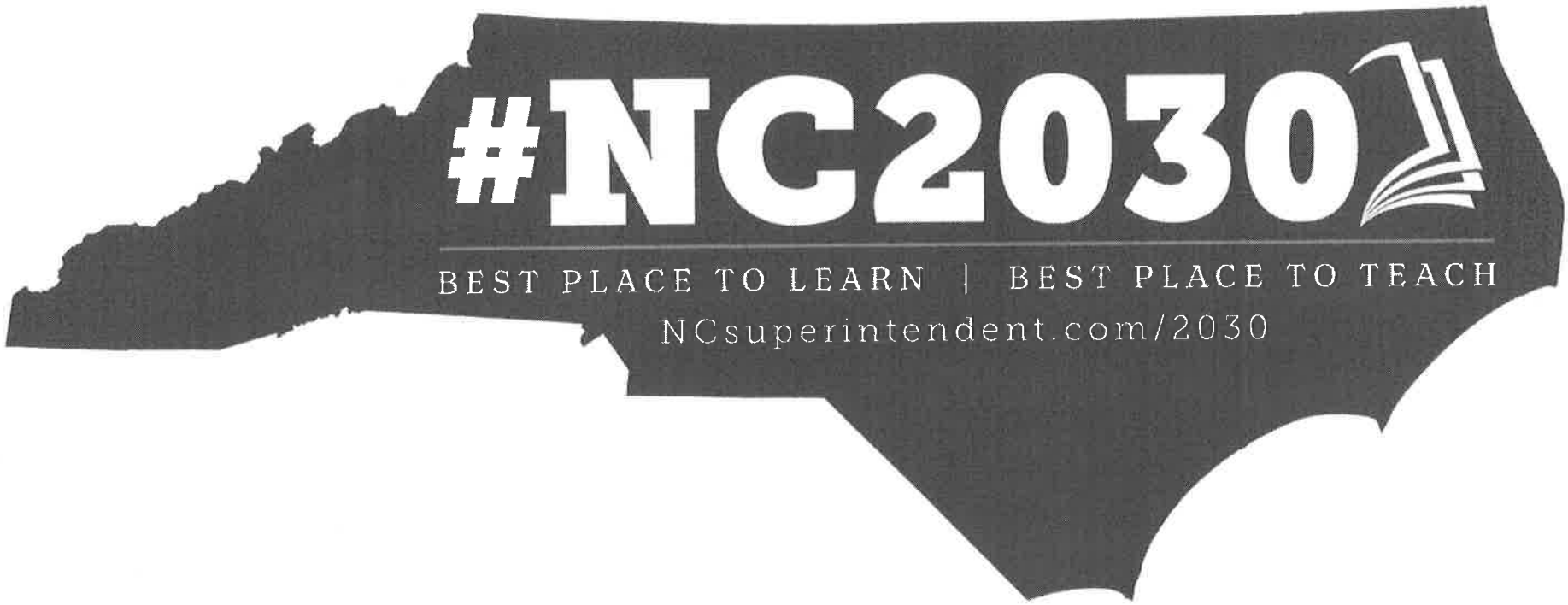

#NC2030
BEST PLACE TO LEARN | BEST PLACE TO TEACH
NCsuperintendent.com/2030

SENATE SERGEANT-AT-ARMS

EDUCATION/HIGHER LEARNING SENATE COMMITTEE

DATE: 02-27-2019 ROOM: 1027/1128

11:30 PM

DWIGHT GREEN

FRANCES PATTERSON

Senate Pages Attending

COMMITTEE: Education **ROOM:** 1027

DATE: 2-27 **TIME:** 11:30

PLEASE PRINT LEGIBLY....*or else!!!!!*

Page Name	Hometown	Sponsoring Senator
1. Jamya Johnson	New London	Ford
2. Ariana Ragland	Salemburg	B. Jackson
3. Tiffany Taveras	New London	Ford
4.		
5.		
6.		
7.		
8.		

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.

Ich habe Hunger.

Ich habe Durst.

Ich habe Angst.

Public Sign-in

EDUCATION/HIGHER LEARNING
SENATE COMMITTEE

02/27/2019

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Amy AUTH	UNC-CH
W. Gordon Culpepper	PPAB
Ali RUVOLIS	
Claudia Wiseman	GA Office
Holden McLemore	Holden McLemore
Rachel Peaslee	RBLaw
Tom West	NCICU
Richard Bostic	NCSBA
Heidi Bird	NCWC
Elizabeth Yelverton	NCASA
Katherine Joyce	NCASA
Doug Mistak	PSG
Chris Valauri	Valauri Group LLC

09-22-2016

Public Sign-in

EDUCATION/HIGHER LEARNING SENATE COMMITTEE

02/27/2019

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Wade Butner	NCDPI
Jonathan Senk	DPI
Matthew Docklan	Appalachian State
Amanda Donovan	KTS
Stephen Kocha	KMA
Ed Hanes Jr	THC
Dustin Harrison	NCDTSEA
Ed Dennison	Moore County Sch BOE NCSBA BOD
Mary Shuping	NCCCS
Drew Elliot	NCDPI
Joe Mamone	NCDPI
Pam Shue	NCDPI
Tara Galloway	NCDPI

Public Sign-in

EDUCATION/HIGHER LEARNING SENATE COMMITTEE

02/27/2019

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
April Newmann	MWC
Paulette Jones Leaven	Retired Educator
Suzanne Miller	NC Families For School Testing Reform
Erika Berry	DPI
Lindsay Marchello	Carolina Journal
Zane Stilwell	TSC
Alan Duncan	State Board of Education
Eric Snider	St. Bd of Ed Office
JB Buxton	SBE
Kathryn Johnston	DPI
Chloe Grosso	DPI
Quinton Norwell	UNC system
Janis Ransquist	LWV

09-22-2016

Public Sign-in

EDUCATION/HIGHER LEARNING SENATE COMMITTEE

02/27/2019

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Andrew Meeha	
Jackson Stancil	JSC
Skye David	Reframe
Princess Brown	BEST NC
JOEL MANNERS	ERM : ASSOC
Brigitte Kelly	Appalachian State Univ.
Emily Hagan	Appalachian State University
Gisselle Manner0	Appalachian State University
Amanda Lago	Appalachian State University
Lee Franklin	Appalachian State University
Martez Hill	
Tracy Story	NCBAPA
Geoff Coltrane	Gov Office

09-22-2016

NPC

Public Sign-in

EDUCATION/HIGHER LEARNING SENATE COMMITTEE

02/27/2019

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Dominic Chavez	Pearson Education
Tobin Nelson	Relate Advocacy
Amy Fulk	30 PR

09-22-2016

SENATE COMMITTEE ON EDUCATION/HIGHER EDUCATION

1027/1128 Legislative Building

March 6, 2019 – 11:00 am

Agenda

I. CALL TO ORDER

Chairs: **Sen. Rick Horner, Co-Chair, presiding**
Senator Deanna Ballard, Co-Chair
Senator Jerry W. Tillman, Co-Chair

II. PRESENTATIONS

Chairs' Opening Comments

University of North Carolina System Presentation
Interim President, Dr. William Roper

III. ADJOURNMENT

Senate Committee on Education/Higher Education
Wednesday, March 6, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on March 6, 2019 in Room 1027/1128 of the Legislative Building. Fifteen members were present.

A Visitor Registration log is attached and made part of these minutes.

Senator Horner, Presiding Chair, called the meeting to order at 11:00 am. He introduced the Pages and the Sergeant-at-Arms staff.

The Chair recognized Dr. William Roper, Interim President, of the University of North Carolina System and thanked him for taking time out of his busy schedule to speak to the Senate Committee of Education/Higher Education.

Dr. Roper thanked the committee to afford him the opportunity to preset the policy priorities of the UNC System and the Board of Governors.

High-level status updates for the UNC System:

- Stronger than ever, e.g. over the last five years, five-year graduation rates that have increased 8%; research funding .has reached nearly $1.5 billion per year, and a dramatic increase in the number of graduates in STEM and health sciences curricula.
- Under their 5-year strategic plan, the UNC system has surpassed its first-year targets in 11 of 12 areas, but more work remains.
- Last biennium, UNC Board of Governors adopted a strategic plan that included Performance Agreements for each of its constituent universities.
- With the Legislature's support, the UNC system embarked upon a Business Intelligence project that provided constituent universities with relevant financial data on key performance indicators
- The Legislature provided financial support for high priority items, such as Faculty Recruitment and Retention, as well as for new Lab Schools and the successful NC Promise initiative.

As interim President, I want to:

1. Set stretch goals for each university
2. Hold Chancellors accountable to those goals
3. Remove the barriers in their way

Dr. Roper's approach to accountability was reconfirmed by his experience leading large public institutions:

- Hire the best people, set stretch goals, ensure consequences if goals aren't met. Stay out of their way as they work to achieve them. That's the approach that underlies our legislative policy agenda
- Deregulation and technical corrections – is a priority for the Board and for me as interim President
- UNC System team has worked closely with BOG to align policies with the state's goals: access, affordability, and student success.

- Aligned Advanced Placement requirements across institutions; maximizing the state's $12 million investment by granting more credit for students who demonstrate proficiency
- Expanding transfer pathways between community colleges and UNC institutions
- 120 credit hour rules for degree programs to increase on-time graduation for students - this change lowered the percent of degree programs requiring over 120 hours from over 50% to around 7%.
    - We've also responded to the General Assembly's concerns about the transparency and predictability of the university funding model by shifting from projected credit hours to funding actuals, in arrears.
    - We are continuing to work on issues under Board's purview to cut red tape.

We've also identified three key areas where we need your help to make progress:

Deregulation

1. Expand carry-forward authority from 2.5% to 7.5%
    a. Addressing our significant R&R backlog is one of the top priorities for the UNC System; also, the Board views it as one of their top issues.
    b. Expanded carry-forward authority is pivotal for us to better leverage existing appropriations to tackle the problem.
    c. While historically carry-forward has been seen as a budgetary issue, we see it as a policy item, and a top policy priority for the UNC System.

2. Reinstate Institutional Authority for Certain Compensation/Classification Actions
    a. In 2017, the legislature created a new requirement for BOG to monitor salary actions of 5% or greater for employees with salaries of $100k or greater, and to monitor establishment of new positions budgeted at $70k or greater.
    b. The Board of Governors has requested that this oversight is returned to the President, to Trustees, and to institutions.
    c. We've found institutions are making sound human resource decisions, but requirements are creating delays and extra red tape in increasingly competitive HR situations

3. Reinstate Institutional Authority for Small Capital Projects
    a. We are asking the legislature to grant flexibility for campus leaders to use available resources for small capital projects of up to $1 million.
    b. Right now, minor facility problems are going unaddressed until a large renovation appropriation is approved.
    c. With greater flexibility, campus leaders can address repair problems before they grow

These three key deregulation proposals would make our institutions run better, while keeping accountability high. We hope to work with the General Assembly to pass these Board priorities.

Technical Corrections for K-12 Programs

In addition to these regulatory flexibilities, our policy agenda includes some technical corrections to K-12 programs that the General Assembly has asked us to administer-- Teaching Fellows, Lab Schools, and Future Teachers of North Carolina.

We ask the Legislature to consider:

1. Expand the Teaching Fellows Program, to three additional schools of education.

2. Reduce the number of required lab schools to six; allowing our soon-to-open UNC Charlotte lab school to be our final one. Allow for System staff to focus on growing and strengthening our six lab schools.
3. Grant authority for a restructuring of the Future Teachers of North Carolina so it can better meet the legislative intent and allow for a larger network of participants.

In Dr. Roper's closing remarks he indicated that he was excited by the progress of the Board of Governors and at each of UNC's institutions to remove obstacles to student success and the efficient use of state resources. The Board is doubling down on that work, but needs legislative assistance to go even further.

The Chair opened the floor for questions and comments.

Senator Tillman spoke in support of Dr. Roper's accomplishment in the short time he has been the Interim President of the UNC System and acknowledge the issues Dr. Roper had to address since Dr. Spellings' resignation.

Senator Ballard and Senator D. Davis asked Dr. Roper to expand on the Technical Corrections for K12 Programs.

Lab School Requested Changes:

- Move from 9 to 6, the number required to open. UNC has identified the 6th UNC Lab School which will open in the Fall 2019. However, the University has run into challenges finding additional lab schools due to a variety of issues, including local school district opposition and transition at one school of education.
- Provide clarity on LEA's responsibility to provide transportation.
- Provide the same civil immunity that other state agencies currently enjoy.

Increase # of universities participating in Teaching Fellows

- Move from 5 (currently), to 8 universities
- Include a "diverse selection" of institutions

Change Future Teachers NC to symposium

- Program just kicked off and have identified needed changes
- Move from curriculum-based program to a symposium

Senator Robinson spoke in support of the University's management flexibility request. We, the General Assembly, do not need to micromanage our Universities. The UNC System has a Board of Governors, you as President, and well able Chancellors; I want to command you on the work you have done.

A copy of the UNC Systems' 2019 Legislative Proposals is attached.

There being no further business, the Chair adjourned the meeting at 11:40 am.

Senator Rick Horner, Chair
Presiding

Regina Irwin
Regina Irwin, Committee Clerk

THE UNIVERSITY OF NORTH CAROLINA SYSTEM

2019 LEGISLATIVE PROPOSALS

SUMMARY OF PRIORITY PROPOSALS

Financial and Capital Efficiencies

1. **Expand Carryforward Authority to 7.5% (from 2.5%)**
   Carryforward authority allows UNC institutions to assist the state in addressing the significant repairs and renovation (R&R) backlog using existing appropriations. The University currently has over $1 billion in R&R needs on state-supported buildings and has very little flexibility to address this backlog on our own. This increased flexibility will allow institutions to share responsibility with the state to address the backlog without obligating the state to future expenditures.

2. **Reinstate Institutional Authority for Certain Compensation/Classification Actions**
   In 2017, the legislature created a requirement that the UNC Board of Governors monitor salary actions of 5% or greater for University employees (SHRA/EHRA) with salaries of at least $100,000 and monitor the establishment of new positions (SHRA/EHRA) budgeted at $70,000 or greater. After two years, the Board of Governors requests a return to the prior policies governing these compensation actions, which allowed additional institutional oversight to the president, to the boards of trustees, and to the UNC constituent institutions, as deemed appropriate.

3. **Reinstate Institutional Authority for Small Capital Projects**
   UNC leaders are asked to manage not just the operations of institutions, but to protect the significant state investments in the grounds of each university. Currently, these leaders do not have the tools to do so. If there is a need to address a minor facility deficiency, campus leaders no longer have the flexibility to use available resources for small capital projects (up to $1 million) and must hope for sizeable repair and renovation appropriation.

THE UNIVERSITY OF NORTH CAROLINA SYSTEM

2019 LEGISLATIVE PROPOSALS

Technical Corrections

1. **Technical Corrections for Teaching Fellows Program**
   In only its second year of implementation, the North Carolina Teaching Fellows program is showing great promise in recruiting highly-qualified candidates into the teaching profession. To ensure successful program growth while maintaining a high bar on program quality, the Teaching Fellows program should be expanded to three additional institutions. Additionally, a clarifying change is needed to extend eligibility to students who are already in an educator preparation program, but willing to transition to a STEM or Special Education area of licensure.

2. **Technical Corrections for UNC Laboratory School legislation, including food/transportation services, number of lab schools, and civil immunity**
   Because existing legislation does not specify which entity administers food and transportation services for Laboratory Schools, UNC seeks an addition establishing that local school administrative unit will provide these programs for students attending these schools. UNC also seeks a change to the total number of lab schools set by the legislation. Finally, UNC would like Laboratory Schools to be granted civil immunity in situations where existing boards of education and local school administrative units maintain such immunity.

3. **Technical Corrections for Future Teachers NC**
   The University is proposing changes to the current structure of the Future Teachers of North Carolina (FTNC) program. FTNC is currently structured as a college-level high school course at three UNC institutions. Structural changes will allow for a larger program network, more targeted recruitment efforts, and a better alignment with legislative intent. The proposed changes will also enable the UNC System Office to be more directly accountable for program outcomes.

THE UNIVERSITY OF NORTH CAROLINA SYSTEM

2019 Legislative Proposal – Amend G.S. 116-30.3
Expand Carry Forward Authority to 7.5%

Area:	**Institutional Request - Efficiency**
Topic:	**Expand Carry Forward to 7.5% (from 2.5%) for Repair & Renovations**
Governance:	**North Carolina General Statutes - G.S. 116-30.3 - Reversions**

Current Status:	• G.S. 116-30.3 addresses state appropriation reversions and provides an exemption to UNC institutions of up to 2.5% of state appropriations. This allows UNC institutions to carry forward unexpended state funds to be used for one-time expenses that don't obligate the state to provide additional expenditures. Typically, agency funds not expended in a given fiscal year are returned to the Office of State Budget & Management and General Fund.
	• In the FY15-16 budget, UNC was provided authority to carry forward up to 5% of state appropriation with the additional increment to be used for building Repair & Renovation (R&R).
	  ○ UNC institutions used this authority to address 35 projects totaling $30 million.
	  ○ This authority sunset three years ago.
	• UNC seeks to regain expanded carry forward authority of up to 7.5% of state appropriations.
	• In the last five years, UNC's largest reversion was just over $3 million, so expanding the current authority will not cost the state any money.
	• Expanding carry forward authority does not limit the budget director's ability to force a reversion in the case of a fiscal emergency.
	• This request was included in the UNC Board of Governors 2017-19 Policy Agenda.

Current Challenges:	• UNC institutions have significant capital R&R needs, but few ways to address those needs. Carry forward authority remains a primary source of funds to address capital shortcomings on state-supported buildings in years the University does not receive significant R&R appropriations from the state. UNC has identified major capital deficiencies through NC's Facilities Condition Assessment Program (FCAP). • Institutions are seeking authority to spend appropriated dollars on areas that are the state's obligations, but they are limited to do so in the current fiscal year due to administrative limitations. • This allows institutions to spend state dollars more strategically and will not limit the amount of reverted funds, as the University will spend on other lower priority needs without this authority.
Proposed Action:	**Amend G.S. 116-30.3. – Replace 2.5% with 7.5%.** G.S. 116-30.3. Reversions. a) Of the General Fund current operations appropriations credit balance remaining at the end of each fiscal year in each of the budget codes listed in this subsection, any amount of the General Fund appropriation for that budget code for that fiscal year (i) may be carried forward to the next fiscal year in that budget code, (ii) is appropriated in that budget code, and (iii) may be used for any of the purposes set out in subsection (f) of this section. However, the amount carried forward in each budget code under this subsection shall not exceed seven and one-half percent (7.5%) ~~two and one-half percent (2.5%)~~ of the General Fund appropriation in that budget code. **Amend G.S. 116-30.3(f)** f) Funds carried forward pursuant to subsection (a) of this section above two and one-half percent (2.5%) may be used to support one-time expenditures for building repairs and renovations; ~~may be used for one-time expenditures,~~ provided, however, that the expenditures shall not impose additional financial obligations on the State and shall not be used to support positions.

THE UNIVERSITY OF NORTH CAROLINA SYSTEM

2019 Legislative Proposal – Amend G.S. 116-17.3
Repeal BOG Monitoring Requirements

Area:	**University Human Resources Policy**
Topic:	**Repeal UNC BOG Monitoring Requirements for Certain Classification/Compensation Actions**
Governance:	**North Carolina General Statutes - Chapter 116 – Part 2 (G.S. 116-17.3)**
Current Status:	• The Appropriations Act of 2017 (SL 2017-57) added a new section to Chapter 116 of the North Carolina General Statutes: G.S. 116-17.3, which reads: • "G.S. 116-17.3. Board of Governors monitors certain human resources actions. (a) The Board of Governors of The University of North Carolina shall monitor nonlegislative annual employee salary increases in the amount of five percent (5%) or more granted at constituent institutions or within the General Administration (i) to employees having annual salaries of one hundred thousand dollars ($100,000) or greater or (ii) that would result in an annual employee salary of one hundred thousand dollars ($100,000) or greater. No such salary increase shall become effective unless or until it is reported to the Board by a consultation that includes the justification for the increase or otherwise complies with consultation requirements adopted by the Board. (b) The Board of Governors of The University of North Carolina shall monitor new personnel positions created at constituent institutions or within the General Administration having annual salaries of seventy thousand dollars ($70,000) or greater. No such new position may be filled unless or until its creation is reported to the Board by a consultation that includes the justification for the new position or otherwise complies with consultation requirements adopted by the Board." • This action was effective July 1, 2017.
Current Challenges:	• Since its implementation, this process has required Board member review (originally the Board chair and chair of the Committee on Personnel and Tenure, and now by the chair and vice chair of the Committee on Personnel and Tenure) of a combined total of over 1,444 salary and position actions. • To document and review each human resources action subject to this process necessarily involves the efforts of multiple constituent institution HR professionals at the Department, School/Division, and Central HR Office levels; constituent institution senior officers; multiple UNC System Office HR professional staff; and finally the leadership of the Board of Governors' Committee on Personnel and Tenure. • This process can unnecessarily delay decision-making on both salary and position actions for between two to four weeks and unduly restricts the authority of the president and our chancellors, who routinely and independently make decisions with far greater financial and operational consequences. • Retention offers and promotional job offers, which constitute 50% of the actions reviewed in this process, are also often time sensitive, and the mandated Board consultation has created additional hurdles for promoting internal hires as opposed to making salary offers to external candidates. • This is not conducive to the University encouraging the development and promotion of internal talent and its efforts at promoting succession planning.
Proposed Action:	**Repeal G.S. 116-17.3.** • The Committee on Personnel and Tenure believes that the value received from this legislatively-mandated process is negligible in contrast to the time and effort that it requires. • Additionally, reviewing such granular transactional matters is truly not an appropriate use of the time or expertise of the Board, nor are Board members equipped to evaluate whether individual salary increases or new positions are justified within the context of institutional institutions' programs, operational needs, and budgets.

Proposed Action (cont'd):	• The Board already has pre-existing guidelines for review and approval of various human resources actions. We trust that our constituent institution and System Office staff are equipped to make such evaluations and consult the Board when called for within the framework of existing policies. • Even in the absence of this statutory requirement, the Board will retain its authority and flexibility to determine the level of human resources authority it delegates to the president, to the boards of trustees, and to the chancellors. • The Board will also retain its authority and flexibility, as it deems appropriate and necessary, to set consultation and pre-approval thresholds through policy, rather than statute, for its oversight of all human resources matters. • The Board retains its authority and flexibility, as it deems appropriate and necessary, to set thresholds such as these through policy, rather than statute, for its oversight of compensation and classification actions.
Legacy Exceptions:	• Not Applicable.

THE UNIVERSITY OF NORTH CAROLINA SYSTEM

2018 Legislative Proposal – Amend G.S. 116
Reinstate Authority for Certain Capital Projects

Area:	**Capital - Request from Institutions**
Topic:	**Reinstate Authority for Certain Capital Projects up to $1 million**
Governance:	**Reinstate into North Carolina General Statutes**
Current Status:	• In 2012, G.S. 116-13.1 (c) provided UNC institution leaders with the ability to address small capital improvement projects on their campus from funds available to the institution. • In FY14, this authorization was removed and limited UNC to the state-authorized level of $300,000 in Session Law. • In FY17, the legislature did not include this authority in Session Law, nor create a new statute addressing the issue. At this time, neither state agencies nor University leaders can use operating dollars to address capital repairs/improvements. • This request was included in the UNC Board of Governors 2017-19 Policy Agenda and was included in H.B. 775 (Section 7), sponsored by Rep. Dean Arp.
Current Challenges:	• Many University buildings are deficient and need repairs. Failing an emergency repair declaration, institutions are prevented from repairing the facilities unless R&R or carry forward funds are available. • Over the past decade, UNC has received approximately $35 million a year for R&R, which has to be distributed amongst 17 institutions.
Proposed Action:	**AUTHORIZE STATE AGENCIES TO UNDERTAKE CERTAIN ~~SMALL~~ REPAIRS AND RENOVATIONS PROJECTS WITH FUNDS AVAILABLE** (a) Notwithstanding G.S. 143C-8-7, a State agency may undertake repairs and renovations projects so long as each project satisfies the following requirements: (1) Total project costs do not exceed one million dollars ($1,000,000). (2) The project is one of the types set forth in G.S. 143C-4-3(b)(1) through (12), regardless of whether the relevant State facilities and related infrastructure are supported from the General Fund. (3) The project is paid for with funds available to the agency. (b) Projects undertaken pursuant to this section shall be reported to the Fiscal Research Division on a quarterly basis. A report under this subsection shall include information about all of the following for each project: (1) The facility at which the project is being undertaken. (2) The nature and scope of the project. (3) The source of funds for the project. (4) The category of projects set forth in G.S. 143C-4-3(b) that the project falls within. (c) General Funds contractually obligated for a project shall not revert at the end of the fiscal year but shall remain available to fund the completion of the project.

THE UNIVERSITY OF NORTH CAROLINA SYSTEM

2018 Legislative Proposal – Amend G.S. 116
NC Teaching Fellows Program Modifications

Area:	**North Carolina Teaching Fellows Program**
Topic:	**Program Modifications**
Governance:	**North Carolina General Statutes - Chapter 116 - Article 23**
Current Status:	• G.S. 116-209.62(f) currently allows for <u>five</u> Teaching Fellows partner institutions. • G.S. 116-209.62(g)(4) currently extends eligibility to "students matriculating at institutions of higher education who are changing to enrollment in a selected educator preparation program..."
Current Challenges:	• Following the North Carolina Teaching Fellows Commission's selection of five partner institutions, made in line with the requirements of G.S. 116-209.62(f), there has been considerable support for program expansion. The statute should be modified to increase the number of partner institutions from five to eight institutions and to grant the North Carolina Teaching Fellows Commission with additional discretion to ensure institutional diversity. • As currently written, the statute does not allow a Teaching Fellows award to be extended to a student who is already enrolled in an educator preparation program at one of the Teaching Fellows partner institutions -- even if that student is willing to transition to STEM or Special Education. The statute should be modified to ensure that the program can effectively recruit the most qualified candidates into high-needs subject areas.
Proposed Action:	**GOAL #1:** ***Expand the number of Teaching Fellows partner institutions from five to eight and grant the Commission discretion to ensure institutional diversity.*** • **Amend G.S. 116-209.62(f) – Add New Language (in blue)** (f) Program Selection Criteria-The Authority shall administer the Program in cooperation with **<u>eight</u>** institutions of higher education with approved educator preparation programs selected by the Commission that represent <u>a diverse selection of</u> both postsecondary constituent institutions of The University of North Carolina and private postsecondary institutions operating in the State. **GOAL #2:** ***Provide that students who are already enrolled within a school of education at one of the Teaching Fellows partner institutions can still be eligible for Teaching Fellows if they matriculate into an eligible program of study (STEM or Special Education).*** • **Amend G.S. 116.209.62(g)(4) – Add New Language (in blue)** "(4) Students matriculating at institutions of higher education who are changing to **<u>an approved program of study at</u>** a selected educator preparation program..."
Legacy Exceptions:	• Not Applicable.

THE UNIVERSITY OF NORTH CAROLINA SYSTEM

2018 Legislative Proposal – Amend G.S. 116-239
Modify Laboratory Schools Legislation

Area:	**Laboratory Schools Legislation**
Topic:	**Modify Laboratory Schools Legislation: Food and Transportation Services**
Governance:	**North Carolina General Statutes – G.S. 116-239.8(b)(4)**
Current Status:	This section establishes that local school administrative units will provide food services and transportation services to students attending laboratory schools.
Current Challenges:	• The current law does not explicitly state which entity administers the school nutrition program for laboratory schools. • Current law also does not specify that students are to be transported to the laboratory school regardless of local transportation policies and practices and the location of students' residences within the local school administrative unit.
Proposed Action:	• **Amend: 116-239.8(b)(4) –** Clarifies that laboratory school nutrition programs will be administered by the local school administrative unit and clarifies that students who are enrolled into the laboratory school will be transported to the laboratory school regardless of local transportation policies and practices and students' residence within the local school administrative unit. Food and transportation services. – The local school administrative unit in which the laboratory school is located shall provide ~~**food services and**~~ transportation to students ~~**attending**~~ who reside in the local school administrative unit and attend the laboratory school including any students that are homeless and require assistance pursuant to the **McKinney-Vento Homeless Assistance Act of 1987 (Pub. L. 100-77, July 22, 1987, 101 Stat.** 482, 42 U.S.C. § 11301 et seq.). This requirement shall apply regardless of local transportation policies and practices and regardless of where laboratory school students reside within the local school administrative unit. This requirement shall include providing transportation of students and personnel for laboratory school extracurricular activities and educational trips in the same manner as provided for other schools in the local school administrative unit in that school year. The local school administrative unit in which the laboratory school is located shall administer**, at its cost,** the National School Lunch Program for the laboratory school in accordance with G.S. 115C-264. The chancellor shall arrange for the provision of these services from the local administrative unit.

THE UNIVERSITY OF NORTH CAROLINA SYSTEM

2018 Legislative Proposal – Amend G.S. 116-239
Modify Laboratory Schools Legislation

Area:	**Laboratory Schools Legislation**
Topic:	**Modify Laboratory Schools Legislation: Civil Immunity**
Governance:	**North Carolina General Statutes – G.S. 116-239.5**
Current Status:	This section establishes the UNC laboratory schools, provides the mission of the laboratory schools, and exempts the laboratory schools from statutes and rules applicable to local school administrative units, except as otherwise provided.
Current Challenges:	Laboratory schools and their employees are charged with many of the same tasks as local school administrative units and their employees but are not protected by the same explicit immunities. *E.g.* G.S. 115C-333(e), G.S. 115C-375.1.
Proposed Action:	• **Amend: 116-239.5 –** Adds a new subsection (e) that explicitly grants civil immunity to laboratory schools in the same manner and in the same situations that boards of education and local school administrative units have such civil immunity. (e) Laboratory schools, including but not limited to their governing boards, advisory boards, employees, and other agents, shall have the same limitations on liability that are granted in Chapter 115C to the equivalent entity of a board of education or local school administrative unit.

THE UNIVERSITY OF NORTH CAROLINA SYSTEM

2018 Legislative Proposal – Amend G.S. 116-239
Modify Laboratory Schools Legislation

Area:	**Laboratory Schools Legislation**
Topic:	**Modify Laboratory Schools Legislation: Number of Laboratory Schools**
Governance:	**North Carolina Session Law – Section 11.6 of S.L. 2016-94**
Current Status:	This section establishes the timeline to begin operating the UNC Laboratory Schools. Two laboratory schools opened in the 2017-2018 school year. Three additional laboratory schools opened in the 2018-2019 school year. One laboratory school has been approved to open in the 2019-2020 school year.
Current Challenges:	• In the fall of 2019, the University of North Carolina at Charlotte will open the sixth laboratory school. At this time, UNC believes six is the optimal number of laboratory schools.
Proposed Action:	• **Amend G.S. 116-239.7(a1)** – Changes the number of laboratory schools from nine to six. (a1) Approval of Laboratory Schools. – The Board of Governors, upon the recommendation of the President, shall designate at least ~~**nine**~~ **six** constituent institutions to establish and operate laboratory schools. The chancellor of each constituent institution shall adopt and submit to the Subcommittee a proposal to operate a laboratory school in a local school administrative unit that meets the minimum threshold for the number of low-performing schools located in the unit under G.S. 116-239.6(4). The proposal shall include the governance structure of the laboratory school. The Subcommittee shall evaluate the proposals for approval or disapproval by considering the design components and the strategic focus of the laboratory school and any other standards developed by the Subcommittee to be applicable to all laboratory schools. The Subcommittee shall also consider the location of each laboratory school so that, to the extent possible, there is a geographically diverse distribution of the laboratory schools throughout the State and a maximum of one laboratory school located in a qualifying local school administrative unit. From the proposals submitted to the Subcommittee, the Subcommittee shall approve the establishment of at least ~~**nine**~~ **six** laboratory schools.

THE UNIVERSITY OF NORTH CAROLINA SYSTEM

2018 Legislative Proposal – Amend G.S. 116
Future Teachers of NC Program Modifications

Area:	**Future Teachers of North Carolina (FTNC)**
Topic:	**Program Modifications**
Governance:	**North Carolina General Statutes - Chapter 116 - Article 1**
Current Status:	• G.S. 116-41.30(a) currently defines FTNC as a "program providing professional development and curricula for courses that provide a challenging introduction to teaching as a profession for high school students through courses offered by participating high schools in conjunction with college partners." • G.S. 116-41.31(c) mandates that partnering constituent institutions offer dual credit for successful completion of FTNC courses.
Current Challenges:	• To ensure that the program fully aligns to legislative intent, the structure of the course needs to be modified for four primary reasons: 1. Allow for a larger program network (currently limited to three UNC institutions). 2. Foster more targeted recruitment efforts (currently only offered at high schools with necessary capacity for additional courses and teacher availability). 3. Enable direct accountability from the UNC System Office (current program structure does not provide for clear oversight). 4. Streamline program design to eliminate needless bureaucracy (current program implementation is made complicated by course articulation matters).
Proposed Action:	**GOAL #1:** ***Streamline the program structure to provide for more targeted recruitment efforts.*** • **Amend G.S. 116-41.30(b) – Replace Current Language (revisions in blue).** "(b) Program. – FTNC shall be a selective, application-based symposium **for high school juniors and seniors, offering** a challenging introduction to teaching as a profession. FTNC courses shall provide instruction on pedagogy, ethics and professionalism, child development, successful teaching strategies and classroom management practices, effective lesson planning, assessment and intervention, and requirements of teacher licensure. The symposium should provide practical benefit to participating students, which may include interaction with current educators, administrators, and educator preparation faculty members, a simulated student teaching experience, and information about financial aid and scholarship opportunities." **GOAL #2:** ***Revise program oversight to enable the System Office to be more directly accountable for program outcomes.*** • **Amend G.S. 116-41.31(a) – Replace current language (revisions in blue).** "(a) FTNC System Office. – FTNC shall be administratively housed in the University of North Carolina System Office. The President shall establish a Future Teachers Advisory Council to oversee the FTNC program. At the President's discretion, the council shall coordinate with UNC constituent institutions to utilize expertise from IHE administrators, faculty, and staff members in designing the agenda and instructional content for the FTNC Symposium. The Future Teachers Advisory Council shall ensure diverse representation of the educator preparation programs represented at the Symposium. The Council shall also be responsible for creating an application process for interested high school students, reviewing submitted applications, selecting students to attend, and recruitment and outreach efforts.

Proposed Action (cont'd):	**GOAL #3:** ***Repeal language linked to old program design.*** • **Repeal G.S. 116-41.31(b) and (c)** "(b) FTNC Site Applications. -- ... (c) FTNC Institution of Higher Education Partners. -- ...." **GOAL #4:** ***Make conforming changes to program reporting requirements.*** • **Amend G.S. 116-41.32(d) – Replace current language (revisions in blue).** "The University of North Carolina System Office shall report annually, beginning October 15, 2020, on the following: (1) Number of students who submitted an application to attend the symposium. (2) Number of students attending symposium, including distribution by region. (3) List of high schools and LEAs represented by participating students. (4) Demographic information of student attending symposium. (5) Description of event agenda and content. (6) Percentage of students who, after attending the FTNC symposium, report the following: a. The student plans to choose teaching as a profession. b. The student plans to enroll in a community college, a UNC institution, an in-state private institution, or an out-of-state institution. c. The symposium increased the student's knowledge of the teaching profession and other careers in education. d. The symposium was very or somewhat effective in helping the student formulate a positive perception of the education profession.
Legacy Exceptions:	• Not Applicable.

VISITOR SIGN-IN SHEET

EDUCATION/HIGHER EDUCATION

SENATE COMMITTEE

03/6/2019

Anthony Reid
Laura Hagman
Wade Butner - NCDPI
Kevin Wilkinson - Office of NC Superintendent
Zane Stilwell - TSG
CHRIS McClure - BROOK Pierce
Dodie Benfer - Nelson Mullins
Julia Watkins NWEA
Martez Hill JMH Consulting
Tim Lavallee Wake Ed Partnership
Caven Canady NCSEAA
Whitney Christenson Ward & Smith
Janelle Burnette - NCSU
Rebecca Hocker NCSU
Brandy Johnson NCSU
Reid Lee IV WSSU student
Leah Westbrook WSSU
Amy RUTH UNC - Chapel Hill
Geoff Coltrane Gov Office

VISITOR SIGN-IN SHEET

EDUCATION/HIGHER EDUCATION

SENATE COMMITTEE

03/6/2019

Tom Hart	NCICU
Betty Doster	UNC Charlotte
Sabrina Brunch	Winston-Salem State University
Wendy Velazquez	Winston Salem Skills
Aaliyah Kay	Winston-Salem NC
Firoz Ugangie	Winston-salem NC
Jacqueline A Maya	Yadkinville, NC
Tahreyah Murrain	Winston-Salem NC
Chelsea Powell	Winston - Salem, NC
Donna McLaurin	Winston-Salem, NC
Richard Bostic	NC SBA
Mary Shuping	NCCCS
Drew Moretz	UNC System
Austen Powell	UNC System
Sonja V. Harry	Winston-Salem State University
YOLANDA MEADE BYRD	Winston-Salem State Un. Dept of Social Work
Gladys D. Salas	Winston-Salem State University
Madario Lamplins	Winston-Salem State
Noelle Arvanitis	WSSU

VISITOR SIGN-IN SHEET

EDUCATION/HIGHER EDUCATION

SENATE COMMITTEE

03/6/2019

Kevin Howell	NCSU
Victoria	NCSU
Rita	NCSU
Teresa	NCSU
Katrina Hodges	NASW, NCSU student
Tony Wilder	NCSU
Steve Metcalf	The Policy Group
JOEL MAYNARD	GPM + ASSOC
Lee Teague	FTE

VISITOR SIGN-IN SHEET

EDUCATION/HIGHER EDUCATION

SENATE COMMITTEE

03/6/2019

Sheqwenta Hyche Winston-Salem State Univ.

Senate Committee on Education/Higher Education
Wednesday, March 20, 2019, 11:00 AM
1027/1128 Legislative Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
SB 225	Repeal Tuition Surcharge.	Senator Perry Senator Tillman Senator Horner
SB 230	Excused Absences for Military Children.	Senator D. Davis Senator Brown Senator Ballard

Presentation

Governor Morehead School for the Blind

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, March 20, 2019

Senator Tillman,
submits the following with recommendations as to passage:

FAVORABLE

SB **225** Repeal Tuition Surcharge.

Draft Number:	None
Sequential Referral:	Appropriations/Base Budget
Recommended Referral:	None
Long Title Amended:	No

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

SB **230** Excused Absences for Military Children.

Draft Number:	S230-PCS45143-TC-4
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 2

Senator Jim Perry will handle SB 225
Senator Don Davis will handle SB 230

Senate Committee on Education/Higher Education
Wednesday, March 20, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on March 20, 2019 in Room 1027/1128 of the Legislative Building. 14 members were present.

Senator Jerry W. Tillman, presiding chair, called the meeting to order and introduced the pages and sergeant-at-arms. The following bills were considered:

SB 225 Repeal Tuition Surcharge. (Senators Perry, Tillman, Horner) Senator Perry was recognized to explain SB 225. Senator Harrington moved for a favorable report and recommended the bill be re-referred to Senate Appropriations/Base Budget. The motion passed.

SB 230 Excused Absences for Military Children. (Senators D. Davis, Brown, Ballard) A proposed committee substitute (PCS) was presented. The Chair moved to adopt the PCS for consideration. The motion passed. Sen. Davis was recognized and sent forth an amendment. Sen. Davis was recognized to explain the amendment. Sen. Foushee moved for the adoption of the amendment. The motion passed. Senator Sanderson moved to roll the amendment into a PCS, with a favorable report as to the PCS, as amended; unfavorable to the original bill and recommended the bill be re-referred to the Senate Committee on Rules. The motion passed.

Senator Tillman recognized Barbria Bacon, Education Services for the Deaf and Blind Director, Governor Morehead School. Ms. Bacon presented a brief overview and recognized four current Governor Morehead School seniors. Each of the four students presented a senior reflection.

There being no further business, the meeting adjourned at11:35 AM

Senator Jerry W. Tillman, Chair
Presiding

Suzanne Castleberry, Committee Clerk

SENATE BILL 225

Short Title:	Repeal Tuition Surcharge.	(Public)
Sponsors:	Senators Perry, Tillman, and Horner (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

March 13, 2019

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE TUITION SURCHARGE IMPOSED BY THE BOARD OF GOVERNORS ON STUDENTS WHO TAKE MORE THAN 140 DEGREE CREDIT HOURS TO COMPLETE A BACCALAUREATE DEGREE IN A FOUR-YEAR PROGRAM OR MORE THAN 110% OF THE CREDIT HOURS TO COMPLETE A BACCALAUREATE DEGREE IN A FIVE-YEAR PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-143.7 is repealed.

SECTION 2. G.S. 116-143.9 reads as rewritten:

"**§ 116-143.9. Fixed tuition payment.**

(a) There is established the fixed tuition payment program. The rate of tuition of any freshman or transfer undergraduate student who is admitted to any constituent institution of The University of North Carolina and deemed to be a North Carolina resident for purposes of tuition shall be guaranteed as provided by this section. The program shall have the following components:

(1) A guarantee that the rate of tuition approved by either the Board of Governors or the Board of Trustees of the constituent institution will remain constant or decrease during the tuition period.

(2) Except as provided in subsection (b) of this section, the tuition period shall be (i) eight consecutive academic semesters for a student seeking a baccalaureate degree in a four-year program or 10 consecutive academic semesters for a student seeking a baccalaureate degree in a program officially designated by the Board of Governors as a five-year program, not including any summer sessions, or (ii) the appropriate balance of a designated program length after making the proper adjustments for a student who transfers to the constituent institution.

(3) Except as provided in subsection (b) of this section, the student must remain enrolled continuously at the constituent institution during the entire tuition period.

(4) At the end of the tuition period, the cost of tuition for any additional academic semesters reverts to the amount of the current tuition for that constituent ~~institution and a tuition surcharge imposed under G.S. 116-143.7, if applicable.~~institution.

(b) The tuition period may be tolled if the student is able to demonstrate ~~a substantial disruption or interruption in~~ that any of the following have substantially disrupted or interrupted the student's pursuit of a ~~degree as provided in G.S. 116-143.7(c).~~degree: (i) a military service

obligation, (ii) serious medical debilitation, (iii) a short-term or long-term disability, or (iv) other extraordinary hardship. The Board of Governors shall establish the appropriate procedures to implement this subsection.

(c) The Board of Governors shall adopt the policies needed to implement this section and shall also determine what the fixed tuition rates and the tuition periods shall be for undergraduate transfer students who are North Carolina residents for purposes of tuition."

SECTION 3. This act becomes effective July 1, 2019, and applies beginning with the 2019-2020 academic year.

SENATE BILL 225:
Repeal Tuition Surcharge.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	March 20, 2019
Introduced by:	Sens. Perry, Tillman, Horner	**Prepared by:**	Samantha Yarborough Staff Attorney
Analysis of:	First Edition		

OVERVIEW: Senate Bill 225 would repeal the 50% tuition surcharge imposed on students who take more than 140 degree credit hours to complete a baccalaureate degree in a four-year program or more than 110% of the credit hours to complete a baccalaureate degree in a five-year program.

CURRENT LAW: G.S. 116-143.7 requires the Board of Governors to impose a 50% tuition surcharge on students who take more than 140 degree credit hours to complete a baccalaureate degree in a four-year program or more than 110% of the credit hours necessary to complete a baccalaureate degree in a five-year program. Credit hours included in the calculation are (i) those taken at that constituent institution or accepted for transfer; and (ii) any course the student fails or does not complete, unless the incomplete course was officially dropped.

Excluded from the calculation are credit hours earned through (i) the College Board's Advanced Placement Program, CLEP examinations, or similar programs; (ii) institutional advanced placement, course validation, or any similar procedure for awarding course credit; and (iii) summer term or extension programs.

Waivers of the tuition surcharge can be granted if the student demonstrates that any of the following have substantially disrupted or interrupted the student's pursuit of a degree: (i) a military service obligation; (ii) serious medical debilitation; (iii) a short-term or long-term disability; and (iv) other extraordinary hardship.

G.S. 116-143.9 establishes the fixed tuition payment program (Program). For any freshman or transfer undergraduate student admitted to any constituent institution that is a North Carolina resident for tuition purposes, the Program guarantees that the rate of tuition for the student at the constituent institution will remain constant or decrease during the tuition period. The tuition period for a student seeking a baccalaureate degree in a four-year program is 8 consecutive semesters and for a student in a five-year program is 10 consecutive semesters. The tuition period may be tolled if a student is able to demonstrate a substantial disruption or interruption to the student's pursuit of a degree, as provided in G.S. 116-143.7, described above. If a student continues past the tuition period, the student is no longer eligible to receive the guaranteed tuition rate and is charged the current tuition rate. In addition, the student may be charged the tuition surcharge.

BILL ANALYSIS: Senate Bill 225 would repeal G.S. 116-143.7, the tuition surcharge requirement. It would still allow the tuition period to be tolled if the student can demonstrate that any of the following have substantially disrupted or interrupted the student's pursuit of a degree: (i) a military service obligation; (ii) serious medical debilitation; (iii) a short-term or long-term disability; and (iv) other extraordinary hardship.

EFFECTIVE DATE: Senate Bill 225 would become effective July 1, 2019, and apply beginning with the 2019-2020 academic year.

Karen Cochrane-Brown
Director

S225-SMBN-23 E1 -V-3

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 230
PROPOSED COMMITTEE SUBSTITUTE S230-CSTC-4 [v.1]
03/19/2019 05:23:00 PM

Short Title: Excused Absences for Military Children. (Public)

Sponsors:

Referred to:

March 13, 2019

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT RULES PROVIDING FOR EXCUSED ABSENCES FROM SCHOOL FOR CHILDREN OF MEMBERS OF THE ARMED FORCES OF THE UNITED STATES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-379 reads as rewritten:

"**§ 115C-379. Method of enforcement.**

(a) It shall be the duty of the State Board of Education to formulate the rules that may be necessary for the proper enforcement of the provisions of this Part. The Board shall prescribe (i) what shall constitute unlawful absence, (ii) what causes may constitute legitimate excuses for temporary nonattendance due to a student's physical or mental inability to attend or a student's participation in a valid educational opportunity such as service as a legislative page or a Governor's page, and (iii) under what circumstances teachers, principals, or superintendents may excuse pupils for nonattendance due to immediate demands of the farm or the home in certain seasons of the year in the several sections of the State.

(b) ~~The~~ In addition to any excused absences authorized pursuant to subsection (a) of this section, the rules shall require school principals to authorize the following excused absences:

(1) Religious Observance. – ~~a~~ A minimum of two excused absences each academic year for religious observances required by the faith of a student or the student's ~~parents.~~parent or legal guardian.

(2) Military Leave. – Up to two excused absences each academic year if all of the following conditions are met:

a. The student's parent or legal guardian is an active duty member of the uniformed services, as defined by Article 29B of this Chapter, the Interstate Compact on Educational Opportunity for Military Children.

b. The student's parent or legal guardian has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting.

c. The student is not identified by the local school administrative unit as at risk of academic failure because of unexcused absences.

The rules may require that the student's ~~parents give~~ parent or legal guardian gives the principal written notice of the request for an excused absence a reasonable time prior to the religious ~~observance.~~observance or military leave. The student shall be given the opportunity to make up any tests or other work missed due to an excused absence for a religious ~~observance.~~observance or military leave.

(c) It shall be the duty of all school officials to carry out such instructions from the State Board of Education, and any school official failing to carry out such instructions shall be guilty of a Class 3 misdemeanor: Provided, that the compulsory attendance law herein prescribed shall not be in force in any local school administrative unit that has a higher compulsory attendance feature than that provided herein."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2019-2020 school year.

SENATE BILL 230:
Excused Absences for Military Children.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	March 20, 2019
Introduced by:	Sens. D. Davis, Brown, Ballard	**Prepared by:**	Kara McCraw Committee Counsel
Analysis of:	PCS to First Edition S230-CSTC-4		

OVERVIEW: SB 230 would provide for up to 2 days per academic year for excused absences related to a parent or legal guardian's service in a combat zone.

The PCS for SB 230 would clarify terminology for consistent use, and align certain criteria for such absences with the Interstate Compact on Educational Opportunity for Military Children.

CURRENT LAW: G.S. 115C-378 requires every parent, guardian, or custodian having charge or control of a child between the ages of seven and 16 to ensure that the child attends school.

G.S. 115C-379 authorizes the State Board of Education to determine what is considered an unlawful absence, and what causes might constitute legitimate excuses for temporary nonattendance, such as a student's physical or mental inability to attend or participation in a valid educational opportunity.

Additionally, a minimum of two excused absences each academic year must be allowed for religious observances required by the faith of a student or the student's parents. Students can be required to give advance notice of absences for religious observances, but the students must be given the opportunity to make up any tests or other work missed.

Article 29B of Chapter 115C, the Interstate Compact on Educational Opportunity for Military Children, includes a provision that provides, at the discretion of the local superintendent, a student whose parent or legal guardian is an active duty member of the uniformed services, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, may be granted additional excused absences to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

BILL ANALYSIS: The PCS for SB 230 would add a new category of required excused absences. Students would be allowed up to 2 days per academic year for military leave when the following requirements are met:

1. The student's parent or legal guardian is an active duty member of the uniformed services.
2. The parent or legal guardian has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting.
3. The student is not identified by the local school administrative unit as at risk of academic failure because of unexcused absences.

The student's parent or legal guardian would be required to give written notice of the request for leave a reasonable time prior to the absence, and the student must be given the opportunity to make up tests or missed work due to the absence.

EFFECTIVE DATE: SB 230 would become effective when it becomes law, and would apply beginning with the 2019-2020 school year.

Karen Cochrane-Brown
Director

S230-SMTC-7 CSTC-4 -V-1

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 230

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

S230-ATC-7 [v.1]

Amends Title [NO]
S230-CSTC-4

Date _____,2019

Senator D. Davis

moves to amend the bill on page 1, line 21, by replacing the phrase "Up to" with the phrase "A minimum of".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

Education Services for the Deaf and the Blind

North Carolina School f/t Deaf
Morganton, NC

Governor Morehead School
Raleigh, NC

Eastern North Carolina School f/t Deaf
Wilson, NC

Education Services for the Deaf and the Blind

Vision:

Each student at the Residential Schools will graduate ready to transition into post-secondary education and work. They are prepared to be a globally engaged and a productive citizen by access to needed communication resources, environmental modifications, rigor and pacing to successfully access the curriculum.

Education Services for the Deaf and the Blind

Mission:

Education Services for the Deaf and the Blind will uphold the system of public education in North Carolina that guarantees every student at each of the residential Schools, with varying hearing and visual abilities, has an opportunity to receive a sound basic education.

Education Services for the Deaf and the Blind

Goals:

Education Services for the Deaf and the Blind:

- Has up-to-date financial, business, and technology systems to serve its students, parents, and educators.
- Ensures equity of educational opportunity for all students.

Education Services for the Deaf and the Blind

Goals Continued:

Every student served by Education Services for the Deaf and the Blind:

- Graduates from high school prepared for work, further education, and citizenship.
- Has a personalized education outlined in an Individualized Education Plan.
- Has excellent educators every day.
- Every student is healthy, safe, and responsible.

Education Services for the Deaf and the Blind

ESDB Priorities:

1. Accessibility
2. Student Achievement (Opportunities and Accomplishments)
3. Unique needs of the Residential Schools
4. Teacher Recruitment and Training

Governor Morehead School Motto: "We Walk by Faith, Not By Sight"

GOVERNOR MOREHEAD SCHOOOL

Senior Reflections

Matthew, Antoinette, Jody, Kimmie

Matthew
Rich Square, NC

Antoinette
Burlington, NC

Jody
Charlotte, NC

Kimmie
Hickory, NC

Matthew: Work Experience

GMS @ Red Hat

GMS @ IFB Solutions

Independent Living Skills

Matthew:
@
Triangle
Radio
Reading
Services

MATT & WDLZ

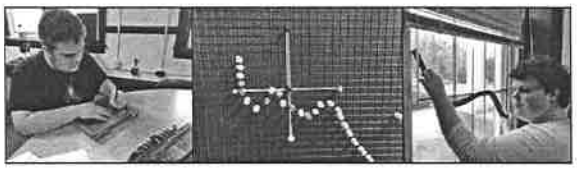
Mobility Skills=Independence

Antoinette on Amtrak

Independence Leads to Work

Braille & Digital Learning

Jody: Math Accessibility



GMS @ Model United Nation

Music @ GMS

GMS Chorus @ DISNEY

Music is My Passion!

Kimmie: Academics & Community Service

Space Camp: Huntsville, AL

Wake Tech: Career and College Promise

Community Service Projects

NCVPS: Online Classes

NCVPS Collaboration

Helping to make online courses more accessible.

NC TIES Presentations

CTE: Aquaponics

VISITOR REGISTRATION SHEET

Education/Higher Ed

(Committee Name)

3/20/19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Sarah McManus	Governor Morehead School
Pam Snyder	GMS
Christina von Reyn	GMS
Antoinette Ray	GMS
Jody Jameson	GMS
Matthew Bazemore	GMS
Kimmie Richter	GMS
Dr. Jerry Tidwell	GMS
B. C. Hoff	GMS
L. Joseph Esquivel	GMS
Rachel Beatie	RB Law
Betty Dooley	UNC Charlotte
Drew Moretz	UNC system
Austen Powell	UNC system
Andrea Cafe	UNCG
Tom West	NCICU

VISITOR REGISTRATION SHEET

Education/Higher Ed

(Committee Name)

3/20/19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Amelya Vick	Governor Morehead
Elizabeth Cummins	Governor Morehead
[illegible]	Gov Morehead School
	Gov Morehead School
JASON KREGE	Governor Morehead School
Barbara Bacon	Gov Morehead School
Chris Valenti	Valenti Group, LLC
Michael Beale	NCGA
Matez Hill	JM Hill Consulting
Elizabeth Yelverton	NCASA
Dan Soucek	NC Values
Tami Fitzgerald	NC Values
[illegible]	SBE
Jack Cozort	NSS
Jim Harrell	BAH
Andrew Tripp	Senate

09-21-201

VISITOR REGISTRATION SHEET

Education/Higher Ed

(Committee Name)

3/20/19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Doug Tuggle	Dept of Public Instruction
Pat Ryan	Sen Berger
Richard Bostic	NCSGA
April Newmann	MWC
Joel Maynard	Beginning
Claudia Shoemaker	Governor's office

09-21-201

Senate Committee on Education/Higher Education
Wednesday, March 27, 2019, 11:00 AM
1027/1128 Legislative Building

AGENDA

I. Welcome and Opening Remarks

Chairs: Senator Deanna Ballard, Co-Chair, presiding
Senator Rick Horner, Co-Chair
Senator Jerry Tillman, Co-Chair

II. Agenda Items

BILL NO.	SHORT TITLE	SPONSOR
SB 134	Economics & Financial Literacy Act.	Senator Tillman Senator Ballard Senator Chaudhuri
SB 189	CTE Pilot for Guilford Co. Schools.	Senator Tillman Senator Gunn Senator Robinson
SB 293	Military Dependents/Need-Based Private School.	Senator D. Davis Senator Tillman Senator Brown
SB 230	NC Military and Veteran Act of 2019.	Senator D. Davis Senator Brown Senator Ballard
SB 301	Regional School Modifications.	Senator Brown

III. Adjournment

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, March 27, 2019

Senator Ballard,
submits the following with recommendations as to passage:

FAVORABLE

SB **189** CTE Pilot for Guilford Co. Schools.

Draft Number:	None
Sequential Referral:	Finance
Recommended Referral:	None
Long Title Amended:	No

SB **230** **(CS#1)** Excused Absences for Military Children.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL, AS AMENDED, WITH UNENGROSSED AMENDMENTS

SB **293** Military Dependents/Need-Based Private School.

Draft Number:	S293-PCS15217-BN-5
Sequential Referral:	Appropriations/Base Budget
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 3

Senator Jerry W. Tillman will handle SB 189
Senator Don Davis will handle SB 230
Senator Don Davis will handle SB 293

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, March 27, 2019

Senator Ballard,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

SB **293** Military Dependents/Need-Based Private School.

Draft Number:	S293-PCS15217-BN-5
Sequential Referral:	Appropriations/Base Budget
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 1

Senator Don Davis will handle SB 293

Senate Committee on Education/Higher Education
Wednesday, March 27, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on March 27, 2019 in Room 1027/1128 of the Legislative Building. 14 members were present.

Senator Deanna Ballard, Chair, presided. Senator Ballard called the meeting to order and recognized the pages and sergeant-at-arms.

The following bills were considered:

SB 134 Economics & Financial Literacy Act. (Senators Tillman, Ballard, Chaudhuri)
Senator Ballard recognized Senator Tillman to explain the PCS for SB 134, which is up **for discussion only**. After a brief explanation of the PCS, Senator Ballard opened the floor to discussion. The chair then announced that SB 134 will be taken up for a vote in the next Senate Committee on Education/Higher Education meeting. A copy of the bill, the PCS, and bill summary are attached.

SB 230 NC Military and Veteran Act of 2019. (Senators D. Davis, Brown, Ballard)
Senator Davis moved for a favorable report and a recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, bill summary, and Committee Report are attached.

SB 293 Military Dependents/Need-Based Private School. (Senators D. Davis, Tillman, Brown)
Senator Davis sent forth an amendment **S293-ABN-25 [v.2]**. Senator Ballard moved for the adoption of the amendment for consideration. The motion passed. Senator Ballard recognized Senator Davis to explain S293. After a brief discussion, Senator Chaudhuri moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the PCS and an unfavorable report to the original bill and recommendation the bill be re-referred to the Senate Committee on Appropriations/Base Budget. The motion passed. A copy of the bill, the bill summary, the amendment, new PCS, and Committee report are attached.

SB 189 CTE Pilot for Guilford Co. Schools. (Senators Tillman, Gunn, Robinson)
Senator Ballard recognized Senator Tillman explain SB 189. Senator Tillman thanked the Superintendents and Principals who were in attendance for their support of the bill. After a brief discussion, Senator Sanderson moved for a favorable report and a recommendation the bill be re-referred to the Senate Committee on Finance. The motion passed. A copy of the bill, bill summary, and Committee Report are attached

SB 301 Regional School Modifications. (Senator Brown)
Due to Senator Brown's attendance at a press conference, Senator Ballard announced that SB 301 would be displaced until the following Senate Committee on Education/Higher Education. A copy of the bill and bill summary are attached.

The meeting adjourned at 11:49 AM.

Senator Deanna Ballard, Chair
Presiding

William Verbiest, Committee Clerk

SENATE BILL 134:
Economics & Financial Literacy Act.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	March 27, 2019
Introduced by:	Sens. Tillman, Ballard, Chaudhuri	**Prepared by:**	Kara McCraw Committee Counsel
Analysis of:	PCS to First Edition S134-CSTC-7		

OVERVIEW: SB 134 would require a new semester course in economics and personal finance (EPF) as a graduation requirement for students, as well as require professional development for teachers of that course. $1,063,800 would be appropriated to the North Carolina Council on Economic Education to provide for the professional development, including travel expenses and a stipend for teachers.

The PCS for SB 134 would make the following changes:

- ***Restore requirement that financial literacy should be provided for all students.***
- ***Require the EPF course include, at a minimum, certain Council for Economic Education standards.***
- ***Require the EPF course be a full credit course.***
- ***Clarify State Board of Education responsibility to require professional development for EPF course for all public schools.***
- ***Require, when practicable, teachers to complete the training prior to teaching the course, but if necessary, allow teachers to begin teaching while awaiting the next training opportunity.***
- ***Remove the reimbursement for travel expenses for the professional development course and provide that the stipend funds be awarded to teachers when the course is taken outside the school year, but require the stipend go to the public school employer if the course is taken on a school day.***
- ***Require the EPF class be a graduation requirement for student entering 9th grade in 2020-2021.***
- ***Clarify existing language to require a full credit course on civics literacy at the high school level. This new class would be a graduation requirement for students entering as 9th graders in 2021-2022.***
- ***Require financial literacy education be provided in charter schools, regional schools, the innovative school district, laboratory schools, and the renewal school system.***
- ***Require the State Board to begin to review and revise the social studies standard course of study in the 2019-2020 school year, in accordance with the act, and to limit the requirements of social studies credits for graduation to no more than four.***

CURRENT LAW: G.S. 115C-81.65 requires instruction in personal financial literacy for all students, including integration in the high school standard course of study that should include, at a minimum, the following:

(1) The true cost of credit.

(2) Choosing and managing a credit card.

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

(3) Borrowing money for an automobile or other large purchase.
(4) Home mortgages.
(5) Credit scoring and credit reports.
(6) Other relevant financial literacy issues.

Under the current NC Standard Course of Study, economics and financial literacy is taught as part of the American History: Founding Principles, Civics and Economics course.

In 2017, the General Assembly required the establishment of a three-year Financial Literacy Elective Course Pilot Program for the 2017-2018, 2018-2019, and 2019-2020 school years. The elective course is available to all public schools.

G.S. 115C-81.45 currently requires the State Board of Education (SBE) to include instruction in civic and citizenship education in the standard course of study for high school social studies, and requires the teaching of a semester course that students must pass to graduate high school on the Founding Principles of the United States of America and the State of North Carolina.

BILL ANALYSIS: The PCS for SB 134 would require the SBE to require a full credit course focused solely on economics and personal finance (EPF), which students must pass in order to graduate from high school. The requirement would apply to students entering 9th grade in the 2020-2021 school year. The course content would, as a minimum, include the standards in the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy developed by the Council for Economic Education. The course would also be required to include, at a minimum, instruction on planning and paying for postsecondary education in addition to the requirements for personal financial literacy in existing law. The requirements for personal financial literacy would also apply to charter schools, regional schools, the innovative school district, laboratory schools, and the renewal school district.

Beginning July 1, 2019, the SBE would require EPF teachers receive professional development to ensure the provision is carried out, and to the extent funds are available, require public schools to make available the EPF professional development course provided by the North Carolina Council on Economic Education (NCCEE) at the approved location most conveniently located to the school.

Effective July 1, 2019, a one-time appropriation of $1,063,800 would be provided in 2019-2020 to NCCEE to provide professional development to teachers of the EPF course. The funds would be used for the following:

- The professional development course, including administration of the Test of Economic Literacy and the Working in Support of Education personal finance test.
- A $500 stipend. The stipend would be paid to either the teacher if the course is completed outside the school year, or the teacher's employer if the course is completed on school days.

NCCEE would be required to report on those activities and use of State funds by September 1 of the year following the use of State funds to the Joint Legislative Education Oversight Committee and Fiscal Research Division.

Current requirements for civics education in high school would be merged with the existing Founding Principles course, and that course, entitled the Founding Principles of the United States of America and North Carolina: Civic Literacy, would be required to be a full credit course. The new course would apply to all students entering the ninth grade in the 2021-2022 school year.

The SBE would be required to begin the process for revision of the K-12 social studies standard course of study, in accordance with the requirements of SB 134. The SBE would be required to determine the appropriate grade levels for the EPF and Founding Principles courses, and could not require more than four full course credits in social studies for high school graduation.

EFFECTIVE DATE: Except as otherwise provided, SB 134 would become effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 134
PROPOSED COMMITTEE SUBSTITUTE S134-CSTC-7 [v.6]
03/26/2019 05:51:09 PM

Short Title: Economics & Financial Literacy Act. (Public)

Sponsors:

Referred to:

February 27, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE COMPLETION OF AN ECONOMICS AND PERSONAL FINANCE COURSE AS A HIGH SCHOOL GRADUATION REQUIREMENT IN PUBLIC SCHOOLS, TO CLARIFY REQUIREMENTS FOR HIGH SCHOOL CIVIC LITERACY, AND TO REQUIRE PROFESSIONAL DEVELOPMENT FOR ECONOMICS AND PERSONAL FINANCE TEACHERS.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the "Economics and Financial Literacy Act."

SECTION 2.(a) G.S. 115C-81.65 reads as rewritten:

"**§ 115C-81.65. Financial literacy.**

(a) Instruction shall be provided in personal financial literacy for all students. In addition to the requirements in subsection (b) of this section, the State Board of Education shall determine the other components of personal financial literacy that will be covered in the curriculum. ~~The State Board shall also review the high school standard course of study to determine into which courses and grade levels personal financial literacy shall be integrated.~~

(b) The State Board of Education shall require during the high school years the teaching of a full credit course focused solely on Economics and Personal Finance (EPF). A passing grade in the course shall be required for graduation from high school. The content of the course shall, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education. ~~Each student shall receive personal financial literacy instruction that shall include:~~The EPF course shall provide instruction on economic principles and shall provide personal financial literacy instruction that shall include, at a minimum, the following:

(1) The true cost of credit.
(2) Choosing and managing a credit card.
(3) Borrowing money for an automobile or other large purchase.
(4) Home mortgages.
(5) Credit scoring and credit reports.
(5a) Planning and paying for postsecondary education.
(6) Other relevant financial literacy issues.

(c) The State Board of Education shall require that EPF teachers receive the professional development necessary to ensure that the intent and provisions of this section are carried out. To the extent funds are made available for this purpose, the State Board of Education shall require the employing entity to make available to EPF teachers and prospective EPF teachers the EPF

professional development course provided by the North Carolina Council on Economic Education (NCCEE). When practicable, teachers shall complete the EPF professional development course prior to teaching the EPF course in public schools. If necessary, teachers may begin teaching the EPF course in public schools while awaiting the next possible opportunity to complete a session of the EPF professional development course. To the extent possible, the EPF professional development course shall be taken at the NCCEE-approved location most conveniently located to the local school administrative unit."

SECTION 2.(b) The requirements of G.S. 115C-81.65(b), as enacted by this act, shall apply to all students entering the ninth grade in the 2020-2021 school year. The requirements of G.S. 115C-81.65(c), as enacted by this act, shall apply beginning July 1, 2019.

SECTION 3.(a) For the 2019-2020 fiscal year, there is appropriated from the General Fund to the nonprofit organization known as The North Carolina Council on Economic Education (NCCEE) the sum of one million sixty-three thousand eight hundred dollars ($1,063,800) as grant-in-aid to provide for completion of the professional development course required in Section 2 of this act for teachers of the high school course in Economics and Personal Finance (EPF). The funds appropriated by this section shall be used to provide all of the following:

(a) The EPF professional development course, including administration of the Test of Economic Literacy and the Working in Support of Education personal finance test, and the provision of a certificate of completion to qualified teachers.

(b) A stipend in the amount of five hundred dollars ($500.00), upon completion of the Test of Economic Literacy and the Working in Support of Education personal finance test, to either the public school teacher, if the teacher attends the course on weekends or during a time outside the teacher's school year, or, to the teacher's public school employer, if the teacher attends the course on school days during the teacher's school year.

SECTION 3.(b) By September 1, 2020, and by September 1 of the year following any fiscal year that NCCEE uses State funds thereafter, NCCEE, in consultation with the Department of Public Instruction, shall submit a report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the activities described by this section and the expenditure of State funds.

SECTION 3.(c) This section is effective July 1, 2019.

SECTION 4.(a) G.S. 115C-81.45 reads as rewritten:

"**§ 115C-81.45. Classes conducted in English; citizenship; and civic literacy.**

...

(c) Democratic Process and Citizenship ~~Education.~~Education for Middle School Social Studies. –

~~(1) The State Board of Education shall include instruction in civic and citizenship education in the standard course of study for high school social studies. The State Board of Education is strongly encouraged to include, at a minimum, the following components in the high school civic and citizenship education standard course of study:~~

~~a. That students write to a local, State, or federal elected official about an issue that is important to them.~~

~~b. Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.~~

~~c. Information about current events and governmental structure.~~

~~d. Information about the democratic process and how laws are made.~~

~~(2)~~ The State Board of Education shall include instruction in civic and citizenship education in the standard course of study for middle school social studies. The

State Board of Education is strongly encouraged to include, at a minimum, the following components in the middle school civic and citizenship education standard course of study:

~~a.~~(1) A tour of representative local government facilities, such as the local jail, the courthouse, or a town hall, to help students understand the way their community is governed.

~~b.~~(2) Allowing students to choose and analyze a community problem and offer public policy recommendations on the problem to local officials.

~~c.~~(3) Information about getting involved in community groups.

(d) Founding Principles of the United States of America and North Carolina: Civic Literacy. –

(1) The State Board of Education shall require instruction in civic and citizenship education in the standard course of study for high school social studies ~~during the high school years~~through the teaching of a ~~semester~~ full credit course ~~on~~ that shall be called ~~the~~ Founding Principles of the United States of America and ~~the State of North Carolina.~~North Carolina: Civic Literacy. A passing grade in the course shall be required for graduation from high ~~school.~~school. ~~and the~~

(1a) The course required by subdivision (1) of this subsection shall be solely focused on civics and citizenship education, and shall include at least the following subjects:

a. The Creator-endowed inalienable rights of the people.
b. Structure of government, separation of powers with checks and balances.
c. Frequent and free elections in a representative government.
d. Rule of law.
e. Equal justice under the law.
f. Private property rights.
g. Federalism.
h. Due process.
i. Individual rights as set forth in the Bill of Rights.
j. Individual responsibility.
k. Constitutional limitations on government power to tax and spend, and prompt payment of public debt.
l. Strong defense and supremacy of civil authority over military.
m. Peace, commerce, and honest friendship with all nations, entangling alliances with none.

(1b) The State Board of Education is strongly encouraged to include the following components in the course required by subdivision (1) of this subsection:

a. That students write to a local, State, or federal elected official about an issue that is important to them.
b. Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.
c. Information about current events and governmental structure.
d. Information about the democratic process and how laws are made.

(2) The State Board of Education shall require that any high school level curriculum-based tests for the course required in subdivision (1) of this subsection developed and administered statewide ~~beginning with the 2016-2017 academic year~~ include questions related to the philosophical foundations of our form of government and the principles underlying the

Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.

(3) The Department of Public Instruction and the local boards of education, as appropriate, shall provide or cause to be provided curriculum content for the semester course required in subdivision (1) of this subsection and professional development to ensure that the intent and provisions of this subsection are carried out. The curriculum content established shall include a review of the contributions made by Americans of all races.

(4) The Department of Public Instruction shall submit a biennial report by October 15 of each odd-numbered year to the Joint Legislative Education Oversight Committee covering the implementation of this subsection."

SECTION 4.(b) The requirements of G.S. 115C-81.45(d), as amended by this act, shall apply to all students entering the ninth grade in the 2021-2022 school year.

SECTION 5.(a) G.S. 115C-218.85(a) is amended by adding a new subdivision to read:

"(5) A charter school shall provide financial literacy instruction as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 5.(b) G.S. 115C-238.66(1) is amended by adding a new sub-subdivision to read:

"e. The board of directors shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 5.(c) G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision to read:

"d. The chancellor shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 5.(d) Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision to read:

"(4a) G.S. 115C-81.65, Financial literacy."

SECTION 6. The State Board of Education shall begin the process for review and revision of the standard course of study for social studies in grades kindergarten through 12 in the 2019-2020 school year, and shall revise the high school standard course of study in accordance with the requirements of this act for the EPF course and the Founding Principles of America and North Carolina: Civic Literacy course. The State Board shall review the high school standard course of study to determine the high school grade level during which the EPF course and the Founding Principles of America and North Carolina: Civic Literacy course may be completed. The State Board of Education shall not require more than 4 full course credits in social studies for high school graduation.

SECTION 7. Except as otherwise provided herein, this act is effective when it becomes law.

SENATE BILL 230:
Excused Absences for Military Children.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	March 27, 2019
Introduced by:	Sens. D. Davis, Brown, Ballard	**Prepared by:**	Kara McCraw Committee Counsel
Analysis of:	Second Edition		

OVERVIEW: SB 230 would provide for a minimum of 2 days per academic year for excused absences related to a parent or legal guardian's service in a combat zone.

CURRENT LAW: G.S. 115C-378 requires every parent, guardian, or custodian having charge or control of a child between the ages of seven and 16 to ensure that the child attends school.

G.S. 115C-379 authorizes the State Board of Education to determine what is considered an unlawful absence, and what causes might constitute legitimate excuses for temporary nonattendance, such as a student's physical or mental inability to attend or participation in a valid educational opportunity.

Additionally, a minimum of two excused absences each academic year must be allowed for religious observances required by the faith of a student or the student's parents. Students can be required to give advance notice of absences for religious observances, but the students must be given the opportunity to make up any tests or other work missed.

Article 29B of Chapter 115C, the Interstate Compact on Educational Opportunity for Military Children, includes a provision that provides, at the discretion of the local superintendent, a student whose parent or legal guardian is an active duty member of the uniformed services, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, may be granted additional excused absences to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

BILL ANALYSIS: SB 230 would add a new category of required excused absences. Students would be allowed a minimum of 2 days per academic year for military leave when the following requirements are met:

1. The student's parent or legal guardian is an active duty member of the uniformed services.
2. The parent or legal guardian has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting.
3. The student is not identified by the local school administrative unit as at risk of academic failure because of unexcused absences.

The student's parent or legal guardian would be required to give written notice of the request for leave a reasonable time prior to the absence, and the student must be given the opportunity to make up tests or missed work due to the absence.

EFFECTIVE DATE: SB 230 would become effective when it becomes law, and would apply beginning with the 2019-2020 school year.

ıren Cochrane-Brown
Director

S230-SMTC-11 E2 -V-1

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S 2

SENATE BILL 230
Education/Higher Education Committee Substitute Adopted 3/20/19

Short Title: Excused Absences for Military Children. (Public)

Sponsors:

Referred to:

March 13, 2019

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT RULES PROVIDING FOR EXCUSED ABSENCES FROM SCHOOL FOR CHILDREN OF MEMBERS OF THE ARMED FORCES OF THE UNITED STATES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-379 reads as rewritten:

"**§ 115C-379. Method of enforcement.**

(a) It shall be the duty of the State Board of Education to formulate the rules that may be necessary for the proper enforcement of the provisions of this Part. The Board shall prescribe (i) what shall constitute unlawful absence, (ii) what causes may constitute legitimate excuses for temporary nonattendance due to a student's physical or mental inability to attend or a student's participation in a valid educational opportunity such as service as a legislative page or a Governor's page, and (iii) under what circumstances teachers, principals, or superintendents may excuse pupils for nonattendance due to immediate demands of the farm or the home in certain seasons of the year in the several sections of the State.

(b) ~~The~~ In addition to any excused absences authorized pursuant to subsection (a) of this section, the rules shall require school principals to authorize the following excused absences:

(1) ~~a.~~ Religious observance. – A minimum of two excused absences each academic year for religious observances required by the faith of a student or the student's ~~parents.~~parent or legal guardian.

(2) Military leave. – A minimum of two excused absences each academic year if all of the following conditions are met:

a. The student's parent or legal guardian is an active duty member of the uniformed services, as defined by Article 29B of this Chapter, the Interstate Compact on Educational Opportunity for Military Children.

b. The student's parent or legal guardian has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting.

c. The student is not identified by the local school administrative unit as at risk of academic failure because of unexcused absences.

The rules may require that the student's ~~parents give~~ parent or legal guardian gives the principal written notice of the request for an excused absence a reasonable time prior to the religious ~~observance.~~ observance or military leave. The student shall be given the opportunity to make up any tests or other work missed due to an excused absence for a religious ~~observance.~~observance or military leave.

(c) It shall be the duty of all school officials to carry out such instructions from the State Board of Education, and any school official failing to carry out such instructions shall be guilty of a Class 3 misdemeanor: Provided, that the compulsory attendance law herein prescribed shall not be in force in any local school administrative unit that has a higher compulsory attendance feature than that provided herein."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2019-2020 school year.

SENATE BILL 293:
Military Dependents/Need-Based Private School.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	March 27, 2019
Introduced by:	Sens. D. Davis, Tillman, Brown	**Prepared by:**	Samantha Yarborough Staff Attorney
Analysis of:	First Edition		

OVERVIEW: Senate Bill 293 would make nonresident dependents of active duty service members and veterans eligible for need-based scholarships for students attending private institutions of higher education.

CURRENT LAW: Article 34 of Chapter 116 of the General Statutes creates a need-based scholarship (Scholarship) for students attending private institutions of higher education administered by the State Education Assistance Authority (Authority). G.S. 116-281 sets the eligibility requirements to receive a Scholarship. In order to be eligible, a student must be seeking a degree, diploma, or certificate at an eligible private postsecondary institution (Institution) and meet all of the following: (i) have an expected family contribution that does not exceed an amount as set annually by the Authority; (ii) meet all other eligibility requirements for the federal Pell Grant, and (iii) meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status at an Institution.

The student must also meet one of the following criteria outlined in G.S. 116-281(3):

- Qualify as a legal resident of North Carolina and as a resident for tuition purposes.
- Be a veteran whose abode is in North Carolina and provides the Institution a letter of intent to establish residency in North Carolina.
- Be an active duty member of the Armed Forces provided the member of the Armed Forces is abiding in this State incident to active military duty in this State.

To continue to be eligible for a Scholarship, the student must maintain satisfactory academic progress in a course of study in accordance with the standards and practices used by the Institution for federal Title IV programs.

BILL ANALYSIS: Senate Bill 293 would expand the eligibility criteria in G.S. 116-281(3). In addition to (i) qualifying as a resident for tuition purposes, (ii) being a veteran whose abode is in North Carolina, and (iii) being an active duty member of the Armed Forces abiding in the State, a student could be any of the following to meet the requirement of G.S. 116-281(3):

- The dependent relative of a veteran who is abiding in North Carolina while sharing an abode with the veteran, if the dependent relative provides the Institution a letter of intent to establish residency in North Carolina.
- The dependent relative of an active duty member of the Armed forces who is abiding in North Carolina incident to active military duty while sharing an abode with the active duty member.

EFFECTIVE DATE: This act would become effective July 1, 2019, and apply beginning with the award of scholarships for the 2020-2021 academic year.

Karen Cochrane-Brown
Director

S293-SMBN-35 E1 -V-1

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 293

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

S293-ABN-25 [v.2]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Davis

moves to amend the bill on page 1, line 21, by inserting between the words "eligible" and "postsecondary" the word "private".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SENATE BILL 293

Short Title:	Military Dependents/Need-Based Private School.	(Public)
Sponsors:	Senators D. Davis, Tillman, and Brown (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

March 19, 2019

A BILL TO BE ENTITLED

AN ACT TO MAKE NONRESIDENT DEPENDENTS OF ACTIVE DUTY SERVICE MEMBERS AND VETERANS ELIGIBLE FOR NEED-BASED SCHOLARSHIPS FOR STUDENTS ATTENDING PRIVATE INSTITUTIONS OF HIGHER EDUCATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-281(3) reads as rewritten:

"(3) The student must meet at least one of the following:

a. Qualify as a legal resident of North Carolina and as a resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with definitions of residency that may from time to time be adopted by the Board of Governors of The University of North Carolina.

b. Be a veteran provided the veteran's abode is in North Carolina and the veteran provides the eligible private postsecondary institution a letter of intent to establish residency in North Carolina.

c. Be an active duty member of the Armed Forces provided the member of the Armed Forces is abiding in this State incident to active military duty in this State.

d. Be the dependent relative of a veteran who is abiding in North Carolina while sharing an abode with the veteran and the dependent relative provides the eligible postsecondary institution a letter of intent to establish residency in North Carolina.

e. Be the dependent relative of an active duty member of the Armed Forces who is abiding in North Carolina incident to active military duty while sharing an abode with the active duty member."

SECTION 2. This act becomes effective July 1, 2019, and applies beginning with the award of scholarships for the 2020-2021 academic year.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 293
PROPOSED COMMITTEE SUBSTITUTE S293-PCS15217-BN-5

Short Title: Military Dependents/Need-Based Private School. (Public)

Sponsors:

Referred to:

March 19, 2019

A BILL TO BE ENTITLED

AN ACT TO MAKE NONRESIDENT DEPENDENTS OF ACTIVE DUTY SERVICE MEMBERS AND VETERANS ELIGIBLE FOR NEED-BASED SCHOLARSHIPS FOR STUDENTS ATTENDING PRIVATE INSTITUTIONS OF HIGHER EDUCATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-281(3) reads as rewritten:

"(3) The student must meet at least one of the following:

a. Qualify as a legal resident of North Carolina and as a resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with definitions of residency that may from time to time be adopted by the Board of Governors of The University of North Carolina.

b. Be a veteran provided the veteran's abode is in North Carolina and the veteran provides the eligible private postsecondary institution a letter of intent to establish residency in North Carolina.

c. Be an active duty member of the Armed Forces provided the member of the Armed Forces is abiding in this State incident to active military duty in this State.

d. Be the dependent relative of a veteran who is abiding in North Carolina while sharing an abode with the veteran and the dependent relative provides the eligible private postsecondary institution a letter of intent to establish residency in North Carolina.

e. Be the dependent relative of an active duty member of the Armed Forces who is abiding in North Carolina incident to active military duty while sharing an abode with the active duty member."

SECTION 2. This act becomes effective July 1, 2019, and applies beginning with the award of scholarships for the 2020-2021 academic year.

SENATE BILL 189:
CTE Pilot for Guilford Co. Schools.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Finance. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	March 27, 2019
Introduced by:	Sens. Tillman, Gunn, Robinson	**Prepared by:**	Drupti Chauhan Committee Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 189 would establish the Innovative Signature Career Academy Program (Program) in Guilford County Schools (GCS). The Program would provide for signature career academies at various high schools that specialize in defined areas of career and technical education. A tax credit would be provided to certain employers whose employees volunteer in these academies. The bill would also appropriate $3,000,000 for the Program total for the 2019-2020 and 2020-2021 fiscal years.

[As introduced, this bill was identical to H275, as introduced by Reps. Hardister, Quick, Faircloth, Clemmons, which is currently in House Education - K-12.]

BILL ANALYSIS: Senate Bill 189 would establish the Innovative Signature Career Academy Program (Program) in Guilford County Schools (GCS). The Program would create signature career academies at various high schools throughout GCS which would specialize in defined areas of career and technical education (CTE).

There would be at least four signature career academies (but no more than six) with the following components:

- A school-selected priority career pathway that does not compete with career pathways at the other signature career academies in addition to CTE courses offered as elective options and business and computer science courses.
- School and community input on the development of the priority career pathways and the phase-out of other CTE programs.
- Partnerships with higher education institutions and business and industry entities for specific equipment needs and the design of clearly defined career pathways.
- Options for eighth grade students to apply to attend a signature career academy of their choice.
- Reassignment of current CTE teachers to focus on an area of expertise at a signature career academy and the creation of partnerships with higher education faculty and employees of industry and business to volunteer to serve as co-teachers in the specialized areas.

GCS would be able to contract with individuals who have education and training related to the specific skills and career pathways that are the focus of the signature career academies. Individuals who have direct contact with the students through the Program would be subject to a criminal history check.

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

Annually by June 30, GCS must report to the Department of Public Instruction (DPI) on (i) the implementation of the Program, including the use of the State appropriations for the Program; (ii) data on student completion rates for the career pathways; and (iii) any recommendations on modifications of the Program. DPI must report this information annually by August 15 to the Joint Legislative Education Oversight Committee.

The Program may operate for up to six school years. Before the end of the school year in which the Program will expire, the GCS board of education may apply to the State Board of Education (SBE) for the Program to be included as an ongoing component of the CTE local plan that is submitted to the SBE. The SBE must consider the data submitted to DPI when reviewing the request to make the Program a component of the local CTE plan.

Section 2 of the bill would create a Career Academy incentive tax credit for a taxpayer employer with an employee who (i) volunteers as a co-teacher in GCS for a full academic year in the Program and receives no compensation from GCS for volunteering. The taxpayer employer would be allowed a credit equal to 50% of the compensation paid to the employee for the time spent as a volunteer co-teacher.

Section 3 of the bill appropriates $3,000,000 total for the 2019-2020 and 2020-2021 fiscal years to GCS for the Program and authorizes GCS to operate the Program for at least six school years beginning with the 2019-2020 school year.

EFFECTIVE DATE: The tax credit is effective for taxable years beginning on or after January 1, 2019. The remainder of the bill becomes effective July 1, 2019.

BACKGROUND and CURRENT LAW: Under Article 10 of Chapter 115C (Career and Techical Education), local boards of education are required to submit career and technical education plans to the State Board of Education (SBE) that include a number of items, such as showing that new CTE programs are based on student demand and new job skill programs are based on student and labor market demand. Local boards of education must also establish business advisory councils and consult with the councils for local CTE planning. The business advisory councils must identify economic and workforce development trends related to the training and educational needs of the local community.

There are currently eight CTE program areas: Agricultural Education; Business, Finance and Information Technology; Career Development; Family and Consumer Sciences; Health Science; Marketing and Entrepreneurship; Technology Engineering and Design; Trade and Industrial.

Local boards of education can contract with individuals to serve as adjunct instructors for specific CTE career clusters and meet the hiring criteria established by the SBE. The following requirements apply to the contract with the adjunct instructor (who is not required to hold or apply for a teaching license): (i) the employment cannot be for more than 10 hours per week; (ii) a criminal history check must be conducted; (iii) the adjunct instructor must complete preservice training that includes positive management of student behavior.

SENATE BILL 189*

Short Title:	CTE Pilot for Guilford Co. Schools.	(Public)
Sponsors:	Senators Tillman, Gunn, and Robinson (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

March 6, 2019

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO GUILFORD COUNTY SCHOOLS TO ESTABLISH AND OPERATE AN INNOVATIVE SIGNATURE CAREER ACADEMY PROGRAM IN ITS TRADITIONAL HIGH SCHOOLS AND TO PROVIDE FOR A TAX CREDIT FOR CERTAIN PARTICIPANTS IN THE INNOVATIVE SIGNATURE CAREER ACADEMY PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Article 10 of Chapter 115C of the General Statutes is amended by adding a new Part to read:

"Part 5. Innovative Signature Career Academy Program.

"**§ 115C-173. Innovative Signature Career Academy Program.**

(a) Purpose. – There is established the Innovative Signature Career Academy Program (Program) as a pilot program for a local school administrative unit seeking to implement reform for its current career and technical education (CTE) program to more deliberately prepare its students for high wage, high-skills careers. The Program shall focus on hosting signature career academies at traditional high schools located in the local school administrative unit that specialize in defined areas of career and technical education.

(b) Components of the Program. – The Program shall include at least the following key components in establishing a minimum of four but no more than six signature career academies at high schools in the local school administrative unit:

(1) One school-selected priority career pathway that does not compete with career pathways at other signature career academies in the local school administrative unit in addition to CTE courses offered as elective options and business and computer science courses.

(2) School and community stakeholder input on the development of the priority career pathways and the phase out of other CTE programs.

(3) Partnerships with higher education institutions and business and industry entities for specific equipment needs and the design of clearly defined career pathways.

(4) The option for eighth grade students to apply to attend a signature career academy of their choice at a high school located in the local school administrative unit.

(5) Reassignment of current CTE teachers to focus on an area of expertise for a signature career academy and the creation of partnerships with higher education faculty and employees of industry and business to volunteer to serve as co-teachers in the specialized areas.

(c) Flexibility for Teachers. – Notwithstanding any other provision of law, in addition to the authority provided to a local board of education to employ adjunct instructors in career and technical education career clusters pursuant to G.S. 115C-157.1, the local school administrative unit shall have the flexibility to contract with individuals who have education and training related to the specific skills and career pathways that are the focus of a signature career academy. Any individual who has direct contact with students pursuant to the authority provided by this subsection shall be subject to a criminal history check to ensure that the person has not been convicted of any crime listed in G.S. 115C-332.

(d) Reporting. – By June 30 of the first school year of operation of the Program, and every June 30 thereafter for the duration of the Program operated as a pilot, the local school administrative unit shall report to the Department of Public Instruction on (i) implementation and administration of the Program, including the use of additional resources provided as an appropriation of State funds specifically for the Program, (ii) data from the Program on student completion rates for career pathways and any other data requested by the Department, and (iii) any recommendations on the modification of the Program or the potential application of the Program in other local school administrative units.

By August 15 of the first year of reporting by a local school administrative unit under this subsection, and every August 15 thereafter for the duration of that Program operated as a pilot, the Department of Public Instruction shall report to the Joint Legislative Education Oversight Committee on the information submitted by the local school administrative unit pursuant to this subsection.

(e) Term of the Program. – The Program may operate for up to six school years as a pilot program. Before the end of the school year in which the Program will expire as a pilot, the local board of education of the local school administrative unit operating the Program may apply to the State Board of Education for the Program to be included as an ongoing component of the career and technical education local plan submitted to the State Board of Education pursuant to G.S. 115C-154.1. The local school administrative unit shall continue to have (i) flexibility in regard to teachers as provided in subsection (c) of this section and (ii) the availability of the incentive tax credit set forth in G.S. 105-129.16K for any taxpayer who provides an employee who volunteers to serve as a co-teacher. The local board of education may request as part of the application that the General Assembly appropriate additional resources for the operation of the Program, but may continue to operate the Program if other sources of funds are available. The State Board shall consider the data submitted to the Department of Public Instruction on the operation of the Program pursuant to subsection (d) of this section when reviewing the Program to become a component of the career and technical education local plan."

SECTION 1.(b) Subsection (a) of this section applies only to the Guilford County School Administrative Unit.

SECTION 2. Article 3B of Subchapter I of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-129.16K. Career [illegible]

co-teach local school administrative unit for a full academic year in an (Program) as G.S. 115C-173

the employee "

SECTION 3. There is appropriated from the General Fund to the Department of Public Instruction the sum of one million five hundred thousand dollars ($1,500,000) for each fiscal year of the 2019-2021 fiscal biennium to be allocated to Guilford County Schools (GCS) for the purpose of establishing and operating an Innovative Signature Career Academy Program (Program) pursuant to G.S. 115C-173, as enacted by this act. GCS is authorized to operate the

Program for at least six school years, beginning with the 2019-2020 school year, in accordance with G.S. 115C-173.

SECTION 4. Section 2 of this act is effective for taxable years beginning on or after January 1, 2019. The remainder of this act becomes effective July 1, 2019.

SENATE BILL 301:
Regional School Transportation.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	March 27, 2019
Introduced by:	Sen. Brown	**Prepared by:**	Drupti Chauhan Committee Counsel
Analysis of:	First Edition		

OVERVIEW: ***Senate Bill 301 would remove the date by which the Joint Legislative Education Oversight Committee (JLEOC) was to make recommendations to the General Assembly about various issues regarding regional schools and directs that the transportation provided to students in regional schools continue in a substantially similar way as provided in the 2018-2019 school year.***

CURRENT LAW AND BILL ANALYSIS: In Section 7.16 of S.L. 2018-5, the JLEOC was directed to study the current statutory requirements for the formation, approval, and expansion of regional schools as well as whether a withdrawal process for participating local school administrative units (LEAs) from a regional school should be added to the statutes.

The bill modifies Section 7.16 of S.L. 2018-5 by removing the date by which JLEOC was to report to the General Assembly on any recommended changes to the regional school statutes. As a result, there would be no deadline by which the recommendations would have to be made.

Section 7.16 of S.L. 2018-5 also stated that participating LEAs will: (i) continue to receive allotments for student seats; (ii) transfer local funds to the regional school; (iii) continue to provide transportation; and (iv) comply with all other statutory requirements for LEAs participating in a regional school.

The bill directs that the LEAs must continue to provide transportation that is substantially similar to the transportation provided to the students in the 2018-2019 school year.

EFFECTIVE DATE: The bill would become effective when it becomes law.

Karen Cochrane-Brown
Director

S301-SMRQ-9 E1 -V-1

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

SENATE BILL 301

Short Title:	Regional School Transportation.	(Public)
Sponsors:	Senator Brown (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

March 20, 2019

A BILL TO BE ENTITLED

AN ACT TO EXTEND STUDY OF CURRENT STATUTES ON REGIONAL SCHOOLS AND CLARIFY REQUIREMENTS FOR TRANSPORTATION FOR PARTICIPATING UNITS IN AN APPROVED REGIONAL SCHOOL.

The General Assembly of North Carolina enacts:

SECTION 1. S.L. 2018-5, Sec. 7.16, reads as rewritten:

"**SECTION 7.16.(a)** The Joint Legislative Education Oversight Committee shall study the current statutory requirements for the formation, approval, and expansion of regional schools and shall study the issue of whether a withdrawal process for participating units from a regional school should be added to the statutes governing regional schools. The Committee shall make recommendations on any statutory changes ~~no later than January 15, 2019,~~ to the General Assembly.

"**SECTION 7.16.(b)** No participating unit in an approved regional school currently operating in the State shall withdraw from the regional school unless the General Assembly, following the review and recommendations of the Joint Legislative Education Oversight Committee, provides a statutory process for such withdrawal. Participating units shall continue to (i) receive allotments for student seats, (ii) transfer local funds to the regional school, (iii) provide ~~transportation,~~ transportation substantially similar to the transportation provided to students in the 2018-2019 school year, and (iv) comply with all other requirements of Part 10 of Article 16 of Chapter 115C of the General Statutes for participating units.

"**SECTION 7.16.(c)** This section is effective when this act becomes law."

SECTION 2. This act is effective when it becomes law.

Visitor Sign-in

Senate Committee on Education & Higher Education

March 27, 2019 11:00 AM Room 1027 LB

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Kendra Jacobs	NCSU
Brenda Cabrera	NCSU
Chris Greene	Caldwell Co Schools
	SA
Amy Auth	UNC-Chapel Hill
Yanesha Mann	Washington Co. Schools
Shawnda Cherry	Washington Co Schools
Travis Skaggs	Anson County Schools
Michael Freeman	Anson County Schools
Zane Stilwell	TSG
Betty Doster	UNC Charlotte
	NCSBA
	NCACTE-A

09-22-2016

Visitor Sign-in

Senate Committee on Education & Higher Education

March 27, 2019 11:00 AM Room 1027 LB

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Richard Bostic	NCSBA
Alex Granados	EdNC
Ruben Fofaria	EdNC
April Neumann	MWC
Brendan Gartner	Asheboro Co. Schools
Seth Riggins	NC Community Colleges
Michael Bell	NCGA
Drew Maretz	UNC System
Austin Maxwell	UNC System
Claudia Swanagan	Governor's Office
Doug Taggart	DPI - Trips to Teachers
	NCR

Visitor Sign-in

Senate Committee on Education & Higher Education

March 27, 2019 11:00 AM Room 1027 LB

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Blake Brewer	LT GOV OFFICE
Steven Walker	LT Gov OFFICE
Cady Thomas	EPA
Mark Johnson	Retired
Tom West	NCJCL
Hope Williams	NCJCL
Dalba McLeroe	NCJCL
Susan Harrison	NCDTSEA
Erik Hawkins	CCUL
[illegible]	NCVPS
Allison Goff	Hunt Institute
Bobbie D. Jones	C.S. Brown High School STEM
Andrew Mayhan	
William Ziegler	Columbia High School Columbia NC

09-22-2016

Visitor Sign-in

Senate Committee on Education & Higher Education

March 27, 2019 11:00 AM Room 1027 LB

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Adam Prideaux	NCACC
Wade Butner	NCDPI
Trey Michael	NCDPI
Leah Sutton	Best NC
Amy Fulk	30PR
Carson Jones	MVA
BENNETT JONES	NCASA
Martay Hill	Smith Hill
Hal Davis	MGR SVBA
James Norment	Ward and Smith
Travis L. Reeves	Surry Co Schools
Lee Teague	
Chloe Bozeman	NCDPI

09-22-2016

Visitor Sign-in

Senate Committee on Education & Higher Education

March 27, 2019 11:00 AM Room 1027 LB

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Mike Hyde	RP

09-22-2016

SENATE COMMITTEE ON EDUCATION/HIGHER EDUCATION

WEDNESDAY, APRIL 3, 2019, 11:00 AM

1027/1128 LEGISLATIVE BUILDING

AGENDA

WELCOME & OPENING REMARKS

INTRODUCTION OF PAGES & SERGEANT-AT ARMS

AGENDA ITEMS

BILL NO.	SHORT TITLE	SPONSOR
SB 134	Economics & Financial Literacy Act.	Senator Tillman Senator Ballard Senator Chaudhuri
SB 227	Broaden Charter School Sibling Priority.	Senator Tillman
SB 301	Regional School Transportation.	Senator Brown
SB 343	Changes to Education Reports.	Senator Ballard

ADJOURNMENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, April 03, 2019

Senator Horner,
submits the following with recommendations as to passage:

FAVORABLE

SB **301** Regional School Transportation.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 1

Senator Harry Brown will handle SB 301

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, April 03, 2019

Senator Horner,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

SB **134** Economics & Financial Literacy Act.

Draft Number:	S134-PCS35255-TC-7
Sequential Referral:	Appropriations/Base Budget
Recommended Referral:	None
Long Title Amended:	Yes

TOTAL REPORTED: 1

Senator Jerry W. Tillman will handle SB 134

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, April 03, 2019

Senator Horner,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

SB **227** Broaden Charter School Sibling Priority.

Draft Number:	S227-PCS15311-BE-10
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

SB **343** Changes to Education Reports.

Draft Number:	S343-PCS15310-RQ-3
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 2

Senator Jerry W. Tillman will handle SB 227
Senator Deanna Ballard will handle SB 343

Senate Committee on Education/Higher Education
Wednesday, April 3, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 am on April 03, 2019 in Room 1027/1128 of the Legislative Building. Fifteen members were present.

A Visitor Registration log is attached and made part of these minutes.

Senator Horner, Presiding Chair, called the meeting to order at 11:00 am. He introduced the Pages and the Sergeant-at-Arms staff. The following bills were considered:

SB 301; Regional School Transportation. (Senator Brown). The Chair recognized Senator Brown. Senator Brow presented historical facts regarding SB 301. In 2011, the legislature created the ability for local boards of education to jointly establish a regional school. The bill that passed, SB 125, outlined the process by which regional schools can be created and new districts added, however, the law does not provide a mechanism for participating units to withdraw. The intent of the legislation was to give local boards of education the option to create regional schools and remain committed to their ongoing operation and success. As there is currently no provision in statute that provides a mechanism for district withdrawal, LEAs are prohibited from taking such action. In last year's budget, the legislature tasked the Education Oversight Committee to study whether a withdrawal process should be added. Unfortunately, Hurricane Florence disrupted plans to study this matter. Therefore, SB 301 simply gives the committee more time to look at whether LEAs who have created regional schools should be allowed to unilaterally withdraw; and what the process should look like. It also requires participating LEAs to provide transportation similar to what was provided in the previous school year. After a brief discussion of SB 301, Senator Tillman moved for a favorable report and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, and Committee Report is attached.

SB 134; Economics & Financial Literacy Act. (Senators Tillman, Ballard, Chaudhuri). A proposed committee substitute (PCS) was presented. The Chair moved to adopt the PCS for consideration. The motion passed. Senator Ballard sent forth an amendment **S134-ATC-14 [v1].** Senator Newton moved for the adoption of the amendment for consideration. The motion passed. Senator Ballard explained the amendment. The Chair recognized Senator Tillman, bill sponsor, to explain the PCS. After a brief discussion Senator Ballard moved for a favorable report to the PCS as amended, rolled into a new PCS, with a favorable report to the new PCS and unfavorable report to the original bill with a re-referral to the Senate Committee on Approp./Base Budget. The motion passed. A copy of the bill, the bill summary, the amendment, PCS and Committee Report is attached.

SB 227; Broaden Charter School Sibling Priority. (Senator Tillman). The Chair recognized Senator Tillman to explain the bill. Senate Bill 227 would add an enrollment priority for siblings who apply to the charter school for admission beginning in the same year. This provision would allow charter schools to give priority enrollment to a sibling who was not initially admitted due to

grade level capacity. Additionally, the bill would expand the charter school employee enrollment priority to cover persons employed to work full-time for the charter school, including children of contracted employees. Senator Tillman sent forth an amendment **S227-ABE-11 [v.5]** and explained the amendment. Senator Chaudhuri moved for the adoption of the amendment for consideration. The motion passed. After a brief discussion Senator Newton moved to roll the amendment into a PCS, with a favorable report as to the PCS, as amended; unfavorable to the original bill and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, PCS and Committee Report is attached.

SB 343; Changes to Education Reports. (Senator Ballard). The Chair recognized Senator Ballard to explain the bill. Senate Bill 343 makes changes to various education reports including date changes, repeals of certain reports, and modifications of information to be reported. Senator Ballard sent forth an amendment **S343-ARQ-1 [v.6]** and explained the amendment. Senator Robinson moved for the adoption of the amendment for consideration. The motion passed. After a brief discussion Senator Davis moved to roll the amendment into a PCS, with a favorable report as to the PCS, as amended; unfavorable to the original bill and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, PCS and Committee Report is attached.

There being no further business, the Chair adjourned the meeting at 11:25 am.

Senator Rick Horner, Chair
Presiding

Regina Irwin, Committee Clerk

SENATE BILL 301:
Regional School Transportation.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 3, 2019
Introduced by:	Sen. Brown	**Prepared by:**	Drupti Chauhan Committee Counsel
Analysis of:	First Edition		

OVERVIEW: ***Senate Bill 301 would remove the date by which the Joint Legislative Education Oversight Committee (JLEOC) was to make recommendations to the General Assembly about various issues regarding regional schools and directs that the transportation provided to students in regional schools continue in a substantially similar way as provided in the 2018-2019 school year.***

CURRENT LAW AND BILL ANALYSIS: In Section 7.16 of S.L. 2018-5, the JLEOC was directed to study the current statutory requirements for the formation, approval, and expansion of regional schools as well as whether a withdrawal process for participating local school administrative units (LEAs) from a regional school should be added to the statutes.

The bill modifies Section 7.16 of S.L. 2018-5 by removing the date by which JLEOC was to report to the General Assembly on any recommended changes to the regional school statutes. As a result, there would be no deadline by which the recommendations would have to be made.

Section 7.16 of S.L. 2018-5 also stated that participating LEAs will: (i) continue to receive allotments for student seats; (ii) transfer local funds to the regional school; (iii) continue to provide transportation; and (iv) comply with all other statutory requirements for LEAs participating in a regional school.

The bill directs that the LEAs must continue to provide transportation that is substantially similar to the transportation provided to the students in the 2018-2019 school year.

EFFECTIVE DATE: The bill would become effective when it becomes law.

Karen Cochrane-Brown
Director

S301-SMRQ-9 E1 -V-2

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SENATE BILL 301

Short Title:	Regional School Transportation.	(Public)
Sponsors:	Senator Brown (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

March 20, 2019

A BILL TO BE ENTITLED

AN ACT TO EXTEND STUDY OF CURRENT STATUTES ON REGIONAL SCHOOLS AND CLARIFY REQUIREMENTS FOR TRANSPORTATION FOR PARTICIPATING UNITS IN AN APPROVED REGIONAL SCHOOL.

The General Assembly of North Carolina enacts:

SECTION 1. S.L. 2018-5, Sec. 7.16, reads as rewritten:

"**SECTION 7.16.(a)** The Joint Legislative Education Oversight Committee shall study the current statutory requirements for the formation, approval, and expansion of regional schools and shall study the issue of whether a withdrawal process for participating units from a regional school should be added to the statutes governing regional schools. The Committee shall make recommendations on any statutory changes ~~no later than January 15, 2019,~~ to the General Assembly.

"**SECTION 7.16.(b)** No participating unit in an approved regional school currently operating in the State shall withdraw from the regional school unless the General Assembly, following the review and recommendations of the Joint Legislative Education Oversight Committee, provides a statutory process for such withdrawal. Participating units shall continue to (i) receive allotments for student seats, (ii) transfer local funds to the regional school, (iii) provide ~~transportation,~~ transportation substantially similar to the transportation provided to students in the 2018-2019 school year, and (iv) comply with all other requirements of Part 10 of Article 16 of Chapter 115C of the General Statutes for participating units.

"**SECTION 7.16.(c)** This section is effective when this act becomes law."

SECTION 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 134
PROPOSED COMMITTEE SUBSTITUTE S134-PCS35255-TC-7

Short Title: Economics & Financial Literacy Act. (Public)

Sponsors:

Referred to:

February 27, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE COMPLETION OF AN ECONOMICS AND PERSONAL FINANCE COURSE AS A HIGH SCHOOL GRADUATION REQUIREMENT IN PUBLIC SCHOOLS, TO CLARIFY REQUIREMENTS FOR HIGH SCHOOL CIVIC LITERACY, AND TO REQUIRE PROFESSIONAL DEVELOPMENT FOR ECONOMICS AND PERSONAL FINANCE TEACHERS.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the "Economics and Financial Literacy Act."

SECTION 2.(a) G.S. 115C-81.65 reads as rewritten:

"**§ 115C-81.65. Financial literacy.**

(a) Instruction shall be provided in personal financial literacy for all students. In addition to the requirements in subsection (b) of this section, the State Board of Education shall determine the other components of personal financial literacy that will be covered in the curriculum. ~~The State Board shall also review the high school standard course of study to determine into which courses and grade levels personal financial literacy shall be integrated.~~

(b) ~~Each student shall receive personal financial literacy instruction that shall include:~~ The State Board of Education shall require during the high school years the teaching of a full credit course focused solely on Economics and Personal Finance (EPF). A passing grade in the course shall be required for graduation from high school. The content of the course shall, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education. The EPF course shall provide instruction on economic principles and shall provide personal financial literacy instruction that shall include, at a minimum, the following:

(1) The true cost of credit.
(2) Choosing and managing a credit card.
(3) Borrowing money for an automobile or other large purchase.
(4) Home mortgages.
(5) Credit scoring and credit reports.
(5a) Planning and paying for postsecondary education.
(6) Other relevant financial literacy issues.

(c) The State Board of Education shall require that EPF teachers receive the professional development necessary to ensure that the intent and provisions of this section are carried out. To the extent funds are made available for this purpose, the State Board of Education shall require the employing entity to make available to EPF teachers and prospective EPF teachers the EPF

professional development course provided by the North Carolina Council on Economic Education (NCCEE). When practicable, teachers shall complete the EPF professional development course prior to teaching the EPF course in public schools. If necessary, teachers may begin teaching the EPF course in public schools while awaiting the next possible opportunity to complete a session of the EPF professional development course. To the extent possible, the EPF professional development course shall be taken at the NCCEE-approved location most conveniently located to the local school administrative unit."

SECTION 2.(b) The requirements of G.S. 115C-81.65(b), as enacted by this act, shall apply to all students entering the ninth grade in the 2020-2021 school year. The requirements of G.S. 115C-81.65(c), as enacted by this act, shall apply beginning July 1, 2019.

SECTION 3.(a) For the 2019-2020 fiscal year, there is appropriated from the General Fund to the nonprofit organization known as The North Carolina Council on Economic Education (NCCEE) the sum of one million sixty-three thousand eight hundred dollars ($1,063,800) as grant-in-aid to provide for completion of the professional development course required in Section 2 of this act for teachers of the high school course in Economics and Personal Finance (EPF). The funds appropriated by this section shall be used to provide all of the following:

(a) The EPF professional development course, including administration of the Test of Economic Literacy and the Working in Support of Education personal finance test, and the provision of a certificate of completion to qualified teachers.

(b) A stipend in the amount of five hundred dollars ($500.00), upon completion of the Test of Economic Literacy and the Working in Support of Education personal finance test, to either the public school teacher, if the teacher attends the course on weekends or during a time outside the teacher's school year, or, to the teacher's public school employer, if the teacher attends the course on school days during the teacher's school year.

SECTION 3.(b) By September 1, 2020, and by September 1 of the year following any fiscal year that NCCEE uses State funds thereafter, NCCEE, in consultation with the Department of Public Instruction, shall submit a report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the activities described by this section and the expenditure of State funds.

SECTION 3.(c) This section becomes effective July 1, 2019.

SECTION 4.(a) G.S. 115C-81.45 reads as rewritten:

"**§ 115C-81.45. Classes conducted in English; citizenship; and civic literacy.**

...

(c) Democratic Process and Citizenship ~~Education.~~Education for Middle School Social Studies. –

~~(1)~~ ~~The State Board of Education shall include instruction in civic and citizenship education in the standard course of study for high school social studies. The State Board of Education is strongly encouraged to include, at a minimum, the following components in the high school civic and citizenship education standard course of study:~~

~~a.~~ ~~That students write to a local, State, or federal elected official about an issue that is important to them.~~

~~b.~~ ~~Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.~~

~~c.~~ ~~Information about current events and governmental structure.~~

~~d.~~ ~~Information about the democratic process and how laws are made.~~

~~(2)~~ The State Board of Education shall include instruction in civic and citizenship education in the standard course of study for middle school social studies. The

State Board of Education is strongly encouraged to include, at a minimum, the following components in the middle school civic and citizenship education standard course of study:

~~a.~~(1) A tour of representative local government facilities, such as the local jail, the courthouse, or a town hall, to help students understand the way their community is governed.

~~b.~~(2) Allowing students to choose and analyze a community problem and offer public policy recommendations on the problem to local officials.

~~c.~~(3) Information about getting involved in community groups.

(d) Founding Principles of the United States of America and North Carolina: Civic Literacy. –

(1) The State Board of Education shall require ~~during the high school years~~ instruction in civic and citizenship education in the standard course of study for high school social studies through the teaching of a ~~semester~~ full credit course ~~on the~~ that shall be called Founding Principles of the United States of America and ~~the State of North Carolina.~~ North Carolina: Civic Literacy. A passing grade in the course shall be required for graduation from high ~~school, and the~~ school.

(1a) The course required by subdivision (1) of this subsection shall be solely focused on civics and citizenship education, and shall include at least the following subjects:

a. The Creator-endowed inalienable rights of the people.
b. Structure of government, separation of powers with checks and balances.
c. Frequent and free elections in a representative government.
d. Rule of law.
e. Equal justice under the law.
f. Private property rights.
g. Federalism.
h. Due process.
i. Individual rights as set forth in the Bill of Rights.
j. Individual responsibility.
k. Constitutional limitations on government power to tax and spend, and prompt payment of public debt.
l. Strong defense and supremacy of civil authority over military.
m. Peace, commerce, and honest friendship with all nations, entangling alliances with none.

(1b) The State Board of Education is strongly encouraged to include the following components in the course required by subdivision (1) of this subsection:

a. That students write to a local, State, or federal elected official about an issue that is important to them.
b. Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.
c. Information about current events and governmental structure.
d. Information about the democratic process and how laws are made.

(2) The State Board of Education shall require that any high school level curriculum-based tests for the course required in subdivision (1) of this subsection developed and administered statewide ~~beginning with the 2016-2017 academic year~~ include questions related to the philosophical foundations of our form of government and the principles underlying the

Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.

(3) The Department of Public Instruction and the local boards of education, as appropriate, shall provide or cause to be provided curriculum content for the ~~semester~~ course required in subdivision (1) of this subsection and professional development to ensure that the intent and provisions of this subsection are carried out. The curriculum content established shall include a review of the contributions made by Americans of all races.

(4) The Department of Public Instruction shall submit a biennial report by October 15 of each odd-numbered year to the Joint Legislative Education Oversight Committee covering the implementation of this subsection."

SECTION 4.(b) The requirements of G.S. 115C-81.45(d), as amended by this act, shall apply to all students entering the ninth grade in the 2021-2022 school year.

SECTION 5.(a) G.S. 115C-218.85(a) is amended by adding a new subdivision to read:

"(5) A charter school shall provide financial literacy instruction as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 5.(b) G.S. 115C-238.66(1) is amended by adding a new sub-subdivision to read:

"e. The board of directors shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 5.(c) G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision to read:

"d. The chancellor shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 5.(d) Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision to read:

"(4a) G.S. 115C-81.65, Financial literacy."

SECTION 6. The State Board of Education shall begin the process for review and revision of the standard course of study for social studies in grades kindergarten through 12 in the 2019-2020 school year, and shall revise the high school standard course of study in accordance with the requirements of this act for the EPF course and the Founding Principles of America and North Carolina: Civic Literacy course. The State Board shall review the high school standard course of study to determine the high school grade level during which the EPF course and the Founding Principles of America and North Carolina: Civic Literacy course may be completed. The State Board of Education shall not require more than four full course credits in social studies for high school graduation.

SECTION 7. Except as otherwise provided herein, this act is effective when it becomes law.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 134

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

S134-ATC-14 [v.1]

Amends Title [NO]
S134-CSTC-7

Date 4-03-2019

Senator Ballard

moves to amend the bill on page 4, line 5, by rewriting that line to read:

"~~semester~~ course required in subdivision (1) of this subsection and professional".

SIGNED Joanna M. Ballard
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

S134-ATC-14-V-1

SENATE BILL 134:
Economics & Financial Literacy Act.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	March 27, 2019
Introduced by:	Sens. Tillman, Ballard, Chaudhuri	**Prepared by:**	Kara McCraw Committee Counsel
Analysis of:	PCS to First Edition S134-CSTC-7		

OVERVIEW: SB 134 would require a new semester course in economics and personal finance (EPF) as a graduation requirement for students, as well as require professional development for teachers of that course. $1,063,800 would be appropriated to the North Carolina Council on Economic Education to provide for the professional development, including travel expenses and a stipend for teachers.

The PCS for SB 134 would make the following changes:

- ***Restore requirement that financial literacy should be provided for all students.***
- ***Require the EPF course include, at a minimum, certain Council for Economic Education standards.***
- ***Require the EPF course be a full credit course.***
- ***Clarify State Board of Education responsibility to require professional development for EPF course for all public schools.***
- ***Require, when practicable, teachers to complete the training prior to teaching the course, but if necessary, allow teachers to begin teaching while awaiting the next training opportunity.***
- ***Remove the reimbursement for travel expenses for the professional development course and provide that the stipend funds be awarded to teachers when the course is taken outside the school year, but require the stipend go to the public school employer if the course is taken on a school day.***
- ***Require the EPF class be a graduation requirement for student entering 9th grade in 2020-2021.***
- ***Clarify existing language to require a full credit course on civics literacy at the high school level. This new class would be a graduation requirement for students entering as 9th graders in 2021-2022.***
- ***Require financial literacy education be provided in charter schools, regional schools, the innovative school district, laboratory schools, and the renewal school system.***
- ***Require the State Board to begin to review and revise the social studies standard course of study in the 2019-2020 school year, in accordance with the act, and to limit the requirements of social studies credits for graduation to no more than four.***

CURRENT LAW: G.S. 115C-81.65 requires instruction in personal financial literacy for all students, including integration in the high school standard course of study that should include, at a minimum, the following:

(1) The true cost of credit.
(2) Choosing and managing a credit card.

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

(3) Borrowing money for an automobile or other large purchase.
(4) Home mortgages.
(5) Credit scoring and credit reports.
(6) Other relevant financial literacy issues.

Under the current NC Standard Course of Study, economics and financial literacy is taught as part of the American History: Founding Principles, Civics and Economics course.

In 2017, the General Assembly required the establishment of a three-year Financial Literacy Elective Course Pilot Program for the 2017-2018, 2018-2019, and 2019-2020 school years. The elective course is available to all public schools.

G.S. 115C-81.45 currently requires the State Board of Education (SBE) to include instruction in civic and citizenship education in the standard course of study for high school social studies, and requires the teaching of a semester course that students must pass to graduate high school on the Founding Principles of the United States of America and the State of North Carolina.

BILL ANALYSIS: The PCS for SB 134 would require the SBE to require a full credit course focused solely on economics and personal finance (EPF), which students must pass in order to graduate from high school. The requirement would apply to students entering 9th grade in the 2020-2021 school year. The course content would, as a minimum, include the standards in the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy developed by the Council for Economic Education. The course would also be required to include, at a minimum, instruction on planning and paying for postsecondary education in addition to the requirements for personal financial literacy in existing law. The requirements for personal financial literacy would also apply to charter schools, regional schools, the innovative school district, laboratory schools, and the renewal school district.

Beginning July 1, 2019, the SBE would require EPF teachers receive professional development to ensure the provision is carried out, and to the extent funds are available, require public schools to make available the EPF professional development course provided by the North Carolina Council on Economic Education (NCCEE) at the approved location most conveniently located to the school.

Effective July 1, 2019, a one-time appropriation of $1,063,800 would be provided in 2019-2020 to NCCEE to provide professional development to teachers of the EPF course. The funds would be used for the following:

- The professional development course, including administration of the Test of Economic Literacy and the Working in Support of Education personal finance test.
- A $500 stipend. The stipend would be paid to either the teacher if the course is completed outside the school year, or the teacher's employer if the course is completed on school days.

NCCEE would be required to report on those activities and use of State funds by September 1 of the year following the use of State funds to the Joint Legislative Education Oversight Committee and Fiscal Research Division.

Current requirements for civics education in high school would be merged with the existing Founding Principles course, and that course, entitled the Founding Principles of the United States of America and North Carolina: Civic Literacy, would be required to be a full credit course. The new course would apply to all students entering the ninth grade in the 2021-2022 school year.

The SBE would be required to begin the process for revision of the K-12 social studies standard course of study, in accordance with the requirements of SB 134. The SBE would be required to determine the appropriate grade levels for the EPF and Founding Principles courses, and could not require more than four full course credits in social studies for high school graduation.

EFFECTIVE DATE: Except as otherwise provided, SB 134 would become effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 134
PROPOSED COMMITTEE SUBSTITUTE S134-CSTC-7 [v.6]
03/26/2019 05:51:09 PM

Short Title: Economics & Financial Literacy Act. (Public)

Sponsors:

Referred to:

February 27, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE COMPLETION OF AN ECONOMICS AND PERSONAL FINANCE COURSE AS A HIGH SCHOOL GRADUATION REQUIREMENT IN PUBLIC SCHOOLS, TO CLARIFY REQUIREMENTS FOR HIGH SCHOOL CIVIC LITERACY, AND TO REQUIRE PROFESSIONAL DEVELOPMENT FOR ECONOMICS AND PERSONAL FINANCE TEACHERS.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the "Economics and Financial Literacy Act."

SECTION 2.(a) G.S. 115C-81.65 reads as rewritten:

"**§ 115C-81.65. Financial literacy.**

(a) Instruction shall be provided in personal financial literacy for all students. In addition to the requirements in subsection (b) of this section, the State Board of Education shall determine the other components of personal financial literacy that will be covered in the curriculum. ~~The State Board shall also review the high school standard course of study to determine into which courses and grade levels personal financial literacy shall be integrated.~~

(b) The State Board of Education shall require during the high school years the teaching of a full credit course focused solely on Economics and Personal Finance (EPF). A passing grade in the course shall be required for graduation from high school. The content of the course shall, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education. ~~Each student shall receive personal financial literacy instruction that shall include:~~The EPF course shall provide instruction on economic principles and shall provide personal financial literacy instruction that shall include, at a minimum, the following:

(1) The true cost of credit.
(2) Choosing and managing a credit card.
(3) Borrowing money for an automobile or other large purchase.
(4) Home mortgages.
(5) Credit scoring and credit reports.
(5a) Planning and paying for postsecondary education.
(6) Other relevant financial literacy issues.

(c) The State Board of Education shall require that EPF teachers receive the professional development necessary to ensure that the intent and provisions of this section are carried out. To the extent funds are made available for this purpose, the State Board of Education shall require the employing entity to make available to EPF teachers and prospective EPF teachers the EPF

professional development course provided by the North Carolina Council on Economic Education (NCCEE). When practicable, teachers shall complete the EPF professional development course prior to teaching the EPF course in public schools. If necessary, teachers may begin teaching the EPF course in public schools while awaiting the next possible opportunity to complete a session of the EPF professional development course. To the extent possible, the EPF professional development course shall be taken at the NCCEE-approved location most conveniently located to the local school administrative unit."

SECTION 2.(b) The requirements of G.S. 115C-81.65(b), as enacted by this act, shall apply to all students entering the ninth grade in the 2020-2021 school year. The requirements of G.S. 115C-81.65(c), as enacted by this act, shall apply beginning July 1, 2019.

SECTION 3.(a) For the 2019-2020 fiscal year, there is appropriated from the General Fund to the nonprofit organization known as The North Carolina Council on Economic Education (NCCEE) the sum of one million sixty-three thousand eight hundred dollars ($1,063,800) as grant-in-aid to provide for completion of the professional development course required in Section 2 of this act for teachers of the high school course in Economics and Personal Finance (EPF). The funds appropriated by this section shall be used to provide all of the following:

(a) The EPF professional development course, including administration of the Test of Economic Literacy and the Working in Support of Education personal finance test, and the provision of a certificate of completion to qualified teachers.

(b) A stipend in the amount of five hundred dollars ($500.00), upon completion of the Test of Economic Literacy and the Working in Support of Education personal finance test, to either the public school teacher, if the teacher attends the course on weekends or during a time outside the teacher's school year, or, to the teacher's public school employer, if the teacher attends the course on school days during the teacher's school year.

SECTION 3.(b) By September 1, 2020, and by September 1 of the year following any fiscal year that NCCEE uses State funds thereafter, NCCEE, in consultation with the Department of Public Instruction, shall submit a report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the activities described by this section and the expenditure of State funds.

SECTION 3.(c) This section is effective July 1, 2019.

SECTION 4.(a) G.S. 115C-81.45 reads as rewritten:

"**§ 115C-81.45. Classes conducted in English; citizenship; and civic literacy.**

...

(c) Democratic Process and Citizenship ~~Education.~~Education for Middle School Social Studies. –

~~(1) The State Board of Education shall include instruction in civic and citizenship education in the standard course of study for high school social studies. The State Board of Education is strongly encouraged to include, at a minimum, the following components in the high school civic and citizenship education standard course of study:~~

~~a. That students write to a local, State, or federal elected official about an issue that is important to them.~~

~~b. Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.~~

~~c. Information about current events and governmental structure.~~

~~d. Information about the democratic process and how laws are made.~~

~~(2)~~ The State Board of Education shall include instruction in civic and citizenship education in the standard course of study for middle school social studies. The

State Board of Education is strongly encouraged to include, at a minimum, the following components in the middle school civic and citizenship education standard course of study:

~~a.~~(1) A tour of representative local government facilities, such as the local jail, the courthouse, or a town hall, to help students understand the way their community is governed.

~~b.~~(2) Allowing students to choose and analyze a community problem and offer public policy recommendations on the problem to local officials.

~~c.~~(3) Information about getting involved in community groups.

(d) Founding Principles of the United States of America and North Carolina: Civic Literacy. –

(1) The State Board of Education shall require instruction in civic and citizenship education in the standard course of study for high school social studies ~~during the high school years~~through the teaching of a ~~semester~~ full credit course ~~on~~ that shall be called ~~the~~ Founding Principles of the United States of America and ~~the State of North Carolina.~~North Carolina: Civic Literacy. A passing grade in the course shall be required for graduation from high ~~school,~~school. ~~and the~~

(1a) The course required by subdivision (1) of this subsection shall be solely focused on civics and citizenship education, and shall include at least the following subjects:

a. The Creator-endowed inalienable rights of the people.
b. Structure of government, separation of powers with checks and balances.
c. Frequent and free elections in a representative government.
d. Rule of law.
e. Equal justice under the law.
f. Private property rights.
g. Federalism.
h. Due process.
i. Individual rights as set forth in the Bill of Rights.
j. Individual responsibility.
k. Constitutional limitations on government power to tax and spend, and prompt payment of public debt.
l. Strong defense and supremacy of civil authority over military.
m. Peace, commerce, and honest friendship with all nations, entangling alliances with none.

(1b) The State Board of Education is strongly encouraged to include the following components in the course required by subdivision (1) of this subsection:

a. That students write to a local, State, or federal elected official about an issue that is important to them.
b. Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.
c. Information about current events and governmental structure.
d. Information about the democratic process and how laws are made.

(2) The State Board of Education shall require that any high school level curriculum-based tests for the course required in subdivision (1) of this subsection developed and administered statewide ~~beginning with the 2016-2017 academic year~~ include questions related to the philosophical foundations of our form of government and the principles underlying the

Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.

(3) The Department of Public Instruction and the local boards of education, as appropriate, shall provide or cause to be provided curriculum content for the semester course required in subdivision (1) of this subsection and professional development to ensure that the intent and provisions of this subsection are carried out. The curriculum content established shall include a review of the contributions made by Americans of all races.

(4) The Department of Public Instruction shall submit a biennial report by October 15 of each odd-numbered year to the Joint Legislative Education Oversight Committee covering the implementation of this subsection."

SECTION 4.(b) The requirements of G.S. 115C-81.45(d), as amended by this act, shall apply to all students entering the ninth grade in the 2021-2022 school year.

SECTION 5.(a) G.S. 115C-218.85(a) is amended by adding a new subdivision to read:

"(5) A charter school shall provide financial literacy instruction as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 5.(b) G.S. 115C-238.66(1) is amended by adding a new sub-subdivision to read:

"e. The board of directors shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 5.(c) G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision to read:

"d. The chancellor shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 5.(d) Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision to read:

"(4a) G.S. 115C-81.65, Financial literacy."

SECTION 6. The State Board of Education shall begin the process for review and revision of the standard course of study for social studies in grades kindergarten through 12 in the 2019-2020 school year, and shall revise the high school standard course of study in accordance with the requirements of this act for the EPF course and the Founding Principles of America and North Carolina: Civic Literacy course. The State Board shall review the high school standard course of study to determine the high school grade level during which the EPF course and the Founding Principles of America and North Carolina: Civic Literacy course may be completed. The State Board of Education shall not require more than 4 full course credits in social studies for high school graduation.

SECTION 7. Except as otherwise provided herein, this act is effective when it becomes law.

SENATE BILL 134

Short Title:	Economics & Financial Literacy Act.	(Public)
Sponsors:	Senators Tillman, Ballard, and Chaudhuri (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

February 27, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE COMPLETION OF AN ECONOMICS AND PERSONAL FINANCE COURSE AS A HIGH SCHOOL GRADUATION REQUIREMENT IN LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO REQUIRE PROFESSIONAL DEVELOPMENT FOR ECONOMICS AND PERSONAL FINANCE TEACHERS.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the "Economics and Financial Literacy Act."

SECTION 2. G.S. 115C-81.65 reads as rewritten:

"**§ 115C-81.65. Financial literacy.**

(a) ~~Instruction shall be provided in personal financial literacy for all students. In addition to the requirements in subsection (b) of this section, the State Board of Education shall determine the other components of personal financial literacy that will be covered in the curriculum.~~ The State Board of Education shall require during the high school years the teaching of a semester course focused solely on Economics and Personal Finance (EPF). The content of the course shall align with the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education. A passing grade in the course shall be required for graduation from high school. The State Board shall ~~also~~ review the high school standard course of study to determine ~~into which courses and~~ grade levels ~~personal financial literacy~~ during which the EPF course may be completed and shall ~~be integrated.~~reorganize other courses as appropriate.

(b) ~~Each student shall receive~~ The EPF course shall provide instruction on basic economic principles and shall provide personal financial literacy instruction that shall ~~include:~~include the following:

(1) The true cost of credit.
(2) Choosing and managing a credit card.
(3) Borrowing money for an automobile or other large purchase.
(4) Home mortgages.
(5) Credit scoring and credit reports.
(5a) Planning and paying for postsecondary education.
(6) Other relevant financial literacy issues."

SECTION 3. G.S. 115C-81.65, as amended by Section 2 of this act, is amended by adding a new subsection to read:

"(c) The Department of Public Instruction shall require that EPF teachers receive the professional development necessary to ensure that the intent and provisions of this section are carried out. To the extent funds are made available for this purpose, the State Board of Education

shall require local school administrative units to make available to EPF teachers and prospective EPF teachers the EPF professional development course provided by the North Carolina Council on Economic Education (NCCEE). To the extent possible, the EPF professional development course shall be taken at the NCCEE-approved location most conveniently located to the local school administrative unit."

SECTION 4. For the 2019-2020 fiscal year, there is appropriated from the General Fund to the nonprofit organization known as The North Carolina Council on Economic Education (NCCEE) the sum of one million sixty-three thousand eight hundred dollars ($1,063,800) as grant-in-aid to provide for completion of the professional development course required in Section 3 of this act for teachers of the high school course in Economics and Personal Finance (EPF). The funds appropriated by this section shall be used to provide (i) the EPF professional development course, including administration of the Test of Economic Literacy and the Working in Support of Education personal finance test, and the provision of a certificate of completion to qualified teachers, (ii) travel expense reimbursement, if necessary, for teachers required to complete the EPF professional development course, and (iii) a stipend to each teacher in the amount of five hundred dollars ($500.00), upon completion of the Test of Economic Literacy and the Working in Support of Education personal finance test.

By September 1, 2020, and by September 1 of the year following any fiscal year that NCCEE uses State funds thereafter, NCCEE, in consultation with the Department of Public Instruction, shall submit a report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the activities described by this section and the expenditure of State funds.

SECTION 5. Section 2 of this act is effective when it becomes law and applies beginning with the 2020-2021 school year. Sections 3 and 4 of this act are effective July 1, 2019. The remainder of this act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 227
PROPOSED COMMITTEE SUBSTITUTE S227-PCS15311-BE-10

Short Title: Broaden Charter School Sibling Priority. (Public)

Sponsors:

Referred to:

March 13, 2019

A BILL TO BE ENTITLED

AN ACT TO BROADEN CHARTER SCHOOL ENROLLMENT PRIORITY TO INCLUDE SIBLINGS WHO APPLY TO THE CHARTER SCHOOL FOR ADMISSION IN THE SAME SCHOOL YEAR AND CHILDREN OF PERSONS EMPLOYED TO WORK FULL-TIME FOR THE CHARTER SCHOOL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-218.45(f) reads as rewritten:

"(f) The charter school may give enrollment priority to any of the following:

(1) Siblings of currently enrolled students who were admitted to the charter school in a previous year. For the purposes of this section, the term "siblings" includes any of the following who reside in the same household: half siblings, stepsiblings, and children residing in a family foster home.

(1a) Siblings who apply to the charter school for admission beginning in the same school year, such as when a sibling was not initially admitted due to grade level capacity.

(2) Siblings of students who have completed the highest grade level offered by that school and who were enrolled in at least four grade levels offered by the charter school or, if less than four grades are offered, in the maximum number of grades offered by the charter school.

(2a) A student who was enrolled in a preschool program operated by the charter school in the prior year.

(3) Limited to no more than fifteen percent (15%) of the school's total enrollment, unless granted a waiver by the State Board of Education, the following:

a. Children of ~~the school's~~ persons employed to work full-time ~~employees.~~for the charter school, including children of contracted employees.

b. Children of the charter school's board of directors.

(4) A student who was enrolled in the charter school within the two previous school years but left the school (i) to participate in an academic study abroad program or a competitive admission residential program or (ii) because of the vocational opportunities of the student's parent.

(5) A student who was enrolled in another charter school in the State in the previous school year that does not offer the student's next grade level.

(6) A student who was enrolled in another charter school in the State in the previous school year that does not offer the student's next grade level and both

of the charter schools have an enrollment articulation agreement to accept students or are governed by the same board of directors.

(7) A student who was enrolled in another charter school in the State in the previous school year."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2019-2020 school year.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 227

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

S227-ABE-11 [v.5]

Amends Title [NO]
First Edition

Date 4-03 ,2019

Senator Tillman

Moves to amend the bill on page 1, line 14, by rewriting the line to read:

"school year, such as when a sibling was not initially admitted due to grade level capacity.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

SENATE BILL 227:
Broaden Charter School Sibling Priority.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 3, 2019
Introduced by:	Sen. Tillman	**Prepared by:**	Brian Gwyn Committee Co-Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 227 would broaden the charter school enrollment priority to include siblings who apply to the charter school for admission in the same school year and children of persons employed to work full-time for the charter school.

CURRENT LAW: Any child qualified for admission to a public school in North Carolina is eligible to attend a charter school. Under G.S. 115C-218.45(h), during each period of enrollment, charter schools must enroll every eligible student who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. If capacity is exceeded, then students must be accepted by lot.

G.S. 115C-218.45(f) authorizes charter schools to give enrollment priorities to students in certain situations.

For example, siblings can receive the following enrollment priorities:

- Siblings of currently enrolled students who were admitted to the charter school in a previous year.
- Siblings of students who have completed the highest grade level offered by that school and who were enrolled in at least four grade levels offered by the charter school, or, if less than four grades are offered, in the maximum number of grades offered by the charter school.

Additionally, children of the charter school's full-time employees and children of the charter school's board of directors can receive an enrollment priority, provided that students in these categories make up no more than 15 percent of the total school enrollment.

BILL ANALYSIS: Senate Bill 227 would add an enrollment priority for siblings who apply to the charter school for admission beginning in the same year. This provision would allow charter schools to give priority enrollment to a sibling who was not initially admitted due to grade level capacity.

Additionally, the bill would expand the charter school employee enrollment priority to cover persons employed to work full-time for the charter school, including children of contracted employees.

EFFECTIVE DATE: Senate Bill 227 would be effective when it becomes law and would apply beginning with the 2019-2020 school year.

Karen Cochrane-Brown
Director

S227-SMBE-18 E1 -V-2

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S 1

SENATE BILL 227

Short Title:	Broaden Charter School Sibling Priority.	(Public)
Sponsors:	Senator Tillman (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

March 13, 2019

A BILL TO BE ENTITLED

AN ACT TO BROADEN CHARTER SCHOOL ENROLLMENT PRIORITY TO INCLUDE SIBLINGS WHO APPLY TO THE CHARTER SCHOOL FOR ADMISSION IN THE SAME SCHOOL YEAR AND CHILDREN OF PERSONS EMPLOYED TO WORK FULL-TIME FOR THE CHARTER SCHOOL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-218.45(f) reads as rewritten:

"(f) The charter school may give enrollment priority to any of the following:

(1) Siblings of currently enrolled students who were admitted to the charter school in a previous year. For the purposes of this section, the term "siblings" includes any of the following who reside in the same household: half siblings, stepsiblings, and children residing in a family foster home.

(1a) Siblings who apply to the charter school for admission beginning in the same school year.

(2) Siblings of students who have completed the highest grade level offered by that school and who were enrolled in at least four grade levels offered by the charter school or, if less than four grades are offered, in the maximum number of grades offered by the charter school.

(2a) A student who was enrolled in a preschool program operated by the charter school in the prior year.

(3) Limited to no more than fifteen percent (15%) of the school's total enrollment, unless granted a waiver by the State Board of Education, the following:

a. Children of ~~the school's~~ persons employed to work full-time ~~employees.~~ for the charter school, including children of contracted employees.

b. Children of the charter school's board of directors.

(4) A student who was enrolled in the charter school within the two previous school years but left the school (i) to participate in an academic study abroad program or a competitive admission residential program or (ii) because of the vocational opportunities of the student's parent.

(5) A student who was enrolled in another charter school in the State in the previous school year that does not offer the student's next grade level.

(6) A student who was enrolled in another charter school in the State in the previous school year that does not offer the student's next grade level and both of the charter schools have an enrollment articulation agreement to accept students or are governed by the same board of directors.

(7) A student who was enrolled in another charter school in the State in the previous school year."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 343
PROPOSED COMMITTEE SUBSTITUTE S343-PCS15310-RQ-3

Short Title: Changes to Education Reports. (Public)

Sponsors:

Referred to:

March 25, 2019

A BILL TO BE ENTITLED

AN ACT TO REVISE REPORTING REQUIREMENTS RELATED TO EDUCATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116C-5(e) is repealed.

SECTION 2. Section 7.28(g) of S.L. 2007-323 is repealed.

SECTION 3. G.S. 116C-4(c) is repealed.

SECTION 4. Section 9.5(b) of S.L. 2017-57 is repealed.

SECTION 5. G.S. 116E-4(c) reads as rewritten:

"(c) The Center shall report ~~quarterly~~ annually to the Joint Legislative Education Oversight Committee, the Joint Legislative Commission on Governmental Operations, and the Joint Legislative Oversight Committee on Information Technology beginning ~~September 30, 2013.~~ July 1, 2019. The report shall include the following:

(1) An update on the implementation of the System's activities.

(2) Any proposed or planned expansion of System data.

(3) Any other recommendations made by the Center, including the most effective and efficient configuration for the System."

SECTION 6.(a) G.S. 115C-107.5 reads as rewritten:

"**§ 115C-107.5. Annual reports.**

The State Board shall report ~~annually~~ no later than October 15 of each year to the Joint Legislative Education Oversight Committee on the implementation of this Article and the educational performance of children with disabilities. The report may be filed electronically. Each annual report shall include the following information:

(1) ~~a~~ A copy of the following documents that were submitted, received, or made public during the year:

~~(i)~~a. ~~the~~ The most recent State performance plan and any amendments to that plan submitted to the Secretary of ~~Education,~~Education.

~~(ii)~~b. ~~compliance~~ Compliance and monitoring reports submitted to the Secretary of ~~Education,~~Education.

~~(iii)~~c. ~~the~~ The annual report submitted to the Secretary of Education on the performance of the State under its performance ~~plan, and~~ plan.

~~(iv)~~d. ~~any~~ Any other information required under IDEA to be made available to the public. ~~In addition, the annual report shall include~~

(2) ~~an~~ An analysis of the educational performance of children with disabilities in the State and a summary of disputes under Part 1D of this Chapter. ~~The report shall be filed no later than October 15 each year and may be filed electronically.~~

(3) Development and implementation of any policies related to improving outcomes for elementary and secondary school students with disabilities, including any changes related to the directives set forth in Section 8.30 of S.L. 2015-241 as follows:

a. Reforms related to IEP requirements.

b. Transition services for students with disabilities from elementary to middle school, middle to high school, and high school to postsecondary education, and for employment opportunities and adult living options.

c. Increased access to Future Ready Core Course of Study for students with disabilities.

d. Model programs for use by local school administrative units to improve graduation rates and school performance of students with disabilities."

SECTION 6.(b) Section 8.30(b) of S.L. 2015-241 is repealed.

SECTION 7.(a) G.S. 115C-156.2(b) reads as rewritten:

"(b) Beginning in ~~2017,~~ 2019, the State Board of Education shall report to the Joint Legislative Education Oversight Committee by November 15 of each year on the following information:

(1) The number of students in career and technical education courses who earned (i) community college credit and (ii) related industry certifications and credentials.

(2) Implementation of high school diploma endorsements, including adding (i) college, (ii) career, and (iii) college and career endorsements to high school diplomas, through evaluation of at least the following data:

a. Impact on the rates of high school graduation, college acceptance and remediation, and post-high school employment.

b. Beginning with the 2019-2020 school year, the number of students who had to retake a nationally norm-referenced college admissions test to meet the reading benchmark score required by G.S. 115C-12(40) to receive a high school diploma endorsement and the number of students who were not awarded a high school diploma endorsement solely because of the inability to meet the benchmark score for reading required by G.S. 115C-12(40)."

SECTION 7.(b) Section 1(b) of S.L. 2013-1, as amended by Section 16.1 of S.L. 2013-410, Section 89 of S.L. 2014-115, and Section 48(d) of S.L. 2017-102, reads as rewritten:

"**SECTION 1.(b)** The State Board of Education shall make high school diploma endorsements, as provided under this section, available to students graduating from high school beginning with the 2014-2015 school year. The State Board of Education shall report to the Joint Legislative Education Oversight Committee on the progress toward establishing specific college and career endorsements for high school diplomas and for awarding these endorsements by February 1, 2014. ~~The State Board of Education shall submit the report on the impact of awarding the high school endorsements on high school graduation, college acceptance and remediation, and post-high school employment rates by November 15, 2016, and annually thereafter.~~"

SECTION 7.(c) G.S. 115C-12(40) reads as rewritten:

"(40) To Establish High School Diploma Endorsements. – The State Board of Education shall establish, implement, and determine the impact of adding (i) college, (ii) career, and (iii) college and career endorsements to high school diplomas to encourage students to obtain requisite job skills necessary for students to be successful in a wide range of high-quality careers and to reduce the need for remedial education in institutions of higher education. These

endorsements shall reflect courses completed, overall grade point average, reading achievement, and other criteria as developed by the State Board of Education. A student shall only receive a high school diploma endorsement if that student receives on a nationally norm-referenced college admissions test for reading, either administered under G.S. 115C-174.11(c)(4) or as an alternative nationally norm-referenced college admissions test approved by the State Board, at least the benchmark score established by the testing organization that represents the level of achievement required for students to have approximately a fifty percent (50%) chance of obtaining a grade B or higher or a seventy-five percent (75%) chance of obtaining a grade C or higher in a corresponding credit-bearing, first-year college course. A student may retake a nationally norm-referenced test as many times as necessary to achieve the required benchmark score for reading in order to receive a high school diploma endorsement prior to the student's graduation. The State Board of Education shall report annually to the Joint Legislative Education Oversight Committee on ~~(i) the impact of awarding these endorsements on high school graduation, college acceptance and remediation, and post-high school employment rates; (ii) the number of students who had to retake a nationally norm-referenced college admissions test to meet the reading benchmark score required by this subdivision to receive a high school diploma endorsement; and (iii) the number of students who were not awarded a high school diploma endorsement solely because of the inability to meet the benchmark score for reading as required by this subdivision.~~ high school diploma endorsements in accordance with G.S. 115C-156.2."

SECTION 8.(a) G.S. 115D-5(f) reads as rewritten:

"(f) A community college may not offer a new program without the approval of the State Board of Community Colleges except that approval shall not be required if the tuition for the program will fully cover the cost of the program. If at any time tuition fails to fully cover the cost of a program that falls under the exception, the program shall be discontinued unless approved by the State Board of Community Colleges. If a proposed new program would serve more than one community college, the State Board of Community Colleges shall perform a feasibility study prior to acting on the proposal. The State Board of Community Colleges shall consider whether a regional approach can be used when developing new programs and, to the extent possible, shall initiate new programs on a regional basis.

The State Board of Community Colleges shall ~~report~~ collect data on an annual basis ~~to the Governor, Lieutenant Governor, the Speaker of the House of Representatives, and the Joint Legislative Commission on Governmental Operations,~~ on all new programs and program terminations it approved and any regionalization of programs during the ~~year. The report shall include~~ year, including the specific reasons for which each program was terminated or approved."

SECTION 8.(b) Section 8.2 of S.L. 2002-126 reads as rewritten:

"**SECTION 8.2.** It is the intent of the General Assembly to increase the number of regional program offerings in community colleges and to reduce duplication of programs by colleges that are within reasonably close proximity to each other; therefore, the State Board of Community Colleges shall review existing programs to determine which of the existing programs can be offered regionally. ~~In developing new programs, the State Board of Community Colleges shall consider whether a regional approach can be used, and to the extent possible, shall initiate new programs on a regional basis.~~

~~The State Board of Community Colleges shall report on an annual basis to the Governor, Lieutenant Governor, the Speaker of the House of Representatives, and the Joint Legislative Education Oversight Committee on all new programs it approved and on the progress made on regional programs during the year. The report shall include the specific reasons for which each~~

~~new program was approved, a progress report on regionalization of programs, and a list of program terminations approved by the State Board.~~"

SECTION 9. G.S. 115D-5(b2) reads as rewritten:

"(b2) Beginning February 1, 2018, and annually thereafter, the ~~State Board of~~ Community Colleges System Office shall report to the Joint Legislative Education Oversight Committee on the number and type of waivers granted pursuant to subsection (b) of this section."

SECTION 10.(a) G.S. 115C-238.55 reads as rewritten:

"**§ 115C-238.55. Evaluation of cooperative innovative high schools.**

The State Board of Education and the governing Boards shall evaluate the success of students in cooperative innovative high schools approved under this Part. Success shall be measured by high school retention rates, high school completion rates, high school dropout rates, certification and associate degree completion, admission to four-year institutions, postgraduation employment in career or study-related fields, and employer satisfaction of employees who participated in and graduated from the schools. The Boards shall jointly report by March 15 of each year to the Joint Legislative Education Oversight Committee on the evaluation of these schools. The report shall be combined with the evaluation of the Career and College Promise Program required by G.S. 115D-5(x), and the Community Colleges System Office shall be responsible for submitting the combined report to the Committee."

SECTION 10.(b) G.S. 115D-5(x) reads as rewritten:

"(x) In addition to the evaluation of cooperative innovative high schools by the State Board of Education pursuant to G.S. 115C-238.55, the State Board of Community Colleges, in conjunction with the State Board of Education and the Board of Governors of The University of North Carolina, shall evaluate the success of students participating in the Career and College Promise Program, including the College Transfer pathway and the Career and Technical Education pathway. Success shall be measured by high school retention rates, high school completion rates, high school dropout rates, certification and associate degree completion, admission to four-year institutions, postgraduation employment in career or study-related fields, and employer satisfaction of employees who participated in the programs. The Boards shall jointly report by March 15 of each year to the Joint Legislative Education Oversight Committee. The report shall be combined with the evaluation of cooperative innovative high schools required by G.S. 115C-238.55, and the Community Colleges System Office shall be responsible for submitting the combined report to the Committee."

SECTION 11. G.S. 115D-5.1(f) reads as rewritten:

"(f) The ~~State Board~~ Community Colleges System Office shall report ~~on an annual basis~~ no later than September 1 of each year to the Joint Legislative Education Oversight Committee on:

(1) The total amount of funds received by a company under the Customized Training ~~Program;~~Program.

(1a) The types of services sought by the company, whether for new, expanding, or existing industry.

(2) The amount of funds per trainee received by that ~~company;~~company.

(3) The amount of funds received per trainee by the community college delivering the ~~training;~~training.

(4) The number of trainees trained by the company and community ~~college; and~~college.

(5) The number of years that company has been funded."

SECTION 12. G.S. 115D-9(g) reads as rewritten:

"(g) The ~~State Board~~ Community Colleges System Office shall ~~annually~~ report no later than October 1 of each year to the State Building Commission the following:

(1) A list of projects governed by this section.

(2) The estimated cost of each project along with the actual cost.

(3) The name of each person awarded a contract under this section.
(4) Whether the person or business awarded a contract under this section meets the definition of "minority business" or "minority person" as defined in G.S. 143-128.2(g)."

SECTION 13. G.S. 115D-11.6 reads as rewritten:

"**§ 115D-11.6. Apprenticeship Council.**

The State Board of Community Colleges shall appoint an Apprenticeship Council composed of four representatives each from employer and employee organizations respectively and three representatives from the public at large. One State official designated by the Department of Public Instruction and one State official designated by the Department of Commerce shall be a member ex officio of the council, without vote. The terms of office of the members of the Apprenticeship Council shall be designated by the State Board. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his or her predecessor shall be appointed for the remainder of the term. Each member of the Council not otherwise compensated by public moneys, shall be reimbursed for transportation and shall receive such per diem compensation as is provided generally for boards and commissions under the biennial maintenance appropriation acts for each day spent in attendance at meetings of the Apprenticeship Council. The State Board of Community Colleges shall annually appoint one member of the Council to act as its chair.

The Apprenticeship Council shall meet at the call of the State Board of Community Colleges and shall aid the State Board and the Community Colleges System Office in formulating policies for the effective administration of this Article. The Apprenticeship Council shall establish standards for apprentice agreements which in no case shall be lower than those prescribed by this Article, shall recommend rules and regulations to the State Board of Community Colleges as may be necessary to carry out the intent and purposes of this Article, and shall perform other functions as the State Board of Community Colleges may direct. ~~Not less than once a~~ No later than September 1 of each year the Apprenticeship Council shall make a report through the Community Colleges System Office of its activities and findings to the public and to the Joint Legislative Education Oversight ~~Committee on Agriculture and Natural and Economic Resources;~~ Committee, the chairs of the Senate Appropriations Committee on ~~Agriculture, Natural, and Economic Resources;~~ Education/Higher Education, and the chairs of the House of Representatives Appropriations Committee on ~~Agriculture and Natural and Economic Resources.~~Education."

SECTION 14. G.S. 126-8.3(c) reads as rewritten:

"(c) The State Human Resources Commission, the ~~State Board of Education,~~ Department of Public Instruction, and the ~~State Board of~~ Community Colleges System Office and all State agencies, departments, and institutions shall annually report to the Office of State Human Resources on the voluntary shared leave program. For the prior fiscal year, the report shall include the total number of days or hours of vacation leave and sick leave donated and used by voluntary shared leave recipients and the total cost of the vacation leave and sick leave donated and used."

SECTION 15. Section 8.21(e) of S.L. 2013-360 reads as rewritten:

"**SECTION 8.21.(e)** TFA shall submit ~~quarterly~~ biannual updates on the information contained in the annual report required by this section to the offices of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Chairs of the Senate Appropriations/Base Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Subcommittee on Education, and the Fiscal Research Division."

SECTION 16. G.S. 115C-174.12(e) reads as rewritten:

"(e) By ~~November 1~~ December 15 of each year, the State Board of Education shall submit a report to the Joint Legislative Education Oversight Committee containing information regarding the statewide administration of the testing program, including the number and type of

tests and the testing schedule, and a summary of any local testing programs reported by local boards of education to the State Board of Education in accordance with subsection (d) of this section."

SECTION 17. G.S. 115C-218.110(b) reads as rewritten:

"(b) The State Board of Education shall review and evaluate the educational effectiveness of the charter schools authorized under this Article and the effect of charter schools on the public schools in the local school administrative unit in which the charter schools are located. The Board shall report annually no later than ~~January 15~~ February 15 to the Joint Legislative Education Oversight Committee on the following:

(1) The current and projected impact of charter schools on the delivery of services by the public schools.

(2) Student academic progress in the charter schools as measured, where available, against the academic year immediately preceding the first academic year of the charter schools' operation.

(3) Best practices resulting from charter school operations.

(4) Other information the State Board considers appropriate."

SECTION 18.(a) G.S. 115C-84.2 is amended by adding new subsections to read:

"(a2) Report on School Start and End Dates. – As part of the reporting requirements under the Uniform Education Reporting System pursuant to G.S. 115C-12(18), annually by April 1 each local board of education shall report to the Superintendent of Public Instruction and the State Board of Education on the start and end dates of the instructional calendar for students for the next academic year. The local board of education shall report this information for each school under the control of that board and shall identify the statutory exception authorizing an earlier start date for all schools that start earlier than the Monday closest to August 26.

(a3) The State Board of Education shall report annually no later than June 15 to the Joint Legislative Education Oversight Committee on the start and end dates for instructional calendars for the next academic year reported by local boards of education as provided in subsection (a2) of this section. The report shall identify all schools that start earlier than the Monday closest to August 26 and the statutory exception for the earlier start date."

SECTION 18.(b) Notwithstanding G.S. 115C-84.2(a2) and (a3) as enacted by this act, local boards of education shall submit the report required by subsection (a) of this section with the information for the 2019-2020 school year to the Superintendent of Public Instruction and the State Board of Education by June 1, 2019. The State Board of Education shall then report that information submitted by the local boards of education to the Joint Legislative Education Oversight Committee by July 1, 2019.

SECTION 19. This act is effective when it becomes law.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 343

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

S343-ARQ-1 [v.6]

Amends Title [NO]
First Edition

Date 4-3-2019

Senator Ballard

moves to amend the bill on page 6, line 17, by rewriting the line to read:

"**SECTION 18.(a)** G.S. 115C-84.2 is amended by adding new subsections to read:

"(a2) Report on School Start and End Dates. – As part of the reporting requirements under the Uniform Education Reporting System pursuant to G.S. 115C-12(18), annually by April 1 each local board of education shall report to the Superintendent of Public Instruction and the State Board of Education on the start and end dates of the instructional calendar for students for the next academic year. The local board of education shall report this information for each school under the control of that board, and shall identify the statutory exception authorizing an earlier start date for all schools that start earlier than the Monday closest to August 26.

(a3) The State Board of Education shall report annually no later than June 15 to the Joint Legislative Education Oversight Committee on the start and end dates for instructional calendars for the next academic year reported by local boards of education as provided in subsection (a2) of this section. The report shall identify all schools that start earlier than the Monday closest to August 26, and the statutory exception for the earlier start date."

SECTION 18.(b) Notwithstanding G.S. 115C-84.2(a2) and (a3) as enacted by this act, local boards of education shall submit the report required by subsection (a) of this section with the information for the 2019-2020 school year to the Superintendent of Public Instruction and the State Board of Education by June 1, 2019. The State Board of Education shall then report that information submitted by the local boards of education to the Joint Legislative Education Oversight Committee by July 1, 2019.

SECTION 19. This act is effective when it becomes law.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

S343-ARQ-1-V-6

SENATE BILL 343:
Changes to Education Reports.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 3, 2019
Introduced by:	Sen. Ballard	**Prepared by:**	Drupti Chauhan Committee Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 343 makes changes to various education reports including date changes, repeals of certain reports, and modifications of information to be reported.

BILL ANALYSIS:

Section 1 repeals an annual report required from the Education Cabinet on STEM education activities.

Section 2 repeals an annual report from The Education Cabinet on the School Connectivity Initiative. The State Board of Education (SBE) would still submit its annual report on school connectivity.

Section 3 repeals an annual report required from the Education Cabinet on the First in America Innovative Education Initiatives Act from 2004.

Section 4 repeals a report from the State Board of Community Colleges (SBCC) on start-up funds for high cost workforce courses because the funds were re-allocated per the SBCC and the Community College System Office's request in 2018.

Section 5 changes the quarterly report required from the Governmental Data Analytics Center on the Longitudinal Data System to an annual report and change the annual due date to July 1.

Section 6 combines two reports on students with disabilities into one report that would be due annually on October 15.

Section 7 combines the SBE report on the number of students in career and technical education courses who earned community college credit and related industry certifications and credentials with the SBE report on the impact of awarding college and career endorsements on the high school diplomas on high school graduation, college acceptance and remediation, and post-high school employment rates.

Section 8 repeals an annual report from the SBCC on all new programs it approves, the progress made on implementing regional programs, and program terminations. The SBCC is directed to consider whether a regional approach can be used in developing new programs and initiate regional programs to the extent possible. The SBCC would now collect data annually on new programs, program terminations, and any regionalization of programs, including the specific reasons for which each program was approved or terminated.

Section 9 directs the Community College System Office rather than the SBCC to report on the number and types of tuition waivers granted.

Karen Cochrane-Brown
Director

S343-SMRQ-10 E1 -V-2

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

Section 10 allows the annual report on the evaluation of cooperative innovative high schools to be combined with the annual report on Career and College Promise, including the College Transfer pathway and the Career and Technical Education pathway.

Section 11 directs the Community College System Office rather than the SBCC to report on the Customized Training Program.

Section 12 directs the Community College System Office rather than the SBCC to report to the State Building Commission on certain capital projects.

Section 13 establishes a date for the submission of the annual report from the Apprenticeship Council as September 1, and provides that the report no longer has to be submitted to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources or the chairs of the House and Senate Appropriations Committees on Agriculture and Natural and Economic Resources. The report would still be submitted to JLEOC and the chairs of the House and Senate Appropriations Committee on Education.

Section 14 directs the Community College System Office and the Department of Public Instruction to report to the Office of State Human Resources on the voluntary shared leave program instead of the SBCC and the SBE.

Section 15 changes the quarterly updates to the annual report required from Teach for America to biannual updates to the annual report.

Section 16 changes the date for the submission of the annual report from the SBE on testing from November 1 to December 15.

Section 17 changes the date for the submission of the annual report from the SBE on charter schools from January 15 to February 15.

EFFECTIVE DATE: The bill would be effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S 1

SENATE BILL 343

Short Title:	Changes to Education Reports.	(Public)
Sponsors:	Senator Ballard (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

March 25, 2019

A BILL TO BE ENTITLED

AN ACT TO REVISE REPORTING REQUIREMENTS RELATED TO EDUCATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116C-5(e) is repealed.

SECTION 2. Section 7.28(g) of S.L. 2007-323 is repealed.

SECTION 3. G.S. 116C-4(c) is repealed.

SECTION 4. Section 9.5(b) of S.L. 2017-57 is repealed.

SECTION 5. G.S. 116E-4(c) reads as rewritten:

"(c) The Center shall report ~~quarterly~~ annually to the Joint Legislative Education Oversight Committee, the Joint Legislative Commission on Governmental Operations, and the Joint Legislative Oversight Committee on Information Technology beginning ~~September 30, 2013.~~ July 1, 2019. The report shall include the following:

(1) An update on the implementation of the System's activities.

(2) Any proposed or planned expansion of System data.

(3) Any other recommendations made by the Center, including the most effective and efficient configuration for the System."

SECTION 6.(a) G.S. 115C-107.5 reads as rewritten:

"**§ 115C-107.5. Annual reports.**

The State Board shall report ~~annually~~ no later than October 15 of each year to the Joint Legislative Education Oversight Committee on the implementation of this Article and the educational performance of children with disabilities. The report may be filed electronically. Each annual report shall include the following information:

(1) ~~a~~ A copy of the following documents that were submitted, received, or made public during the year:

~~(i)~~a. ~~the~~ The most recent State performance plan and any amendments to that plan submitted to the Secretary of ~~Education,~~Education.

~~(ii)~~b. ~~compliance~~ Compliance and monitoring reports submitted to the Secretary of ~~Education,~~Education.

~~(iii)~~c. ~~the~~ The annual report submitted to the Secretary of Education on the performance of the State under its performance ~~plan, and~~ plan.

~~(iv)~~d. ~~any~~ Any other information required under IDEA to be made available to the public. ~~In addition, the annual report shall include~~

(2) ~~an~~ An analysis of the educational performance of children with disabilities in the State and a summary of disputes under Part 1D of this Chapter. ~~The report shall be filed no later than October 15 each year and may be filed electronically.~~

(3) Development and implementation of any policies related to improving outcomes for elementary and secondary school students with disabilities, including any changes related to the directives set forth in Section 8.30 of S.L. 2015-241 as follows:

a. Reforms related to IEP requirements.

b. Transition services for students with disabilities from elementary to middle school, middle to high school, and high school to postsecondary education, and for employment opportunities and adult living options.

c. Increased access to Future Ready Core Course of Study for students with disabilities.

d. Model programs for use by local school administrative units to improve graduation rates and school performance of students with disabilities."

SECTION 6.(b) Section 8.30(b) of S.L. 2015-241 is repealed.

SECTION 7.(a) G.S. 115C-156.2(b) reads as rewritten:

"(b) Beginning in ~~2017,~~ 2019, the State Board of Education shall report to the Joint Legislative Education Oversight Committee by November 15 of each year on the following information:

(1) The number of students in career and technical education courses who earned (i) community college credit and (ii) related industry certifications and credentials.

(2) Implementation of high school diploma endorsements, including adding (i) college, (ii) career, and (iii) college and career endorsements to high school diplomas, through evaluation of at least the following data:

a. Impact on the rates of high school graduation, college acceptance and remediation, and post-high school employment.

b. Beginning with the 2019-2020 school year, the number of students who had to retake a nationally norm-referenced college admissions test to meet the reading benchmark score required by G.S. 115C-12(40) to receive a high school diploma endorsement and the number of students who were not awarded a high school diploma endorsement solely because of the inability to meet the benchmark score for reading required by G.S. 115C-12(40)."

SECTION 7.(b) Section 1(b) of S.L. 2013-1, as amended by Section 16.1 of S.L. 2013-410, Section 89 of S.L. 2014-115, and Section 48(d) of S.L. 2017-102, reads as rewritten:

"**SECTION 1.(b)** The State Board of Education shall make high school diploma endorsements, as provided under this section, available to students graduating from high school beginning with the 2014-2015 school year. The State Board of Education shall report to the Joint Legislative Education Oversight Committee on the progress toward establishing specific college and career endorsements for high school diplomas and for awarding these endorsements by February 1, 2014. ~~The State Board of Education shall submit the report on the impact of awarding the high school endorsements on high school graduation, college acceptance and remediation, and post-high school employment rates by November 15, 2016, and annually thereafter.~~"

SECTION 7.(c) G.S. 115C-12(40) reads as rewritten:

"(40) To Establish High School Diploma Endorsements. – The State Board of Education shall establish, implement, and determine the impact of adding (i) college, (ii) career, and (iii) college and career endorsements to high school diplomas to encourage students to obtain requisite job skills necessary for students to be successful in a wide range of high-quality careers and to reduce the need for remedial education in institutions of higher education. These

endorsements shall reflect courses completed, overall grade point average, reading achievement, and other criteria as developed by the State Board of Education. A student shall only receive a high school diploma endorsement if that student receives on a nationally norm-referenced college admissions test for reading, either administered under G.S. 115C-174.11(c)(4) or as an alternative nationally norm-referenced college admissions test approved by the State Board, at least the benchmark score established by the testing organization that represents the level of achievement required for students to have approximately a fifty percent (50%) chance of obtaining a grade B or higher or a seventy-five percent (75%) chance of obtaining a grade C or higher in a corresponding credit-bearing, first-year college course. A student may retake a nationally norm-referenced test as many times as necessary to achieve the required benchmark score for reading in order to receive a high school diploma endorsement prior to the student's graduation. The State Board of Education shall report annually to the Joint Legislative Education Oversight Committee on ~~(i) the impact of awarding these endorsements on high school graduation, college acceptance and remediation, and post-high school employment rates; (ii) the number of students who had to retake a nationally norm-referenced college admissions test to meet the reading benchmark score required by this subdivision to receive a high school diploma endorsement; and (iii) the number of students who were not awarded a high school diploma endorsement solely because of the inability to meet the benchmark score for reading as required by this subdivision.~~ high school diploma endorsements in accordance with G.S. 115C-156.2."

SECTION 8.(a) G.S. 115D-5(f) reads as rewritten:

"(f) A community college may not offer a new program without the approval of the State Board of Community Colleges except that approval shall not be required if the tuition for the program will fully cover the cost of the program. If at any time tuition fails to fully cover the cost of a program that falls under the exception, the program shall be discontinued unless approved by the State Board of Community Colleges. If a proposed new program would serve more than one community college, the State Board of Community Colleges shall perform a feasibility study prior to acting on the proposal. The State Board of Community Colleges shall consider whether a regional approach can be used when developing new programs and, to the extent possible, shall initiate new programs on a regional basis.

The State Board of Community Colleges shall ~~report~~ collect data on an annual basis ~~to the Governor, Lieutenant Governor, the Speaker of the House of Representatives, and the Joint Legislative Commission on Governmental Operations,~~ on all new programs and program terminations it approved and any regionalization of programs during the ~~year. The report shall include~~ year, including the specific reasons for which each program was terminated or approved."

SECTION 8.(b) Section 8.2 of S.L. 2002-126 reads as rewritten:

"**SECTION 8.2.** It is the intent of the General Assembly to increase the number of regional program offerings in community colleges and to reduce duplication of programs by colleges that are within reasonably close proximity to each other; therefore, the State Board of Community Colleges shall review existing programs to determine which of the existing programs can be offered regionally. ~~In developing new programs, the State Board of Community Colleges shall consider whether a regional approach can be used, and to the extent possible, shall initiate new programs on a regional basis.~~

~~The State Board of Community Colleges shall report on an annual basis to the Governor, Lieutenant Governor, the Speaker of the House of Representatives, and the Joint Legislative Education Oversight Committee on all new programs it approved and on the progress made on regional programs during the year. The report shall include the specific reasons for which each~~

~~new program was approved, a progress report on regionalization of programs, and a list of program terminations approved by the State Board.~~"

SECTION 9. G.S. 115D-5(b2) reads as rewritten:

"(b2) Beginning February 1, 2018, and annually thereafter, the ~~State Board of~~ Community Colleges System Office shall report to the Joint Legislative Education Oversight Committee on the number and type of waivers granted pursuant to subsection (b) of this section."

SECTION 10.(a) G.S. 115C-238.55 reads as rewritten:

"**§ 115C-238.55. Evaluation of cooperative innovative high schools.**

The State Board of Education and the governing Boards shall evaluate the success of students in cooperative innovative high schools approved under this Part. Success shall be measured by high school retention rates, high school completion rates, high school dropout rates, certification and associate degree completion, admission to four-year institutions, postgraduation employment in career or study-related fields, and employer satisfaction of employees who participated in and graduated from the schools. The Boards shall jointly report by March 15 of each year to the Joint Legislative Education Oversight Committee on the evaluation of these schools. The report shall be combined with the evaluation of the Career and College Promise Program required by G.S. 115D-5(x), and the Community Colleges System Office shall be responsible for submitting the combined report to the Committee."

SECTION 10.(b) G.S. 115D-5(x) reads as rewritten:

"(x) In addition to the evaluation of cooperative innovative high schools by the State Board of Education pursuant to G.S. 115C-238.55, the State Board of Community Colleges, in conjunction with the State Board of Education and the Board of Governors of The University of North Carolina, shall evaluate the success of students participating in the Career and College Promise Program, including the College Transfer pathway and the Career and Technical Education pathway. Success shall be measured by high school retention rates, high school completion rates, high school dropout rates, certification and associate degree completion, admission to four-year institutions, postgraduation employment in career or study-related fields, and employer satisfaction of employees who participated in the programs. The Boards shall jointly report by March 15 of each year to the Joint Legislative Education Oversight Committee. The report shall be combined with the evaluation of cooperative innovative high schools required by G.S. 115C-238.55, and the Community Colleges System Office shall be responsible for submitting the combined report to the Committee."

SECTION 11. G.S. 115D-5.1(f) reads as rewritten:

"(f) The ~~State Board~~ Community Colleges System Office shall report ~~on an annual basis~~ no later than September 1 of each year to the Joint Legislative Education Oversight Committee on:

(1) The total amount of funds received by a company under the Customized Training ~~Program;~~Program.

(1a) The types of services sought by the company, whether for new, expanding, or existing industry.

(2) The amount of funds per trainee received by that ~~company;~~company.

(3) The amount of funds received per trainee by the community college delivering the ~~training;~~training.

(4) The number of trainees trained by the company and community ~~college; and~~college.

(5) The number of years that company has been funded."

SECTION 12. G.S. 115D-9(g) reads as rewritten:

"(g) The ~~State Board~~ Community Colleges System Office shall ~~annually~~ report no later than October 1 of each year to the State Building Commission the following:

(1) A list of projects governed by this section.

(2) The estimated cost of each project along with the actual cost.

(3) The name of each person awarded a contract under this section.
(4) Whether the person or business awarded a contract under this section meets the definition of "minority business" or "minority person" as defined in G.S. 143-128.2(g)."

SECTION 13. G.S. 115D-11.6 reads as rewritten:

"**§ 115D-11.6. Apprenticeship Council.**

The State Board of Community Colleges shall appoint an Apprenticeship Council composed of four representatives each from employer and employee organizations respectively and three representatives from the public at large. One State official designated by the Department of Public Instruction and one State official designated by the Department of Commerce shall be a member ex officio of the council, without vote. The terms of office of the members of the Apprenticeship Council shall be designated by the State Board. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his or her predecessor shall be appointed for the remainder of the term. Each member of the Council not otherwise compensated by public moneys, shall be reimbursed for transportation and shall receive such per diem compensation as is provided generally for boards and commissions under the biennial maintenance appropriation acts for each day spent in attendance at meetings of the Apprenticeship Council. The State Board of Community Colleges shall annually appoint one member of the Council to act as its chair.

The Apprenticeship Council shall meet at the call of the State Board of Community Colleges and shall aid the State Board and the Community Colleges System Office in formulating policies for the effective administration of this Article. The Apprenticeship Council shall establish standards for apprentice agreements which in no case shall be lower than those prescribed by this Article, shall recommend rules and regulations to the State Board of Community Colleges as may be necessary to carry out the intent and purposes of this Article, and shall perform other functions as the State Board of Community Colleges may direct. ~~Not less than once a~~ No later than September 1 of each year the Apprenticeship Council shall make a report through the Community Colleges System Office of its activities and findings to the public and to the Joint Legislative Education Oversight ~~Committee on Agriculture and Natural and Economic Resources;~~ Committee, the chairs of the Senate Appropriations Committee on ~~Agriculture, Natural, and Economic Resources;~~ Education/Higher Education, and the chairs of the House of Representatives Appropriations Committee on ~~Agriculture and Natural and Economic Resources.~~Education."

SECTION 14. G.S. 126-8.3(c) reads as rewritten:

"(c) The State Human Resources Commission, the ~~State Board of Education,~~ Department of Public Instruction, and the ~~State Board of~~ Community Colleges System Office and all State agencies, departments, and institutions shall annually report to the Office of State Human Resources on the voluntary shared leave program. For the prior fiscal year, the report shall include the total number of days or hours of vacation leave and sick leave donated and used by voluntary shared leave recipients and the total cost of the vacation leave and sick leave donated and used."

SECTION 15. Section 8.21(e) of S.L. 2013-360 reads as rewritten:

"**SECTION 8.21.(e)** TFA shall submit ~~quarterly~~ biannual updates on the information contained in the annual report required by this section to the offices of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Chairs of the Senate Appropriations/Base Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Subcommittee on Education, and the Fiscal Research Division."

SECTION 16. G.S. 115C-174.12(e) reads as rewritten:

"(e) By ~~November 1~~ December 15 of each year, the State Board of Education shall submit a report to the Joint Legislative Education Oversight Committee containing information regarding the statewide administration of the testing program, including the number and type of

tests and the testing schedule, and a summary of any local testing programs reported by local boards of education to the State Board of Education in accordance with subsection (d) of this section."

SECTION 17. G.S. 115C-218.110(b) reads as rewritten:

"(b) The State Board of Education shall review and evaluate the educational effectiveness of the charter schools authorized under this Article and the effect of charter schools on the public schools in the local school administrative unit in which the charter schools are located. The Board shall report annually no later than ~~January 15~~ February 15 to the Joint Legislative Education Oversight Committee on the following:

(1) The current and projected impact of charter schools on the delivery of services by the public schools.

(2) Student academic progress in the charter schools as measured, where available, against the academic year immediately preceding the first academic year of the charter schools' operation.

(3) Best practices resulting from charter school operations.

(4) Other information the State Board considers appropriate."

SECTION 18. This act is effective when it becomes law.

VISITOR REGISTRATION SHEET

EDUCATION/HIGHER EDUCATION
(Committee Name)

04-03-2019
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Amanda Doreen	KTS
Michael Burkhill	NCGH
Claudia Mamula	Governor
Sarah McQuinn	KCA

VISITOR REGISTRATION SHEET

EDUCATION/HIGHER EDUCATION
(Committee Name)

04-03-2019
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Laura Dell	DeVine & Sams
Angel Sams	DeVine & Sams
Hal Davis Jr.	NCSBA
James Norment	Ward and Smith
Richard Bostic	NCSBA
Greg LaVallee	DuRant Road middle School student
Tim Lavallee	WakeEd Partnership
Leah Sutton	Best NC
Allison Goff	Hunt Institute
Lee Teague	TAG
Susan Harrelson	NCDTSEA

VISITOR REGISTRATION SHEET

EDUCATION/HIGHER EDUCATION
(Committee Name)

04-03-2019
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Lauren Clark	NC State University
Cameron Hanley	MVA
Heung Hur	Mens and Observer
Rhaegan Jackson	FPA
Keri Burno	NWC
Amy Ruth	UNC-Gtt
Ed [illegible]	BP

VISITOR REGISTRATION SHEET

EDUCATION/HIGHER EDUCATION
(Committee Name)

04-03-2019
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Amanda Donovan	KTS
Michael Burch II	NC GA
Clarke Rosemaker	Governor's Office
Sarah McQuinn	KCA

VISITOR REGISTRATION SHEET

EDUCATION/HIGHER EDUCATION
(Committee Name)

04-03-2019
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Laura Duff	DeVito & Sams
Angel Sams	DeVito & Sams
Hal Davis Jr.	NCSBA
James Norment	Ward and Smith
Richard Bostic	NCSBA
Greg Lavallee	DuRant Road middle School student
Tim Lavallee	WakeEd Partnership
Leah Sutton	Best NC
Allison Goff	Hunt Institute
Lee Teague	TAG
Dustin Harrison	NCDTSEA

VISITOR REGISTRATION SHEET

EDUCATION/HIGHER EDUCATION
(Committee Name)

04-03-2019
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Lauren Clark	NC State University
Camera Hanley	MVA
Keung Hui	News and Observer
Rhaegan Jackson	FPA
Keri Brno	NWC
Amy Auth	UNC-CH
Ed [illegible]	[illegible]

SENATE COMMITTEE ON EDUCATION/HIGHER EDUCATION

APRIL 3, 2019 – Room 1027/1128 – 11:00 AM

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Hallet S. Ramsey	NCRSDBA

SENATE COMMITTEE ON EDUCATION/HIGHER EDUCATION

APRIL 3, 2019 – Room 1027/1128 – 11:00 AM

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Hallet S. Ramsey	NEKSDA

Senate Committee on Education/Higher Education
Wednesday, April 10, 2019, 11:00 AM
1027/1128 Legislative Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
SB 376	NC Patriot Star Family Scholarship/Funds.	Senator Brown Senator Perry Senator Sanderson
SB 391	Expand Youth Internship Opportunities.	Senator Ballard Senator Gunn Senator Newton
SB 392	Superint. May Approve Charter Facility Bonds.	Senator Ballard Senator Brown Senator Newton
SB 476	Reaffirm Local Control of Discipline Policies.	Senator Horner Senator Tillman Senator Ballard
SB 219	Modify Teacher Licensing Requirements.	Senator McInnis Senator Tillman Senator Johnson

Other Business

State Board of Community Colleges Nomination

Adjournment

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, April 10, 2019

Senator Tillman,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

SB **376** NC Patriot Star Family Scholarship/Funds.
- Draft Number: S376-PCS15317-RQ-4
- Sequential Referral: Appropriations/Base Budget
- Recommended Referral: None
- Long Title Amended: No

SB **391** Expand Youth Internship Opportunities.
- Draft Number: S391-PCS15318-BN-10
- Sequential Referral: Rules and Operations of the Senate
- Recommended Referral: None
- Long Title Amended: No

SB **392** Superint. May Approve Charter Facility Bonds.
- Draft Number: S392-PCS15315-TC-12
- Sequential Referral: Rules and Operations of the Senate
- Recommended Referral: Finance
- Long Title Amended: No

SB **476** Reaffirm Local Control of Discipline Policies.
- Draft Number: S476-PCS15316-TC-13
- Sequential Referral: Rules and Operations of the Senate
- Recommended Referral: None
- Long Title Amended: No

TOTAL REPORTED: 4

Senator Harry Brown will handle SB 376
Senator Deanna Ballard will handle SB 391
Senator Deanna Ballard will handle SB 392
Senator Rick Horner will handle SB 476

Senate Committee on Education/Higher Education
Wednesday, April 10, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on April 10, 2019 in Room 1027/1128 of the Legislative Building. 14 members were present.

Senator Jerry W. Tillman, presiding chair, called the meeting to order.

Chairman Tillman recognized Scoot Shook, candidate for nomination to the State Board of Community Colleges. Mr. Shook introduced himself to the committee members. Senator Davis was recognized and spoke in support of Mr. Shook. Senator Davis moved for a motion in support of the recommendation to the Senate the nomination of Mr. Shook. The motion passed.

Senator Tillman introduced the pages and sergeant-at-arms. The following bills were considered:

SB 376 NC Patriot Star Family Scholarship/Funds. (Senators Brown, Perry, Sanderson) Senator Brown was recognized to explain SB 376. Senator Ballard sent forth an amendment. The Chair recognized Senator Ballard to explain the amendment. The amendment was accepted by the committee. Senator Davis moved to roll the amendment into a PCS, with a favorable report as to the PCS, as amended; unfavorable to the original bill. Sen. Brown recommended a referral to Senate Appropriations/Base Budget. The motion passed.

SB 391 Expand Youth Internship Opportunities. (Senators Ballard, Gunn, Newton) Senator Ballard was recognized to explain SB 391. Senator Ballard sent forth an amendment. The Chair recognized Senator Ballard to explain the amendment. Senator McInnis moved for the adoption of the amendment. The motion passed. Senator Foushee moved to roll the amendment into a PCS, with a favorable report as to the PCS, as amended; unfavorable to the original bill with a referral to Senate Rules. The motion passed. The Chair recognized Joseph Phillips, Vice President Smith-Rowe, LLC and Travis Reeves, Superintendent Surry County Schools, who both spoke in favor of the bill.

SB 392 Various Charter School Changes. (Senators Ballard, Brown, Newton) Senator Ballard was recognized to explain SB 392. Senator Ballard sent forth an amendment. The Chair recognized Senator Ballard to explain the amendment. Senator Krawiec moved for the adoption of the amendment. The motion passed. Chairman Tillman recognized Kara McCraw, NCGA Legislative Analysis, to explain the bill. Mary Nash Rusher, McGuire Woods, was recognized to speak towards the bill. Senator Krawiec moved to roll the amendment into a PCS, with a favorable report as to the PCS, as amended; unfavorable to the original bill with a referral to Senate Rules and Finance. The motion passed.

SB 476 Compt-Based Assess. & Mental Hlth/Teen Viol. (Senators Horner, Tillman, Ballard) Senator Horner was recognized to explain SB 476. Senator Horner sent forth an

amendment. The Chair recognized Senator Horner to explain the amendment. Senator Davis moved for the adoption of the amendment. The motion passed. . Senator Newton moved to roll the amendment into a PCS, with a favorable report as to the PCS, as amended; unfavorable to the original bill with a referral to Senate Rules. The motion passed.

SB 219 Modify Teacher Licensing Requirements. (Senators McInnis, Tillman, Johnson) Senator McInnis was recognized to explain SB 219. The chair recognized Brian Gwynn, NCGA Legislative Analysis, to explain the bill. Cecilia Holden, Director of Legislative Affairs and Special Initiatives, NC State Board of Education and Kevin Wilkinson, Legislative Director, Department of Public Instruction were recognized to speak. **SB 219** was for discussion only.

The meeting adjourned at 11:45.

Senator Jerry W. Tillman, Chair
Presiding

Suzanne Castleberry, Committee Clerk

SENATE BILL 376:
NC Patriot Star Family Scholarship/Funds.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 10, 2019
Introduced by:	Sens. Brown, Perry, Sanderson	**Prepared by:**	Drupti Chauhan Committee Counsel
Analysis of:	First Edition		

OVERVIEW: ***Senate Bill 376 creates the North Carolina Patriot Star Family Scholarship Program to provide scholarships to eligible children and spouses of certain veterans and current members of the Armed Forces to attend postsecondary institutions.***

[As introduced, this bill was identical to H475, as introduced by Reps. Arp, Moore, Bell, Lewis, which is currently in House Education - Universities.]

BILL ANALYSIS: Senate Bill 376 creates the North Carolina Patriot Star Family Scholarship Program (Program) to provide scholarships to eligible children and spouses of certain veterans and current members of the Armed Forces to attend postsecondary institutions. The bill appropriates $500,000 in recurring funds for the 2019-2020 fiscal year to the Board of Governors of The University of North Carolina to then be provided as a grant to the Patriot Foundation for the purpose of establishing the Program.

The Patriot Foundation is responsible for oversight of the Program and ensuring compliance. The Patriot Foundation must also: establish criteria and procedures related to scholarship documentation completion, the amount of individual scholarships, permissible use of scholarship funds, the period of eligibility for award of a scholarship, the conditions for revocation of a scholarship, and any other procedures needed for the administration of the Program.

A scholarship award cannot exceed the cost of attendance at the eligible postsecondary institution and if an eligible individual receives another scholarship or other grant covering the cost of attendance at an eligible postsecondary institution, then the amount of the scholarship awarded through the Program must be reduced so that the sum of all monies received does not exceed the cost of attendance for the postsecondary institution.

The Patriot Foundation must submit an annual report by April 1 of each year in which the Patriot Foundation spends State funds made available through this act to the Joint Legislative Education Oversight Committee and the Fiscal Research Division.

An eligible child is defined as a person who meets all of the following:

- Is attending or has been accepted to enroll in an eligible postsecondary institution.
- Is a legal resident of the State when scholarship documentation is completed. If the child is a dependent of the parent, the child's residency may be established in the State if the parent is an active duty service member permanently stationed in the State at the time of documentation completion.
- Has complied with the requirements of the Selective Service System if applicable.
- Has a parent who is a veteran or a currently serving member of the Armed Forces and the parent meets the following:
    - Meets 1 of the following residency requirements:

- Is a resident of the State at the time of the scholarship documentation completion.
- Was a resident of the State at the time of entrance into service in the Armed Forces.
- Was permanently stationed in the State at the time of his or her death.
- Is an active duty service member permanently stationed in the State at the time of the scholarship documentation completion.

- Meets 1 of the following service requirements:
  - Was a member of the Armed Forces who was killed in action or in the line of duty, or died of wounds or other causes not due to the person's willful misconduct during a period of war or national emergency.
  - Was a member of the Armed Forces who died of service-connected injuries, wounds, illness, or other causes incurred or aggravated while a member of the Armed Forces during a period of war or national emergency.
  - Is a veteran of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war or national emergency and is receiving compensation for a wartime service-connected disability of at least 50% as rated by the US Department of Veterans Affairs.
  - Is a current member of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war or national emergency.

An eligible spouse is defined as a person who meets all of the following:

- Is attending or has been accepted to enroll in an eligible postsecondary institution.
- Is a legal resident of the State when scholarship documentation is completed.
- Has complied with the requirements of the Selective Service System, if applicable.
- Whose spouse was a member of the Armed Forces who was killed in action or the line of duty, or died of wounds or other causes not due to the service member's willful misconduct during a period of war or national emergency.

An eligible postsecondary institution is any of the following:

- A constituent institution of The University of North Carolina.
- A community college in the North Carolina Community College System.
- A private educational institution that is an institution that is located in the State, is not for profit, and whose curriculum is primarily directed toward the awarding of associate, baccalaureate or graduate degrees.
- An accredited private vocational institution.

EFFECTIVE DATE: The bill becomes July 1, 2019.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 376*

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

S376-ARQ-3 [v.1]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Ballard

moves to amend the bill on page 2, line 47, by deleting the word "insuring" and replacing it with the word "ensuring";

and on page 3, line 6, by adding the following at the end of the line:

"or eligible spouse".

SIGNED Dawn M Ballard
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

S376-ARQ-3-V-1

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SENATE BILL 376*

Short Title:	NC Patriot Star Family Scholarship/Funds.	(Public)
Sponsors:	Senators Brown, Perry, and Sanderson (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

March 28, 2019

A BILL TO BE ENTITLED

AN ACT TO ENACT THE NORTH CAROLINA PATRIOT STAR FAMILY SCHOLARSHIP ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Establishment of the Scholarship Program. – There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of five hundred thousand dollars ($500,000) in recurring funds for the 2019-2020 fiscal year to be provided as a grant to the Patriot Foundation for the purpose of establishing the North Carolina Patriot Star Family Scholarship Program (Program). The Program shall provide scholarships to eligible children and eligible spouses of certain veterans and currently serving members of the Armed Forces to attend eligible postsecondary institutions in accordance with the requirements of this act.

SECTION 2. Definitions. – For the purposes of this act, the following definitions apply:

(1) Armed Forces. – A component of the United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including their reserve components.

(2) Eligible child or eligible children. – Any person (i) who is attending or has been accepted to enroll in an eligible postsecondary institution, (ii) who is a legal resident of North Carolina when scholarship documentation is completed, provided that if a child is claimed as a dependent by the child's parent, residency may be established based on a parent meeting sub-sub-subdivision 4. of sub-subdivision a. of this subdivision, (iii) has complied with the requirements of the Selective Service System, if applicable, and (iv) whose parent is a veteran or a currently serving member of the Armed Forces that meets the following:

a. Meets one of the following residency conditions:

1. Is a resident of North Carolina at the time of scholarship documentation completion.
2. Was a resident of North Carolina at the time of entrance into service in the Armed Forces.
3. Was permanently stationed in North Carolina at the time of his or her death.
4. Is an active duty service member permanently stationed in North Carolina at the time of documentation completion.

b. Meets one of the following service conditions:

1. Was a member of the Armed Forces who was killed in action or in the line of duty, or died of wounds or other causes not due to the service member's willful misconduct during a period of war or national emergency.
2. Was a member of the Armed Forces who died of service-connected injuries, wounds, illness, or other causes incurred or aggravated while a member of the Armed Forces during a period of war or national emergency. Standard documentation of the parent's death, wounds, injury, or illness must be supplied by a scholarship recipient at the time of scholarship request.
3. Is a veteran of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war or national emergency and is receiving compensation for a wartime service-connected disability of at least fifty percent (50%) as rated by the U.S. Department of Veterans Affairs.
4. Is a current member of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war or national emergency. The parent's traumatic wounds, injury, or major illness must be documented by the U.S. Department of Defense.

(3) Eligible spouse. – Any person (i) who is attending or has been accepted to enroll in an eligible postsecondary institution, (ii) who is a legal resident of North Carolina when scholarship documentation is completed, (iii) has complied with the requirements of the Selective Service System, if applicable, and (iv) whose spouse was a member of the Armed Forces who was killed in action or the line of duty, or died of wounds or other causes not due to the service member's willful misconduct during a period of war or national emergency.

(4) Eligible postsecondary institution. – A school that is any of the following:
a. A constituent institution of The University of North Carolina.
b. A community college under the jurisdiction of the State Board of Community Colleges.
c. A private educational institution as defined in G.S. 143B-1224.
d. An accredited, private vocational institution.

(5) Veteran. – An individual who has served and is no longer serving in the Armed Forces of the United States. For the purposes of this act, the veteran must have separated from the Armed Forces under honorable conditions or whose death or disability of at least fifty percent (50%) or more was incurred as a direct result of service in the line of duty.

SECTION 3. Administration; Awards. – Within the funds made available by this act, the Patriot Foundation shall administer the North Carolina Patriot Star Family Scholarship Program and award scholarships to eligible children and eligible spouses in accordance with this act. In administering the Program, the Patriot Foundation shall be responsible for program oversight insuring compliance with the provisions of this act.

The Patriot Foundation shall, at a minimum, establish criteria and procedures related to scholarship documentation completion, the amount of individual scholarships, the permissible uses of scholarship funds, the period of eligibility for award of a scholarship, the conditions for a revocation of a scholarship, and any other procedures it deems necessary for administration of

the Program. A scholarship awarded to an eligible child or eligible spouse shall not exceed the cost of attendance at the eligible postsecondary institution.

If an eligible child or eligible spouse receives a scholarship or other grant covering the cost of attendance at an eligible postsecondary institution for which the scholarship is awarded, then the amount of a scholarship awarded under this act shall be reduced so that the sum of all grants and scholarships covering the cost of attendance received by the eligible child does not exceed the cost of attendance for the institution. For the purposes of this section, cost of attendance shall be deemed to include monies for tuition, fees, books, supplies, and equipment required for study at an eligible postsecondary institution, as well as room and board as long as the scholarship recipient is enrolled as at least a half-time student at the institution. Off-campus housing costs for room and board are also included to the extent the eligible postsecondary institution includes it in its cost of attendance.

SECTION 4. Reporting. – The Patriot Foundation shall submit a report by April 1 of each year in which the Patriot Foundation spends State funds made available pursuant to this act to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the activities described by this act and the use of the State funds.

SECTION 5. This act becomes effective July 1, 2019.

SENATE BILL 391:
Expand Youth Internship Opportunities.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 10, 2019
Introduced by:	Sens. Ballard, Gunn, Newton	**Prepared by:**	Samantha Yarborough Staff Attorney
Analysis of:	First Edition		

OVERVIEW: ***Senate Bill 391 would provide a limited exception to the prohibition on youth participating in occupations found detrimental by the Commissioner of Labor when the youth is participating in a supervised, practice experience.***

CURRENT LAW: G.S. 95-25.5 governs the employment of people under the age of 18 (youths). G.S. 95.5(b) states that no youth can be employed in an occupation which the US Department of Labor has declared to be hazardous and without exemption under the Fair Labor Standards Act (FLSA). The FLSA allows for limited exceptions to the prohibition on youth labor in hazardous occupations, such as when the youth is part of an apprenticeship or student-learner program.

Additionally, under G.S. 95.5(b), no youth can be employed in an occupation which the North Carolina Commissioner of Labor has found and declared to be detrimental to the health and well-being of youths.

The Commissioner of Labor has declared the following occupations to be detrimental to youths:

- Welding, brazing, and torch cutting.
- Any process where quartz or any other form of silicon dioxide or asbestos silicate is present in powdered form.
- Any work involving exposure to lead or any of its compounds in any form.
- Any work involving exposure to benzene or any benzene compound that is volatile or can penetrate the skin.
- Occupations in canneries, seafood, and poultry processing that involve cutting or slicing machines, or freezing or packaging activities.
- Any work which involves the risk of falling a distance of 10 feet or more, including ladders and scaffolds.
- Any work as an electrician or an electrician's helper.
- Any work in confined spaces.
- Occupations requiring the use of respirators.

BILL ANALYSIS: Senate Bill 391 would create an exception to the prohibition on youth participating in occupations found detrimental by the Commissioner of Labor (occupations) for youth aged 16 to 18 who are participating in a supervised, practice experience. To be eligible for this exception, all of the following conditions would have to be met: (i) the youth is enrolled in a public or nonpublic school that is partnering with an employer to offer the supervised, practice experience for the occupation, and (ii) that public or nonpublic school has entered into a written agreement with that employer for the operation of the supervised, practice experience for the occupation that includes at least the following terms:

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

- The work is incidental to the youth's supervised, practice experience for the occupation.
- The work is intermittent and for short periods of time.
- The work is performed under direct and close supervision of a qualified and experienced person.
- The employer must give safety instructions and training to the youth before performing the work.
- The employer has prepared a schedule of organized and progressive work processes to be performed by the youth.

The terms of the written agreement would be consistent with the guidance provided in Child Labor Bulletin 101, published by the US Department of Labor, Wage and Hour Division.

EFFECTIVE DATE: This act would be effective when it becomes law and would apply to participation of youth in practical experience programs on or after that date.

BACKGROUND: Guidance on the employment of youths through an apprenticeship or student-learner program can be found in Child Labor Bulletin 101, published by the US Department of Labor, Wage and Hour Division. That document can be found at the following link:
https://www.dol.gov/whd/regs/compliance/childlabor101.pdf

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 391

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

S391-ABN-31 [v.1]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Ballard

moves to amend the bill on page 1, lines 17-21, by rewriting the lines to read:

"(2) The employer submits to the Commissioner of Labor the written agreement between the employer and the public or nonpublic school where the youth is enrolled that governs the operation of the supervised, practice experience for the occupation. The written agreement shall include at least the following:".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

SENATE BILL 391

Short Title:	Expand Youth Internship Opportunities.	(Public)
Sponsors:	Senators Ballard, Gunn, and Newton (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

March 28, 2019

A BILL TO BE ENTITLED

AN ACT TO PROVIDE A LIMITED EXCEPTION TO THE PROHIBITION ON YOUTH PARTICIPATING IN SUPERVISED, PRACTICE EXPERIENCES WITH EMPLOYERS IN OCCUPATIONS FOUND DETRIMENTAL BY THE COMMISSIONER OF LABOR UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 95-25.5 is amended by adding a new subsection to read:

"(k1) Youth, who are at least 16 years of age but less than 18 years of age, who participate in a supervised, practice experience in an occupation with an employer are exempt from the prohibition from occupations found and declared to be detrimental to the health and well-being of youth by the Commissioner of Labor pursuant to subsection (b) of this section, if all of the following conditions are met:

(1) The youth is enrolled in a public school or a nonpublic school that meets the requirements of Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes that is partnering with the employer to offer the supervised, practice experience for the occupation.

(2) The public or nonpublic school in which the youth is enrolled has entered into a written agreement with the employer for the operation of the supervised, practice experience for the occupation that includes at least the following terms regarding the work of the occupation found to be detrimental by the Commissioner of Labor:

a. The work is incidental to the youth's supervised, practice experience for the occupation.

b. The work is intermittent and for short periods of time.

c. The work is performed under direct and close supervision of a qualified and experienced person.

d. The employer shall give safety instructions and training to the youth before performing the work.

e. The employer has prepared a schedule of organized and progressive work processes to be performed by the youth.

The terms of the written agreement required by subdivision (2) of this subsection shall be consistent with the guidance provided in Child Labor Bulletin 101, *Child Labor Provisions for Nonagricultural Occupations under the Fair Labor Standards Act*, published by the United States Department of Labor, Wage and Hour Division, effective November 2016, and any subsequent revisions published for that document."

SECTION 2. This act is effective when it becomes law and applies to participation of youth in practical experience programs on or after that date.

SENATE BILL 392:
Superint. May Approve Charter Facility Bonds.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 10, 2019
Introduced by:	Sens. Ballard, Brown, Newton	**Prepared by:**	Kara McCraw Committee Counsel
Analysis of:	First Edition		

OVERVIEW: SB 392 would authorize the Superintendent of Public Instruction to approve issuance of private activity bonds for charter school facilities after a public hearing.

CURRENT LAW: Under the Internal Revenue Code, a qualified private activity bond is a type of tax-exempt bond that state and local governments may issue to finance certain projects that would otherwise be classified as private activities. These include nonprofit corporations carrying out charitable purposes, including education. 26 U.S.C. 145. The governmental body has authority to serve as a "conduit" issuer, but has no liability for the repayment of the debt, and only acts as an issuer so that the private activity bonds can be tax exempt. Article 2 of Chapter 159D of the General Statutes establishes the North Carolina Capital Facilities Finance Agency as an issuer in North Carolina for these types of conduit bonds. There are also governmental entities such as the Public Finance Authority in Wisconsin that issue conduit bonds for public and private entities throughout all 50 states.

The Internal Revenue Code, 26 U.S.C. 147(f), requires that qualified private activity bonds receive public approval by both the governmental entity issuing the bonds (issuer approval) and a governmental entity having jurisdiction over the area in which the bond-financed facility is to be located (host approval). Public approval may be satisfied by approval of an applicable elected representative of the approving government unit following a public hearing for which there was reasonable public notice, or by a voter referendum. 26 U.S.C. 147(f). An "applicable elected official" includes an official elected by the voters of the governmental unit and authorized by State law to provide such approval. 26 U.S.C. 147(f)(2)(E)(i)(II).

BILL ANALYSIS: SB 392 would designate the Superintendent of Public Instruction as an applicable elected representative under the Internal Revenue Code who may approve issuance of a private activity bond to finance a charter school facility, following a public hearing conducted in accordance with the Internal Revenue Code and applicable State and federal laws and regulations.

EFFECTIVE DATE: SB 392 would become effective when it becomes law.

Karen Cochrane-Brown
Director

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 392

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

S392-ATC-22 [v.1]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Ballard

moves to amend the bill on page 1, line 15, by rewriting that line to read:

"as defined in section 147(f)(2) of the Internal Revenue Code (26 U.S.C. 147(f)(2)).";

and on page 1, line 19, by rewriting that line to read:

"accordance with Section 147(f) of the Internal Revenue Code (26 U.S.C. 147(f)) and applicable State and federal laws ".

SIGNED Dana M. Ballard
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SENATE BILL 392

Short Title:	Superint. May Approve Charter Facility Bonds.	(Public)
Sponsors:	Senators Ballard, Brown, and Newton (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

March 28, 2019

A BILL TO BE ENTITLED

AN ACT TO DESIGNATE THE SUPERINTENDENT OF PUBLIC INSTRUCTION AS AN APPLICABLE ELECTED REPRESENTATIVE WHO MAY PROVIDE PUBLIC APPROVAL OF ONE OR MORE PRIVATE ACTIVITY BONDS TO FINANCE OR REFINANCE A CHARTER SCHOOL FACILITY.

The General Assembly of North Carolina enacts:

SECTION 1. Article 14A of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-218.37. Public approval for private activity bonds.**

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

(1) Charter school facility. – Real property, personal property, or both that is used or intended for use in connection with the operation of a charter school.

(2) Applicable elected representative. – An elected official of a governmental unit having jurisdiction over the area in which a charter school facility is located, as defined in the Internal Revenue Code.

(b) The Superintendent of Public Instruction is hereby designated as an applicable elected representative who may approve the issuance of one or more private activity bonds to finance or refinance a charter school facility, after a public hearing following reasonable public notice, in accordance with Section 147 of the Internal Revenue Code and applicable State and federal laws and regulations. Procedures for the public hearing shall be determined by the Superintendent of Public Instruction, and the public hearing shall be conducted by the Superintendent or his or her designee."

SECTION 2. This act is effective when it becomes law.

SENATE BILL 476:
Reaffirm Local Control of Discipline Policies.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 10, 2019
Introduced by:	Sens. Horner, Tillman, Ballard	**Prepared by:**	Kara McCraw and Drupti Chauhan Committee Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 476 directs local boards of education to repeal any student discipline policies based on policy and guidance promulgated by the United States Department of Justice (DOJ) and the United States Department of Education (DOE) on January 8, 2014 and withdrawn by those agencies on December 21, 2018. The bill also requires input from various stakeholders when local boards of education adopt policies on the conduct of students.

CURRENT LAW: Local boards of education must adopt policies that govern the conduct of students and establish procedures to be followed by school official in disciplining students. The policies must be consistent with the provisions of the discipline statutes in Chapter 115C of the General Statutes, and the constitutions, statutes, and regulations of the United States and the State of North Carolina.

BILL ANALYSIS: Senate Bill 476 directs local boards of education to repeal any student discipline policies based on policy and guidance promulgated by the DOJ and the DOE on January 8, 2014 and withdrawn by those agencies on December 21, 2018. Local boards of education must adopt student discipline policies in consultation with teachers, school-based administrators, parents, and local law enforcement agencies. The policies must be based on local standards of conduct and do not have to be consistent with interpretations of federal law which were promulgated by federal agencies and then withdrawn by those agencies.

The bill also requires each local board of education to provide a copy of its most up-to-date student discipline policies by September 1 of each year to the Department of Public Instruction.

EFFECTIVE DATE: The bill becomes effective when it becomes law and applies beginning with the 2019-2020 school year. The consultation requirement with stakeholders when adopting policies and basing the policies on local standards of conduct would apply to student discipline policies adopted on or after the effective date of this act.

BACKGROUND: On January 8, 2014, the DOJ and DOE issued guidance to public elementary and secondary schools about administering school discipline without discriminating on the basis of race, color, or national origin (Guidance) under Title IV of the Civil Rights Act of 1964 and Title VI of the Civil Rights Act of 1964. The Guidance summarized the schools' obligations to avoid and address racial discrimination in the administration of student discipline.

Karen Cochrane-Brown
Director

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 476

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

S476-ATC-20 [v.1]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Horner

moves to amend the bill on page 2, line 8, by deleting the word "policy."" and substituting in its place the word "policies."".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

SENATE BILL 476

Short Title:	Reaffirm Local Control of Discipline Policies.	(Public)
Sponsors:	Senators Horner, Tillman, and Ballard (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

April 3, 2019

A BILL TO BE ENTITLED

AN ACT TO REAFFIRM LOCAL CONTROL OVER STUDENT DISCIPLINE POLICIES NOT INCONSISTENT WITH STATE AND FEDERAL LAW.

Whereas, it is the intent of the General Assembly, in accordance with Article 27 of Chapter 115C of the General Statutes, to create and maintain a safe and orderly school environment in which students are taught to respect themselves, others, and property, and to conduct themselves in a manner that fosters their own learning and the learning of those around them; and

Whereas, the General Assembly believes that, in order to achieve these goals, teachers, parents, local boards of education, and community stakeholders must play a significant role in developing and enforcing student discipline policies adopted in their local school administrative units; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1.(a) Local boards of education with student discipline policies based on any of the following statements of policy and guidance, promulgated by the United States Department of Justice and the United States Department of Education on January 8, 2014, and withdrawn by those same agencies on December 21, 2018, shall repeal those policies and adopt new policies in accordance with local standards of conduct, Article 27 of Chapter 115C of the General Statutes, and current federal law:

(1) Dear Colleague Letter on Nondiscriminatory Administration of School Discipline, dated January 8, 2014.
(2) Overview of the Supportive School Discipline Initiative, dated January 8, 2014.
(3) Guiding Principles: A Resource Guide for Improving School Climate and Discipline, dated January 8, 2014.
(4) Appendix 1: U.S. Department of Education Directory of Federal School Climate and Discipline Resources, dated January 8, 2014.
(5) Appendix 2: Compendium of School Discipline Laws and Regulations for the 50 States, Washington, D.C., and Puerto Rico, dated January 8, 2014.
(6) School Discipline Guidance Package FAQs, dated January 8, 2014.

SECTION 1.(b) Student discipline policies adopted in accordance with this section shall comply with all applicable State and federal statutory and constitutional nondiscrimination requirements.

SECTION 1.(c) G.S. 115C-390.2(a) reads as rewritten:

"(a) Local boards of ~~education~~education, in consultation with teachers, school-based administrators, parents, and local law enforcement agencies, shall adopt policies to govern the

conduct of students and establish procedures to be followed by school officials in disciplining students. These policies shall be based on local standards of conduct and must be consistent with the provisions of this Article and the constitutions, statutes, and regulations of the United States and the State of North Carolina. These policies need not be consistent with interpretations of federal law promulgated by federal agencies that have been withdrawn by those agencies."

SECTION 1.(d) G.S. 115C-390.2 is amended by adding a new subsection to read:

"(a1) No later than September 1 of each year, each local board of education shall provide the Department of Public Instruction with a copy of its most up-to-date student discipline policy."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2019-2020 school year. Sections 1(b) and 1(c) of this act apply to student discipline policies adopted on or after the effective date of this act.

SENATE BILL 219:
Modify Teacher Licensing Requirements.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 10, 2019
Introduced by:	Sens. McInnis, Tillman, Johnson	**Prepared by:**	Brian Gwyn Committee Co-Counsel
Analysis of:	PCS to First Edition S219-CSBE-15		

OVERVIEW: ***Senate Bill 219 would make various changes to the teacher licensure statutes. The PCS would require the State Board of Education (State Board) to monitor teachers' compliance with licensure exam requirements and would prohibit the State Board from converting a teacher's initial professional license (IPL) to a continuing professional license (CPL) until all licensure exam requirements are met. Additionally, the PCS would create a new teaching license for individuals who do not meet the criteria for a CPL due to a failure to fulfill the licensure exam requirements.***

CURRENT LAW: Under G.S. 115C-270.20, a CPL is a five-year renewable license issued to a teacher who has at least three years of licensed teaching experience, and who meets other requirements set by the State Board. An IPL is a three-year nonrenewable license issued to an individual who has successfully completed a recognized educator preparation program and meets other requirements set by the State Board.

G.S. 115C-270.15 requires applicants for an IPL to meet minimum scores on a standardized licensure exam in order to demonstrate the applicant's academic and professional preparation. Elementary education (K-6) and special education general curriculum teachers must also meet minimum scores on licensure exams specific to teaching reading and mathematics. Teachers have until the end of their second year of teaching to fulfill the licensure exam requirements, as long as they attempt the exams at least once during their first year of teaching.

BILL ANALYSIS: The PCS to Senate Bill 219 would clarify that the State Board is responsible for monitoring teachers' compliance with the licensure exam requirements established by G.S. 115C-270.15. Additionally, it would clarify that teachers must meet the exam requirements by the end of the second year of their IPL rather than their second year of teaching. The State Board would be prohibited from converting an IPL to a CPL for a teacher who has not fulfilled the testing requirements.

The PCS would create a new teaching license, called a limited license, for certain teachers who are not eligible for a CPL. A limited license would be valid for three years and could be renewed. The limited license could only be requested by the local board of education currently employing the teacher, and would only be valid in that local school administrative unit (LEA). All of the following would be required for the State Board to issue a limited license:

- The teacher was issued an IPL but did not qualify for a CPL due to a failure to fulfill the licensure exam requirements.

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

- The employing local board of education submitted to the State Board an affidavit signed by the teacher's principal and superintendent attesting to the fact that the individual is an effective teacher and will be encouraged to continue to pursue a CPL.
- The teacher's LEA is in either a Tier 1 area, Tier 2 area, or Tier 3 area with a population of less than 100,000.

EFFECTIVE DATE: The PCS would be effective when it becomes law and would apply to applicants for teacher licensure on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 219
PROPOSED COMMITTEE SUBSTITUTE S219-CSBE-16 [v.1]
04/09/2019 05:40:11 PM

Short Title: Modify Teacher Licensing Requirements. (Public)

Sponsors:

Referred to:

March 12, 2019

A BILL TO BE ENTITLED

AN ACT TO MODIFY TEACHER LICENSURE REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-270.15 reads as rewritten:

"**§ 115C-270.15. Examination requirements for initial professional licenses.**

(a) Examination Score Requirements. – The State Board of Education shall require an applicant for an initial professional license (IPL) to demonstrate the applicant's academic and professional preparation by achieving a prescribed minimum score on a standard examination appropriate and adequate for that purpose. Elementary education (K-6) and special education general curriculum teachers shall also achieve a prescribed minimum score on subtests or standard examinations specific to teaching reading and mathematics.

(b) Establishment of Minimum Scores. – The State Board shall adopt rules that establish the minimum scores for any required standard examinations and other measures necessary to assess the qualifications of professional educators as required under this section. For purposes of this section, the State Board shall not be subject to Article 2A of Chapter 150B of the General Statutes. At least 30 days prior to changing any rule adopted under this section, the State Board shall provide written notice to all recognized educator preparation programs and to all local boards of education. The written notice shall include the proposed revised rule. The State Board of Education shall make any required standard initial professional licensure exam rigorous and raise the prescribed minimum score as necessary to ensure that each applicant has received high-quality academic and professional preparation to teach effectively.

(c) Time Line for Completion of Examinations. – The State Board of Education shall permit an applicant to fulfill any such ~~testing~~ examination requirement before or during the ~~applicant's second year of teaching,~~second year of the IPL, provided the applicant took the examination at least once during the first year of ~~teaching.~~the license.

(d) Monitoring Compliance. – For teachers with an IPL, the State Board shall direct the Department of Public Instruction to monitor the teachers' compliance with this section throughout the duration of the IPL. In the event a teacher is not in compliance with any of the requirements of this section, the Department shall notify the teacher.

(e) Conversion to Continuing Professional License. – The State Board shall not convert an IPL to a continuing professional license for a teacher who has not fulfilled the examination requirements of this section."

SECTION 2. G.S. 115C-270.20(a) is amended by adding a new subdivision to read:

"(4a) Limited license. – A three-year renewable license issued to an individual who meets the requirements of this subdivision. A limited license shall only be requested by the local board of education currently employing the individual,

and shall be used for continued employment only in that local school administrative unit. To receive a limited license, the following requirements shall be met:

a. The individual was issued an IPL but did not qualify for a CPL under 115C-270.15(e).

b. The local board of education submits to the State Board an affidavit stating that the teacher is an effective teacher and will be encouraged to continue to pursue a CPL. The affidavit shall be signed by both of the following individuals for the school to which the teacher is currently assigned:

1. The principal.
2. The superintendent.

c. The local school administrative unit in which the teacher is currently employed is located in one of the following:

1. A development tier one area, as defined by G.S. 143B-437.08.
2. A development tier two area, as defined by G.S. 143B-437.08.
3. A development tier three area, as defined by G.S. 143B-437.08, with a population of less than 100,000, according to the most recent federal census."

SECTION 3. This act is effective when it becomes law and applies to applicants for teacher licensure on or after that date.

State Board of Community Colleges

Selection of Nominees - Senate

April 10, 2019

As the members of the Senate Education Committee, we have been charged with selecting one new member of the State Board of Community Colleges to serve a six-year term from July 1, 2019 through June 30, 2025. The election of the new member will take place on the Senate floor on April 11.

This year there is one nominee before the Committee: Mr. Scott Shook, nominated by Sen. Horner. Please review the packet that you have been given which contains information about Mr. Shook, including his resume, and information about any statutory disabilities.

Would Sen. Horner like to speak about the nominee?

[Proceed to motion.]

Do we have a motion from the committee to accept the nomination of Scott Shook to put forth to the Senate on April 11 for the election of the State Board of Community Colleges?

The motion has been made by Sen._____. All in favor signify by saying "aye." All opposed signify by saying "no.'

Thank you, this name will be put forth to the Senate during session on April 11 for the election.

NORTH CAROLINA GENERAL ASSEMBLY
Legislative Services Office

Paul Y. Coble, Legislative Services Officer

Legislative Analysis Division
300 N. Salisbury Street, Suite 545
Raleigh, NC 27603-5925
Tel. 919-733-2578 Fax 919-715-5460

Karen Cochrane-Brown
Director

To: Senator Deanna Ballard, Senator Rick Horner, and Senator Jerry Tillman, Co-Chairs, Senate Education/Higher Education

From: Samantha Yarborough, Staff Attorney

Date: April 10, 2019

Re: Legal Qualifications of the Candidates for Nomination to the State Board of Community Colleges

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The following name is before the Senate Education Committee as a nominee for the State Board of Community Colleges. I have reviewed his application and indicated whether the nominee has any statutory disabilities. My opinion as to the nominee's statutory disabilities is based solely upon the information provided in the nominee's application. The nominee has certified that the information provided in the application is accurate.

Nominee	**Sponsor**	**SEI Submitted**	**CV Submitted**	**Statutory Disability**
Shook, Scott	Sen. Horner	Yes.	Yes.	None. Mr. Shook is currently a member of the State Board of Community Colleges, but his term will expire prior to the beginning of this SBCC term.

FOR THE STATE BOARD OF COMMUNITY COLLEGES

- **List all candidates.**
- **Separately vote "aye" or "no" on each candidate to determine if that person should be listed as a nominee. A verbal vote of those present and voting shall constitute one nominee of the committee.**
- **Nominate at least two people for each seat if there are sufficient candidates. Otherwise, nominate at least one person for each seat.**

MEMBERSHIP ON THE STATE BOARD OF COMMUNITY COLLEGES

- **Current term of office expires on June 30, 2019.**
- **No member may serve more than two consecutive six year terms.**

INDIVIDUALS STATUTORILY BARRED FROM SERVING

- **A member of the General Assembly.**
- **An officer or employee of the State.**
- **An officer or employee of any institution under the jurisdiction of the State Board.**
- **A spouse of any of the above.**
- **Any person who within the prior 5 years has been an employee of the Community College System Office.**

Scott Shook

3800 Sheffield Ct.
Greenville, NC 27834
Work: 252-378-3299
Cell: 252-883-7466

Education

B.S. in Economics, East Carolina University 1993

Work Experience

2014 to Present: Financial Advisor at BB&T Scott & Stringfellow

2003 to 2014: Financial Advisor at Banc of America Investments/Merrill Lynch

1999 to 2003: Financial Advisor at Wachovia Securities

1993 to 1999: Banker at Wachovia Bank

Civic Involvement

Department of Economics Advisory Council at East Carolina University

Board Member and Past Chair for City of Greenville Board of Adjustments

Past Member Greenville Morning Rotary

Board Member of Pitt/Greenville Chamber of Commerce

Current Board Member and Past Chair for Pitt/Greenville CrimeStoppers

Current Chair of North Carolina State Board of Community Colleges

STATE ETHICS COMMISSION

POST OFFICE BOX 27685
RALEIGH, NC 27611
PHONE: 919-814-3600

Via Email

April 1, 2019

The Honorable Phil Berger
President Pro Tempore of the Senate
16 West Jones Street, Room 2008
Raleigh, North Carolina 27601

Re: **Evaluation of Statement of Economic Interest Filed by Mr. Scott Shook**
State Board of Community Colleges

Dear Senator Berger:

Our office received a Statement of Economic Interest ("SEI") from **Mr. Scott Shook** in 2015. We have also received his 2019 No-change form as a prospective appointee to the **State Board of Community Colleges (the "Board")**. We are relying on Mr. Shook's implicit representation that his financial circumstances and other relevant circumstances have not changed in any material way since 2015. We have reviewed his 2015 SEI for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 138A-28(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 138A-13.

We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.

The State Board of Community Colleges implements Chapter 115D of the General Statutes, which provides for the establishment, organization, and administration of a statewide system of educational institutions in the form of two-year community colleges. Among other things, the Board recommends the establishment of community colleges after determining that an educational need exists within a proposed administrative area; approves the expenditure of any State funds for capital improvements of existing institutions; develops appropriate criteria and standards to regulate the addition and operation of college transfer programs to institutions; and adopts and executes such policies, regulations, and standards concerning the establishment, administration, and operation of institutions as the Board deems necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.

By law, no member of the General Assembly, or officer or employee of the State or of any constituent institution, or spouse of any such member, officer, or employee, may be a member of the Board. Any member of the Board who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution, or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee, shall be deemed to resign from his membership on the Board.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Shook would fill the role of a Senate appointee on the Board. He is a Financial Advisor for BB&T Scott & Stringfellow and his spouse is a CPA for Carr Riggs and Ingram. In addition, he has a financial interest in Bank of America, BB&T and British Petroleum. As such, Mr. Shook may have the potential for a conflict of interest and should exercise appropriate caution in the performance of his public duties should BB&T Scott & Stringfellow, Carr Riggs and Ingram or any entity with which he is associated come before the Board for official action or otherwise seek to conduct business with the Board.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,

Nora Harrison

Nora Harrison, SEI Unit
State Ethics Commission

cc: Mr. Scott Shook
Attachment: Ethics Education Guide

VISITOR REGISTRATION SHEET

Education/Higher Education

(Committee Name)

4-10-19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jennifer Haywood	NCDA
Jill Cramer	NCDOL
Carter Lennon	NCDOL
Canaan Marie	MVA
Richard Bostic	NCSBA
Paul Sherman	NCFB
Martez Hill	SmHill Group
Drew Moretz	UNC System
Amy Smith	UNC-CH
Austin Nowell	UNC System
Zane Stilwell	TSB
Wade Burd	DPI
Michael Bonds	NCGA
[illegible]	SBE
[illegible]	NCWC

09-21-201

VISITOR REGISTRATION SHEET

Education/Higher Education

(Committee Name)

4-10-19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Rachel Beaulieu	PBL
Amy Merritt	UNCW-SON
Matthew Dacklin	Appalachian State
Adam Prudencio	NCACC
Mary Nash Rusher	McGuireWoods LLP
	NWC
Jody Phillips	Smith-Rowe, LLC
Travis L. Reeves	Surry Co Schools
Scott Shook	State Board of Comm. Colleges
Mary Shuping	NCCCS
Kari Travis	Carolina Journal
Lindsay Marchello	Carolina Journal

VISITOR REGISTRATION SHEET

Education/Higher Education

(Committee Name)

4-10-19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Rhonda Dillingham	NC Asso. for Pub. Chart. Sch.
Chad Cowan	Hilltop Securities
Claudia Shoemaker	governors ofc
SUSAN HARRISON	NCDTSEA
Lisa Martin	Cap Adv.
DAN Crawford	NCLCV
Kevin Wilkins	NCDPI
Leah Sutton	Best NC
Jen Royall	NC Family
Bob Maynard	GRM & Assoc

09-21-201

VISITOR REGISTRATION SHEET

Education/Higher Education

(Committee Name)

4-10-19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Hanna Clay	Elon University
Catherine Johnston	MDCHS
Anna Becker	ECU
Jason Harloff	NCPTA Ral DC
Holden McLemore	NCICU
Andrew Mehan	
Reginald Holley	The Longmire Group
Ernest Mullins	
Elizabeth Drewniak	NCCCS
Seth Riggins	NCCCS
Elizabeth Yelverton	NCASA
Katherine Joyce	NCASA
Tom Tomberlin	NCDPI
ANDREW SIOBERG	NCDPI
Tom West	NCICU
Chris Mabe	ICTS
Amanda Donovan	ICTS

Senate Committee on Education/Higher Education
Wednesday, April 17, 2019, 11:00 AM
1027/1128 Legislative Building

AGENDA

I. Welcome and Opening Remarks

Chairs: Senator Deanna Ballard, Co-Chair, presiding
Senator Rick Horner, Co-Chair
Senator Jerry Tillman, Co-Chair

II. Agenda Items

BILL NO.	SHORT TITLE	SPONSOR
SB 438	Excellent Public Schools Act of 2019.	Senator Berger
SB 295	Standards of Student Conduct.	Senator Tillman
SB 399	Rehire High-Need Teachers.	Senator Horner Senator Berger Senator Chaudhuri
SB 448	Amend Appt For Compact on Education/Military.	Senator Brown
SB 600	Vets Children/Short-Term Workforce Training.	Senator D. Davis Senator Ballard Senator Britt
SB 621	Testing Reduction Act of 2019.	Senator Tillman Senator Ballard Senator Sawyer

III. Adjournment

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, April 17, 2019

Senator Ballard,
submits the following with recommendations as to passage:

FAVORABLE

SB **295** NC HS Graduation as Evidence of Residency.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 1

Senator Jerry W. Tillman will handle SB 295

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, April 17, 2019

Senator Ballard,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

SB **399** Rehire High-Need Teachers.
Draft Number: S399-PCS15324-RQ-9
Sequential Referral: Pensions and Retirement and Aging
Recommended Referral: None
Long Title Amended: No

SB **438** Excellent Public Schools Act of 2019.
Draft Number: S438-PCS35263-TC-16
Sequential Referral: Rules and Operations of the Senate
Recommended Referral: None
Long Title Amended: No

SB **600** Vets Children/Short-term Workforce Training.
Draft Number: S600-PCS15326-BN-13
Sequential Referral: Rules and Operations of the Senate
Recommended Referral: None
Long Title Amended: No

SB **621** Testing Reduction Act of 2019.
Draft Number: S621-PCS15325-BE-20
Sequential Referral: Rules and Operations of the Senate
Recommended Referral: None
Long Title Amended: No

TOTAL REPORTED: 4

Senator Rick Horner will handle SB 399
Senator Phil Berger will handle SB 438
Senator Don Davis will handle SB 600
Senator Jerry W. Tillman will handle SB 621

Senate Committee on Education/Higher Education
Wednesday, April 17, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on April 17, 2019 in Room 1027/1128 of the Legislative Building. 11 members were present.

Senator Deanna Ballard, Chair, presided. Senator Ballard called the meeting to order and recognized the pages and sergeant-at-arms. Senator Ballard recognized two members of the audience, State Superintendent Mark Johnson and State Board of Education member Alan Duncan.

The following bills were considered:

SB 438 Excellent Public Schools Act of 2019. (Senator Berger)
Senator Ballard recognized Senator Berger to explain SB 438. Senator Ballard sent forth an amendment **S438-ATC-25 [v.5]**. Senator Harrington moved for the adoption of the amendment for consideration. The motion passed. After member discussion, Senator Ballard opened the floor to audience comments. Senator Tillman moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the PCS and an unfavorable report to the original bill and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, new PCS, and Committee report are attached.

SB 295 Standards of Student Conduct. (Senator Tillman)
Senator Ballard recognized Senator Tillman to explain SB 295. After member discussion, Senator Ballard opened the floor to audience comments. Senator Johnson moved for a favorable report and a recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, and Committee Report are attached.

SB 399 Rehire High-Need Teachers. (Senators Horner, Berger, Chaudhuri)
Senator Ballard recognized Senator Horner, who sent forth an amendment **S399-ARQ-5 [v.1]**. Senator Horner explained the amendment and Senator Chaudhuri moved for the adoption of the amendment for consideration. The motion passed. Senator Horner then sent forth another amendment **S399-ARQ-6 [v.1]**. Senator Foushee moved for the adoption of the amendment for consideration. The motion passed. Senator Ballard recognized Senator Horner to explain SB 399. Senator Tillman moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the PCS and an unfavorable report to the original bill and recommendation the bill be re-referred to the Senate Committee on Pensions and Retirement and Aging. The motion passed. A copy of the bill, the bill summary, the amendments, new PCS, Legislative Retirement Report, and Committee report are attached.

SB 448 Amend Appt For Compact on Education/Military. (Senator Brown)
Due to Senator Brown's inability to attend the Committee meeting, Senator Ballard announced that SB 448 would be displaced until the following Senate Committee on Education/Higher Education. A copy of the bill and bill summary are attached.

SB 600 Vets Children/Short-Term Workforce Training. (Senators D. Davis, Ballard, Britt)
Senator Ballard recognized Senator Davis to explain SB 600. Senator Davis sent forth an amendment **S600-ABN-34 [v.3]**. Senator Johnson moved for the adoption of the amendment for consideration. The motion passed. Senator Johnson moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the PCS and an unfavorable report to the original bill and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, new PCS, and Committee report are attached.

SB 621 Testing Reduction Act of 2019. (Senators Tillman, Ballard, Sawyer)
Senator Ballard recognized Senator Tillman to explain SB 621. Senator Tillman sent forth an amendment **S621-ABE-24 [v.3]**. Senator Robinson moved for the adoption of the amendment for consideration. The motion passed. Following member discussion, Senator McInnis moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the PCS and an unfavorable report to the original bill and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, new PCS, and Committee report are attached.

The meeting adjourned at 11:50 AM.

Senator Deanna Ballard, Chair
Presiding

William Verbiest, Committee Clerk

SENATE BILL 438:
Excellent Public Schools Act of 2019.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 17, 2019
Introduced by:	Sen. Berger	**Prepared by:**	Kara McCraw Committee Counsel
Analysis of:	First Edition		

OVERVIEW: SB 438 would makes various changes to the North Carolina Read to Achieve Program, including the following:

- ***Establish individual reading plans.***
- ***Establish a Digital Children's Reading Initiative.***
- ***Establish a Comprehensive Plan to Improve Literacy Instruction (Comprehensive Plan).***
- ***Require the North Carolina Center for the Advancement of Teaching (NCCAT) to prioritize and provide aligned professional development in early learning and literacy instruction.***
- ***Require educator preparation programs to provide literacy training in programs for elementary education teachers.***
- ***Require the literacy curriculum and instruction provided by local school administrative units to align with Read to Achieve and the Comprehensive Plan.***
- ***Require approval of plans for local reading camps.***
- ***Study phasing out some alternative assessments for third grade reading.***
- ***Create a uniform reporting structure for Read to Achieve data.***
- ***Provide for continuing education credits related to literacy for certain reading camp instructors and allow certain retired teachers to serve as reading camp instructors.***
- ***Expand the Wolfpack WORKS program.***

CURRENT LAW: Part 1A of Article 8 of Chapter 115C of the General Statutes establishes the NC Read to Achieve Program (RtA). The program requires the State Board of Education (SBE) to create a comprehensive plan for reading achievement. All students entering kindergarten are required to receive a developmental screening in early language, literacy, and math skills, and students in grades K-3 must be assessed with valid, reliable formative and diagnostic reading assessments. These assessments are to be used to identify and provide assistance to students reading below grade level, including optional reading camps. Students are retained in the third grade if they do not demonstrate reading proficiency on the third grade standardized test of reading comprehension, but may be promoted if the student qualifies under certain exemptions or if the student demonstrates reading comprehension on an alternative assessment. RtA requires specific interventions for students retained in third grade, including the option of a reading

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

camp, accelerated reading classes or transitional third-fourth grade classes, and the possibility of mid-year promotion upon demonstration of reading comprehension.

BILL ANALYSIS: SB 438 would make the following changes related to RtA.

Part II: Establish Individual Reading Plans and a Digital Children's Reading Initiative

Sec. 2(a) would require K-3 students to receive high-quality core reading instruction, and require universal screening measures for literacy. Students identified as below grade level would receive an Individual Reading Plan (IRP) based on the initial diagnostics conducted each semester of the school year. The IRP would identify (i) specific reading deficiencies, (ii) goals and benchmarks for success, (iii) means to monitor progress and specific interventions for the students, (iv) the evidence-based reading instructional programming that will be implemented, and (v) any additional services provided. The student's parent would be given notice regarding the IRP, including specific strategies to assist the student, encouragement to use strategies at home, and direction to literacy resources. Parents would be encouraged to enroll students in grades 1 and 2 with deficits in critical reading skills in reading camps.

Sec. 2(b) would require the Department of Public Instruction (DPI) to develop a Digital Children's Reading Initiative (Initiative) that provides selected links via the Department's Web site to high-quality resources for families categorized by skill deficiency and grade level. The Initiative would include access to home activities, printables, and games on various literacy skills appropriate to the student's grade level. The Initiative would be disseminated to local school administrative units (LEAs) by January 15, 2020. Each LEA would make the resources available prominently on the LEA's Web site by July 1, 2020, and may add additional high-quality resources. Printables would also be provided in hard copy to students without Internet access at home.

Part III: Comprehensive Plan to Improve the Delivery of Literacy Instruction in the North Carolina Public Schools

Sec. 3(a) would require the Superintendent of Public Instruction to convene a task force with members of the Board of Governors of The University of North Carolina, the State Board of Community Colleges, the North Carolina Independent Colleges and Universities, the SBE, and the Professional Educator Preparation and Standards Commission, or their designees, to develop a Comprehensive Plan to Improve Literacy Instruction (Comprehensive Plan). The Comprehensive Plan would establish clear goals to ensure literacy instruction will be evidenced based, designed to improve outcomes for children in gaining early literacy skills, and consistently delivered by teachers after considering specific criteria. The Superintendent would report to the Joint Legislative Education Oversight Committee (JLEOC) by March 15, 2020, on the Comprehensive Plan and legislative changes necessary to implement it.

Part IX: Professional Development in Literacy Instruction Provided by NCCAT

Sec. 4.(a) would require NCCAT to prioritize delivery of early learning and literacy instruction services, and increase the number of teachers participating in NCCAT's professional development in early learning and literacy instruction meeting the Comprehensive Plan. Priority for admission to NCCAT opportunities would no longer be given to teachers with 15 or fewer years of experience. The NCCAT annual report would include information about NCCAT's programs including data on teachers in early learning and literacy professional development, and evaluations of the programs. These requirements would become effective July 1, 2020, and apply to programs offered by NCCAT on or after that date.

Sec. 4.(b) would require NCCAT to collaborate with DPI and educator preparation programs (EPPs) selected by The University of North Carolina System Office in designing professional development to align with the standards and curriculum for literacy instruction in K-3. NCCAT would also be required to meet the goals of the Comprehensive Plan in its professional development.

Part V: Literacy Training Coursework for Educator Preparation Program Approval

Sec. 5 would require EPPs, for elementary education and special educator teacher training, to include coursework in teaching reading and writing approved by the SBE as high-quality, evidence-based training that meets the goals for literacy instruction in the Comprehensive Plan. This requirement would apply to EPPs applying for or renewing approval on or after July 1, 2020.

Part VI: Align Literacy Curriculum and Instruction with Read to Achieve

Sec. 6 would require the SBE and DPI to develop or identify literacy curriculum and instruction standards to ensure methods throughout the State are consistent and closely aligned with the objectives of RtA. Based on the Comprehensive Plan, the SBE and DPI would incorporate only the most effective evidence-based literacy curriculum and instruction methods into the standards. By June 30, 2020, the SBE would be required to provide to local boards of education (i) the standards developed, (ii) a model literacy curriculum that meets those standards, and (iii) an example of a literacy curriculum that would not meet those standards and explanatory guidance on why. Each LEA would evaluate its literacy curriculum and instruction and modify it as necessary to adhere to the standards developed by the SBE, or adopt the SBE's model literacy curriculum model. By December 15, 2020, each LEA would submit a concise explanation of its aligned literacy curriculum and instruction to the SBE. Service Support Coordinators would review the curriculum of each LEA and consult as needed to bring literacy instruction into compliance. Review and modification of all literacy instruction statewide would be completed no later than November 15, 2021, and all modified curriculum and instruction would be in place beginning with the 2022-2023 school year.

Part VII: Approve Local Reading Camps

Sec. 7 would require the SBE and DPI to analyze reading camps throughout the State to determine the most effective activities and methods for furthering reading development. The SBE and DPI would develop standards based on this analysis to incorporate the most effective activities and instructional methods. By December 15, 2019, the SBE would publish the standards and report to the JLEOC on those standards and any recommended legislation to further improve the effectiveness of reading camps.

Beginning with reading camps for the 2019-2020 school year, each LEA would submit to DPI a plan for the operation of its reading camps. For 2019-2020, the plan would be submitted by March 1, 2020, and by October 1 in subsequent years. Each plan would include information about the LEA's efforts to staff reading camps with the most qualified teachers possible. LEAs would be encouraged to partner with other LEAs and with community organizations to enhance reading camps. DPI would review each LEA's plan and provide feedback on if the plan aligned with the statutes and reading camp standards. For 2019-2020, the feedback would be provided by May 15, 2020. In subsequent years, it would be provided by February 15. Beginning in 2020-2021, if DPI did not approve a plan by February 15, an LEA could revise and resubmit the plan by March 15. If the plan was again denied by DPI, the LEA would not receive State funds for the reading camp.

The section would also remove the existing requirement that reading camps be provided over at least a 3 week period.

Part VIII: Phase Out Certain Alterative Assessments

Sec. 8 would require the SBE to analyze the passage rates for alternative assessments for third grade reading comprehension and determine the comparative utility of each. By January 15, 2020, the SBE would report to the JLEOC on the result of the analysis and any recommendations to eliminate certain alternative assessments.

Part IX: Enhance Data Collection

Sec. 9 would require DPI to create a uniform template for RtA data, beginning with data collected in 2013-2014. The template would require clear designations of each data component and identification of information suppressed to protect student privacy. Data compiled in the template for each school year would be reported to the JLEOC by April 15, 2020.

Part X: Allow CEUs and Retirees for Reading Camp Instruction

Sec. 10 would award 2 continuing education credits for any teacher who both (i) earns a reading bonus and (ii) teaches a full reading camp. Sec. 10 would also authorize unlicensed retired K-3 teachers with demonstrated outcomes in reading proficiency or improving difficulties in reading development to teach reading camps after 6 months of retirement. Those teachers would receive $2,000 upon completion of teaching the reading camp.

Part XI: Expand Wolfpack WORKS Program

Sec. 11 would authorize DPI to contract with NC State University from funds appropriated for the 2019-2021 fiscal biennium for RtA to continue the Wolfpack WORKS pilot program and potentially expand the contract. The funds could also be used to expand the program to other constituent institutions. A report would be due by March 15 annually in years funds were used from DPI to the JLEOC on participation in the program, a summary of activities, and the results of any evaluations of the program. This section would become effective July 1, 2019.

EFFECTIVE DATE: Except as otherwise required, SB 438 would become effective when it becomes law.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 438

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

S438-ATC-25 [v.5]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Ballard

moves to amend the bill on page 1, line 7, by inserting the following phrase at the beginning of that line: "**PART I.**";

and on page 1, line 10, by inserting the following phrase at the beginning of that line: "**PART II.**";

and on page 1, line 13, by deleting that line;

and on page 1, line 14, by inserting a quotation mark immediately prior to the subsection "(a)";

and on page 1, line 23, by inserting immediately prior to the word "assessment" the phrase "or formative";

and on page 2, line 24, by inserting a quotation mark immediately after the word "attendance.";

and on page 2, line 25, by deleting that line;

and on page 3, line 2, by inserting the phrase "by the local school administrative unit" immediately after the word "copy";

and on page 3, line 7, by inserting the following phrase at the beginning of that line: "**PART III.**";

and on page 3, line 12, by inserting a comma immediately after the word "Commission";

and on page 3, line 13, by deleting the word "(PEPSC),";

and on page 3, line 25, by inserting a comma immediately after the word "Commission" and deleting the phrase "(PEPSNC),";

and on page 4, by inserting between lines 20 and 21, the following:

"**SECTION 3.(c)** G.S. 115C-83.4 reads as rewritten:

"**§ 115C-83.4. Comprehensive plan ~~for reading achievement.~~to improve literacy instruction.**

(a) The State Board of Education shall ~~develop, implement, and continuously evaluate a~~ adopt the comprehensive plan to improve ~~reading achievement~~literacy instruction in the public ~~schools.~~schools, as required by the Excellent Public Schools Act of 2019, developed by the task force convened by the Superintendent of Public Instruction with members of the Board of Governors of The University of North Carolina, the State Board of Community Colleges, the North Carolina Independent Colleges and Universities, the State Board of Education, and the Professional Educator Preparation and Standards Commission. ~~The plan shall be based on reading instructional practices with strong evidence of effectiveness in current empirical research in reading development. The plan shall be developed with the active involvement of teachers, college and university educators, parents and guardians of students, and other interested parties. The plan shall, when appropriate to reflect research, include revision of the standard course of study or other curricular standards, revision of teacher licensure and renewal standards, and revision of teacher education program standards.~~

The Plan shall reflect the requirements of the Excellent Public Schools Act of 2019, and shall include clear goals to ensure that literacy instruction provided in the North Carolina public schools is evidence-based, designed to improve outcomes for children in gaining early literacy skills, and consistently delivered by teachers. The Plan shall include strategies on using the latest research on evidence-based instruction that leads to student learning in the public schools and the components essential to early learning success and preparation for educators in literacy instruction, including requirements that early literacy training be evidence-based, systemic and explicit, based on the science of reading, and designed to improve outcomes for children in gaining early literary skills.

(b) The Superintendent of Public Instruction, in consultation with the ~~Education~~ State Board of Education, shall report biennially to the Joint Legislative Education Oversight Committee by October 15 of each even-numbered year on the implementation, evaluation, and revisions to the comprehensive plan ~~for reading achievement~~ to improve literacy instruction and shall include recommendations for legislative changes to enable implementation of current empirical research in ~~reading development.~~literacy instruction."";

and on page 4, line 22, by inserting the following phrase at the beginning of that line: "**PART IV.**";

and on page 4, line 35, by deleting the citation "G.S. 115C-269.1." and substituting the citation "G.S. 115C-83.4.";

and on page 5, line 23, by inserting the following phrase at the beginning of that line: "**PART V.**";

and on page 5, lines 25-37, by deleting those lines,

and on page 5, line 38, by deleting the phrase "**SECTION 5.(b)**" and substituting the phrase "**SECTION 5.(a)**";

and on page 6, line 2, by deleting the word "Instruction." and substituting the phrase, "Instruction, as provided in G.S. 115C-84.3.";

and on page 6, line 15, by deleting the word "Instruction" and substituting the phrase, "Instruction, as provided in G.S. 115C-84.3,";

and on page 6, line 30, by deleting the phrase "**SECTION 5.(c)**" and substituting the phrase "**SECTION 5.(b)**";

and on page 6, line 33, by inserting the following phrase at the beginning of that line: "**PART VI.**";

and on page 7, line 11, by inserting the following phrase at the beginning of that line: "**PART VII.**";

and on page 7, line 33, by inserting a comma after the citation "G.S. 115C-83.3(4a)";

and on page 8, line 36, by inserting the following phrase at the beginning of that line: "**PART VIII.**";

and on page 8, lines 37 through 38, by deleting the phrase "as amended by Section 7.24(a) of S.L. 2018-5,";

and on page 8, line 44, by inserting the following phrase at the beginning of that line: "**PART IX.**";

and on page 9, line 4, by deleting the word "year" and substituting the phrase, "year, beginning with the 2013-2014 school year,";

and on page 9, line 11, by rewriting that line to read:

"component reported.";

and on page 9, line 15, by inserting the following phrase at the beginning of that line: "**PART X.**";

and on page 9, line 18, by inserting a comma after the word "literacy";

and on page 9, line 21, by deleting the word "unlicensed";

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 438

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

S438-ATC-25 [v.5]

and on page 9, line 27, by inserting the following phrase at the beginning of that line: "**PART XI.**";

and on page 9, line 30, by deleting the word "Department" and substituting the word "Superintendent";

and on page 9, line 34, by deleting the word "Department." the first time it appears on that line and substituting the word "Superintendent." and by deleting the word "Department" the second time it appears on that line and substituting the word "Superintendent";

and on page 9, line 37, by deleting the word "Department." and substituting the word "Superintendent.";

and on page 10, line 2, by inserting the following phrase at the beginning of that line: "**PART XII.**".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

SENATE BILL 438

Short Title:	Excellent Public Schools Act of 2019.	(Public)
Sponsors:	Senator Berger (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

April 2, 2019

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE IMPLEMENTATION OF THE NORTH CAROLINA READ TO ACHIEVE PROGRAM IN ORDER TO ATTAIN STATEWIDE READING PROFICIENCY BY THE THIRD GRADE.

The General Assembly of North Carolina enacts:

TITLE

SECTION 1. This act shall be known as the "Excellent Public Schools Act of 2019."

ESTABLISH INDIVIDUAL READING PLANS AND A DIGITAL CHILDREN'S READING INITIATIVE

SECTION 2.(a) G.S. 115C-83.6(a) reads as rewritten:

"**§ 115C-83.6. Facilitating early grade reading proficiency.**

(a) Kindergarten, first, second, and third grade students shall receive high-quality core reading instruction, and shall be assessed with ~~valid, reliable, formative, and~~ universal screening measures for literacy, using valid and reliable formative and diagnostic reading assessments made available to local school administrative units by the State Board of Education pursuant to G.S. 115C-174.11(a). Difficulty with reading development identified through administration of formative and diagnostic assessments shall be addressed with instructional supports and ~~services.~~services as follows:

(1) An Individual Reading Plan (IRP) shall be developed for any student identified to be below grade level based on the results of either (i) the first diagnostic assessment of the school year or (ii) the first diagnostic or formative assessment of the second semester of the school year. The IRP shall be continually adjusted based on multiple data sources as prescribed by the Department of Public Instruction indicating that the student is not progressing toward grade level standards in one or more critical reading skills. Based on the most recently collected data, the IRP shall include the following information, specific to the identified student:

a. The specific reading skill deficiencies identified by assessment data.

b. Goals and benchmarks for growth.

c. The means by which progress will be monitored and evaluated.

d. The specific additional instructional services and interventions the student will receive.

e. The evidence-based reading instructional programming the teacher will implement to address oral language, phonological and phonemic awareness, phonics, vocabulary, fluency, and comprehension.

f. Any additional services the teacher deems appropriate to accelerate the student's reading skill and development.

(2) A student's parent or guardian shall be given notice that the student has been identified to be in need of support due to a deficit in one or more critical reading skills and that an IRP has been developed. The notice shall provide the parent or guardian the following:

a. Specific strategies that can be easily understood and implemented to assist the student in achieving reading competency.

b. Encouragement to select one or more strategies for use at home that build on the student's interests and are most likely to engage the student and result in reading improvement.

c. Direction to free online or hardcopy literacy resources that can be accessed via a prominently displayed area on the home page of the primary Web site maintained by the Department of Public Instruction and by the local school administrative unit.

Parents or guardians of first and second grade students demonstrating one or more deficits in critical reading ~~comprehension below grade level~~ skills as identified through assessments administered pursuant to this subsection shall be encouraged to enroll their student in a reading camp provided by the local school administrative unit. Parents or guardians of a student identified as demonstrating one or more deficits in critical reading ~~comprehension below grade level~~ skills shall make the final decision regarding a student's reading camp attendance.

...."

SECTION 2.(b) The Department of Public Instruction shall develop a Digital Children's Reading Initiative (Initiative) for the purpose of increasing the percentage of school children throughout the State who are reading proficiently by the end of third grade. The Initiative shall assist parents, guardians, and family members in cultivating confident, proficient, lifelong readers by providing free tools and resources that can be easily incorporated into everyday life.

The Initiative may utilize existing third-party resources by providing selected links to thoroughly vetted, high-quality resources. Links shall be specifically categorized by skill deficiency and grade level so that parents, guardians, and family members can be quickly connected to effective resources targeted to each student's needs. The Department of Public Instruction shall frequently monitor all resources linked to the Initiative to ensure that that all links are up-to-date and that resources remain consistent with the purpose set out in this section. All resources included in the Initiative shall be available to the public without required login credentials and shall be accessible directly through a prominently displayed area on the home page of the Department's Web site. The Initiative shall make home activities, printables, and games available on the following literacy skills, as appropriate for each grade level:

(1) Phonemic awareness.
(2) Phonics.
(3) Vocabulary.
(4) Fluency.
(5) Comprehension.
(6) Oral language.

No later than January 15, 2020, the Department of Public Instruction shall disseminate the fully developed Digital Children's Reading Initiative to all local school administrative units. Each local school administrative unit shall make Initiative resources accessible directly through a prominently displayed area on the home page of the unit's Web site no later than July 1, 2020. Local school administrative units may compile and add additional high-quality resources that

meet the requirements of this section to those provided to them by the Department of Public Instruction. Printable activities shall be provided in hard copy to students who do not have digital access at home and may be provided to all students as a supplement to digital resources.

SECTION 2.(c) This section is effective when it becomes law and applies beginning with the 2020-2021 school year.

COMPREHENSIVE PLAN TO IMPROVE THE DELIVERY OF LITERACY INSTRUCTION IN THE NORTH CAROLINA PUBLIC SCHOOLS

SECTION 3.(a) The Superintendent of Public Instruction shall convene a task force with members of the Board of Governors of The University of North Carolina, the State Board of Community Colleges, the North Carolina Independent Colleges and Universities, the State Board of Education, and the Professional Educator Preparation and Standards Commission (PEPSC), or their designees, which may include representatives from their respective agencies, to develop a Comprehensive Plan to Improve Literacy Instruction (Plan) with clear goals to ensure that literacy instruction provided in the North Carolina public schools is evidenced-based, designed to improve outcomes for children in gaining early literacy skills, and consistently delivered by teachers. The Plan shall include strategies on using the latest research on evidence-based instruction that leads to student learning in the public schools and the components essential to early learning success and preparation for educators in literacy instruction. The Plan shall also recommend (i) changes to existing State programs in early childhood education, elementary education, educator preparation, and professional development for teachers and (ii) new initiatives to facilitate the State reaching the goals set forth in the Plan. In developing the Plan, the Superintendent, in consultation with the Board of Governors, the State Board of Community Colleges, the North Carolina Independent Colleges and Universities, the State Board of Education, and the Professional Educator Preparation and Standards Commission (PEPSNC), shall consider at least the following:

(1) Research on early childhood learning, including early literacy instruction, to define skills and competencies for early learning and literacy educators to improve educator preparation program design.

(2) Alignment of preservice educator preparation for early learning instruction with actual classroom instruction, including clinical experiences, that reflect well-designed, effective educator preparation programs for early learning instruction.

(3) Evidence-based methods of training in educator preparation programs that uses individualized learning models, including Individual Reading Plans as described in G.S. 115C-83.6, to support literacy education for all students, including economically disadvantaged students, English language learners, and children with disabilities.

(4) The minimum number of credit hours in literacy instruction that an educator preparation program shall include in its course of study.

(5) Professional development models that focus on training educator preparation program faculty and teachers throughout their careers on evidenced-based instruction in literacy that is consistent with the most recent standards and curriculum established by the State and well-designed, effective educator preparation programs.

(6) The number and type of continuing education credits related to literacy that the State should require for the renewal of a teacher license.

(7) Implementation by teachers and local school administrative units of the most recent standards and curriculum for evidence-based literacy instruction and resources provided by the Department of Public Instruction for individual schools and local school administrative units.

(8) Literacy resources and programs for parents and families as part of the delivery of literacy instruction by teachers in the public schools.

(9) Best practices related to teachers using literacy assessment and diagnostics tools and the use of data systems to monitor students' progress towards literacy goals and identify students at risk of not meeting those goals.

(10) Best practices for literacy interventions for students in kindergarten through third grade that focus on intentional instruction in foundational literacy skills, including phonemic awareness, phonics, vocabulary, fluency, comprehension, and oral language.

(11) Implications for teacher licensure and other teaching credentials, including potential incentives and compensation, related to changes to existing State programs and new initiatives to facilitate the State reaching the goals set forth in the Plan.

SECTION 3.(b) The Superintendent shall report to the Joint Legislative Education Oversight Committee by March 15, 2020, on the Plan developed in accordance with this section and the legislative changes necessary to implement the plan, including recommendations on requirements for educator preparation programs on using evidence-based literacy instruction in the course of study for the purposes of State Board of Education authorization of programs and State support for well-designed professional development programs in early learning and literacy instruction.

PROFESSIONAL DEVELOPMENT IN LITERACY INSTRUCTION PROVIDED BY NCCAT

SECTION 4.(a) G.S. 115C-296.5 reads as rewritten:

"**§ 115C-296.5. North Carolina Center for the Advancement of Teaching; powers and duties of trustees; reporting requirement.**

(a) The North Carolina Center for the Advancement of Teaching (hereinafter called "NCCAT"), through itself or agencies with which it may contract, ~~shall:~~shall ensure that teachers receive professional development programs in accordance with the following:

(1) ~~Provide~~ NCCAT shall prioritize the delivery of early learning and literacy instruction services through increasing the number of teachers participating in their evidence-based professional development programs in early learning and literacy instruction that meet the goals for literacy instruction established in the State's Comprehensive Plan to Improve Literacy Instruction as defined in G.S. 115C-269.1.

(1a) ~~career~~ NCCAT shall provide teachers with other opportunities to study advanced topics in the sciences, arts, and humanities and to engage in informed discourse, assisted by able mentors and outstanding leaders from all walks of ~~life; and~~life.

(2) ~~Offer~~ NCCAT shall offer additional opportunities for teachers to engage in scholarly pursuits through a center dedicated exclusively to the advancement of teaching as an art and as a profession.

~~(b) Priority for admission to NCCAT opportunities shall be given to teachers with teaching experience of 15 years or less.~~

(c) NCCAT may also provide training and support for beginning teachers to enhance their skills and in support of the State's effort to recruit and retain beginning teachers.

(d) The Board of Trustees of the North Carolina Center for the Advancement of Teaching shall hold all the powers and duties necessary or appropriate for the effective discharge of the functions of NCCAT.

(e) The Executive Director shall submit a copy of the NCCAT annual report to the Superintendent of Public Instruction and the Chair of the State Board of Education at the time of issuance. The report shall include at least the following information:

(1) The number of teachers served by NCCAT's professional development programs by the type of program offered, including the number of teachers participating in the early learning and literacy instruction professional development programs and the increase in the number of teachers served from the prior year.

(2) Evaluation data on the programs offered by NCCAT, including the satisfaction of the teachers and the local school administrative units with the quality and effectiveness of those programs."

SECTION 4.(b) The North Carolina Center for the Advancement of Teaching (NCCAT) shall collaborate with the Department of Public Instruction and educator preparation programs selected by The University of North Carolina System Office in designing professional development programs to offer to North Carolina teachers that align with the most recent standards and curriculum for literacy instruction in kindergarten through third grade. NCCAT shall also meet the goals and recommendations set forth in the Comprehensive Plan to Improve Literacy Instruction developed pursuant to Section 3 of this act for the purposes of meeting the requirements of G.S. 115C-296.5, as amended by this section.

SECTION 4.(c) Subsection (a) of this section becomes effective July 1, 2020, and applies to programs offered by NCCAT on or after that date.

LITERACY TRAINING COURSEWORK FOR EDUCATOR PREPARATION PROGRAM APPROVAL

SECTION 5.(a) G.S. 115C-269.1 is amended by adding a new subdivision to read:

"(9a) Comprehensive Plan to Improve Literacy Instruction. – The comprehensive literacy plan developed by the Superintendent of Public Instruction, in consultation with the Board of Governors of The University of North Carolina, the State Board of Community Colleges, the North Carolina Independent Colleges and Universities, the State Board of Education, and the Professional Educator Preparation and Standards Commission, and utilized by the General Assembly to adopt State law requirements to ensure that the early literacy training provided by educator preparation programs and professional development programs for teachers in the North Carolina public schools is evidenced-based, systemic and explicit, based on the science of reading, designed to improve outcomes for children in gaining early literacy skills, and consistently delivered by those teachers."

SECTION 5.(b) G.S. 115C-269.20(a) reads as rewritten:

"(a) Content and Pedagogy Requirements. – To ensure that EPPs remain current and reflect a rigorous course of study that is aligned to State and national standards, the State Board shall require at least the following minimum requirements with demonstrated competencies in its rules:

...

(2) EPPs providing training for elementary education teachers shall include the following:

a. Adequate coursework in the teaching of ~~reading, writing, and~~ mathematics.

a1. Coursework in the teaching of reading and writing that is approved by the State Board of Education as high-quality, evidence-based training for the preparation of educators that meets the goals for literacy

instruction established in the State's Comprehensive Plan to Improve Literacy Instruction.

b. Assessment prior to licensure to determine if a student possesses the requisite knowledge in scientifically based reading, writing, and mathematics instruction that is aligned with the State Board's expectations.

c. Instruction in application of formative and summative assessments within the school and classroom setting through technology-based assessment systems available in State schools that measure and predict expected student improvement.

(3) EPPs providing training for elementary and special education general curriculum teachers shall ensure that students receive instruction in early literacy intervention strategies and practices that are aligned with State and national reading standards and the goals for literacy instruction established in the State's Comprehensive Plan to Improve Literacy Instruction and shall include the following:

a. Instruction in the teaching of reading, including a substantive understanding of reading as a process involving oral language, phonological and phonemic awareness, phonics, fluency, vocabulary, and comprehension. Instruction shall include appropriate application of instructional supports and services and reading interventions to ensure reading proficiency for all students.

b. Instruction in evidence-based assessment and diagnosis of specific areas of difficulty with reading development and of reading deficiencies.

c. Instruction in appropriate application of instructional supports and services and reading interventions to ensure reading proficiency for all students.

...."

SECTION 5.(c) This section applies to educator preparation programs applying for approval or renewing approval on or after July 1, 2020.

ALIGN LITERACY CURRICULUM AND INSTRUCTION WITH READ TO ACHIEVE

SECTION 6.(a) The State Board of Education and the Department of Public Instruction shall develop or identify literacy curriculum and instruction standards to ensure that methods throughout the State are consistent and closely aligned with the objectives of Part 1A of Article 8 of Chapter 115C of the General Statutes (Read To Achieve). Based on the goals and recommendations of the Comprehensive Plan to Improve Literacy Instruction developed pursuant to Section 3 of this act, the State Board and the Department shall incorporate only the most effective evidence-based literacy curriculum and instruction methods into the standards developed. No later than June 30, 2020, the State Board shall provide to local boards of education (i) the standards developed, (ii) a model literacy curriculum that meets the standards developed, and (iii) an example of a literacy curriculum that would not meet the standards developed and explanatory guidance on why it would not meet the standards.

Each local school administrative unit shall evaluate its literacy curriculum and instruction and shall modify as necessary to adhere to the standards developed by the State Board, or adopt the model literacy curriculum model provided by the State Board. No later than December 15, 2020, and in a form prescribed by the State Board, each local school administrative unit shall submit to the State Board a concise explanation of its literacy curriculum and instruction, as aligned with the standards developed by the State Board.

SECTION 6.(b) Service Support Coordinators, or other appropriate staff as determined by the Department of Public Instruction, shall work to ensure that the standards developed by the State Board are implemented statewide by reviewing the curriculum of each local school administrative unit in each service area and by consulting with each local school administrative unit as needed to bring literacy instruction into compliance. Review and modification of all literacy instruction statewide shall be complete no later than November 15, 2021. Modifications shall be implemented into curriculum and instruction as soon as possible, and all curriculum and instruction as modified under this section shall be in place beginning with the 2022-2023 school year.

APPROVE LOCAL READING CAMP PLANS

SECTION 7.(a) The State Board of Education and the Department of Public Instruction shall conduct an analysis of reading camps throughout the state in order to determine which reading camp activities and instructional methods are most effective in furthering reading development. Based on this analysis, the State Board and the Department shall develop reading camp standards that incorporate the most effective activities and instructional methods. No later than December 15, 2019, the State Board shall report to the Joint Legislative Education Oversight Committee on the standards developed in accordance with this section and any recommended legislation to further improve the effectiveness of reading camps and shall publish the standards.

SECTION 7.(b) Beginning with reading camps corresponding to the 2019-2020 school year, each local school administrative unit shall submit to the Department of Public Instruction a plan for the operation of its reading camps no later than March 1, 2020. Each plan shall include information about the local school administrative unit's efforts to staff reading camps with the most qualified teachers possible, including the unit's efforts to attract teachers associated with high growth in reading based on EVAAS data and teachers who have earned a reading bonus. As part of their plans, local school administrative units are encouraged to partner with other local school administrative units and with community organizations to enhance reading camps.

The Department shall review each local school administrative unit's plan and provide feedback as necessary to ensure that each reading camp throughout the State (i) provides instruction that is closely aligned with the goals of Part 1A of Article 8 of Chapter 115C of the General Statutes (Read To Achieve), (ii) meets the minimum requirements provided in G.S. 115C-83.3(4a) as amended by subsection (c) of this section, and (iii) complies with the reading camp standards published by the State Board of Education. The Department shall provide feedback to local school administrative units, including feedback on efforts to attract highly qualified teachers, no later than May 15, 2020. The Department may provide a form to local school administrative units for the purpose of submitting their plans for review, and local school administrative units shall submit their plans on the form, if provided by the Department for this purpose.

SECTION 7.(c) G.S. 115C-83.3(4a) reads as rewritten:

"(4a) "Reading camp" means an additional educational program outside of the instructional calendar provided by the local school administrative unit to (i) any third grade student who does not demonstrate reading proficiency and (ii) any first or second grade student who demonstrates reading comprehension below grade level as identified through administration of formative and diagnostic assessments in accordance with G.S. 115C-83.6. Parents or guardians of the student not demonstrating reading proficiency or demonstrating reading comprehension below grade level shall make the final decision regarding the student's reading camp attendance. Reading camps shall (i) offer at least 72 hours of reading instruction to yield positive reading outcomes for participants; (ii) be taught by compensated, licensed teachers

selected based on demonstrated student outcomes in reading proficiency or in improvement of difficulties with reading development; and (iii) allow volunteer mentors to read with students at times other than during the 72 hours of reading instruction. ~~The 72 hours of reading instruction shall be provided over no less than three weeks for students in schools using calendars other than year-round calendars.~~"

SECTION 7.(d) Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-83.6A. Approval of reading camp plans.**

(a) Each local school administrative unit shall submit to the Department of Public Instruction a plan for the operation of its reading camps no later than October 1. Each plan shall include information about the local school administrative unit's efforts to staff reading camps with the most qualified teachers possible, including the unit's efforts to attract teachers associated with high growth in reading based on EVAAS data and teachers who have earned a reading bonus. The plan shall incorporate any feedback received from the Department on the previous year's plan. As part of their plans, local school administrative units are encouraged to partner with other local school administrative units and with community organizations to enhance reading camps.

(b) The Department of Public Instruction shall review each local school administrative unit's plan and approve only those reading camps that (i) provide instruction that is closely aligned with the goals in this Part, (ii) meet minimum requirements as provided in G.S. 115C-83.3(4a), and (iii) comply with the reading camp standards published by the State Board of Education. No later than February 15, the Department shall notify each local school administrative unit of approval or denial of its plan and shall provide feedback if the plan is denied. No later than March 15, if its plan was denied, a local school administrative unit may submit an amended plan to the Department of Public Instruction. The Department shall notify the local school administrative unit if the amended plan is approved or denied no later than April 15.

(c) State-provided reading camp funds shall not be released to any local school administrative unit for which a reading camp plan has not been approved by the Department of Public Instruction by April 15. Any local school administrative unit denied approval shall use local funds to fulfill the requirement to provide a reading camp as provided in this Part."

SECTION 7.(e) Subsection (d) of this section applies beginning with the 2020-2021 school year to reading camps corresponding to that school year.

PHASE OUT CERTAIN ALTERNATIVE ASSESSMENTS

SECTION 8. Based on data collected pursuant to G.S. 115C-83.10, as amended by Section 7.24(a) of S.L. 2018-5, and any other data useful for this purpose, the State Board of Education shall analyze the passage rates for alternative assessments in order to determine the comparative utility of each alternative assessment. No later than January 15, 2020, the State Board shall submit a report to the Joint Legislative Education Oversight Committee on the results of its analysis, along with any recommendations to eliminate certain alternative assessments.

ENHANCE DATA COLLECTION

SECTION 9.(a) The Department of Public Instruction shall create a uniform template for all data collected pursuant to Part 1A of Article 8 of Chapter 115C of the General Statutes (Read to Achieve), beginning with data collected during the 2013-2014 school year and for each school year thereafter. The template shall include clear designations for each data component reported. A numerical value shall be provided for all data values pertaining to school-wide measures, including those data values reporting fewer than 10 students. Where a measure is disaggregated in a manner that may allow the identity of a student to be disclosed,

data values reporting 10 or fewer students may be suppressed to protect student privacy. Data values that are suppressed for this purpose shall be denoted in a different manner than data values left incomplete or unreported. Data values shall be compiled for each data component for each school year and shall be provided to the Joint Legislative Education Oversight Committee in the uniform template created pursuant to this subsection no later than April 15, 2020.

SECTION 9.(b) G.S. 115C-83.6(a2) reads as rewritten:

"(a2) The Department of Public Instruction shall provide for EVAAS analysis all formative and diagnostic assessment data collected pursuant to this section for kindergarten through third grade. The Department shall use a uniform template for all data collected and the template shall be used each time data is provided. The template shall include clear designations for each data component reported. Data values for the prior three consecutive years shall be provided."

SECTION 9.(c) This section applies beginning with the 2019-2020 school year and shall include the reporting of required data from the 2018-2019 school year.

ALLOW CEUS AND RETIREES FOR READING CAMP INSTRUCTION

SECTION 10.(a) A teacher who has earned a reading bonus and who provides instruction throughout a full reading camp shall be deemed to have completed two continuing education credits related to literacy as required by G.S. 115C-270.30(b)(2).

SECTION 10.(b) Notwithstanding G.S. 115C-83.3(4a), for reading camps corresponding to the 2019-2020 school year, students attending reading camp may be taught by unlicensed retired classroom teachers of kindergarten through third grade, based on demonstrated outcomes in reading proficiency or in improvement of difficulties with reading development. A retired teacher may begin providing reading camp instruction at the conclusion of the six-month period immediately following the effective date of retirement and shall be compensated at a rate of two thousand dollars ($2,000) upon completion of the camp.

EXPAND WOLFPACK WORKS PROGRAM

SECTION 11.(a) From the funds appropriated to the Department of Public Instruction for the 2019-2021 fiscal biennium for the Excellent Public Schools Act, Read to Achieve Program, the Department of Public Instruction shall contract with North Carolina State University to continue the Wolfpack WORKS pilot program (Wolfpack WORKS) during the 2019-2020 and 2020-2021 school years and may include in the contract expansion of Wolfpack WORKS, in accordance with the best interests of the students of the State, as determined by the Department. The Department of Public Instruction may also use funds appropriated for the Excellent Public Schools Act, Read to Achieve Program, to expand Wolfpack WORKS by collaborating with any other constituent institutions of The University of North Carolina, in accordance with the best interests of the students of the State, as determined by the Department.

Constituent institutions of The University of North Carolina participating in activities under this section shall not charge indirect facilities and administrative costs against the funding provided pursuant to this section.

By March 15 of each year that funds are used for the purposes described in this section, the Department of Public Instruction shall submit a report to the Joint Legislative Education Oversight Committee that includes the following:

(1) A list of the local school administrative units and the schools within each unit that participated, along with the total number of local school administrative units and schools participating.
(2) The total number of elementary school teachers that participated.
(3) A summary of activities completed.
(4) The results of any evaluations performed on the Wolfpack WORKS pilot program.

SECTION 11.(b) This section is effective July 1, 2019.

EFFECTIVE DATE

SECTION 12. Except as otherwise provided, this act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 438
PROPOSED COMMITTEE SUBSTITUTE S438-PCS35263-TC-16

Short Title: Excellent Public Schools Act of 2019. (Public)

Sponsors:

Referred to:

April 2, 2019

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE IMPLEMENTATION OF THE NORTH CAROLINA READ TO ACHIEVE PROGRAM IN ORDER TO ATTAIN STATEWIDE READING PROFICIENCY BY THE THIRD GRADE.

The General Assembly of North Carolina enacts:

PART I. TITLE

SECTION 1. This act shall be known as the "Excellent Public Schools Act of 2019."

PART II. ESTABLISH INDIVIDUAL READING PLANS AND A DIGITAL CHILDREN'S READING INITIATIVE

SECTION 2.(a) G.S. 115C-83.6(a) reads as rewritten:

"(a) Kindergarten, first, second, and third grade students shall receive high-quality core reading instruction and shall be assessed with ~~valid, reliable, formative, and~~ universal screening measures for literacy, using valid and reliable formative and diagnostic reading assessments made available to local school administrative units by the State Board of Education pursuant to G.S. 115C-174.11(a). Difficulty with reading development identified through administration of formative and diagnostic assessments shall be addressed with instructional supports and ~~services.~~services as follows:

(1) An Individual Reading Plan (IRP) shall be developed for any student identified to be below grade level based on the results of either (i) the first diagnostic or formative assessment of the school year or (ii) the first diagnostic or formative assessment of the second semester of the school year. The IRP shall be continually adjusted based on multiple data sources as prescribed by the Department of Public Instruction indicating that the student is not progressing toward grade level standards in one or more critical reading skills. Based on the most recently collected data, the IRP shall include the following information, specific to the identified student:

a. The specific reading skill deficiencies identified by assessment data.

b. Goals and benchmarks for growth.

c. The means by which progress will be monitored and evaluated.

d. The specific additional instructional services and interventions the student will receive.

e. The evidence-based reading instructional programming the teacher will implement to address oral language, phonological and phonemic awareness, phonics, vocabulary, fluency, and comprehension.

f. Any additional services the teacher deems appropriate to accelerate the student's reading skill and development.

(2) A student's parent or guardian shall be given notice that the student has been identified to be in need of support due to a deficit in one or more critical reading skills and that an IRP has been developed. The notice shall provide the parent or guardian the following:

a. Specific strategies that can be easily understood and implemented to assist the student in achieving reading competency.

b. Encouragement to select one or more strategies for use at home that build on the student's interests and are most likely to engage the student and result in reading improvement.

c. Direction to free online or hardcopy literacy resources that can be accessed via a prominently displayed area on the home page of the primary Web site maintained by the Department of Public Instruction and by the local school administrative unit.

Parents or guardians of first and second grade students demonstrating one or more deficits in critical reading ~~comprehension below grade level~~ skills as identified through assessments administered pursuant to this subsection shall be encouraged to enroll their student in a reading camp provided by the local school administrative unit. Parents or guardians of a student identified as demonstrating one or more deficits in critical reading ~~comprehension below grade level~~ skills shall make the final decision regarding a student's reading camp attendance."

SECTION 2.(b) The Department of Public Instruction shall develop a Digital Children's Reading Initiative (Initiative) for the purpose of increasing the percentage of school children throughout the State who are reading proficiently by the end of third grade. The Initiative shall assist parents, guardians, and family members in cultivating confident, proficient, lifelong readers by providing free tools and resources that can be easily incorporated into everyday life.

The Initiative may utilize existing third-party resources by providing selected links to thoroughly vetted, high-quality resources. Links shall be specifically categorized by skill deficiency and grade level so that parents, guardians, and family members can be quickly connected to effective resources targeted to each student's needs. The Department of Public Instruction shall frequently monitor all resources linked to the Initiative to ensure that that all links are up-to-date and that resources remain consistent with the purpose set out in this section. All resources included in the Initiative shall be available to the public without required login credentials and shall be accessible directly through a prominently displayed area on the home page of the Department's Web site. The Initiative shall make home activities, printables, and games available on the following literacy skills, as appropriate for each grade level:

(1) Phonemic awareness.
(2) Phonics.
(3) Vocabulary.
(4) Fluency.
(5) Comprehension.
(6) Oral language.

No later than January 15, 2020, the Department of Public Instruction shall disseminate the fully developed Digital Children's Reading Initiative to all local school administrative units. Each local school administrative unit shall make Initiative resources accessible directly through a prominently displayed area on the home page of the unit's Web site no later than July 1, 2020. Local school administrative units may compile and add additional high-quality resources that meet the requirements of this section to those provided to them by the Department of Public Instruction. Printable activities shall be provided in hard copy by the local school administrative unit to students who do not have digital access at home and may be provided to all students as a supplement to digital resources.

SECTION 2.(c) This section is effective when it becomes law and applies beginning with the 2020-2021 school year.

PART III. COMPREHENSIVE PLAN TO IMPROVE THE DELIVERY OF LITERACY INSTRUCTION IN THE NORTH CAROLINA PUBLIC SCHOOLS

SECTION 3.(a) The Superintendent of Public Instruction shall convene a task force with members of the Board of Governors of The University of North Carolina, the State Board of Community Colleges, the North Carolina Independent Colleges and Universities, the State Board of Education, and the Professional Educator Preparation and Standards Commission, or their designees, which may include representatives from their respective agencies, to develop a Comprehensive Plan to Improve Literacy Instruction (Plan) with clear goals to ensure that literacy instruction provided in the North Carolina public schools is evidenced-based, designed to improve outcomes for children in gaining early literacy skills, and consistently delivered by teachers. The Plan shall include strategies on using the latest research on evidence-based instruction that leads to student learning in the public schools and the components essential to early learning success and preparation for educators in literacy instruction. The Plan shall also recommend (i) changes to existing State programs in early childhood education, elementary education, educator preparation, and professional development for teachers and (ii) new initiatives to facilitate the State reaching the goals set forth in the Plan. In developing the Plan, the Superintendent, in consultation with the Board of Governors, the State Board of Community Colleges, the North Carolina Independent Colleges and Universities, the State Board of Education, and the Professional Educator Preparation and Standards Commission, shall consider at least the following:

(1) Research on early childhood learning, including early literacy instruction, to define skills and competencies for early learning and literacy educators to improve educator preparation program design.

(2) Alignment of preservice educator preparation for early learning instruction with actual classroom instruction, including clinical experiences, that reflect well-designed, effective educator preparation programs for early learning instruction.

(3) Evidence-based methods of training in educator preparation programs that use individualized learning models, including Individual Reading Plans as described in G.S. 115C-83.6, to support literacy education for all students, including economically disadvantaged students, English language learners, and children with disabilities.

(4) The minimum number of credit hours in literacy instruction that an educator preparation program shall include in its course of study.

(5) Professional development models that focus on training educator preparation program faculty and teachers throughout their careers on evidenced-based instruction in literacy that is consistent with the most recent standards and curriculum established by the State and well-designed, effective educator preparation programs.

(6) The number and type of continuing education credits related to literacy that the State should require for the renewal of a teacher license.

(7) Implementation by teachers and local school administrative units of the most recent standards and curriculum for evidence-based literacy instruction and resources provided by the Department of Public Instruction for individual schools and local school administrative units.

(8) Literacy resources and programs for parents and families as part of the delivery of literacy instruction by teachers in the public schools.

(9) Best practices related to teachers using literacy assessment and diagnostics tools and the use of data systems to monitor students' progress towards literacy goals and identify students at risk of not meeting those goals.

(10) Best practices for literacy interventions for students in kindergarten through third grade that focus on intentional instruction in foundational literacy skills, including phonemic awareness, phonics, vocabulary, fluency, comprehension, and oral language.

(11) Implications for teacher licensure and other teaching credentials, including potential incentives and compensation, related to changes to existing State programs and new initiatives to facilitate the State reaching the goals set forth in the Plan.

SECTION 3.(b) The Superintendent shall report to the Joint Legislative Education Oversight Committee by March 15, 2020, on the Plan developed in accordance with this section and the legislative changes necessary to implement the plan, including recommendations on requirements for educator preparation programs on using evidence-based literacy instruction in the course of study for the purposes of State Board of Education authorization of programs and State support for well-designed professional development programs in early learning and literacy instruction.

SECTION 3.(c) G.S. 115C-83.4 reads as rewritten:

"**§ 115C-83.4. Comprehensive plan ~~for reading achievement.~~to improve literacy instruction.**

(a) The State Board of Education shall ~~develop, implement, and continuously evaluate a~~ adopt the comprehensive plan to improve ~~reading achievement~~ literacy instruction in the public ~~schools. The plan shall be based on reading instructional practices with strong evidence of effectiveness in current empirical research in reading development. The plan shall be developed with the active involvement of teachers, college and university educators, parents and guardians of students, and other interested parties. The plan shall, when appropriate to reflect research, include revision of the standard course of study or other curricular standards, revision of teacher licensure and renewal standards, and revision of teacher education program standards.~~schools, as required by the Excellent Public Schools Act of 2019, developed by the task force convened by the Superintendent of Public Instruction with members of the Board of Governors of The University of North Carolina, the State Board of Community Colleges, the North Carolina Independent Colleges and Universities, the State Board of Education, and the Professional Educator Preparation and Standards Commission.

The Plan shall reflect the requirements of the Excellent Public Schools Act of 2019 and shall include clear goals to ensure that literacy instruction provided in the North Carolina public schools is evidence-based, designed to improve outcomes for children in gaining early literacy skills, and consistently delivered by teachers. The Plan shall include strategies on using the latest research on evidence-based instruction that leads to student learning in the public schools and the components essential to early learning success and preparation for educators in literacy instruction, including requirements that early literacy training be evidence-based, systemic and explicit, based on the science of reading, and designed to improve outcomes for children in gaining early literary skills.

(b) The Superintendent of Public Instruction, in consultation with the State Board of ~~Education~~ Education, shall report biennially to the Joint Legislative Education Oversight Committee by October 15 of each even-numbered year on the implementation, evaluation, and revisions to the comprehensive plan ~~for reading achievement~~ to improve literacy instruction and shall include recommendations for legislative changes to enable implementation of current empirical research in ~~reading development.~~literacy instruction."

PART IV. PROFESSIONAL DEVELOPMENT IN LITERACY INSTRUCTION PROVIDED BY NCCAT

SECTION 4.(a) G.S. 115C-296.5 reads as rewritten:

"**§ 115C-296.5. North Carolina Center for the Advancement of Teaching; powers and duties of trustees; reporting requirement.**

(a) The North Carolina Center for the Advancement of Teaching (hereinafter called "NCCAT"), through itself or agencies with which it may contract, ~~shall:~~shall ensure that teachers receive professional development programs in accordance with the following:

(1) ~~Provide~~ NCCAT shall prioritize the delivery of early learning and literacy instruction services through increasing the number of teachers participating in their evidence-based professional development programs in early learning and literacy instruction that meet the goals for literacy instruction established in the State's Comprehensive Plan to Improve Literacy Instruction, as defined in G.S. 115C-83.4.

(1a) ~~career~~ NCCAT shall provide teachers with other opportunities to study advanced topics in the sciences, arts, and humanities and to engage in informed discourse, assisted by able mentors and outstanding leaders from all walks of ~~life; and~~life.

(2) ~~Offer~~ NCCAT shall offer additional opportunities for teachers to engage in scholarly pursuits through a center dedicated exclusively to the advancement of teaching as an art and as a profession.

~~(b) Priority for admission to NCCAT opportunities shall be given to teachers with teaching experience of 15 years or less.~~

(c) NCCAT may also provide training and support for beginning teachers to enhance their skills and in support of the State's effort to recruit and retain beginning teachers.

(d) The Board of Trustees of the North Carolina Center for the Advancement of Teaching shall hold all the powers and duties necessary or appropriate for the effective discharge of the functions of NCCAT.

(e) The Executive Director shall submit a copy of the NCCAT annual report to the Superintendent of Public Instruction and the Chair of the State Board of Education at the time of issuance. The report shall include at least the following information:

(1) The number of teachers served by NCCAT's professional development programs by the type of program offered, including the number of teachers participating in the early learning and literacy instruction professional development programs and the increase in the number of teachers served from the prior year.

(2) Evaluation data on the programs offered by NCCAT, including the satisfaction of the teachers and the local school administrative units with the quality and effectiveness of those programs."

SECTION 4.(b) The North Carolina Center for the Advancement of Teaching (NCCAT) shall collaborate with the Department of Public Instruction and educator preparation programs selected by The University of North Carolina System Office in designing professional development programs to offer to North Carolina teachers that align with the most recent standards and curriculum for literacy instruction in kindergarten through third grade. NCCAT shall also meet the goals and recommendations set forth in the Comprehensive Plan to Improve Literacy Instruction developed pursuant to Section 3 of this act for the purposes of meeting the requirements of G.S. 115C-296.5, as amended by this section.

SECTION 4.(c) Subsection (a) of this section becomes effective July 1, 2020, and applies to programs offered by NCCAT on or after that date.

PART V. LITERACY TRAINING COURSEWORK FOR EDUCATOR PREPARATION PROGRAM APPROVAL

SECTION 5.(a) G.S. 115C-269.20(a) reads as rewritten:

"(a) Content and Pedagogy Requirements. – To ensure that EPPs remain current and reflect a rigorous course of study that is aligned to State and national standards, the State Board shall require at least the following minimum requirements with demonstrated competencies in its rules:

...

(2) EPPs providing training for elementary education teachers shall include the following:

a. Adequate coursework in the teaching of ~~reading, writing, and~~ mathematics.

a1. Coursework in the teaching of reading and writing that is approved by the State Board of Education as high-quality, evidence-based training for the preparation of educators that meets the goals for literacy instruction established in the State's Comprehensive Plan to Improve Literacy Instruction, as provided in G.S. 115C-83.4.

b. Assessment prior to licensure to determine if a student possesses the requisite knowledge in scientifically based reading, writing, and mathematics instruction that is aligned with the State Board's expectations.

c. Instruction in application of formative and summative assessments within the school and classroom setting through technology-based assessment systems available in State schools that measure and predict expected student improvement.

(3) EPPs providing training for elementary and special education general curriculum teachers shall ensure that students receive instruction in early literacy intervention strategies and practices that are aligned with State and national reading standards and the goals for literacy instruction established in the State's Comprehensive Plan to Improve Literacy Instruction, as provided in G.S. 115C-83.4, and shall include the following:

a. Instruction in the teaching of reading, including a substantive understanding of reading as a process involving oral language, phonological and phonemic awareness, phonics, fluency, vocabulary, and comprehension. Instruction shall include appropriate application of instructional supports and services and reading interventions to ensure reading proficiency for all students.

b. Instruction in evidence-based assessment and diagnosis of specific areas of difficulty with reading development and of reading deficiencies.

c. Instruction in appropriate application of instructional supports and services and reading interventions to ensure reading proficiency for all students.

...."

SECTION 5.(b) This section applies to educator preparation programs applying for approval or renewing approval on or after July 1, 2020.

PART VI. ALIGN LITERACY CURRICULUM AND INSTRUCTION WITH READ TO ACHIEVE

SECTION 6.(a) The State Board of Education and the Department of Public Instruction shall develop or identify literacy curriculum and instruction standards to ensure that

methods throughout the State are consistent and closely aligned with the objectives of Part 1A of Article 8 of Chapter 115C of the General Statutes (Read to Achieve). Based on the goals and recommendations of the Comprehensive Plan to Improve Literacy Instruction developed pursuant to Section 3 of this act, the State Board and the Department shall incorporate only the most effective evidence-based literacy curriculum and instruction methods into the standards developed. No later than June 30, 2020, the State Board shall provide to local boards of education (i) the standards developed, (ii) a model literacy curriculum that meets the standards developed, and (iii) an example of a literacy curriculum that would not meet the standards developed and explanatory guidance on why it would not meet the standards.

Each local school administrative unit shall evaluate its literacy curriculum and instruction and shall modify as necessary to adhere to the standards developed by the State Board or adopt the model literacy curriculum model provided by the State Board. No later than December 15, 2020, and in a form prescribed by the State Board, each local school administrative unit shall submit to the State Board a concise explanation of its literacy curriculum and instruction, as aligned with the standards developed by the State Board.

SECTION 6.(b) Service Support Coordinators, or other appropriate staff as determined by the Department of Public Instruction, shall work to ensure that the standards developed by the State Board are implemented statewide by reviewing the curriculum of each local school administrative unit in each service area and by consulting with each local school administrative unit as needed to bring literacy instruction into compliance. Review and modification of all literacy instruction statewide shall be complete no later than November 15, 2021. Modifications shall be implemented into curriculum and instruction as soon as possible, and all curriculum and instruction as modified under this section shall be in place beginning with the 2022-2023 school year.

PART VII. APPROVE LOCAL READING CAMP PLANS

SECTION 7.(a) The State Board of Education and the Department of Public Instruction shall conduct an analysis of reading camps throughout the State in order to determine which reading camp activities and instructional methods are most effective in furthering reading development. Based on this analysis, the State Board and the Department shall develop reading camp standards that incorporate the most effective activities and instructional methods. No later than December 15, 2019, the State Board shall report to the Joint Legislative Education Oversight Committee on the standards developed in accordance with this section and any recommended legislation to further improve the effectiveness of reading camps and shall publish the standards.

SECTION 7.(b) Beginning with reading camps corresponding to the 2019-2020 school year, each local school administrative unit shall submit to the Department of Public Instruction a plan for the operation of its reading camps no later than March 1, 2020. Each plan shall include information about the local school administrative unit's efforts to staff reading camps with the most qualified teachers possible, including the unit's efforts to attract teachers associated with high growth in reading based on EVAAS data and teachers who have earned a reading bonus. As part of their plans, local school administrative units are encouraged to partner with other local school administrative units and with community organizations to enhance reading camps.

The Department shall review each local school administrative unit's plan and provide feedback as necessary to ensure that each reading camp throughout the State (i) provides instruction that is closely aligned with the goals of Part 1A of Article 8 of Chapter 115C of the General Statutes (Read to Achieve), (ii) meets the minimum requirements provided in G.S. 115C-83.3(4a), as amended by subsection (c) of this section, and (iii) complies with the reading camp standards published by the State Board of Education. The Department shall provide feedback to local school administrative units, including feedback on efforts to attract highly qualified teachers, no later than May 15, 2020. The Department may provide a form to local

school administrative units for the purpose of submitting their plans for review, and local school administrative units shall submit their plans on the form, if provided by the Department for this purpose.

SECTION 7.(c) G.S. 115C-83.3(4a) reads as rewritten:

"(4a) "Reading camp" means an additional educational program outside of the instructional calendar provided by the local school administrative unit to (i) any third grade student who does not demonstrate reading proficiency and (ii) any first or second grade student who demonstrates reading comprehension below grade level as identified through administration of formative and diagnostic assessments in accordance with G.S. 115C-83.6. Parents or guardians of the student not demonstrating reading proficiency or demonstrating reading comprehension below grade level shall make the final decision regarding the student's reading camp attendance. Reading camps shall (i) offer at least 72 hours of reading instruction to yield positive reading outcomes for participants; (ii) be taught by compensated, licensed teachers selected based on demonstrated student outcomes in reading proficiency or in improvement of difficulties with reading development; and (iii) allow volunteer mentors to read with students at times other than during the 72 hours of reading instruction. ~~The 72 hours of reading instruction shall be provided over no less than three weeks for students in schools using calendars other than year-round calendars.~~"

SECTION 7.(d) Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-83.6A. Approval of reading camp plans.**

(a) Each local school administrative unit shall submit to the Department of Public Instruction a plan for the operation of its reading camps no later than October 1. Each plan shall include information about the local school administrative unit's efforts to staff reading camps with the most qualified teachers possible, including the unit's efforts to attract teachers associated with high growth in reading based on EVAAS data and teachers who have earned a reading bonus. The plan shall incorporate any feedback received from the Department on the previous year's plan. As part of their plans, local school administrative units are encouraged to partner with other local school administrative units and with community organizations to enhance reading camps.

(b) The Department of Public Instruction shall review each local school administrative unit's plan and approve only those reading camps that (i) provide instruction that is closely aligned with the goals in this Part, (ii) meet minimum requirements as provided in G.S. 115C-83.3(4a), and (iii) comply with the reading camp standards published by the State Board of Education. No later than February 15, the Department shall notify each local school administrative unit of approval or denial of its plan and shall provide feedback if the plan is denied. No later than March 15, if its plan was denied, a local school administrative unit may submit an amended plan to the Department of Public Instruction. The Department shall notify the local school administrative unit if the amended plan is approved or denied no later than April 15.

(c) State-provided reading camp funds shall not be released to any local school administrative unit for which a reading camp plan has not been approved by the Department of Public Instruction by April 15. Any local school administrative unit denied approval shall use local funds to fulfill the requirement to provide a reading camp as provided in this Part."

SECTION 7.(e) Subsection (d) of this section applies beginning with the 2020-2021 school year to reading camps corresponding to that school year.

PART VIII. PHASE OUT CERTAIN ALTERNATIVE ASSESSMENTS

SECTION 8. Based on data collected pursuant to G.S. 115C-83.10 and any other data useful for this purpose, the State Board of Education shall analyze the passage rates for alternative assessments in order to determine the comparative utility of each alternative assessment. No later than January 15, 2020, the State Board shall submit a report to the Joint Legislative Education Oversight Committee on the results of its analysis, along with any recommendations to eliminate certain alternative assessments.

PART IX. ENHANCE DATA COLLECTION

SECTION 9.(a) The Department of Public Instruction shall create a uniform template for all data collected pursuant to Part 1A of Article 8 of Chapter 115C of the General Statutes (Read to Achieve), beginning with data collected during the 2013-2014 school year and for each school year thereafter. The template shall include clear designations for each data component reported. A numerical value shall be provided for all data values pertaining to school-wide measures, including those data values reporting fewer than 10 students. Where a measure is disaggregated in a manner that may allow the identity of a student to be disclosed, data values reporting 10 or fewer students may be suppressed to protect student privacy. Data values that are suppressed for this purpose shall be denoted in a different manner than data values left incomplete or unreported. Data values shall be compiled for each data component for each school year, beginning with the 2013-2014 school year, and shall be provided to the Joint Legislative Education Oversight Committee in the uniform template created pursuant to this subsection no later than April 15, 2020.

SECTION 9.(b) G.S. 115C-83.6(a2) reads as rewritten:

"(a2) The Department of Public Instruction shall provide for EVAAS analysis all formative and diagnostic assessment data collected pursuant to this section for kindergarten through third grade. The Department shall use a uniform template for all data collected, and the template shall be used each time data is provided. The template shall include clear designations for each data component reported."

SECTION 9.(c) This section applies beginning with the 2019-2020 school year and shall include the reporting of required data from the 2018-2019 school year.

PART X. ALLOW CEUS AND RETIREES FOR READING CAMP INSTRUCTION

SECTION 10.(a) A teacher who has earned a reading bonus and who provides instruction throughout a full reading camp shall be deemed to have completed two continuing education credits related to literacy, as required by G.S. 115C-270.30(b)(2).

SECTION 10.(b) Notwithstanding G.S. 115C-83.3(4a), for reading camps corresponding to the 2019-2020 school year, students attending reading camp may be taught by retired classroom teachers of kindergarten through third grade, based on demonstrated outcomes in reading proficiency or in improvement of difficulties with reading development. A retired teacher may begin providing reading camp instruction at the conclusion of the six-month period immediately following the effective date of retirement and shall be compensated at a rate of two thousand dollars ($2,000) upon completion of the camp.

PART XI. EXPAND WOLFPACK WORKS PROGRAM

SECTION 11.(a) From the funds appropriated to the Department of Public Instruction for the 2019-2021 fiscal biennium for the Excellent Public Schools Act, Read to Achieve Program, the Superintendent of Public Instruction shall contract with North Carolina State University to continue the Wolfpack WORKS pilot program (Wolfpack WORKS) during the 2019-2020 and 2020-2021 school years and may include in the contract expansion of Wolfpack WORKS, in accordance with the best interests of the students of the State, as determined by the Superintendent. The Superintendent of Public Instruction may also use funds appropriated for the Excellent Public Schools Act, Read to Achieve Program, to expand

Wolfpack WORKS by collaborating with any other constituent institutions of The University of North Carolina, in accordance with the best interests of the students of the State, as determined by the Superintendent.

Constituent institutions of The University of North Carolina participating in activities under this section shall not charge indirect facilities and administrative costs against the funding provided pursuant to this section.

By March 15 of each year that funds are used for the purposes described in this section, the Department of Public Instruction shall submit a report to the Joint Legislative Education Oversight Committee that includes the following:

(1) A list of the local school administrative units and the schools within each unit that participated, along with the total number of local school administrative units and schools participating.
(2) The total number of elementary school teachers that participated.
(3) A summary of activities completed.
(4) The results of any evaluations performed on the Wolfpack WORKS pilot program.

SECTION 11.(b) This section becomes effective July 1, 2019.

PART XII. EFFECTIVE DATE

SECTION 12. Except as otherwise provided, this act is effective when it becomes law.

SENATE BILL 295:
NC HS Graduation as Evidence of Residency.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 17, 2019
Introduced by:	Sen. Tillman	**Prepared by:**	Drupti Chauhan Committee Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 295 would allow graduation from a North Carolina high school as evidence to rebut the presumption that an individual's residence is the same as the individual's parents for purposes of establishing residency for in-State tuition at North Carolina community colleges and campuses of The University of North Carolina as well as for need-based State grants for both public and private institutions of higher education in the State.

CURRENT LAW: To qualify as a resident for tuition purposes, an individual must have established legal residence (also referred to as domicile) in the State for at least 12 months immediately prior to his or her classification as a resident for tuition purposes. When an individual presents evidence that the individual has living parents or a court-appointed guardian, the legal residence of the parents or guardian is prima facie evidence of the individual's legal residence. This presumption can be reinforced or rebutted relative to the age and general circumstances of the individual by other evidence of legal residence. The legal residence of an individual whose parents are domiciled outside of the State is not prima facie evidence of the individual's legal residence if the individual has lived in this State for 5 consecutive years prior to enrolling or reregistering at an institution of higher education.

BILL ANALYSIS: Senate Bill 295 would allow evidence of graduation from a North Carolina high school to be considered to rebut the presumption that an individual's residence is the same as the individual's parents for purposes of establishing the individual's residency in the State in order to quality for in-State tuition as well as for need-based State grants for both public and private institutions of higher education in the State.

EFFECTIVE DATE: The bill would become effective when it becomes law.

BACKGROUND: The Residency Determination Service (RDS) was established and implemented at the direction of the General Assembly and was a collaboration of The University of North Carolina, the North Carolina Community College System, the North Carolina State Education Assistance Authority, and the North Carolina Independent Colleges and Universities. The purpose of RDS is to be the centralized service for determining residency for individuals applying for admission to campuses of The University of North Carolina, North Carolina community colleges, and for need-based State grants for both public and private institutions of higher education in the State.

aren Cochrane-Brown
Director

S295-SMRQ-22 E1 -V-2

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S 1

SENATE BILL 295

Short Title:	NC HS Graduation as Evidence of Residency.	(Public)
Sponsors:	Senator Tillman (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

March 20, 2019

A BILL TO BE ENTITLED

AN ACT TO ALLOW EVIDENCE OF NORTH CAROLINA HIGH SCHOOL GRADUATION FOR STUDENTS TO REBUT THE PRESUMPTION THAT THE STUDENT'S RESIDENCE IS THE PARENT'S RESIDENCE FOR ESTABLISHING RESIDENCY FOR IN-STATE TUITION FOR NORTH CAROLINA COMMUNITY COLLEGES AND UNIVERSITIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-143.1 reads as rewritten:

"**§ 116-143.1. Provisions for determining resident status for tuition purposes.**

(a) As defined under this section:

(1) A "legal resident" or "resident" is a person who qualifies as a domiciliary of North Carolina; a "nonresident" is a person who does not qualify as a domiciliary of North Carolina.

(2) A "resident for tuition purposes" is a person who qualifies for the in-State tuition rate; a "nonresident for tuition purposes" is a person who does not qualify for the in-State tuition rate.

(3) "Institution of higher education" means any of the constituent institutions of the University of North Carolina and the community colleges under the jurisdiction of the State Board of Community Colleges.

(4) "Authority" means the State Education Assistance Authority created by and authorized to act under Article 23 of Chapter 116 of the General Statutes.

(b) To qualify as a resident for tuition purposes, a person must have established legal residence (domicile) in North Carolina and maintained that legal residence for at least 12 months immediately prior to his or her classification as a resident for tuition purposes. Every applicant for admission shall be required to make a statement as to his length of residence in the State.

(c) To be eligible for classification as a resident for tuition purposes, a person must establish that his or her presence in the State currently is, and during the requisite 12-month qualifying period was, for purposes of maintaining a bona fide domicile rather than of maintaining a mere temporary residence or abode incident to enrollment in an institution of higher education.

(d) An individual shall not be classified as a resident for tuition purposes and, thus, not rendered eligible to receive the in-State tuition rate, until he or she has provided such evidence related to legal residence and its duration as may be required by the coordinated and centralized residency determination process administered by the Authority in accordance with this Article acting on behalf of officials of the institution of higher education from which the individual seeks the in-State tuition rate.

(e) When an individual presents evidence that the individual has living parent(s) or court-appointed guardian of the person, the legal residence of such parent(s) or guardian shall be prima facie evidence of the individual's legal ~~residence, which~~ residence. This presumption may be reinforced or rebutted relative to the age and general circumstances of the individual by the other evidence of legal residence required of or presented by the ~~individual; provided, that the~~ individual. One general circumstance that may be considered is whether an individual has graduated from a North Carolina high school. The legal residence of an individual whose parents are domiciled outside this State shall not be prima facie evidence of the individual's legal residence if the individual has lived in this State the five consecutive years prior to enrolling or reregistering at an institution of higher education.

(f) In making domiciliary determinations related to the classification of persons as residents or nonresidents for tuition purposes, the domicile of a married person, irrespective of sex, shall be determined, as in the case of an unmarried person, by reference to all relevant evidence of domiciliary intent. For purposes of this section:

(1) No person shall be precluded solely by reason of marriage to a person domiciled outside North Carolina from establishing or maintaining legal residence in North Carolina and subsequently qualifying or continuing to qualify as a resident for tuition purposes;

(2) No persons shall be deemed solely by reason of marriage to a person domiciled in North Carolina to have established or maintained a legal residence in North Carolina and subsequently to have qualified or continued to qualify as a resident for tuition purposes;

(3) In determining the domicile of a married person, irrespective of sex, the fact of marriage and the place of domicile of his or her spouse shall be deemed relevant evidence to be considered in ascertaining domiciliary intent.

(g) Any nonresident person, irrespective of sex, who marries a legal resident of this State or marries one who later becomes a legal resident, may, upon becoming a legal resident of this State, accede to the benefit of the spouse's immediately precedent duration as a legal resident for purposes of satisfying the 12-month durational requirement of this section.

...."

SECTION 2. This act is effective when it becomes law.

SENATE BILL 399:
Rehire High-Need Teachers.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Pensions and Retirement and Aging. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 17, 2019
Introduced by:	Sens. Horner, Berger, Chaudhuri	**Prepared by:**	Drupti Chauhan Committee Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 399 allows retired teachers to return to work in certain high-needs schools without adversely impacting their retirement benefits.

CURRENT LAW: For a retiree of the Teachers' and State Employees' Retirement System (TSERS) who wishes to wish to return to work with a TSERS employer and wishes to continue to receive his or her TSERS monthly retirement benefit, the retiree must meet the following conditions:

- Be retired for at least 6 months before returning to work for a TSERS employer.
- Work in a position that does not require membership in TSERS (membership in TSERS is required if a person is a permanent employee who works at least 30 hours per week for 9 months per year).
- Be subject to earnings restrictions. The retiree can earn (i) 50% of the gross pre-retirement salary or (ii) $33,560 (2019 amount), whichever is greater.

BILL ANALYSIS: Senate Bill 399 allows certain retired teachers to return to work in certain high-needs schools and still receive their full retirement benefits. In order to qualify, a high-need retired teacher must meet the following:

- Have retired on or before February 1, 2019 after attaining 1 of the following:
  - The age of 65 with 5 years of creditable service.
  - The age of 60 with 25 years of creditable service.
  - 30 years of creditable service.
- Be reemployed by a local board of education to teach at a high-need school.

High-Need School: A high-need school is defined as a school that, at any point on or after July 1, 2017, which (i) is a Title I school as defined by federal law or (ii) receives an overall school performance grade of D or F as calculated by the State Board of Education.

Salary During Reemployment: High-needs retired teacher must be paid on the 1st step of the teacher salary schedule. If the high-needs retired teacher is reemployed to teach STEM (science, technology, engineering, and math) or special education, the high-needs retired teacher must be paid on the 6th step of the salary schedule. High-needs retired teachers cannot receive any salary supplements or bonuses and cannot move to higher salary steps on the salary schedule.

ɹren Cochrane-Brown
Director

S399-SMRQ-15 E1 -V-2

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

Term of Contract: The contract between a local board of education and a high-need retired teacher cannot be for more than 1 school year.

The Superintendent of Public Instruction must identify and provide to local school administrative units (LEAs) a list of STEM and special education licensure areas that qualify for reemployment and the LEAs must make this available to high-need retired teachers. The Department of Public Instruction must certify to TSERS that a retiree is employed to teach as high-needs retired teacher.

If the federal Internal Revenue Service determines that allowing retired teacher to return to work in certain high-needs schools while receiving their retirement benefits will jeopardize the status of the TSERS under the Internal Revenue Code, then this act would be repealed 30 days from receipt of that determination by the State Treasurer. The State Treasurer would then notify all LEAs of the repeal and publicly notice the information on the website for the Department of State Treasurer. LEAs would be required to notify all high-need retired teachers who are employed of the repeal.

EFFECTIVE DATE: The bill becomes effective July 1, 2019, and expires June 30, 2021.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 399

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

S399-ARQ-5 [v.1]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Horner

moves to amend the bill on page 1, line 17, by deleting the phrase "local school administrative unit" and replacing it with the following: "local board of education";

And on page 2, line 18, by deleting the phrase "local school administrative unit" and replacing it with the following: "local board of education";

And on page 4, line 13, by rewriting the line to read:

"G.S. 135-3(8)g., as enacted by this act, relating to the computation of postretirement earnings of retired teachers";

And on page 4, line 22, by deleting the phrase "that local school administrative unit" and replacing it with the following: "its local board of education".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

S399-ARQ-5-V-1

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 399

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

S399-ARQ-6 [v.1]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Horner

moves to amend the bill on page 1, line 35, through page 2, line 2, by rewriting the lines to read:

"(c) No State Salary Supplements or Increase in Salary. – A high-need retired teacher shall not receive any State salary supplement or State bonus. A high-need retired teacher shall not move beyond the salary steps prescribed by subsection (b) of this section, regardless of the length of time spent as a high-need retired teacher.

(d) Local Salary Supplement. – A high-need retired teacher shall receive any local salary supplements that are given to employees of the local board of education.";

And on page 2, line 3, by deleting "(d)" and substituting "(e)";

And on page 2, line 5 by deleting "(e)" and substituting "(f)".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

NORTH CAROLINA GENERAL ASSEMBLY

Session 2019

Legislative Retirement Note

Short Title: Rehire High-Need Teachers.
Bill Number: Senate Bill 399 (First Edition)
Sponsor(s): Senators Horner, Berger, and Chaudhuri

SUMMARY TABLE

ACTUARIAL IMPACT OF S.B. 399, V. 1 ($ in thousands)

	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
State Impact					
General Fund	-	No estimate available. See Actuarial Impact Summary.			
Highway Fund	-	No estimate available. See Actuarial Impact Summary.			
Other/Receipts	-	No estimate available. See Actuarial Impact Summary.			
TOTAL STATE EXPENDITURES	-	**No estimate available. See Actuarial Impact Summary.**			

ACTUARIAL IMPACT SUMMARY

Systems Affected: Teachers' and State Employees' Retirement System (TSERS)

Senate Bill 399 (First Edition) allows TSERS retirees to serve as classroom teachers under certain conditions. The bill specifies the following:

1. The retiree must have retired on or before February 1, 2019 with an unreduced benefit and must have retired at least six months prior to reemployment as a teacher.
2. The retiree must be reemployed by a local education agency (LEA) to teach in a school that is either a Title I school or received a State school performance grade of D or F.
3. The retiree would continue to receive his or her pension in addition to the salary for teaching.
4. The salary for teaching would be equal to the salary on the first step of the teacher salary schedule, except for STEM and special education teachers who would be paid on the sixth step of the schedule. The teacher would not receive any supplement or bonus.
5. The teaching salary would not count against the retiree earnings limit in G.S. 135-3(8).
6. The LEA hiring the teacher would be required to report to the Department of State Treasurer on the teacher's employment and earnings.
7. TSERS would receive neither employee nor employer contributions on the teaching salary and the retiree would not earn any TSERS service credit for the period.
8. The retiree would be enrolled in the State Health Plan as an active employee and the LEA would pay the employer premium to the State Health Plan.

The bill expires on June 30, 2021 and is repealed if the Internal Revenue Service determines that the provisions jeopardize the tax status of TSERS. Previous laws allowing retirees to return as classroom teachers, for example Session Laws 1998-212, 2001-424, 2002-126, 2004-124, 2005-144, and 2007-145, contained expiration dates that were amended by subsequent law.

Both Cavanaugh Macdonald, the actuary for the retirement systems, and Hartman & Associates, the actuary for the General Assembly, state that in its current form this bill is not expected to affect retirement or termination rates in TSERS, and thus is not expected to increase the accrued liability. However, if the February 1, 2019 date were changed to a later date, the bill would likely increase retirement rates, resulting in increased costs to TSERS.

Both actuaries note that the amortization of unfunded accrued liability is being collected as a percentage of the active payroll. If a significant number of retirees are hired in place of contributing employees, this would shift the unfunded liability amortization to future years and to the non-LEA employing units or to LEAs that hired relatively few retirees. Cavanaugh Macdonald estimates that the increase in contribution rate will be as follows, depending on the number of retirees hired as teachers:

Number per school	Total Number	Decrease in TSERS Active Payroll	Increase in Contribution Rate
0.25	500	$20,925,000	0.013%
0.50	1,000	$41,850,000	0.025%
1.00	2,000	$83,700,000	0.050%
2.50	5,000	$209,250,000	0.125%
5.00	10,000	$418,500,000	0.250%

The significant uncertainty in the number of retirees hired under these provisions is the reason that no estimate is available in the Summary Table after FY 2019-20.

ASSUMPTIONS AND METHODOLOGY

The cost estimates of the actuaries are based on the employee data, actuarial assumptions and actuarial methods used to prepare the December 31, 2017 actuarial valuations. Significant membership and financial statistics, assumptions, methods, and benefit provisions are shown in the following tables:

Membership Statistics (as of 12/31/2017 unless otherwise noted, M = millions)	
	TSERS
Active Members	
Count	304,554
General Fund Compensation	$11,005M
Valuation Compensation (Total)	$15,059M
Average Age	45
Average Service	10.8

Inactive Members	
Count	160,087
Retired Members	
Count	215,008
Annual Benefits	$4,521M
Average Age	71
New Retirees During 2018	11,200

Financial Statistics (as of 12/31/2017 unless otherwise noted, M = millions)	
	TSERS
Accrued Liability (AL)	$79,209M
Actuarial Value of Assets (AVA)	$69,568M
Market Value of Assets (MVA)	$70,608M
Unfunded Accrued Liability (AL - AVA)	$9,641M
Funded Status (AVA / AL)	88%
Required Employer Contribution for FY 2019-20 (as % of pay)	12.97%
Salary Increase Assumption (includes 3.50% inflation and productivity)	3.50% - 8.10%
Assumed Rate of Investment Return: 7.00%	
Cost Method: Entry Age Normal	
Amortization: 12 year, closed, flat dollar	
Demographic assumptions based on 2010-2014 experience, RP-2014 mortality, and projection of future mortality improvement with scale MP-2015	

Benefit Provisions	
	TSERS
Formula	1.82% x Service x 4 Year Avg Pay
Unreduced retirement age/service	Any/30; 60/25; 65 (55 for LEO)/5
Employee contribution (as % of pay)	6%

Further detailed information concerning these assumptions and methods is shown in the actuary's report, which is available upon request from the Fiscal Research Division.

Both actuaries also used information on the Title I and D/F schools. There are 1,826 Title I schools in LEAs across the state, using the 2018-19 list. In addition, there are 18 D/F schools using the 2017-18 school performance grades that are not Title I schools.

TECHNICAL CONSIDERATIONS

N/A.

DATA SOURCES

Cavanaugh Macdonald Consulting, LLC, "Rehiring High-Need Teachers - Senate Bill 399", April 16, 2019, original of which is on file in the General Assembly's Fiscal Research Division.

Hartman & Associates, LLC, "Senate Bill 399: An Act to Allow Retired Teachers to return to Work in High-Need Schools Without Adversely Impacting the Retired Teachers' Benefits", April 4, 2019, original of which is on file in the General Assembly's Fiscal Research Division.

LEGISLATIVE ACTUARIAL NOTE – PURPOSE AND LIMITATIONS

This document is an official actuarial analysis prepared pursuant to Chapter 120 of the General Statutes and rules adopted by the Senate and House of Representatives. The estimates in this analysis are based on the data, assumptions, and methodology described above. This document only addresses sections of the bill that have projected direct actuarial impacts on State or local government retirement systems and does not address sections that have no projected actuarial impacts.

CONTACT INFORMATION

Questions on this analysis should be directed to the Fiscal Research Division at (919) 733-4910.

ESTIMATE PREPARED BY

David Vanderweide

ESTIMATE APPROVED BY

Mark Trogdon, Director of Fiscal Research
Fiscal Research Division
April 16, 2019

Signed copy located in the NCGA Principal Clerk's Offices

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SENATE BILL 399

Short Title:	Rehire High-Need Teachers.	(Public)
Sponsors:	Senators Horner, Berger, and Chaudhuri (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

April 1, 2019

A BILL TO BE ENTITLED

AN ACT TO ALLOW FOR RETIRED TEACHERS TO RETURN TO WORK IN HIGH-NEED SCHOOLS WITHOUT ADVERSELY IMPACTING THE RETIRED TEACHERS' BENEFITS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 20 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-302.4. High-need retired teachers.**

(a) Definitions. – The following definitions apply in this section:

(1) High-need retired teacher. – A beneficiary of the Teachers' and State Employees' Retirement System of North Carolina who meets both of the following requirements:

a. Retired on or before February 1, 2019, after attaining (i) the age of at least 65 with five years of creditable service, (ii) the age of at least 60 with 25 years of creditable service, or (iii) 30 years of creditable service.

b. Is reemployed by a local school administrative unit to teach at a high-need school.

(2) High-need school. – A school that, at any point on or after July 1, 2017, meets one of the following criteria:

a. Is a Title I school. As used in this sub-subdivision, a Title I school is a school identified under Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended.

b. Receives an overall school performance grade of D or F, as calculated by the State Board of Education pursuant to G.S. 115C-83.15(d).

(3) STEM. – Science, technology, engineering, and mathematics.

(b) Salary Level. – A high-need retired teacher shall be compensated as follows:

(1) Except as provided in subdivision (2) of this subsection, a high-need retired teacher shall be paid on the first step of the teacher salary schedule.

(2) If a high-need retired teacher serves as a teacher in any of the following licensure areas, he or she shall be paid on the sixth step of the teacher salary schedule:

a. STEM.

b. Special education.

(c) No Salary Supplements or Increase in Salary. – A high-need retired teacher shall not receive any salary supplement or bonus. A high-need retired teacher shall not move beyond the

salary steps prescribed by subsection (b) of this section, regardless of the length of time spent as a high-need retired teacher.

(d) Term of Contract. – A contract between the local board of education and a high-need retired teacher shall be for a term of no more than one school year.

(e) Identification of STEM and Special Education Licensure Areas. – The Superintendent of Public Instruction shall identify and provide to each local school administrative unit a list of STEM and special education licensure areas that qualify for reemployment pursuant to subsection (b)(2) of this section. Local school administrative units shall make the list of STEM and special education licensure areas available to high-need retired teachers."

SECTION 2.(a) G.S. 135-3(8) is amended by adding a new sub-subdivision to read:

"g. Notwithstanding sub-subdivisions c. and d. of this subdivision, the computation of postretirement earnings of a beneficiary under this subdivision, who retired on or before February 1, 2019, and who has been retired at least six months shall not include earnings while the beneficiary is employed to teach as a high-need retired teacher, as defined under G.S. 115C-302.4(a)(1). The Department of Public Instruction shall certify to the Retirement System that a beneficiary is employed to teach by a local school administrative unit as a high-need retired teacher, as defined under G.S. 115C-302.4(a)(1).

Beneficiaries employed under this sub-subdivision are not entitled to any benefits otherwise provided under this Chapter as a result of this period of employment."

SECTION 2.(b) G.S. 135-3(8)c1. reads as rewritten:

"c1. Within 90 days of the end of each month in which a beneficiary is reemployed under the provisions of ~~sub-subdivision~~ sub-subdivisions c. and g. of this subdivision, each employer shall provide a report for that month on each reemployed beneficiary, including the terms of the reemployment, the date of the reemployment, and the amount of the monthly compensation. If such a report is not received within the required 90 days, the Board may assess the employer with a penalty of ten percent (10%) of the compensation of the unreported reemployed beneficiaries during the months for which the employer did not report the reemployed beneficiaries, with a minimum penalty of twenty-five dollars ($25.00). If after being assessed a penalty, an employer provides clear and convincing evidence that the failure to report resulted from a lack of oversight or some other event beyond the employer's control and was not a deliberate attempt to omit the reporting of reemployed beneficiaries, the Board may reduce the penalty to not less than two percent (2%) of the compensation of the unreported reemployed beneficiaries during the months for which the employer failed to report, with a minimum penalty of twenty-five dollars ($25.00). Upon receipt by the employer of notice that a penalty has been assessed under this sub-subdivision, the employer shall remit the payment of the penalty to the Retirement System, in one lump sum, no later than 90 days from the date of the notice."

SECTION 3. G.S. 135-1(10) reads as rewritten:

"(10) "Employee" shall mean all full-time employees, agents or officers of the State of North Carolina or any of its departments, bureaus and institutions other than educational, whether such employees are elected, appointed or employed: Provided that the term "employee" shall not include any person who is a member of the Consolidated Judicial Retirement System, any member of the

General ~~Assembly or~~ Assembly, any part-time or temporary ~~employee.~~ employee, or any high-need retired teacher as defined under G.S. 115C-302.4(a)(1). Notwithstanding any other provision of law, "employee" shall include all employees of the General Assembly except participants in the Legislative Intern Program, pages, and beneficiaries in receipt of a monthly retirement allowance under this Chapter who are reemployed on a temporary basis. "Employee" also includes any participant whose employment is interrupted by reason of service in the Uniformed Services, as that term is defined in section 4303(16) of the Uniformed Services Employment and Reemployment Rights Act, Public Law 103-353, if that participant was an employee at the time of the interruption; if the participant does not return immediately after that service to employment with a covered employer in this System, then the participant shall be deemed "in service" until the date on which the participant was first eligible to be separated or released from his or her involuntary military service. In all cases of doubt, the Board of Trustees shall determine whether any person is an employee as defined in this Chapter. "Employee" shall also mean every full-time civilian employee of the North Carolina National Guard who is employed pursuant to section 709 of Title 32 of the United States Code and paid from federal appropriated funds, but held by the federal authorities not to be a federal employee: Provided, however, that the authority or agency paying the salaries of such employees shall deduct or cause to be deducted from each employee's salary the employee's contribution in accordance with applicable provisions of G.S. 135-8 and remit the same, either directly or indirectly, to the Retirement System; coverage of employees described in this sentence shall commence upon the first day of the calendar year or fiscal year, whichever is earlier, next following the date of execution of an agreement between the Secretary of Defense of the United States and the Adjutant General of the State acting for the Governor in behalf of the State, but no credit shall be allowed pursuant to this sentence for any service previously rendered in the above-described capacity as a civilian employee of the North Carolina National Guard: Provided, further, that the Adjutant General, in the Adjutant General's discretion, may terminate the Retirement System coverage of the above-described North Carolina National Guard employees if a federal retirement system is established for such employees and the Adjutant General elects to secure coverage of such employees under such federal retirement system. Any full-time civilian employee of the North Carolina National Guard described above who is now or hereafter may become a member of the Retirement System may secure Retirement System credit for such service as a North Carolina National Guard civilian employee for the period preceding the time when such employees became eligible for Retirement System coverage by paying to the Retirement System an amount equal to that which would have constituted employee contributions if the employee had been a member during the years of ineligibility, plus interest. Employees of State agencies, departments, institutions, boards, and commissions who are employed in permanent job positions on a recurring basis must work at least 30 hours per week for nine or more months per calendar year in order to be covered by the provisions of this ~~subdivision.~~ subdivision, except that no high-need retired teacher as defined under G.S. 115C-302.4(a)(1) shall be considered an employee. On and after August 1, 2001, a person who is a nonimmigrant alien and who otherwise meets the requirements of this

subdivision shall not be excluded from the definition of "employee" solely because the person holds a temporary or time-limited visa."

SECTION 4. G.S. 135-48.40(b)(1a) reads as rewritten:

"(1a) All retirees who (i) are employed by an employing unit that elects to be covered by this subdivision, (ii) do not qualify for coverage under subdivision (1) of this subsection, and (iii) are determined to be "full-time" by their employing unit in accordance with section 4980H of the Internal Revenue Code and the applicable regulations, as ~~amended.~~ amended, or are high-need retired teachers, as defined under G.S. 115C-302.4(a)(1). The employing unit shall pay the employer premiums for retirees who enroll under this subdivision."

SECTION 5. If the Internal Revenue Service determines that the provisions of G.S. 135-3(8)g. relating to the computation of postretirement earnings of retired teachers jeopardize the status of the Teachers' and State Employees' Retirement System of North Carolina under the Internal Revenue Code, then this act is repealed 30 days from receipt of that determination by the State Treasurer. Upon receipt of that determination, the State Treasurer shall notify the Revisor of Statutes of the determination and the date of receipt. Within one business day of receipt of the determination, the State Treasurer shall notify all local school administrative units of the repeal of this act and shall publicly notice the receipt of this information on the Department of State Treasurer Web site. Within one business day of receipt of the notice from the State Treasurer, a local school administrative unit shall notify all high-need retired teachers employed by that local school administrative unit of the repeal of this act.

SECTION 6. This act becomes effective July 1, 2019, and expires June 30, 2021.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 399
PROPOSED COMMITTEE SUBSTITUTE S399-PCS15324-RQ-9

Short Title: Rehire High-Need Teachers. (Public)

Sponsors:

Referred to:

April 1, 2019

A BILL TO BE ENTITLED

AN ACT TO ALLOW FOR RETIRED TEACHERS TO RETURN TO WORK IN HIGH-NEED SCHOOLS WITHOUT ADVERSELY IMPACTING THE RETIRED TEACHERS' BENEFITS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 20 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-302.4. High-need retired teachers.**

(a) Definitions. – The following definitions apply in this section:

(1) High-need retired teacher. – A beneficiary of the Teachers' and State Employees' Retirement System of North Carolina who meets both of the following requirements:

a. Retired on or before February 1, 2019, after attaining (i) the age of at least 65 with five years of creditable service, (ii) the age of at least 60 with 25 years of creditable service, or (iii) 30 years of creditable service.

b. Is reemployed by a local board of education to teach at a high-need school.

(2) High-need school. – A school that, at any point on or after July 1, 2017, meets one of the following criteria:

a. Is a Title I school. As used in this sub-subdivision, a Title I school is a school identified under Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended.

b. Receives an overall school performance grade of D or F, as calculated by the State Board of Education pursuant to G.S. 115C-83.15(d).

(3) STEM. – Science, technology, engineering, and mathematics.

(b) Salary Level. – A high-need retired teacher shall be compensated as follows:

(1) Except as provided in subdivision (2) of this subsection, a high-need retired teacher shall be paid on the first step of the teacher salary schedule.

(2) If a high-need retired teacher serves as a teacher in any of the following licensure areas, he or she shall be paid on the sixth step of the teacher salary schedule:

a. STEM.

b. Special education.

(c) No State Salary Supplements or Increase in Salary. – A high-need retired teacher shall not receive any State salary supplement or State bonus. A high-need retired teacher shall not

move beyond the salary steps prescribed by subsection (b) of this section, regardless of the length of time spent as a high-need retired teacher.

(d) Local Salary Supplement. – A high-need retired teacher shall receive any local salary supplements that are given to employees of the local board of education.

(e) Term of Contract. – A contract between the local board of education and a high-need retired teacher shall be for a term of no more than one school year.

(f) Identification of STEM and Special Education Licensure Areas. – The Superintendent of Public Instruction shall identify and provide to each local school administrative unit a list of STEM and special education licensure areas that qualify for reemployment pursuant to subsection (b)(2) of this section. Local school administrative units shall make the list of STEM and special education licensure areas available to high-need retired teachers."

SECTION 2.(a) G.S. 135-3(8) is amended by adding a new sub-subdivision to read:

"g. Notwithstanding sub-subdivisions c. and d. of this subdivision, the computation of postretirement earnings of a beneficiary under this subdivision, who retired on or before February 1, 2019, and who has been retired at least six months, shall not include earnings while the beneficiary is employed to teach as a high-need retired teacher, as defined under G.S. 115C-302.4(a)(1). The Department of Public Instruction shall certify to the Retirement System that a beneficiary is employed to teach by a local board of education as a high-need retired teacher, as defined under G.S. 115C-302.4(a)(1).

Beneficiaries employed under this sub-subdivision are not entitled to any benefits otherwise provided under this Chapter as a result of this period of employment."

SECTION 2.(b) G.S. 135-3(8)c1. reads as rewritten:

"c1. Within 90 days of the end of each month in which a beneficiary is reemployed under the provisions of ~~sub-subdivision~~ sub-subdivisions c. and g. of this subdivision, each employer shall provide a report for that month on each reemployed beneficiary, including the terms of the reemployment, the date of the reemployment, and the amount of the monthly compensation. If such a report is not received within the required 90 days, the Board may assess the employer with a penalty of ten percent (10%) of the compensation of the unreported reemployed beneficiaries during the months for which the employer did not report the reemployed beneficiaries, with a minimum penalty of twenty-five dollars ($25.00). If after being assessed a penalty, an employer provides clear and convincing evidence that the failure to report resulted from a lack of oversight or some other event beyond the employer's control and was not a deliberate attempt to omit the reporting of reemployed beneficiaries, the Board may reduce the penalty to not less than two percent (2%) of the compensation of the unreported reemployed beneficiaries during the months for which the employer failed to report, with a minimum penalty of twenty-five dollars ($25.00). Upon receipt by the employer of notice that a penalty has been assessed under this sub-subdivision, the employer shall remit the payment of the penalty to the Retirement System, in one lump sum, no later than 90 days from the date of the notice."

SECTION 3. G.S. 135-1(10) reads as rewritten:

"(10) "Employee" shall mean all full-time employees, agents or officers of the State of North Carolina or any of its departments, bureaus and institutions other than educational, whether such employees are elected, appointed or employed:

Provided that the term "employee" shall not include any person who is a member of the Consolidated Judicial Retirement System, any member of the General ~~Assembly or~~ Assembly, any part-time or temporary ~~employee.~~ employee, or any high-need retired teacher as defined under G.S. 115C-302.4(a)(1). Notwithstanding any other provision of law, "employee" shall include all employees of the General Assembly except participants in the Legislative Intern Program, pages, and beneficiaries in receipt of a monthly retirement allowance under this Chapter who are reemployed on a temporary basis. "Employee" also includes any participant whose employment is interrupted by reason of service in the Uniformed Services, as that term is defined in section 4303(16) of the Uniformed Services Employment and Reemployment Rights Act, Public Law 103-353, if that participant was an employee at the time of the interruption; if the participant does not return immediately after that service to employment with a covered employer in this System, then the participant shall be deemed "in service" until the date on which the participant was first eligible to be separated or released from his or her involuntary military service. In all cases of doubt, the Board of Trustees shall determine whether any person is an employee as defined in this Chapter. "Employee" shall also mean every full-time civilian employee of the North Carolina National Guard who is employed pursuant to section 709 of Title 32 of the United States Code and paid from federal appropriated funds, but held by the federal authorities not to be a federal employee: Provided, however, that the authority or agency paying the salaries of such employees shall deduct or cause to be deducted from each employee's salary the employee's contribution in accordance with applicable provisions of G.S. 135-8 and remit the same, either directly or indirectly, to the Retirement System; coverage of employees described in this sentence shall commence upon the first day of the calendar year or fiscal year, whichever is earlier, next following the date of execution of an agreement between the Secretary of Defense of the United States and the Adjutant General of the State acting for the Governor in behalf of the State, but no credit shall be allowed pursuant to this sentence for any service previously rendered in the above-described capacity as a civilian employee of the North Carolina National Guard: Provided, further, that the Adjutant General, in the Adjutant General's discretion, may terminate the Retirement System coverage of the above-described North Carolina National Guard employees if a federal retirement system is established for such employees and the Adjutant General elects to secure coverage of such employees under such federal retirement system. Any full-time civilian employee of the North Carolina National Guard described above who is now or hereafter may become a member of the Retirement System may secure Retirement System credit for such service as a North Carolina National Guard civilian employee for the period preceding the time when such employees became eligible for Retirement System coverage by paying to the Retirement System an amount equal to that which would have constituted employee contributions if the employee had been a member during the years of ineligibility, plus interest. Employees of State agencies, departments, institutions, boards, and commissions who are employed in permanent job positions on a recurring basis must work at least 30 hours per week for nine or more months per calendar year in order to be covered by the provisions of this ~~subdivision.~~ subdivision, except that no high-need retired teacher as defined under G.S. 115C-302.4(a)(1) shall be

considered an employee. On and after August 1, 2001, a person who is a nonimmigrant alien and who otherwise meets the requirements of this subdivision shall not be excluded from the definition of "employee" solely because the person holds a temporary or time-limited visa."

SECTION 4. G.S. 135-48.40(b)(1a) reads as rewritten:

"(1a) All retirees who (i) are employed by an employing unit that elects to be covered by this subdivision, (ii) do not qualify for coverage under subdivision (1) of this subsection, and (iii) are determined to be "full-time" by their employing unit in accordance with section 4980H of the Internal Revenue Code and the applicable regulations, as ~~amended.~~ amended, or are high-need retired teachers, as defined under G.S. 115C-302.4(a)(1). The employing unit shall pay the employer premiums for retirees who enroll under this subdivision."

SECTION 5. If the Internal Revenue Service determines that the provisions of G.S. 135-3(8)g., as enacted by this act, relating to the computation of postretirement earnings of retired teachers jeopardize the status of the Teachers' and State Employees' Retirement System of North Carolina under the Internal Revenue Code, then this act is repealed 30 days from receipt of that determination by the State Treasurer. Upon receipt of that determination, the State Treasurer shall notify the Revisor of Statutes of the determination and the date of receipt. Within one business day of receipt of the determination, the State Treasurer shall notify all local school administrative units of the repeal of this act and shall publicly notice the receipt of this information on the Department of State Treasurer Web site. Within one business day of receipt of the notice from the State Treasurer, a local school administrative unit shall notify all high-need retired teachers employed by its local board of education of the repeal of this act.

SECTION 6. This act becomes effective July 1, 2019, and expires June 30, 2021.

SENATE BILL 448: Amend Appt For Compact on Education/Military.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 17, 2019
Introduced by:	Sen. Brown	**Prepared by:**	Samantha Yarborough Staff Attorney
Analysis of:	First Edition		

OVERVIEW: ***House Bill 340 would amend the requirements for an individual to be appointed as compact commissioner under the Interstate Compact on Educational Opportunity for Military Children.***

CURRENT LAW: G.S. 115C-407.5 sets out the Interstate Compact on Educational Opportunity for Military Children (Compact). Under the Compact, the compact commissioner is responsible for the administration and management of the State's participation in the Compact and must be appointed by the Governor or as otherwise determined by each member state. The compact commissioner is the voting representative of the State in the Interstate Commission created by the Compact.

G.S. 115C-407.7 requires the Governor to appoint as the compact commissioner a licensed North Carolina attorney who represents at least one local board of education, with preference given to an attorney representing a local board of education with a high concentration of military children, or an attorney familiar with military issues.

BILL ANALYSIS: House Bill 340 would remove the requirement that the compact commissioner be a licensed North Carolina attorney who represents at least one local board of education or an attorney familiar with military issues. Instead, the Governor would be required to appoint an individual who represents at least one local board of education with a high concentration of military children.

EFFECTIVE DATE: This bill would become effective when it becomes law.

ɪren Cochrane-Brown
Director

S448-SMBN-61 E1 -V-2

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S 1

SENATE BILL 448*

Short Title:	Amend Appt For Compact on Education/Military.	(Public)
Sponsors:	Senator Brown (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

April 2, 2019

A BILL TO BE ENTITLED

AN ACT TO AMEND THE REQUIREMENTS FOR AN INDIVIDUAL APPOINTED AS COMPACT COMMISSIONER UNDER THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-407.7 reads as rewritten:

"**§ 115C-407.7. Appointment of compact commissioner.**

As required by Article VIII of the compact, the Governor shall appoint as compact commissioner ~~a licensed North Carolina attorney~~ an individual who represents at least one local board of ~~education, with preference given to an attorney representing a local board of~~ education with a high concentration of military ~~children or an attorney familiar with military issues.~~ children. The compact commissioner shall be responsible for the administration and management of the State's participation in the compact."

SECTION 2. This act is effective when it becomes law.

SENATE BILL 600:
Vets Children/Short-term Workforce Training.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 17, 2019
Introduced by:	Sens. D. Davis, Ballard, Britt	**Prepared by:**	Samantha Yarborough Staff Attorney
Analysis of:	First Edition		

OVERVIEW: Senate Bill 600 would allow children of wartime veterans receiving a Class I-A, I-B or IV to use those funds to cover the cost of short-term workforce training courses leading to industry credentials.

CURRENT LAW: G.S. 143B-1225 sets out the scholarship program for children of wartime veterans and limits recipients to one scholarship for up to 4 years within an 8 year entitlement period after first receiving the scholarship.

The term "child" is defined in G.S. 143B-1224 as a person who meets all of the following requirements: (i) is under the age of 25 at the time of application for the scholarship, (ii) is a domiciliary of North Carolina and is a resident of North Carolina when applying for a scholarship, (iii) has completed high school or its equivalent prior to receipt of a scholarship, (iv) has complied with the requirements of the Selective Service System, and (v) is one of the following:

- A person whose veteran parent was a legal resident of North Carolina at the time of the veteran's entrance into the period of service in the Armed Forces that establishes eligibility.
- A veteran's child who was born in North Carolina and has been a resident of North Carolina continuously since birth.
- A person who meets either of the above, and was legally adopted by the veteran before the age of 15.

G.S. 143B-1226(b) defines the types of scholarships that a child may receive.

- Class I-A: awarded to a child whose veteran parent either (i) was killed in action or died from wounds or other causes that arose while a member of the Armed Forces during a period of war, or (ii) has died of service-connected injuries, wounds, illnesses, or other causes incurred or aggravated during wartime service in the Armed Forces. This scholarship provides for all expenses, including room and board allowances.
- Class I-B: awarded to a child whose veteran parent is or was at the time of death receiving compensation for a wartime service-connected disability of 100% as rated by the US Department of Veterans Affairs. This scholarship covers only tuition and fees.
- Class IV: awarded to a child whose parent, while serving honorably as an actively serving member of the Armed Forces during a period of war, was listed as any of the following: (i) missing in action, (ii) captured in line of duty by a hostile force, or (iii) forcibly detained or interned in line of duty by a foreign government or power. This scholarship provides for all expenses.

BILL ANALYSIS: Senate Bill 600 would allow the recipient of a Class I-A, I-B, or IV scholarship, as defined in G.S. 143B-1226(b), to use those funds at any time during the student's period of entitlement to cover the cost of the cost of short-term workforce training courses leading to industry credentials.

EFFECTIVE DATE: This bill would become effective when it becomes law.

Karen Cochrane-Brown
Director

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 600

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

S600-ABN-34 [v.3]

Amends Title [NO]
First Edition

Date _____,2019

Senator D. Davis

moves to amend the bill on page 1, line 7, through page 2, line 10, by rewriting those lines to read:

"**SECTION 1.(a)** G.S. 143B-1225(a)(1) reads as rewritten:

"(1) With respect to State educational institutions, unless expressly limited elsewhere in this Part, a scholarship shall consist of:

a. Tuition at the State educational institution.

b. A standard board allowance.

c. A standard room allowance.

d. Matriculation and other institutional fees required to be paid as a condition to remaining in the institution and pursuing the course of study selected.

e. For Class I-A, I-B, and IV scholarships, as defined by G.S. 143B-1226(b), the cost of short-term workforce training courses leading to industry credentials."

SECTION 1.(b) G.S. 143B-1226(b)(2) reads as rewritten:

"(2) Class I-B: Under this class a limited scholarship providing only those benefits set forth in ~~G.S. 143B-1225(a)(1)a. and d.~~G.S. 143B-1225(a)(1)a., d., and e., and G.S. 143B-1225(a)(2) shall be awarded to any child whose veteran parent, at the time the benefits pursuant to this Part are sought to be availed of, is or was at the time of his death receiving compensation for a wartime service-connected disability of one hundred percent (100%) as rated by the United States Department of Veterans Affairs. Provided, that if the veteran parent of a recipient under this class should die of his wartime service-connected condition before the recipient shall have utilized all of his scholarship eligibility time, then the North Carolina Department of Military and Veterans Affairs shall amend the recipient's award from Class I-B to Class I-A for the remainder of the recipient's eligibility time. The effective date of such an amended award shall be determined by the Department of Military and Veterans Affairs but, in no event shall it predate the date of the veteran parent's death."

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 600

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

S600-ABN-34 [v.3]

SECTION 2. This act is effective when it becomes law and applies to scholarships awarded beginning with the 2019-2020 academic year.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S 1

SENATE BILL 600

Short Title:	Vets Children/Short-term Workforce Training.	(Public)
Sponsors:	Senators D. Davis, Ballard, and Britt (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

April 4, 2019

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT CHILDREN OF WARTIME VETERANS RECEIVING A CLASS I-A, I-B, OR IV SCHOLARSHIP MAY USE THOSE FUNDS TO COVER THE COST OF SHORT-TERM WORKFORCE TRAINING COURSES LEADING TO INDUSTRY CREDENTIALS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143B-1225 reads as rewritten:

"**§ 143B-1225. Scholarship.**

(a) A scholarship granted pursuant to this Part shall consist of the following benefits in either a State or private educational institution:

...

(6) A Class I-A, I-B, and IV scholarship, as defined in G.S. 143B-1226(b), may be used at any time during the student's period of entitlement to cover the cost of short-term workforce training courses leading to industry credentials. In no case shall the cost of short-term workforce training courses plus tuition and other allowances authorized by subdivision (1) of this subsection exceed the total scholarship awarded.

...."

SECTION 2. G.S. 143B-1227 reads as rewritten:

"**§ 143B-1227. Administration and funding.**

...

(d) Scholarship recipients electing to attend a private educational institution shall be granted a monetary allowance for each term or other academic period attended under their respective scholarship awards. All recipients under Class I-B scholarship shall receive an allowance at one rate, irrespective of course or institution; all recipients under Classes I-A, II, III and IV shall receive a uniform allowance at a rate higher than for Class I-B, irrespective of course or institution. The amount of said allowances shall be determined by the Director of the Budget and made known prior to the beginning of each fall quarter or semester; provided that the Director of the Budget may change the allowances at intermediate periods when in his judgment such changes are necessary. Disbursements by the State shall be to the private institution concerned, for credit to the account of each recipient attending said institution. The manner of payment to any private institution shall be as prescribed by the Department of Military and Veterans Affairs. The participation by any private institution in the program shall be subject to the applicable provisions of this Part and to examination by State auditors of the accounts of scholarship recipients attending or having attended private institutions. The Veterans' Affairs Commission may defer making an award or may suspend an award in any private institution which does not

comply with the provisions of this Part relating to said institutions. A Class I-A, I-B, and IV scholarship recipient may use the monetary allowance at any time during the student's period of entitlement to cover the cost of short-term workforce training courses leading to industry credentials. Disbursements by the State shall be to the community college providing the short-term workforce training courses for credit to the account of each recipient attending the institution. In no case shall the cost of the short-term workforce training courses plus disbursements made to the community college exceed the total monetary allowance the student is eligible for during the period of entitlement.

...."

SECTION 3. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 600
PROPOSED COMMITTEE SUBSTITUTE S600-PCS15326-BN-13

Short Title: Vets Children/Short-Term Workforce Training. (Public)

Sponsors:

Referred to:

April 4, 2019

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT CHILDREN OF WARTIME VETERANS RECEIVING A CLASS I-A, I-B, OR IV SCHOLARSHIP MAY USE THOSE FUNDS TO COVER THE COST OF SHORT-TERM WORKFORCE TRAINING COURSES LEADING TO INDUSTRY CREDENTIALS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 143B-1225(a)(1) reads as rewritten:

"(1) With respect to State educational institutions, unless expressly limited elsewhere in this Part, a scholarship shall consist of:

a. Tuition at the State educational institution.

b. A standard board allowance.

c. A standard room allowance.

d. Matriculation and other institutional fees required to be paid as a condition to remaining in the institution and pursuing the course of study selected.

e. For Class I-A, I-B, and IV scholarships, as defined by G.S. 143B-1226(b), the cost of short-term workforce training courses leading to industry credentials."

SECTION 1.(b) G.S. 143B-1226(b)(2) reads as rewritten:

"(2) Class I-B: Under this class a limited scholarship providing only those benefits set forth in ~~G.S. 143B-1225(a)(1)a. and d.~~ G.S. 143B-1225(a)(1)a., d., and e., and G.S. 143B-1225(a)(2) shall be awarded to any child whose veteran parent, at the time the benefits pursuant to this Part are sought to be availed of, is or was at the time of his death receiving compensation for a wartime service-connected disability of one hundred percent (100%) as rated by the United States Department of Veterans Affairs. Provided, that if the veteran parent of a recipient under this class should die of his wartime service-connected condition before the recipient shall have utilized all of his scholarship eligibility time, then the North Carolina Department of Military and Veterans Affairs shall amend the recipient's award from Class I-B to Class I-A for the remainder of the recipient's eligibility time. The effective date of such an amended award shall be determined by the Department of Military and Veterans Affairs but, in no event shall it predate the date of the veteran parent's death."

SECTION 2. This act is effective when it becomes law and applies to scholarships awarded beginning with the 2019-2020 academic year.

SENATE BILL 621:
Testing Reduction Act of 2019.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 17, 2019
Introduced by:	Sens. Tillman, Ballard, Sawyer	**Prepared by:**	Brian Gwyn Committee Co-Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 621 would reduce the number of tests administered to students in public schools. The bill would eliminate the North Carolina Final Exams (NCFEs), require reporting on and reductions in local testing, and require a review of the third grade reading end-of-grade test to ensure alignment with the Read to Achieve alternative assessment.

CURRENT LAW: Under the terms of the now-expired federal Race to the Top grant and No Child Left Behind waiver, North Carolina had to provide a growth measure for every teacher in the State. Since growth measures require some type of standardized measure of student achievement, NCFEs were created to meet that requirement for courses that did not have an end-of-grade test (EOG) or end-of-course test (EOC). Under State Board of Education (State Board) Policy TEST-016, NCFEs are used to provide growth data for teachers of these courses. NCFEs are not currently required by State or federal law.

Under G.S. 115C-174.11(d), the State Board cannot require public schools to administer any standardized tests except those otherwise required by State or federal law. However, local boards of education may require additional standardized assessments.

G.S. 115C-174.12 requires local boards of education to annually notify the State Board of any local standardized testing requirements. Additionally, the State Board must submit an annual report on both statewide testing and local testing.

BILL ANALYSIS: Senate Bill 621 would require the State Board to eliminate the use of NCFEs for any purpose. By March 15, 2020, the State Board and the Department of Public Instruction (DPI) would be required to submit a plan to the Joint Legislative Education Oversight Committee (Education Oversight) on how to use other means to accomplish the purposes for which NCFEs are used.

The bill would also require the State Board to provide in its annual testing summary the average over the prior two-year period of (i) the number of tests administered and (ii) the number of hours required for students to complete the tests. The summary would be based on data reported by local boards of education under existing law.

Every two years, each local board of education would be required to review its local standardized testing requirements. If either the number of tests administered or the number of hours required for students to complete the tests is higher than the State average, the local board would be required to submit to the State Board and DPI a plan to put local testing in line with the State average. As part of its annual reporting to Education Oversight, the State Board would be required to provide a summary of these local plans.

Additionally, DPI would be required to study the third grade reading EOG to check for alignment with the Read to Achieve alternative assessment. Based on its examination, DPI would be required to modify the third grade reading assessment and report on those modifications by March 15, 2020, to Education Oversight.

EFFECTIVE DATE: The bill would be effective when it becomes law. The local testing reporting requirements would apply beginning with the 2020-2021 school year.

Karen Cochrane-Brown
Director

S621-SMBE-26 E1 -V-4

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 621

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

S621-ABE-24 [v.3]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Tillman

moves to amend the bill on page 1, line 20, by deleting the word "combined";

on page 1, line 24, by adding the following at the end of the line:

"The State Board of Education shall waive the requirement that a local board develop and submit a plan if the State Board finds that the local board has made significant progress toward reducing local testing to the State average.";

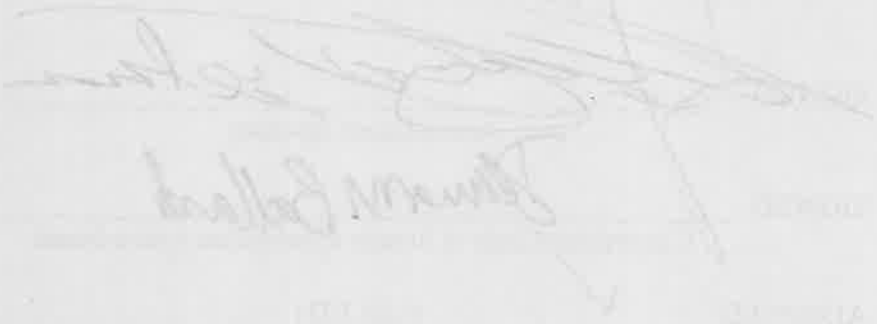
and on page 2, line 12, by rewriting the line to read:

"**SECTION 2.(b)** This section applies beginning with reports issued in 2020 based on data from the 2019-2020 school year.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____



SENATE BILL 621

Short Title:	Testing Reduction Act of 2019.	(Public)
Sponsors:	Senators Tillman, Ballard, and Sawyer (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

April 4, 2019

A BILL TO BE ENTITLED

AN ACT TO REDUCE TESTING ADMINISTERED TO STUDENTS IN PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

SECTION 1. Beginning with the 2020-2021 school year, the State Board of Education shall eliminate the use of the NC Final Exam as part of the statewide testing program to assess teacher performance and professional growth. The NC Final Exam shall not be administered as part of the statewide testing program for any other purpose. No later than March 15, 2020, the State Board of Education and the Department of Public Instruction shall submit to the Joint Legislative Education Oversight Committee a plan on how to use other means to accomplish the purposes for which data is collected by the NC Final Exam.

SECTION 2.(a) G.S. 115C-174.12 reads as rewritten:

"**§ 115C-174.12. Responsibilities of agencies.**

...

(d1) In each even-numbered year, each local board of education shall review all local standardized testing administered to students by the local school administrative unit at the direction of the local board of education for the prior two school years, in order to determine the number of tests administered to students and the number of hours required for students to complete the tests. If the average over the prior two-year period of either (i) the number of tests administered or (ii) the number of hours required for students to complete the tests exceeds the State combined average over the prior two-year period, as published pursuant to subsection (e1) of this section, the local board of education shall submit to the Department of Public Instruction and the State Board of Education, by October 1 of the even-numbered year, a plan to eliminate certain local standardized testing in order to ensure that neither the number of tests nor the number of hours required for students to complete the tests exceeds the State average.

(e) By November 1 of each year, the State Board of Education shall submit a report to the Joint Legislative Education Oversight Committee containing information regarding the statewide administration of the testing program, including the number and type of tests and the testing schedule, and a summary of any local testing programs reported by local boards of education to the State Board of Education in accordance with subsection (d) of this section. The report shall also include a summary of any local plans provided to the State Board in accordance with subsection (d1) of this section.

(e1) By September 1 of each year, the Superintendent of Public Instruction shall publish on the Web site of the Department of Public Instruction the following:

(1) ~~a~~ A uniform calendar that includes schedules for State-required testing and reporting results of tests for at least the next two school years, including estimates of the average time for administering State-required standardized

tests. The uniform calendar shall be provided to local boards of education in an electronic format that allows each local board of education to populate the calendar with, at a minimum, the information required by subsection (d) of this section. The uniform calendar shall be searchable by local school administrative unit and denote whether a test on the calendar is required by the State or required by a local board of education.

(2) For the local standardized testing information populated by local boards of education under subdivision (1) of this subsection, a summary of the nature and extent of the local testing, including the average over the prior two-year period of (i) the number of tests administered and (ii) the number of hours required for students to complete the tests."

SECTION 2.(b) This section applies beginning with the 2020-2021 school year.

SECTION 3. The Department of Public Instruction shall examine the End-of-Grade English Language Arts assessment administered in third grade as compared to the Read to Achieve alternative assessment in order to determine whether the End-of-Grade English Language Arts assessment should be modified to better meet the goals of Read to Achieve, pursuant to Part 1A of Article 8 of Chapter 115C of the General Statutes. Based on its examination, the Department shall develop any modifications needed. No later than March 15, 2020, the Department shall report to the Joint Legislative Education Oversight Committee on the results of its examination and any modifications developed.

SECTION 4. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 621
PROPOSED COMMITTEE SUBSTITUTE S621-PCS15325-BE-20

Short Title: Testing Reduction Act of 2019. (Public)

Sponsors:

Referred to:

April 4, 2019

A BILL TO BE ENTITLED

AN ACT TO REDUCE TESTING ADMINISTERED TO STUDENTS IN PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

SECTION 1. Beginning with the 2020-2021 school year, the State Board of Education shall eliminate the use of the NC Final Exam as part of the statewide testing program to assess teacher performance and professional growth. The NC Final Exam shall not be administered as part of the statewide testing program for any other purpose. No later than March 15, 2020, the State Board of Education and the Department of Public Instruction shall submit to the Joint Legislative Education Oversight Committee a plan on how to use other means to accomplish the purposes for which data is collected by the NC Final Exam.

SECTION 2.(a) G.S. 115C-174.12 reads as rewritten:

"**§ 115C-174.12. Responsibilities of agencies.**

...

(d1) In each even-numbered year, each local board of education shall review all local standardized testing administered to students by the local school administrative unit at the direction of the local board of education for the prior two school years, in order to determine the number of tests administered to students and the number of hours required for students to complete the tests. If the average over the prior two-year period of either (i) the number of tests administered or (ii) the number of hours required for students to complete the tests exceeds the State average over the prior two-year period, as published pursuant to subsection (e1) of this section, the local board of education shall submit to the Department of Public Instruction and the State Board of Education, by October 1 of the even-numbered year, a plan to eliminate certain local standardized testing in order to ensure that neither the number of tests nor the number of hours required for students to complete the tests exceeds the State average. The State Board of Education shall waive the requirement that a local board develop and submit a plan if the State Board finds that the local board has made significant progress toward reducing local testing to the State average.

(e) By November 1 of each year, the State Board of Education shall submit a report to the Joint Legislative Education Oversight Committee containing information regarding the statewide administration of the testing program, including the number and type of tests and the testing schedule, and a summary of any local testing programs reported by local boards of education to the State Board of Education in accordance with subsection (d) of this section. The report shall also include a summary of any local plans provided to the State Board in accordance with subsection (d1) of this section.

(e1) By September 1 of each year, the Superintendent of Public Instruction shall publish on the Web site of the Department of Public Instruction the following:

(1) ~~a~~ A uniform calendar that includes schedules for State-required testing and reporting results of tests for at least the next two school years, including estimates of the average time for administering State-required standardized tests. The uniform calendar shall be provided to local boards of education in an electronic format that allows each local board of education to populate the calendar with, at a minimum, the information required by subsection (d) of this section. The uniform calendar shall be searchable by local school administrative unit and denote whether a test on the calendar is required by the State or required by a local board of education.

(2) For the local standardized testing information populated by local boards of education under subdivision (1) of this subsection, a summary of the nature and extent of the local testing, including the average over the prior two-year period of (i) the number of tests administered and (ii) the number of hours required for students to complete the tests."

SECTION 2.(b) This section applies beginning with reports issued in 2020 based on data from the 2019-2020 school year.

SECTION 3. The Department of Public Instruction shall examine the End-of-Grade English Language Arts assessment administered in third grade as compared to the Read to Achieve alternative assessment in order to determine whether the End-of-Grade English Language Arts assessment should be modified to better meet the goals of Read to Achieve, pursuant to Part 1A of Article 8 of Chapter 115C of the General Statutes. Based on its examination, the Department shall develop any modifications needed. No later than March 15, 2020, the Department shall report to the Joint Legislative Education Oversight Committee on the results of its examination and any modifications developed.

SECTION 4. This act is effective when it becomes law.

NCGA

NORTH CAROLINA GENERAL ASSEMBLY

Senate Committee on Education/Higher Education

April 17, 2019 11:00AM Rm. LB 1027/1128

Senate Sergeant-At-Arms

John Enloe

Michael Caviness

Senate Pages Attending

COMMITTEE: Education **ROOM:** 1027

DATE: 4-17 **TIME:** 11 AM

PLEASE PRINT LEGIBLY....*or else!!!!!*

Page Name	Hometown	Sponsoring Senator
1. Richard Hernandez	Swannanoa	Daniel
2. George Righter	Belmont	"
3. Saw Taw	High Point	"
4. Lilli Solovay	Raleigh	Britt
5.		
6. The pages will need to be dismissed		
7. at approx. 11:30 for another assignment.		
8.		Thanks. M. Perdue

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.

Public Sign-in

Senate Committee on Education/Higher Education

April 17, 2019 11:00AM Rm. LB 1027/1128

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Ann Neumann	MMC
Jacqueline Wyatt	UCDM
Nicole Afaro	NCDPI
Rhaegan Jackson	FPA
Ron WOODARD	NC LISTEN
William Green	ALiPAC
Candace Lillian Wood	CSLSA
Andrew Meehan	NC Chamber
Tom Tomberlin	NCDPI
Claudia Swearingen	governors office
Kevin Howell	NC State
E. Wallace	RTI

Public Sign-in

Senate Committee on Education/Higher Education

April 17, 2019 11:00AM Rm. LB 1027/1128

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Betty Dosker	UNC Charlotte
Austen Jowell	UNC system
Zack Wimble	NCCAT
Zane Stilwell	TSA
Walt Burton	DPI
Drew Elliot	"
Leah Sutton	Best NC
Drew Moretz	UNC System
Amy Auth	UNC-CH
Lee Tyson	TAG
Delene Huggins	NC Sch for the Deaf
David Bird	NC School f/t Deaf

09-22-2016

Public Sign-in

Senate Committee on Education/Higher Education

April 17, 2019 11:00AM Rm. LB 1027/1128

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Wendy Kelly	FVA
Rachel Baldwin	RBLaw
Kevin Williamson	NCDPI
Tonya Hinton	OSHR
Alayna Schwenker	
	Williams Group Law and
Tom Mott	NCFLA

Public Sign-in

Senate Committee on Education/Higher Education

April 17, 2019 11:00AM Rm. LB 1027/1128

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Ed Dennison	Moore County BOE NCSBA BOD
Alan Duncan	State Board of Education
Katherine Joyce	NCASA
Elizabeth Yelverton	NCASA
Mary Shuping	NCCCS
Seth Riggins	NCCCS
Elizabeth McDuffie	SEAA
Gwen Canady	SEAA
Anne Bacon	NCCCS
Maxey Moore	NCDPI
Clyde Gossage	NCDPI
SAM WATTS	NC Dept of State Treasurer
Ryan Mahoney	ExcelinEd

09-22-2016

Public Sign-in

Senate Committee on Education/Higher Education

April 17, 2019 11:00AM Rm. LB 1027/1128

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Cari Miller	Excelin Ed
Tara Galloway	NCDPI
Matt Hoskins	NC DPI
MARY ANN DANOWITZ	NC STATE
[illegible]	[illegible]
W. Gardner Culpepper III	PPAB
Flint Benson	SEANC
[illegible]	SEANC
Reeta Fortson	SEANC
Adam Pridemore	NCAEC
Bynum Meldwurf	NCSBA
Gary Robertson	AP
Patrick Kinlaw	Dept. of State Treasurer

09-22-2016

Public Sign-in

Senate Committee on Education/Higher Education

April 17, 2019 11:00AM Rm. LB 1027/1128

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
JOHN PETERSON	RECAPS NOVOCAIN

09-22-2016

Speaker Sign-in

Senate Committee on Education/Higher Education

April 17, 2019 11:00AM Rm. LB 1027/1128

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
William Gheen	ALIPAC SB 295
✓ Cari Miller	ExcelinEd SB 438
✓ Mark Johnson	DPI SB 438
+2 ✓ Alan Duncan	State Board of Education
✓ Elizabeth McDuffie	SEAA

09-22-2016

SENATE COMMITTEE ON EDUCATION/HIGHER EDUCATION
WEDNESDAY, MAY 1, 2019, 11:00 AM

1027/1128 LEGISLATIVE BUILDING

AGENDA

WELCOME & OPENING REMARKS

INTRODUCTION OF PAGES & SERGEANT-AT ARMS

AGENDA ITEMS

BILL NO	SHORT TITLE	SPONSOR
SB 448	Amend Appt For Compact on Education/Military.	Senator Brown
SB 30	33rd Senatorial District Local Act-1.	Senator Ford
SB 219	Modify Teacher Licensing Requirements	Senator McInnis Senator Tillman Senator Johnson
SB 366	9th/10th Grade/College Transfer Pathways	Senator McInnis Senator B. Jackson
SB 354	Student Notice/Charter School Closure/Restr	Senator Ballard Senator Edwards Senator Harrington
SB 500	Modify Advanced Math Course Enrollment.	Senator Smith Senator Tillman Senator Chaudhuri

ADJOURNMENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, May 01, 2019

Senator Horner,
submits the following with recommendations as to passage:

FAVORABLE

SB **448** Amend Appt For Compact on Education/Military.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 1

Senator Harry Brown will handle SB 448

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, May 01, 2019

Senator Horner,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

SB **500** Modify Advanced Math Course Enrollment.

Draft Number:	S500-PCS35272-TC-23
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 1

Senator Erica D. Smith will handle SB 500

Senate Committee on Education/Higher Education
Wednesday, May 1, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on May 1, 2019 in Room 1027/1128 of the Legislative Building. Eleven members were present.

A Visitor Registration log is attached and made part of these minutes.

Senator Horner, Presiding Chair, called the meeting to order at 11:00 am. He introduced the Pages and the Sergeant-at-Arms staff. The following bills were considered:

SB 448; Amend Appt For Compact on Education/Military. (Senator Brown). The Chair recognized Senator Brown to explain the bill. After a brief discussion Senator Tillman moved for a favorable report and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, and Committee Report is attached.

SB 30; 33rd Senatorial District Local Act-1. (Senator Ford). Senator Ford presented a proposed committee substitute bill **for discussion only.** Senator Ballard moved to adopt the PCS for consideration. The motion carried. Senator Ford explained the PCS. After a brief discussion the chair announced that SB 30 will be taken up for a vote in the next Senate Committee on Education/Higher Education meeting. A copy of the bill, the PCS, and bill summary is attached.

SB 219; Modify Teacher Licensing Requirements. (Senators McInnis, Tillman, Johnson). Senator McInnis sent forth an amendment **S219-ABE-19 [v.5].** Senator Ballard moved for the adoption of the amendment for consideration. The motion passed. The Chair recognized Brian Gwyn, Committee Attorney, to explain the amendment. The Chair welcomed questions from the committee and visitors. After brief discussion Senator Tillman moved for a favorable report to the PCS as amended; rolled into a new PCS, with a favorable report to the new PCS and an unfavorable report to the original bill and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the PCS, bill summary, the amendment, new PCS and Committee Report is attached.

SB 366; 9th/10th Grade/College Transfer Pathways. (Senators McInnis, B. Jackson). The Chair recognized Senator McInnis to explain the bill. Senator McInnis sent forth an amendment **S366-ARQ-10 [v5]**. Senator Ballard moved for the adoption of the amendment for consideration. The motion passed. The Chair recognized Ms. Drupti Chauhan, Staff Attorney, to explain the amendment. Senator McInnis explain the amended bill. The Chair welcomed questions from the committee and visitors. After a brief discussion, Senator Robinson moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the PCS and unfavorable report to the original bill and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, new PCS and Committee Report is attached.

SB 354; Student Notice/Charter School Closure/Restr. (Senators Ballard, Edwards, Harrington). Senator Ballard presented a proposed committee substitute bill. Senator Tillman moved for the adoption of the PCS for consideration. The motion passed. The Chair recognized Senator Ballard to explain the PCS. The Chair welcomed questions from the committee and visitors. Mr. Steven Walker, Vice Chair, NC Charter School Advisory Board, Mr. Dave Machado, Director, State Board of Education, Office of Charter Schools, and Ms. Cecilia Holden, Director of Government and Community Relations, State Board of Education, spoke in support of the bill. After some discussion the Chair announced that SB 354 will be taken up for a vote in the next Senate Committee on Education/Higher Education meeting. A copy of the bill, the PCS, and bill summary is attached.

SB 500; Modify Advanced Math Course Enrollment. (Senators Smith, Tillman, Chaudhuri). The Chair recognized Senator Smith to explain the bill. Senator Tillman sent forth an amendment **S500-ATC-28 [v.2].** Senator McInnis moved for the adoption of the amendment for consideration. The motion passed. The Chair recognized Ms. Kara McCraw, Committee Attorney, to explain the amendment. Senator Smith explained the amended bill. The Chair welcomed questions from the committee and visitors. After a brief discussion, Senator Foushee moved for a favorable report to the bill as amended; rolled into a PCS, with a favorable report to the PCS and an unfavorable report to the original bill with and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, new PCS and Committee report is attached.

There being no further business, the Chair adjourned the meeting at 11:40 am.

Senator Rick Horner, Chair
Presiding

Regina Irwin
Regina Irwin, Committee Clerk

SENATE BILL 448: Amend Appt For Compact on Education/Military.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	May 1, 2019
Introduced by:	Sen. Brown	**Prepared by:**	Samantha Yarborough Staff Attorney
Analysis of:	First Edition		

OVERVIEW: ***House Bill 340 would amend the requirements for an individual to be appointed as compact commissioner under the Interstate Compact on Educational Opportunity for Military Children.***

CURRENT LAW: G.S. 115C-407.5 sets out the Interstate Compact on Educational Opportunity for Military Children (Compact). Under the Compact, the compact commissioner is responsible for the administration and management of the State's participation in the Compact and must be appointed by the Governor or as otherwise determined by each member state. The compact commissioner is the voting representative of the State in the Interstate Commission created by the Compact.

G.S. 115C-407.7 requires the Governor to appoint as the compact commissioner a licensed North Carolina attorney who represents at least one local board of education, with preference given to an attorney representing a local board of education with a high concentration of military children, or an attorney familiar with military issues.

BILL ANALYSIS: House Bill 340 would remove the requirement that the compact commissioner be a licensed North Carolina attorney who represents at least one local board of education or an attorney familiar with military issues. Instead, the Governor would be required to appoint an individual who represents at least one local board of education with a high concentration of military children.

EFFECTIVE DATE: This bill would become effective when it becomes law.

Karen Cochrane-Brown
Director

S448-SMBN-61 E1 -V-3

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SENATE BILL 448*

Short Title:	Amend Appt For Compact on Education/Military.	(Public)
Sponsors:	Senator Brown (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

April 2, 2019

A BILL TO BE ENTITLED

AN ACT TO AMEND THE REQUIREMENTS FOR AN INDIVIDUAL APPOINTED AS COMPACT COMMISSIONER UNDER THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-407.7 reads as rewritten:

"**§ 115C-407.7. Appointment of compact commissioner.**

As required by Article VIII of the compact, the Governor shall appoint as compact commissioner ~~a licensed North Carolina attorney~~ an individual who represents at least one local board of ~~education, with preference given to an attorney representing a local board of~~ education with a high concentration of military ~~children or an attorney familiar with military issues.~~ children. The compact commissioner shall be responsible for the administration and management of the State's participation in the compact."

SECTION 2. This act is effective when it becomes law.

SENATE BILL 30:
Stanly CC/Contracting Date Extension.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	May 1, 2019
Introduced by:	Sen. Ford	**Prepared by:**	Samantha Yarborough Staff Attorney
Analysis of:	PCS to First Edition S30-CSBN-15		

OVERVIEW: The PCS to Senate Bill 30 would extend the contracting deadline for agreements between Stanly Community College and Stanly County to jointly erect buildings on property owned by Stanly Community college.

CURRENT LAW: Session Law 2014-82 allows Stanly Community College to enter into agreements with Stanly County to jointly erect buildings on property owned by Stanly Community College without the approval of the State board of Community Colleges. These agreements must require Stanly Community College to transfer property to Stanly County for the purpose of constructing college classrooms, office space, laboratories, or any other space necessary for the operation of a community college. When the facilities are completed, Stanly County must lease the facilities to Stanly Community College. At the end of the lease term, Stanly County must transfer title to the property and improvements back to Stanly Community College. Session Law 2014-82 applies to contracts awarded on or before June 30, 2019.

BILL ANALYSIS: The PCS to SB 30 would extend the contracting deadline from June 30, 2019, to June 30, 2024.

EFFECTIVE DATE: SB 30 would become effective when it becomes law.

Karen Cochrane-Brown
Director

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 30
PROPOSED COMMITTEE SUBSTITUTE S30-CSBN-15 [v.1]
04/26/2019 04:05:09 PM

Short Title: Stanly CC/Contracting Date Extension. (Local)

Sponsors:

Referred to:

February 7, 2019

A BILL TO BE ENTITLED

AN ACT EXTENDING THE CONTRACTING DATE FOR AGREEMENTS BETWEEN STANLY COMMUNITY COLLEGE AND STANLY COUNTY TO JOINTLY ERECT BUILDINGS ON PROPERTY OWNED BY STANLY COMMUNITY COLLEGE.

The General Assembly of North Carolina enacts:

SECTION 1. Sections 1 and 2 of Session Law 2014-82 read as rewritten:

"**SECTION 1.(a)** Notwithstanding the provisions of G.S. 115D-15.1(b) and (d), Stanly Community College may enter into agreements with Stanly County to jointly erect buildings on property owned by Stanly Community College without the approval of the State Board of Community Colleges if such agreements meet the requirements of subsection (b) of this section. G.S. 143-129 and G.S. 143-341 shall not apply to transfers of property or capital improvements to property transferred under this section.

SECTION 1.(b) An agreement under subsection (a) of this section shall require Stanly Community College to transfer property to Stanly County to construct facilities consisting of college classrooms, office space, laboratories, or any other space necessary for the operation of a community college. Upon completion of facilities constructed pursuant to this section, Stanly County shall lease the facilities to Stanly Community College. At the end of the lease term, Stanly County shall transfer title to the property and improvements back to Stanly Community College.

SECTION 2. This act is effective when it becomes law and applies to contracts awarded on or before ~~June 30, 2019.~~June 30, 2024."

SECTION 2. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S 1

SENATE BILL 30

Short Title:	33rd Senatorial District Local Act-1.	(Local)
Sponsors:	Senator Ford (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

February 7, 2019

A BILL TO BE ENTITLED

AN ACT RELATING TO THE 33RD SENATORIAL DISTRICT.

The General Assembly of North Carolina enacts:

SECTION 1. This act relates only to the 33rd Senatorial District.

SECTION 2. This act is effective when it becomes law.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, May 01, 2019

Senator Horner,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

SB **219** Modify Teacher Licensing Requirements.

Draft Number:	S219-PCS35273-BE-23
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

SB **366** 9th/10th Grade/College Transfer Pathways.

Draft Number:	S366-PCS35274-RQ-12
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 2

Senator Tom McInnis will handle SB 219
Senator Tom McInnis will handle SB 366

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 219
PROPOSED COMMITTEE SUBSTITUTE S219-PCS35273-BE-23

Short Title: Modify Teacher Licensing Requirements. (Public)

Sponsors:

Referred to:

March 12, 2019

A BILL TO BE ENTITLED

AN ACT TO MODIFY TEACHER LICENSURE REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-270.15 reads as rewritten:

"**§ 115C-270.15. Examination requirements for initial professional licenses.**

(a) Examination Score Requirements. – The State Board of Education shall require an applicant for an initial professional license (IPL) to demonstrate the applicant's academic and professional preparation by achieving a prescribed minimum score on a standard examination appropriate and adequate for that purpose. Elementary education (K-6) and special education general curriculum teachers shall also achieve a prescribed minimum score on subtests or standard examinations specific to teaching reading and mathematics.

(b) Establishment of Minimum Scores. – The State Board shall adopt rules that establish the minimum scores for any required standard examinations and other measures necessary to assess the qualifications of professional educators as required under this section. For purposes of this section, the State Board shall not be subject to Article 2A of Chapter 150B of the General Statutes. At least 30 days prior to changing any rule adopted under this section, the State Board shall provide written notice to all recognized educator preparation programs and to all local boards of education. The written notice shall include the proposed revised rule. The State Board of Education shall make any required standard initial professional licensure exam rigorous and raise the prescribed minimum score as necessary to ensure that each applicant has received high-quality academic and professional preparation to teach effectively.

(c) Time Line for Completion of Examinations. – The State Board of Education shall permit an applicant to fulfill any such ~~testing~~ examination requirement before or during the ~~applicant's second year of teaching,~~ third year of the IPL, provided the applicant took the examination at least once during the first year of ~~teaching.~~the license.

(d) Monitoring Compliance. – For teachers with an IPL, the State Board shall direct the Department of Public Instruction to monitor the teachers' compliance with this section throughout the duration of the IPL. In the event a teacher is not in compliance with any of the requirements of this section, the Department shall notify the teacher.

(e) Conversion to Continuing Professional License. – The State Board shall not convert an IPL to a continuing professional license for a teacher who has not fulfilled the examination requirements of this section."

SECTION 2. G.S. 115C-270.20(a) is amended by adding a new subdivision to read:

"(4a) Limited license. – A three-year nonrenewable license issued to an individual who meets the requirements of this subdivision. A limited license shall only be requested by the local board of education currently employing the

individual and shall be used for continued employment only in that local school administrative unit. To receive a limited license, the following requirements shall be met:

a. The individual was issued an IPL but did not qualify for a CPL under G.S. 115C-270.15(e).

b. The local board of education submits to the State Board an affidavit stating that the teacher is an effective teacher and will be encouraged to continue to pursue a CPL. The affidavit shall be signed by both of the following individuals for the school to which the teacher is currently assigned:

1. The principal.
2. The superintendent.

c. The local school administrative unit in which the teacher is currently employed is located in one of the following:

1. A development tier one area, as defined by G.S. 143B-437.08.
2. A development tier two area, as defined by G.S. 143B-437.08.
3. A development tier three area, as defined by G.S. 143B-437.08, with a population of less than 100,000, according to the most recent federal census."

SECTION 2.5. Elementary education (K-6) or special education general curriculum teachers with an initial professional license that is set to expire June 30, 2019, due to the failure to fulfill the licensure examination requirements pursuant to G.S. 115C-270.15, shall be granted an extension until June 30, 2020.

SECTION 3. This act is effective when it becomes law. The State Board shall comply with G.S. 115C-270.15(d), as enacted by this act, beginning with applicants for teacher licensure on or after July 1, 2019.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 219

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

S219-ABE-19 [v.5]

Amends Title [NO]
S219-CSBE-16 [v.1]

Date 5-1-2019

Senator McInnis

moves to amend the PCS on page 1, line 24, by replacing the word "second" with the word "third";

on page 1, line 34, by replacing the word "renewable" with the word "nonrenewable";

and on page 2, lines 19-20, by inserting between the lines:

"**SECTION 2.5.** Elementary education (K-6) or special education general curriculum teachers with an initial professional license that is set to expire June 30, 2019, due to the failure to fulfill the licensure examination requirements pursuant to G.S. 115C-270.15, shall be granted an extension until June 30, 2020.";

and on page 2, lines 20-21 by rewriting the lines to read:

"**SECTION 3.** This act is effective when it becomes law. The State Board shall comply with G.S. 115C-270.15(d), as enacted by this act, beginning with applicants for teacher licensure on or after July 1, 2019.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

S219-ABE-19-V-5

SENATE BILL 219:
Modify Teacher Licensing Requirements.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	April 30, 2019
Introduced by:	Sens. McInnis, Tillman, Johnson	**Prepared by:**	Brian Gwyn Committee Co-Counsel
Analysis of:	PCS to First Edition S219-CSBE-15		

OVERVIEW: Senate Bill 219 would make various changes to the teacher licensure statutes. The PCS would require the State Board of Education (State Board) to monitor teachers' compliance with licensure exam requirements and would prohibit the State Board from converting a teacher's initial professional license (IPL) to a continuing professional license (CPL) until all licensure exam requirements are met. Additionally, the PCS would create a new teaching license for individuals who do not meet the criteria for a CPL due to a failure to fulfill the licensure exam requirements.

CURRENT LAW: Under G.S. 115C-270.20, a CPL is a five-year renewable license issued to a teacher who has at least three years of licensed teaching experience, and who meets other requirements set by the State Board. An IPL is a three-year nonrenewable license issued to an individual who has successfully completed a recognized educator preparation program and meets other requirements set by the State Board.

G.S. 115C-270.15 requires applicants for an IPL to meet minimum scores on a standardized licensure exam in order to demonstrate the applicant's academic and professional preparation. Elementary education (K-6) and special education general curriculum teachers must also meet minimum scores on licensure exams specific to teaching reading and mathematics. Teachers have until the end of their second year of teaching to fulfill the licensure exam requirements, as long as they attempt the exams at least once during their first year of teaching.

BILL ANALYSIS: The PCS to Senate Bill 219 would clarify that the State Board is responsible for monitoring teachers' compliance with the licensure exam requirements established by G.S. 115C-270.15. Additionally, it would clarify that teachers must meet the exam requirements by the end of the second year of their IPL rather than their second year of teaching. The State Board would be prohibited from converting an IPL to a CPL for a teacher who has not fulfilled the testing requirements.

The PCS would create a new teaching license, called a limited license, for certain teachers who are not eligible for a CPL. A limited license would be valid for three years and could be renewed. The limited license could only be requested by the local board of education currently employing the teacher, and would only be valid in that local school administrative unit (LEA). All of the following would be required for the State Board to issue a limited license:

- The teacher was issued an IPL but did not qualify for a CPL due to a failure to fulfill the licensure exam requirements.

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

- The employing local board of education submitted to the State Board an affidavit signed by the teacher's principal and superintendent attesting to the fact that the individual is an effective teacher and will be encouraged to continue to pursue a CPL.
- The teacher's LEA is in either a Tier 1 area, Tier 2 area, or Tier 3 area with a population of less than 100,000.

EFFECTIVE DATE: The PCS would be effective when it becomes law and would apply to applicants for teacher licensure on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 219
PROPOSED COMMITTEE SUBSTITUTE S219-CSBE-16 [v.1]
04/09/2019 05:40:11 PM

Short Title: Modify Teacher Licensing Requirements. (Public)

Sponsors:

Referred to:

March 12, 2019

A BILL TO BE ENTITLED

AN ACT TO MODIFY TEACHER LICENSURE REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-270.15 reads as rewritten:

"**§ 115C-270.15. Examination requirements for initial professional licenses.**

(a) Examination Score Requirements. – The State Board of Education shall require an applicant for an initial professional license (IPL) to demonstrate the applicant's academic and professional preparation by achieving a prescribed minimum score on a standard examination appropriate and adequate for that purpose. Elementary education (K-6) and special education general curriculum teachers shall also achieve a prescribed minimum score on subtests or standard examinations specific to teaching reading and mathematics.

(b) Establishment of Minimum Scores. – The State Board shall adopt rules that establish the minimum scores for any required standard examinations and other measures necessary to assess the qualifications of professional educators as required under this section. For purposes of this section, the State Board shall not be subject to Article 2A of Chapter 150B of the General Statutes. At least 30 days prior to changing any rule adopted under this section, the State Board shall provide written notice to all recognized educator preparation programs and to all local boards of education. The written notice shall include the proposed revised rule. The State Board of Education shall make any required standard initial professional licensure exam rigorous and raise the prescribed minimum score as necessary to ensure that each applicant has received high-quality academic and professional preparation to teach effectively.

(c) Time Line for Completion of Examinations. – The State Board of Education shall permit an applicant to fulfill any such ~~testing~~ examination requirement before or during the ~~applicant's second year of teaching,~~second year of the IPL, provided the applicant took the examination at least once during the first year of ~~teaching.~~the license.

(d) Monitoring Compliance. – For teachers with an IPL, the State Board shall direct the Department of Public Instruction to monitor the teachers' compliance with this section throughout the duration of the IPL. In the event a teacher is not in compliance with any of the requirements of this section, the Department shall notify the teacher.

(e) Conversion to Continuing Professional License. – The State Board shall not convert an IPL to a continuing professional license for a teacher who has not fulfilled the examination requirements of this section."

SECTION 2. G.S. 115C-270.20(a) is amended by adding a new subdivision to read:

"(4a) Limited license. – A three-year renewable license issued to an individual who meets the requirements of this subdivision. A limited license shall only be requested by the local board of education currently employing the individual,

and shall be used for continued employment only in that local school administrative unit. To receive a limited license, the following requirements shall be met:

a. The individual was issued an IPL but did not qualify for a CPL under 115C-270.15(e).

b. The local board of education submits to the State Board an affidavit stating that the teacher is an effective teacher and will be encouraged to continue to pursue a CPL. The affidavit shall be signed by both of the following individuals for the school to which the teacher is currently assigned:

1. The principal.
2. The superintendent.

c. The local school administrative unit in which the teacher is currently employed is located in one of the following:

1. A development tier one area, as defined by G.S. 143B-437.08.
2. A development tier two area, as defined by G.S. 143B-437.08.
3. A development tier three area, as defined by G.S. 143B-437.08, with a population of less than 100,000, according to the most recent federal census."

SECTION 3. This act is effective when it becomes law and applies to applicants for teacher licensure on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SENATE BILL 219

Short Title:	Modify Teacher Licensing Requirements.	(Public)
Sponsors:	Senators McInnis, Tillman, and Johnson (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

March 12, 2019

A BILL TO BE ENTITLED

AN ACT TO MODIFY TEACHER LICENSURE REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-270.1 reads as rewritten:

"**§ 115C-270.1. Definitions.**

As used in this Article, the following definitions shall apply:

(1) Accredited educator preparation program or accredited EPP. – An entity that is located in the United States and accredited to prepare, train, and recommend students for educator licensure by the Council for the Accreditation of Educator Preparation.

(1a) Administrator. – An administrator or supervisor who serves in general and program administrator roles, as classified by the State Board. Administrators shall include superintendents, assistant or associate superintendents, principals, assistant principals, or curriculum-instructional specialists.

(2) Professional educator. – An administrator, teacher, or student services personnel.

(3) Recognized educator preparation program or recognized EPP. – As defined in G.S. 115C-269.1(15).

(4) Student services personnel. – An individual providing specialized assistance to students, teachers, administrators, or the education program in general, as classified by the State Board. Student services personnel shall include individuals employed in school counseling, school social work, school psychology, audiology, speech-language pathology, and media coordination.

(5) Teacher. – An individual whose major responsibility is to either teach or directly supervise teaching, as classified by the State Board."

SECTION 2. G.S. 115C-270.10 reads as rewritten:

"**§ 115C-270.10. Licensure fees.**

(a) Fee Schedule. – The State Board of Education shall establish by rule a schedule of fees for professional educator licensure and administrative changes. The fees established under this section shall not exceed the actual cost of providing the service. The schedule may include fees for any of the following services:

(1) Application for demographic or administrative changes to a license.

(2) Application for a duplicate license or for copies of documents in the licensure files.

(3) Application for a renewal, extension, addition, upgrade, reinstatement, and variation to a license.

(4) Initial application for a new graduate from any accredited or recognized educator preparation program.
(5) ~~Initial application~~ Application for an out-of-state applicant.
(6) All other applications.

An applicant must pay any nonrefundable or nontransferable service fees at the time an application is submitted.

(a1) Notwithstanding subsection (a) of this section, the State Board of Education shall reimburse the initial application fee for any new graduate from any recognized EPP or accredited educator preparation program the first time an applicant submits an application for teacher licensure, if the applicant has successfully earned an initial professional license in North Carolina. The State Board shall issue the reimbursement to the application fee within 30 days of the date the applicant successfully earns an initial professional license in North Carolina.

...."

SECTION 3. G.S. 115C-270.15 reads as rewritten:

"**§ 115C-270.15. Examination ~~requirements~~ for initial professional licenses.**

(a) Examination ~~Score Requirements~~ Scores. – The State Board of Education shall ~~require~~ permit an applicant for an initial professional license to demonstrate the applicant's academic and professional preparation by achieving a prescribed minimum score on a standard examination appropriate and adequate for that purpose. Elementary education (K-6) and special education general curriculum teachers ~~shall~~ may also achieve a prescribed minimum score on subtests or standard examinations specific to teaching reading and ~~mathematics.~~mathematics for the purposes of applying for an initial professional license.

(b) Establishment of Minimum Scores. – The State Board shall adopt rules that establish the minimum scores for ~~any required~~ standard examinations and other measures necessary to assess the qualifications of professional educators ~~as required~~ under this section. For purposes of this section, the State Board shall not be subject to Article 2A of Chapter 150B of the General Statutes. At least 30 days prior to changing any rule adopted under this section, the State Board shall provide written notice to all recognized educator preparation programs and to all local boards of education. The written notice shall include the proposed revised rule. The State Board of Education shall make ~~any required~~ standard initial professional licensure ~~exam~~ exams rigorous ~~and~~ and, for applicants applying for licensure based on standard examination scores, raise the prescribed minimum score as necessary to ensure that each applicant has received high-quality academic and professional preparation to teach effectively.

(c) Time Line for Completion of Examinations. – The State Board of Education shall permit an applicant to ~~fulfill any such~~ meet minimum scores established under subsection (b) of this section for testing ~~requirement~~ before or during the applicant's ~~second~~ third year of ~~teaching, provided the applicant took the examination at least once during the first year of~~ teaching."

SECTION 4. G.S. 115C-270.20 reads as rewritten:

"**§ 115C-270.20. Licensure requirements.**

(a) Teacher Licenses. – The State Board shall adopt rules for the issuance of ~~the following classes of~~ teacher ~~licenses, including~~licenses. The rules shall include (i) requirements for out-of-state applicants consistent with the provisions of G.S. 115C-270.25 and (ii) an alternative method of an applicant demonstrating academic and professional preparation if the applicant does not meet minimum scores for standard examinations by submitting one of the following:

(1) The teacher demonstrates effectiveness by having met or exceeded expected student growth in the teacher's most recent year of teaching, as measured by the teacher's own value-added data through the Education Value-Added Assessment System (EVAAS), or an equivalent measure of teacher effectiveness and growth used by the teacher's school or in another state.

(2) The teacher submits an affidavit signed by the following individuals for the school in which the teacher was most recently employed at the time of application stating the teacher is an effective teacher:

a. A principal, or an equivalent position as the administrative head of the teacher's school.

b. A superintendent of a local school administrative unit, or an equivalent position as the administrative head of a school system, or a member of the governing body of the school.

(a1) Classes of Licenses. – Classes of teacher licenses shall be issued and include required levels of preparation for each ~~classification:~~classification as follows:

(1) Continuing professional license or CPL. – ~~A~~ Except as otherwise provided in G.S. 115C-270.25, a five-year renewable license issued to a teacher who has at least three years of licensed teaching experience and meets other administrative requirements established by the State Board. A CPL shall remain in effect for five years after retirement.

(2) Emergency license or EL. – A one-year nonrenewable license issued to an individual who holds a bachelor's degree with coursework relevant to the requested licensure area, but has not successfully completed a recognized or accredited educator preparation program and does not qualify for a residency license. An emergency license shall only be requested by the local board of education, and applicants for emergency licenses shall meet all other requirements established by the State Board, including preservice training, prior to teaching.

(3) Initial professional license or IPL. – A three-year nonrenewable license issued to an individual who has successfully completed an accredited educator preparation program or a recognized educator preparation program and meets other administrative requirements established by the State Board.

(4) Lifetime license. – A license issued to a teacher after 50 or more years of teaching as a licensed teacher that requires no renewal.

(5) Residency License or RL. – A one-year license, renewable twice, that meets both of the following requirements:

a. Is requested by the local board of education and accompanied by a certification of supervision from ~~the~~ an accredited or recognized educator preparation program in which the individual is enrolled.

b. The individual for whom the license is requested meets all of the following requirements:

1. Holds a bachelor's degree.

2. Has either completed coursework relevant to the requested licensure area or passed the content area examination relevant to the requested licensure area that has been approved by the State Board.

3. Is enrolled in a recognized or accredited educator preparation program.

4. Meets all other requirements established by the State Board, including completing preservice requirements prior to teaching.

...."

SECTION 5. G.S. 115C-270.25 reads as rewritten:

"**§ 115C-270.25. Out-of-state license applicants.**

(a) ~~Initial applications from an individual~~ An applicant with an out-of-state teacher's full license in good standing shall ~~require the applicant to provide evidence of that teacher's~~

~~effectiveness, when available, as measured by the evaluation system used in that applicant's state of current licensure at the time of application, including any growth measures included in that evaluation system. Applications that include the evidence of that educator's effectiveness shall be prioritized for review over initial applications from applicants with out-of-state licenses that do not include that information. An individual who does not include evidence of that teacher's effectiveness with the initial application shall only be eligible for an IPL.~~be issued a continuing professional license (CPL) immediately by the State Board of Education upon the applicant meeting any administrative requirements established by the State Board.

(b) An out-of-state applicant who successfully completed or is enrolled in an accredited educator preparation program in another state, but has not yet received a full teaching license in another state, shall only be required to meet the same requirements of an applicant who successfully completed or is enrolled in a recognized educator preparation program located in North Carolina."

SECTION 6. G.S. 93B-15.1(i) reads as rewritten:

"(i) ~~For the purposes of this section, the~~ The State Board of Education shall be considered an occupational licensing board for all of the provisions of this section, except for the provisions of subsection (b) of this section regarding military spouses who hold a current teaching license from another jurisdiction, when issuing teacher licenses under Article 17E of Subchapter V of Chapter 115C of the General Statutes. For military spouses who hold a current teaching license in another jurisdiction, the provisions of G.S. 115C-270.25 shall apply when issuing teacher licenses."

SECTION 7. This act is effective when it becomes law and applies to applicants for teacher licensure on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 366
PROPOSED COMMITTEE SUBSTITUTE S366-PCS35274-RQ-12

Short Title: 9th/10th Grade/College Transfer Pathways. (Public)

Sponsors:

Referred to:

March 27, 2019

A BILL TO BE ENTITLED

AN ACT TO PERMIT CERTAIN FRESHMAN AND SOPHOMORE HIGH SCHOOL STUDENTS TO BE ELIGIBLE TO ENROLL IN COLLEGE COURSES AS PART OF AN ACADEMIC TRANSITION PATHWAY OR COLLEGE TRANSFER CERTIFICATE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-20(4)a. reads as rewritten:

"a. Subject to the approval of the State Board of Community Colleges, local community colleges may collaborate with local school administrative units to offer courses through the following programs:

1. Cooperative innovative high school programs as provided by Part 9 of Article 16 of Chapter 115C of the General Statutes.
2. Academic transition pathways for qualified junior and senior high school students that lead to a career technical education certificate, diploma, or State or industry-recognized credential and academic transition pathways for qualified freshmen and sophomore high school students that lead to a career technical education certificate or diploma in (i) industrial and engineering technologies, (ii) agriculture and natural resources, ~~or~~ (iii) transportation ~~technology.~~technology, or (iv) construction.
3. College transfer certificates requiring the successful completion of thirty semester credit hours of transfer courses, including English and mathematics, for qualified junior and senior high school students.
4. College transfer certificates requiring the successful completion of 30 semester credit hours of transfer courses, including English and mathematics, for qualified freshman and sophomore high school students. In order for a freshman or sophomore high school student to qualify under this sub-sub-subdivision, the student shall be determined to be academically gifted, have a demonstrated readiness for the course material, and have the maturity to justify admission to the community college. The determination as to whether a student qualifies under this sub-sub-subdivision shall be made by the community college president and the student's high school principal or equivalent or that person's designee."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2019-2020 school year.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 366

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

S366-ARQ-10 [v.5]

Amends Title [NO]
First Edition

Date 5-01-,2019

Senator McInnis

moves to amend the bill on page 1, lines 6 through 29 by rewriting the lines to read:

"**SECTION 1.** G.S. 115D-20(4)a. reads as rewritten:

"a. Subject to the approval of the State Board of Community Colleges, local community colleges may collaborate with local school administrative units to offer courses through the following programs:

1. Cooperative innovative high school programs as provided by Part 9 of Article 16 of Chapter 115C of the General Statutes.
2. Academic transition pathways for qualified junior and senior high school students that lead to a career technical education certificate, diploma, or State or industry-recognized credential and academic transition pathways for qualified freshmen and sophomore high school students that lead to a career technical education certificate or diploma in (i) industrial and engineering technologies, (ii) agriculture and natural resources, ~~or~~ (iii) transportation ~~technology.~~technology, or (iv) construction.
3. College transfer certificates requiring the successful completion of thirty semester credit hours of transfer courses, including English and mathematics, for qualified junior and senior high school students.
4. College transfer certificate requiring the successful completion of thirty semester credit hours of transfer courses, including English and mathematics, for qualified freshman and sophomore high school students. In order for a freshman or sophomore high school student to qualify under this sub-sub-subdivision, the student shall be determined to be academically gifted, have a demonstrated readiness for the course material, and have the maturity to justify admission to the community college. The determination as to whether a student qualifies under this sub-sub-subdivision shall be made by the

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 366

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

S366-ARQ-10 [v.5]

community college president and the student's high school principal or equivalent or that person's designee."".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

SENATE BILL 366:
9th/10th Grade/College Transfer Pathways.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	May 1, 2019
Introduced by:	Sens. McInnis, B. Jackson	**Prepared by:**	Drupti Chauhan Committee Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 366 would allow certain freshman and sophomore high school student to be eligible to enroll in community college courses that lead to (i) a career technical education certificate, diploma, or State or industry-recognized credential or (ii) college transfer certificate.

CURRENT LAW: The Career and College Promise Program allows local community colleges to collaborate with local school administrative units to offer courses to high school students through various pathways: (i) Cooperative Innovative High Schools (CIHS); (ii) college transfer pathway; and (iii) career and technical education pathway.

Career and Technical Education Pathway—High School Juniors and Seniors

High school juniors and seniors are eligible for the career and technical education pathway if they have a weighted GPA of 3.0 for their high school courses or have a recommendation of the high school principal or designee. These college and technical education courses can be used to provide partial or full fulfillment of the four-unit high school career cluster.

Career and Technical Education Pathway—High School Freshman and Sophomores

High school freshman and sophomores are eligible for the career and technical education pathway for certificates and diplomas in the following areas: (i) industrial technologies; (ii) engineering technologies; (iii) agriculture and natural resources; and (iv) transportation. These students also must meet academic requirements, including having passed Math I with a grade of "C" or better; test college ready in math, English, and reading, and have the recommendation of the high school principal or designee. These college and technical education courses can be used to provide partial or full fulfillment of the four-unit high school career cluster.

College Transfer Pathway—High School Juniors and Seniors

High school juniors and seniors are eligible for the college transfer path if they have a weighted GPA of 3.0 and have demonstrated college readiness in English, reading, and mathematics by meeting benchmarks on diagnostic assessment tests which have been approved by the State Board of Community Colleges.

BILL ANALYSIS: Senate Bill 366 would expand the career and technical education pathway to high school freshman and sophomores for all areas that lead to career technical education certificates, diplomas, or State or industry-recognized credentials. It would also expand the college transfer pathway to high school freshman and sophomores. Sophomore students must have a high school GPA of at least 3.0 and freshman students must have an equivalent measure to demonstrate readiness for the course material.

EFFECTIVE DATE: The bill would become effective when it becomes law and applies with beginning with the 2019-2020 school year.

Karen Cochrane-Brown
Director

S366-SMRQ-33 E1 -V-2

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SENATE BILL 366

Short Title:	9th/10th Grade/College Transfer Pathways.	(Public)
Sponsors:	Senators McInnis and B. Jackson (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

March 27, 2019

A BILL TO BE ENTITLED

AN ACT TO PERMIT CERTAIN FRESHMAN AND SOPHOMORE HIGH SCHOOL STUDENTS TO BE ELIGIBLE TO ENROLL IN COLLEGE COURSES AS PART OF AN ACADEMIC TRANSITION PATHWAY OR COLLEGE TRANSFER CERTIFICATE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-20(4)a. reads as rewritten:

"a. Subject to the approval of the State Board of Community ~~Colleges,~~ Colleges and the adoption of criteria by the State Board for qualification of eligible students, including that as part of the criteria for a sophomore student, the student has a high school grade point average of at least 3.0 and for a freshman student, the student has an equivalent measure to demonstrate readiness for the course material, local community colleges may collaborate with local school administrative units to offer courses through the following programs:

1. Cooperative innovative high school programs as provided by Part 9 of Article 16 of Chapter 115C of the General Statutes.
2. Academic transition pathways for qualified ~~junior~~ freshman, sophomore, junior, and senior high school students that lead to a career technical education certificate, diploma, or State or industry-recognized ~~credential and academic transition pathways for qualified freshmen and sophomore high school students that lead to a career technical education certificate or diploma in (i) industrial and engineering technologies, (ii) agriculture and natural resources, or (iii) transportation technology.~~credential.
3. College transfer certificates requiring the successful completion of thirty semester credit hours of transfer courses, including English and mathematics, for qualified ~~junior~~ freshman, sophomore, junior, and senior high school students."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2019-2020 school year.

SENATE BILL 354:
Student Notice/Charter School Closure/Restr.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	May 1, 2019
Introduced by:	Sens. Ballard, Edwards, Harrington	**Prepared by:**	Brian Gwyn Committee Co-Counsel
Analysis of:	PCS to First Edition S354-CSBE-21		

OVERVIEW: ***The 1st edition of Senate Bill 354 would require notice to parents and an impact statement prior to closing, significantly restructuring, or materially revising the charter of a charter school. The PCS would delete the contents of the 1st edition and instead do the following:***

- ***Require notice to parents prior to closing a charter school or materially revising its charter.***
- ***Require an information session and public hearing prior to (i) the nonrenewal of the charter of a continually low-performing charter school or (ii) the termination of a charter for reasons other than fiscal mismanagement or violations of law.***
- ***Exempt final actions of the State Board of Education (State Board) related to the disapproval, termination, or nonrenewal of charters from being "contested cases" under the jurisdiction of the Office of Administrative Hearings.***

CURRENT LAW: Under G.S. 115C-218.7, the material revision of a charter requires approval by the State Board. For low-performing charter schools, enrollment growth greater than 20% is considered a material revision. For charter schools not identified as low-performing, enrollment growth greater than 30% is considered a material revision. Otherwise, whether a revision is material is determined by State Board policy. There are no express requirements that the State Board or charter school provide notice to parents of a material revision to the charter.

G.S. 115C-218.6(a) requires the State Board to review the operations of each charter school at least once prior to the expiration of its charter to ensure that the school is meeting the expected academic, financial, and governance standards. The State Board has adopted a two-year charter school review process, which takes place prior to a charter renewal.

G.S. 115C-218.95 identifies the criteria and process for nonrenewal or termination of a charter by the State Board, but there are no express requirements that the State Board or the charter school provide notice to parents.

Under Article 3 of Chapter 150B of the General Statutes, disputes between a State agency and another person must first be reviewed by the Office of Administrative Hearings (OAH). The decision by OAH can then be reviewed in superior court under G.S. 150B-45. Therefore, if the board of directors of a charter school disagrees with the final action of the State Board regarding disapproval, termination, or nonrenewal of a charter, the board of directors must petition OAH for a hearing before an administrative law judge before seeking review in superior court.

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

BILL ANALYSIS:

Material revisions

The PCS would require a charter school board of directors to notify parents of enrolled students at least 7 days prior to meeting to consider requesting a material revision to the school's charter. The notice would be required to include information about the board of directors meeting and a description of the material revision being requested. Charter schools would be encouraged, but not required, to notify parents of the final action by the State Board regarding the material revision.

Nonrenewal of the charter of a continually low-performing charter school

The PCS would require the Office of Charter Schools to conduct a public hearing and information session as part of its review of the operations of a continually low-performing charter school, which could be part of the site visits required by State Board policy. The hearing would be required to include information about the academic performance of the charter school, as well as opportunities for the public, including parents, teachers, and community members, to express their views. At least one member of the State Board and one member of the Advisory Board would be required to attend the hearing.

The Office of Charter Schools would be required to notify the charter school at least 20 days in advance of the public hearing regarding the date, time, location, and methods for the public to submit comments. The charter school would then notify parents within 5 days of receiving the notice from the Office of Charter Schools.

Prior to taking final action to not renew the charter of a continually low-performing charter school, the State Board would be required to review and consider a record of the public hearing. If the State Board decides to not renew the charter, the charter school would notify parents within 5 days of receiving notice of the final action from the State Board.

Termination of a charter

The PCS would require the Advisory Board to do the following prior to a final recommendation to terminate the charter of a charter school:

- Conduct a public hearing that includes information on the academic performance of the charter school and an opportunity for public comment. At least one member of the State Board and one member of the Advisory Board must be present at the hearing.
- Notify the charter school of the public hearing at least 20 days in advance.
- Review and consider the following information:
    - A record of the public hearing.
    - A comparison of the charter school's student academic outcomes to the academic outcomes of students in the local school administrative unit in which the charter school is located.
    - An analysis of whether the charter school has met growth or has made measurable progress toward student performance goals under a strategic improvement plan.
    - Considerations related to transitioning students with disabilities enrolled in the charter school to a new school, should the charter school be closed.
    - The impact on the capital needs of the public school or schools where students will be assigned if the charter school ceases to operate.

The State Board would be required to notify the charter school at least 20 days prior to a meeting to take final action on a recommendation of the Advisory Board to terminate its charter. In making its final

determination, the State Board would be required to review and consider the same evidence required of the Advisory Board described above, in addition to evidence from the Advisory Board meeting at which the recommendation was made.

The charter school would be required to notify parents within five days of receiving notice of the public hearing and the State Board meeting to take final action on the Advisory Board's recommendation.

For the termination of a charter due to fiscal mismanagement or violations of law, the requirements described above would not apply. Instead, the following would be required:

- The State Board must notify the charter school at least 20 days prior to scheduling a meeting at which final action on the termination of the charter will be considered.
- The charter school must notify parents within 5 days of receiving notice of the State Board's meeting described above.
- The charter school must notify parents of the final action by the State Board.

Other Changes

The PCS would also make the following changes to existing law:

- Require charter schools to notify parents within 5 days of passing a resolution to voluntarily dissolve the school's charter.
- Require local boards of education to provide a statement on the capital impact a charter school termination would have on their districts.
- Exempt State Board actions related to disapproval, termination, or nonrenewal of charters from the type of contested case that could be subject to the jurisdiction of OAH.
- Clarify that virtual charter pilot schools cannot be terminated prior to the end of the pilot period without following the procedures enacted in the PCS.

EFFECTIVE DATE: The PCS would be effective when it becomes law and would apply to actions commenced to voluntarily dissolve, terminate, not renew, or materially revise a charter on or after July 1, 2019.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 354
PROPOSED COMMITTEE SUBSTITUTE S354-CSBE-21 [v.20]

04/30/2019 05:48:03 PM

Short Title: Student Notice/Charter School Closure/Restr. (Public)

Sponsors:

Referred to:

March 26, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE NOTICE TO PARENTS PRIOR TO CLOSING A CHARTER SCHOOL OR MATERIALLY REVISING ITS CHARTER.

The General Assembly of North Carolina enacts:

SECTION 1. Article 14A of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-218.9. Notice requirements prior to the material revision of a charter.**

(a) Charter School Mandatory Notice. – At least 7 days prior to meeting to consider requesting a material revision to its charter pursuant to G.S. 115C-218.7, a charter school board of directors shall notify the parents of students enrolled in the charter school by electronic mail or the parents' preferred method of written communication, including (i) details of the date, time, and location of the board of directors meeting; and (ii) a description of the material revision being considered.

(b) Charter School Discretionary Notice. – A charter school shall be encouraged, but not required, to notify parents of students enrolled in the charter school by electronic mail or the parents' preferred method of written communication of the final action by the State Board regarding a request for material revision of the school's charter."

SECTION 2. Article 14A of Chapter 115C of the General Statutes is amended by adding new sections to read:

"**§ 115C-218.97. Notice and hearing requirements prior to nonrenewal of the charter of a continually low-performing charter school.**

(a) Public Hearing. – As part of the review of the operations of a charter school required by G.S. 115C-218.6(a), for continually low-performing charter schools, the Office of Charter Schools shall provide for a public hearing at a location in the local school administrative unit in which the charter school is located. At the hearing, (i) information on at least the academic performance of the charter school shall be presented; and (ii) the public, including parents, teachers, and community members, shall be afforded an opportunity to express their views. At least one member of the State Board and the Advisory Board shall attend the hearing.

(b) Notice of Public Hearing. – At least 20 days prior to a public hearing pursuant to subsection (a) of this section, the Office of Charter Schools shall notify the continually low-performing charter school of the date, time, location, and methods for parents, teachers, and community members to submit comments.

(c) Record of Public Hearing. – Prior to taking final action to not renew the charter of a continually low-performing charter school under G.S. 115C-218.95, the State Board shall review and consider a record of the public hearing held pursuant to subsection (a) of this section, in addition to any supporting documentation related to the hearing.

(d) Charter School Requirements. – A continually low-performing charter school shall notify the parents of students enrolled in the charter school by electronic mail or the parents' preferred method of written communication within five days of receiving notice of any of the following:

(1) The Office of Charter Schools has scheduled a public hearing pursuant to subsection (a) of this section. The notice to parents shall include details regarding the date, time, location, and how comments may be submitted.

(2) The State Board's final action on a recommendation to not renew the charter.

"**§ 115C-218.98. Notice and hearing requirements prior to termination of a charter.**

(a) Advisory Board Requirements. – Prior to a final recommendation by the Advisory Board to terminate a charter under G.S. 115C-218.95, the Advisory Board shall do the following:

(1) Notify the charter school that a public hearing will be conducted on the proposed recommendation by the Advisory Board at least 20 days in advance of the hearing, including the date, time, location, and methods for parents, teachers, and community members to submit comments.

(2) Provide for a public hearing regarding the proposed recommendation at a location in the local school administrative unit in which the charter school is located. At the hearing, (i) information on at least the academic performance of the charter school shall be presented; and (ii) the public, including parents, teachers, and community members, shall be afforded an opportunity to express their views. The Advisory Board may direct the Office of Charter Schools to conduct the public hearing, but at least one member of the State Board and the Advisory Board shall attend the hearing.

(3) Review and consider at least the following information prior to making its final recommendation:

a. A record of the public hearing conducted pursuant to subdivision (2) of this subsection, in addition to any supporting documentation related to the hearing.

b. A comparison of the charter school's student academic outcomes for the immediately preceding three years to the academic outcomes of students in the local school administrative unit in which the charter school is located.

c. An analysis of whether the charter school has met growth or has made measurable progress toward student performance goals under a strategic improvement plan.

d. Considerations related to transitioning students with disabilities enrolled in the charter school to a new school, should the charter school be closed.

e. The impact on the capital needs of the public school or schools where students will be assigned if the charter school ceases to operate.

(b) State Board Requirements. – At least 20 days prior to meeting to take final action on a recommendation of the Advisory Board to terminate a charter, the State Board of Education shall notify the charter school of the date, time, and location of the meeting. In making its final determination, the State Board shall review and consider at least the following:

(1) Evidence from the meeting at which the Advisory Board made its recommendation.

(2) Information identified in subdivision (a)(3) of this section.

(c) Charter School Requirements. – A charter school shall notify the parents of students enrolled in the charter school by electronic mail or the parents' preferred method of written communication within five days of receiving notice of any of the following:

(1) The Advisory Board has scheduled a public hearing on a proposed recommendation to terminate the charter, including details of the date, time, location, and how comments may be submitted.

(2) The State Board has scheduled a meeting to take final action on a recommendation to terminate the charter, including the date, time, and location of the meeting.

(3) The State Board's final action on a recommendation to terminate the charter.

(d) Exceptions. – The requirements of subsections (a) through (c) of this section shall not apply to an Advisory Board proposed or final recommendation or State Board final action to terminate the charter of a charter school based, in whole or in part, upon the grounds identified in G.S. 115C-218.95(a)(2) or (3). For actions on those grounds, the following shall be required:

(1) At least 20 days prior to scheduling a meeting to take final action on a recommendation to terminate the charter, the State Board shall notify the charter school of the date, time, and location of the meeting.

(2) A charter school shall notify the parents of students enrolled in the charter school by electronic mail or the parents' preferred method of written communication within five days of receiving notice required in subdivision (1) of this subsection, including details of the date, time, and location of the meeting.

(3) A charter school shall notify parents of students enrolled in the charter school by electronic mail or the parents' preferred method of written communication of the final action by the State Board at the scheduled meeting."

SECTION 3. G.S. 115C-218.100 is amended by adding a new subsection to read:

"(c) Within five days of passing a resolution to voluntarily dissolve, a charter school board of directors shall notify the parents of students enrolled in the charter school by electronic mail or the parents' preferred method of written communication of the decision, and the timeline for dissolution of the school."

SECTION 4. G.S. 115C-47 is amended by adding a new subdivision to read:

"(64) To Provide a Charter School Closure Impact Statement. – Within 30 days of a request by the State Board of Education pursuant to G.S. 115C-218.98(a)(3)e., a local board of education shall submit a statement on the capital impact a charter school closure would have on schools within the local school administrative unit."

SECTION 5. G.S. 150B-1(e) is amended by adding a new subdivision to read:

"(25) The State Board of Education with respect to the disapproval, termination, or nonrenewal of charters under Article 14A of Chapter 115C of the General Statutes."

SECTION 6. Notwithstanding any other provision of law, this act shall apply to virtual charter schools authorized pursuant to Sec. 8.35 of S.L. 2014-100, as amended by Sec. 8.13 of S.L. 2016-94 and Sec. 7.13 of S.L. 2018-5. The charter of a pilot virtual charter school shall not be terminated prior to the end of the pilot unless the requirements of G.S. 115C-218.98, as enacted by this act, are fulfilled.

SECTION 7. This act is effective when it becomes law and applies to actions commenced to voluntarily dissolve, terminate, not renew, or materially revise a charter on or after July 1, 2019.

SENATE BILL 354

Short Title:	Student Notice/Charter School Closure/Restr.	(Public)
Sponsors:	Senators Ballard, Edwards, and Harrington (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

March 26, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE STUDENT AND FAMILY FAIR NOTICE AND AN IMPACT STATEMENT PRIOR TO THE CLOSING OR RESTRUCTURING OF A CHARTER SCHOOL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-218 reads as rewritten:

"**§ 115C-218. Purpose of charter schools; definitions; establishment of North Carolina Charter Schools Advisory Board and North Carolina Office of Charter Schools.**

...

(a1) Definitions. – For the purposes of this Article, the following definitions apply:

(1) Impact Statement. – A Student and Family Impact Statement prepared in accordance with G.S. 115C-218.99.

(2) Notice. – A notice given by registered or certified mail, by signature confirmation as provided by the United States Postal Service, or by designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2) with delivery receipt, shall be deemed to have been given on the delivery date appearing on the return receipt, copy of the proof of delivery provided by the United States Postal Service, or delivery receipt.

(3) Parent. – A parent or legal guardian.

(4) Significant restructuring. – Any action that requires the charter school to change curriculum, enrollment, grades, or programs offered; leadership; governing board composition; employment of more than one-third of its teaching staff; or contractors for educational services.

...."

SECTION 2. Article 14A of Chapter 115C of the General Statutes is amended by adding new sections to read:

"**§ 115C-218.98. Notice prior to closure or significant restructuring of a charter school.**

(a) Notice and Impact Statement. – In the event of a proposal to involuntarily or voluntarily dissolve or significantly restructure a charter school, fair and timely notice shall be provided to the parents of students of the charter school in accordance with this section and a Student and Family Impact Statement shall be prepared by the State Board of Education or the charter school intending to take the action in accordance with G.S. 115C-218.99.

(b) Notice of Action by the State Board of Education. – If a charter school receives any communication from the State Board of Education initiating a process that could lead to the dissolution, termination, revocation, nonrenewal, or significant restructuring as a condition of continued operation, the charter school shall provide notice to the parents of all impacted students

within 10 days of receiving the communication. The notice shall include a copy of the communication received from the State Board of Education, any reasons or data used to support the communication, and provide detailed information on the subsequent process, including statutory requirements, related to operation of the charter school.

(c) Notice of Action by the Charter School. – If a charter school intends to dissolve and surrender its charter or amend the charter to significantly restructure the school, the charter school shall provide notice to the parents of all impacted students within 10 days of the board of directors' resolution to dissolve or significantly restructure. The notice shall include reasons for the decision to dissolve and surrender the charter or significantly restructure and provide detailed information on the subsequent process, including statutory requirements, related to operation of the charter school.

"**§ 115C-218.99. Student and Family Impact Statement.**

(a) Preparation of the Impact Statement. – Within 60 days of providing notice to parents in accordance with G.S. 115C-218.98, the State Board of Education, if the State Board has commenced an action against the charter school to involuntarily dissolve or significantly restructure the charter school, or the charter school, if it intends to dissolve and surrender its charter or amend the charter to significantly restructure, shall prepare a Student and Family Impact Statement. The Student and Family Impact Statement shall be prepared after a mandatory survey of the parents of all students enrolled in the charter school. The survey shall be conducted in a manner that maximizes parental participation. The survey shall seek the input of the parents on all issues that the Student and Family Impact Statement shall address pursuant to subsection (b) of this section, including (i) whether parents believe the charter school should be closed, be significantly restructured, or remain available, (ii) the satisfaction level with the charter school, (iii) individual parent opinion on the academic impact on the parent's child if returned to the assigned school, (iv) individual reasons for choosing the charter school, and (v) for students with disabilities, detailed information on the level of service at the charter school and the assigned school. If the State Board of Education is preparing the Student and Family Impact Statement, it shall cooperate with the board of directors of the charter school in the preparation of the Impact Statement.

(b) Contents of the Impact Statement. – The Student and Family Impact Statement shall concisely describe and analyze the proposed action that has been noticed, which may have a significant impact on students and families. The Impact Statement shall be made available to the public for information and comment. At a minimum, the Impact Statement shall include the following:

(1) A description of the proposed action, including the charter school's needs and the benefits related to the action.

(2) A review of the potential impact on students in the charter school who are proficient or are achieving academic growth greater than in their prior educational setting.

(3) If the charter school were to close, a full review of the public school that each student will be assigned to.

(4) A review of all similar charter schools in the State in terms of performance and at-risk populations and an analysis of any actions taken related to other similarly situated charter schools.

(5) An analysis of the population of students with disabilities enrolled in the charter school and how needs will be met for those students should the charter school be closed. The Impact Statement shall not include personally identifiable information for individual students.

(6) A survey of the licensed teachers in the charter school regarding the impact on their students should the charter school cease operating or be significantly restructured.

(7) A review of the impact on the public school or schools where students will be assigned if the charter school ceases to operate.

(8) To the extent the proposed action is based, in part or wholly, upon standardized test scores, a review of the participation in the tests and any reliability issues, real or perceived, with the standardized tests relied upon.

(9) To the extent the proposed action is based, in part or wholly, upon a performance framework, a full review of the performance framework in place for the school, the process for creating the performance framework, and progress on any aspects of the performance framework.

(10) An analysis of reasonable alternatives to the proposed action.

(11) Identification of ways to reduce or avoid an adverse impact on students and families, including a separate section on the impact on students with disabilities.

(c) Notice and Hearing on the Impact Statement. – Upon completion of the Student and Family Impact Statement, a notice and a copy, or readily available access to a copy, of the Impact Statement shall be provided to the parents of all impacted students. Within 60 days after providing notice of the completed Student and Family Impact Statement, but no sooner than within 15 days of the delivery of the notice, the State Board of Education or charter school, as applicable, shall hold a public hearing at which any interested parents, school officials, teachers, staff, or community members shall be allowed to present testimony on the findings of the Impact Statement. Interested parties shall also be allowed to present expert testimony. If the State Board prepared the Impact Statement, the board of directors of the charter school shall also be allowed to present for consideration a student and school improvement plan in place of the proposed action by the State Board.

(d) Delay of Action After Hearing. – The State Board of Education shall not take final action to dissolve, terminate, revoke, nonrenew, or significantly restructure a charter school and the charter school shall not dissolve and surrender its charter or amend its charter to significantly restructure, except in the presence of imminent health or safety issues, until at least 30 days after the hearing held in accordance with subsection (c) of this section."

SECTION 3. This act is effective when it becomes law and applies to actions commenced to involuntarily or voluntarily dissolve or significantly restructure a charter school on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 500
PROPOSED COMMITTEE SUBSTITUTE S500-PCS35272-TC-23

Short Title: Modify Advanced Math Course Enrollment. (Public)

Sponsors:

Referred to:

April 3, 2019

A BILL TO BE ENTITLED

AN ACT TO MAKE CERTAIN MODIFICATIONS TO THE IMPLEMENTATION OF ADVANCED MATH COURSES OFFERED WHEN PRACTICABLE FOR GRADES THREE AND HIGHER.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-81.36 reads as rewritten:

"**§ 115C-81.36. Advanced courses in mathematics.**

(a) When practicable, local boards of education shall offer advanced courses in mathematics in all grades three and higher.

(b) When advanced courses are offered in mathematics, any student scoring ~~a level five~~ at the highest level on the end-of-grade or end-of-course test for the mathematics course in which the student was most recently enrolled shall be enrolled in the advanced course for the next mathematics course in which the student is enrolled. A student in seventh grade scoring ~~a level five~~ at the highest level on the seventh grade mathematics end-of-grade test shall be enrolled in a high school level mathematics course in eighth grade. Local boards of education may administer diagnostic assessments upon enrollment in the high school level mathematics course for the purpose of providing identified students with supplemental content enrichment. No student who qualifies under this subsection shall be removed from the advanced or high school mathematics course in which the student is enrolled unless a parent or guardian of the student provides written consent for the student to be excluded or removed from that ~~course.~~course after being adequately informed that the student's placement was determined by the student's achievement on the previous end-of-grade or end-of-course test.

(c) By October 15, 2019, and annually thereafter, the Department of Public Instruction shall submit a report to the Joint Legislative Education Oversight Committee containing data collected on the number and demographics of students who were eligible for advanced math courses, and of those students, the number and demographics of those who were placed in advanced math courses and were not placed in advanced math courses. The report shall include information on the type and format of advanced math courses provided and shall also include any feedback provided by local boards of education on the implementation of this section.

(d) The Department of Public Instruction shall provide guidance to local boards of education on how to best develop programming and courses to ensure all impacted students receive rigorous, academically appropriate instruction in mathematics."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2019-2020 school year.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 500

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

S500-ATC-28 [v.2]

Amends Title [NO]
First Edition

Date 5-01- ,2019

Senator Tillman

moves to amend the bill on page 1, line 8, by rewriting that line to read:

"(a) When practicable, local boards of education shall offer advanced";

and on page 1, line 29, by deleting the phrase "and charter schools" on that line;

and on page 1, line 32, by rewriting that line to read:

"education on how to best develop programming and courses to ensure all";

and on page 1, lines 34-36, by deleting those lines;

and on page 2, line 1, by deleting the phrase "**SECTION 3.**" and substituting the phrase "**SECTION 2.**".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED

SENATE BILL 500:
Modify Advanced Math Course Enrollment.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	May 1, 2019
Introduced by:	Sens. Smith, Tillman, Chaudhuri	**Prepared by:**	Kara McCraw Committee Counsel
Analysis of:	First Edition		

OVERVIEW: **SB 500 would clarify requirements for advanced math course enrollment, require reporting on advance math course enrollment, and require charter schools to provide advanced math course enrollment in the same manner as local school administrative units.**

CURRENT LAW: G.S. 115C-81.36 requires, when practicable, that local boards of education offer advanced courses in mathematics in grades 3 and higher. When advanced courses are offered, students who score at a level five (the current highest level) on an end-of-course (EOC) or end-of-grade (EOG) test in that student's most recent math class must be enrolled in the advanced course of the next math class the student takes. For 7th graders, a student scoring at a level five must be enrolled in a high school level math class in 8th grade. Students cannot be removed from the advanced course unless the student's parent or guardian provides written consent.

BILL ANALYSIS: SB 500 would make the following changes:

- Apply the requirements related to advanced courses in math to charter schools.
- Replace the reference to "level five" with the term "highest level" for EOCs and EOGs in math.
- For 7th grade students scoring at the highest level who are enrolled in a high school level math course, allow local boards of education to administer diagnostic assessments to provide identified students with supplemental content enrichment.
- Modify parental opt-out of student enrollment in advanced math courses to require the parent be adequately informed before consenting to the student's removal that the student's advanced course placement was due to the student's achievement on the prior math course test.
- Require the Department of Public Instruction (DPI), by October 15 annually, to report to the Joint Legislative Education Oversight Committee on the number and demographics of students eligible for advanced math courses, and the number and demographics of eligible students who were not placed in the advanced math courses. The report should also include information on the type and format of advanced math courses provided, and feedback on implementation.
- Require DPI to provide guidance to local boards of education and charter schools on how to best develop programming and courses to ensure all impacted students receive rigorous, academically appropriate instruction in math.

EFFECTIVE DATE: SB 500 would become effective when it becomes law, and apply beginning with the 2019-2020 school year.

Karen Cochrane-Brown
Director

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SENATE BILL 500

Short Title:	Modify Advanced Math Course Enrollment.	(Public)
Sponsors:	Senators Smith, Tillman, and Chaudhuri (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

April 3, 2019

A BILL TO BE ENTITLED

AN ACT TO MAKE CERTAIN MODIFICATIONS TO THE IMPLEMENTATION OF ADVANCED MATH COURSES OFFERED WHEN PRACTICABLE FOR GRADES THREE AND HIGHER.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-81.36 reads as rewritten:

"**§ 115C-81.36. Advanced courses in mathematics.**

(a) When practicable, local boards of education and charter schools shall offer advanced courses in mathematics in all grades three and higher.

(b) When advanced courses are offered in mathematics, any student scoring ~~a level five~~ at the highest level on the end-of-grade or end-of-course test for the mathematics course in which the student was most recently enrolled shall be enrolled in the advanced course for the next mathematics course in which the student is enrolled. A student in seventh grade scoring ~~a level five~~ at the highest level on the seventh grade mathematics end-of-grade test shall be enrolled in a high school level mathematics course in eighth grade. Local boards of education may administer diagnostic assessments upon enrollment in the high school level mathematics course for the purpose of providing identified students with supplemental content enrichment. No student who qualifies under this subsection shall be removed from the advanced or high school mathematics course in which the student is enrolled unless a parent or guardian of the student provides written consent for the student to be excluded or removed from that ~~course.~~course after being adequately informed that the student's placement was determined by the student's achievement on the previous end-of-grade or end-of-course test.

(c) By October 15, 2019, and annually thereafter, the Department of Public Instruction shall submit a report to the Joint Legislative Education Oversight Committee containing data collected on the number and demographics of students who were eligible for advanced math courses, and of those students, the number and demographics of those who were placed in advanced math courses and were not placed in advanced math courses. The report shall include information on the type and format of advanced math courses provided and shall also include any feedback provided by local boards of education and charter schools on the implementation of this section.

(d) The Department of Public Instruction shall provide guidance to local boards of education and charter schools on how to best develop programming and courses to ensure all impacted students receive rigorous, academically appropriate instruction in mathematics."

SECTION 2. G.S. 115C-218.85(a) is amended by adding a new subdivision to read:

"(5) A charter school shall provide advanced math courses in accordance with the provisions of G.S. 115C-81.36."

SECTION 3. This act is effective when it becomes law and applies beginning with the 2019-2020 school year.

VISITOR REGISTRATION SHEET

EDUCATION/HIGHER EDUCATION
(Committee Name)

05-01-2019
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Cecilia Holden	SBE
Dave Machado	DPI
Patricia Hall	1909 Westbrook, Wilson NC
MKW	Strategies
Leah Sutton	Best NC
Camille Conley	WSFCS - Carver High School
Sharon Rothenberg	Goldsboro City Schools - Archer Elementary
Mike Sokolski	BAYADA Home Health Care Raleigh, NC
Ellie Ward	Vidant Health Greenville, NC

VISITOR REGISTRATION SHEET

EDUCATION/HIGHER EDUCATION
(Committee Name)

05-01-2019
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Amanda Falkenbury	JDA
	MUC
Ed Dennison	Moore County Schls BOE NCSBA BOD
Mary Shuping	NCCCS
Kevin Williams	NCDPI
Beverly Vance	NC DPI
Sasha Shek Coltrane	NCDPI
Tom Tomberlin	NCDPI
	TAB

09-21-201

Senate Committee on Education/Higher Education
Thursday, May 2, 2019, 15 Minutes After Session
1027/1128 Legislative Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
SB 30	33rd Senatorial District Local Act-1.	Senator Ford
SB 354	Student Notice/Charter School Closure/Restr.	Senator Ballard Senator Edwards Senator Harrington
SB 487	Student Meal Debt Policy.	Senator B. Jackson
SB 609	K-12 Scholarship Changes.	Senator Ballard Senator Clark Senator Johnson
SB 522	Various Changes to Charter School Laws.	Senator Tillman
SB 123	Portability of Leave/Charter Schools.	Senator Sanderson

Adjournment

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Monday, May 06, 2019

Senator Tillman,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

SB **30** 33rd Senatorial District Local Act-1.
Draft Number: S30-PCS35271-BN-15
Sequential Referral: Rules and Operations of the Senate
Recommended Referral: None
Long Title Amended: Yes

SB **354** Student Notice/Charter School Closure/Restr.
Draft Number: S354-PCS35282-BE-21
Sequential Referral: Rules and Operations of the Senate
Recommended Referral: None
Long Title Amended: Yes

SB **487** Student Meal Debt Policy.
Draft Number: S487-PCS35283-TCa-26
Sequential Referral: Appropriations/Base Budget
Recommended Referral: None
Long Title Amended: Yes

SB **522** Various Changes to Charter School Laws.
Draft Number: S522-PCS15346-RQ-13
Sequential Referral: Rules and Operations of the Senate
Recommended Referral: None
Long Title Amended: No

SB **609** K-12 Scholarship Changes.
Draft Number: S609-PCS45293-TC-25
Sequential Referral: Rules and Operations of the Senate
Recommended Referral: None
Long Title Amended: No

TOTAL REPORTED: 5

Senator Carl Ford will handle SB 30
Senator Deanna Ballard will handle SB 354
Senator Brent Jackson will handle SB 487
Senator Jerry W. Tillman will handle SB 522
Senator Deanna Ballard will handle SB 609

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Monday, May 06, 2019

Senator Tillman,
submits the following with recommendations as to passage:

FAVORABLE

SB **123** Portability of Leave/Charter Schools.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 1

Senator Norman W. Sanderson will handle SB 123

Senate Committee on Education/Higher Education
Thursday, May 2, 2019 at 15 Minutes After Session
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 15 Minutes After Session on May 2, 2019 in Room 1027/1128 of the Legislative Building. 14 members were present.

Senator Jerry W. Tillman, Chair, presided. Senator Tillman called the meeting to order and recognized the pages and sergeant-of-arms. The following bills were considered:

SB 30 Stanly CC/Contracting Date Extension. (Senator Ford) Senator Ford was recognized to present the Proposed Committee Substitute (PCS). Senator Chaudhuri moved for a favorable report to the PCS and unfavorable report to the original bill with a re-referral to Senate Rules. The motion passed.

SB 354 Sam's Law. (Senators Ballard, Edwards, Harrington) Senator Ballard was recognized to present the Proposed Committee Substitute (PCS). Senator McInnis moved for a favorable report to the PCS and an unfavorable report to the original bill with a re-referral to Senate Rules. The motion passed.

SB 487 Student Meal Debt Policy. (Senator B. Jackson) Senator Jackson was recognized to explain SB 487. Senator Jackson sent forth an amendment. Chairman Tillman recognized Kara McCraw, NCGA Legislative Analysis, to explain the amendment. Dr. Lynn Harvey, Chief of School Nutrition Services for the NC Department of Public Instruction, was recognized to speak on the bill. Senator Robinson moved for the adoption of the amendment. The motion passed. Senator Davis moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the committee substitute and an unfavorable report to the original bill with a re-referral to Senate Appropriations/Base Budget. The motion passed.

SB 609 K-12 Scholarship Changes. (Senators Ballard, Clark, Johnson) Senator Johnson was recognized and sent forth an amendment. Kara McCraw, NCGA Legislative Analysis, was recognized to explain the amendment. The motion to adopt the amendment was made. The motion passed. Senator Johnson was recognized to explain SB 609. Elizabeth McDuffie, NCSEAA, was recognized to speak on the bill. Senator Newton moved for a favorable report to the bill as amended, rolled into a proposed committee substitute, with a favorable report to the committee substitute and an unfavorable report to the original bill with a re-referral to Senate Rules. The motion passed.

SB 522 Low-Performing Schools. (Senator Tillman) Senator Tillman temporarily relinquished his chair duties to Co-Chair Horner in order to present an amendment to SB 522. Senator Tillman was recognized and sent forth an amendment. Drupti Chauhan, NCGA Legislative Analysis, was recognized to explain the amendment. Senator Davis moved for the adoption of the amendment. The motion passed. Steven Walker, Vice Chair Charter Schools Advisory Board, was recognized to speak on the amendment. Senator Harrington moved for a favorable

report to the bill as amended, rolled into a proposed committee substitute, with a favorable report to the committee substitute and an unfavorable report to the original bill with a re-referral to Senate Rules. The motion passed.

SB 123 Geo Iso Sch/Transp Eff Buff/Currituck Cty Sch. (Senator Sanderson) Senator Sanderson was recognized to explain SB 123. Senator Johnson moved for a favorable report with a re-referral to Senate Rules. The motion passed.

The meeting adjourned at 5:58 pm.

Senator Jerry W. Tillman, Chair
Presiding

Suzanne Castleberry, Committee Clerk

SENATE BILL 30:
Stanly CC/Contracting Date Extension.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	May 2, 2019
Introduced by:	Sen. Ford	**Prepared by:**	Samantha Yarborough Staff Attorney
Analysis of:	PCS to First Edition S30-CSBN-15		

OVERVIEW: The PCS to Senate Bill 30 would extend the contracting deadline for agreements between Stanly Community College and Stanly County to jointly erect buildings on property owned by Stanly Community college.

CURRENT LAW: Session Law 2014-82 allows Stanly Community College to enter into agreements with Stanly County to jointly erect buildings on property owned by Stanly Community College without the approval of the State board of Community Colleges. These agreements must require Stanly Community College to transfer property to Stanly County for the purpose of constructing college classrooms, office space, laboratories, or any other space necessary for the operation of a community college. When the facilities are completed, Stanly County must lease the facilities to Stanly Community College. At the end of the lease term, Stanly County must transfer title to the property and improvements back to Stanly Community College. Session Law 2014-82 applies to contracts awarded on or before June 30, 2019.

BILL ANALYSIS: The PCS to SB 30 would extend the contracting deadline from June 30, 2019, to June 30, 2024.

EFFECTIVE DATE: SB 30 would become effective when it becomes law.

Karen Cochrane-Brown
Director

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 30
PROPOSED COMMITTEE SUBSTITUTE S30-PCS35271-BN-15

Short Title: Stanly CC/Contracting Date Extension. (Local)

Sponsors:

Referred to:

February 7, 2019

A BILL TO BE ENTITLED

AN ACT EXTENDING THE CONTRACTING DATE FOR AGREEMENTS BETWEEN STANLY COMMUNITY COLLEGE AND STANLY COUNTY TO JOINTLY ERECT BUILDINGS ON PROPERTY OWNED BY STANLY COMMUNITY COLLEGE.

The General Assembly of North Carolina enacts:

SECTION 1. Sections 1 and 2 of Session Law 2014-82 read as rewritten:

"**SECTION 1.(a)** Notwithstanding the provisions of G.S. 115D-15.1(b) and (d), Stanly Community College may enter into agreements with Stanly County to jointly erect buildings on property owned by Stanly Community College without the approval of the State Board of Community Colleges if such agreements meet the requirements of subsection (b) of this section. G.S. 143-129 and G.S. 143-341 shall not apply to transfers of property or capital improvements to property transferred under this section.

"**SECTION 1.(b)** An agreement under subsection (a) of this section shall require Stanly Community College to transfer property to Stanly County to construct facilities consisting of college classrooms, office space, laboratories, or any other space necessary for the operation of a community college. Upon completion of facilities constructed pursuant to this section, Stanly County shall lease the facilities to Stanly Community College. At the end of the lease term, Stanly County shall transfer title to the property and improvements back to Stanly Community College.

"**SECTION 2.** This act is effective when it becomes law and applies to contracts awarded on or before ~~June 30, 2019.~~June 30, 2024."

SECTION 2. This act is effective when it becomes law.

SENATE BILL 354:
Student Notice/Charter School Closure/Restr.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	May 2, 2019
Introduced by:	Sens. Ballard, Edwards, Harrington	**Prepared by:**	Brian Gwyn Committee Co-Counsel
Analysis of:	PCS to First Edition S354-CSBE-21		

OVERVIEW: ***The 1st edition of Senate Bill 354 would require notice to parents and an impact statement prior to closing, significantly restructuring, or materially revising the charter of a charter school. The PCS would delete the contents of the 1st edition and instead do the following:***

- ***Require notice to parents prior to closing a charter school or materially revising its charter.***
- ***Require an information session and public hearing prior to (i) the nonrenewal of the charter of a continually low-performing charter school or (ii) the termination of a charter for reasons other than fiscal mismanagement or violations of law.***
- ***Exempt final actions of the State Board of Education (State Board) related to the disapproval, termination, or nonrenewal of charters from being "contested cases" under the jurisdiction of the Office of Administrative Hearings.***

CURRENT LAW: Under G.S. 115C-218.7, the material revision of a charter requires approval by the State Board. For low-performing charter schools, enrollment growth greater than 20% is considered a material revision. For charter schools not identified as low-performing, enrollment growth greater than 30% is considered a material revision. Otherwise, whether a revision is material is determined by State Board policy. There are no express requirements that the State Board or charter school provide notice to parents of a material revision to the charter.

G.S. 115C-218.6(a) requires the State Board to review the operations of each charter school at least once prior to the expiration of its charter to ensure that the school is meeting the expected academic, financial, and governance standards. The State Board has adopted a two-year charter school review process, which takes place prior to a charter renewal.

G.S. 115C-218.95 identifies the criteria and process for nonrenewal or termination of a charter by the State Board, but there are no express requirements that the State Board or the charter school provide notice to parents.

Under Article 3 of Chapter 150B of the General Statutes, disputes between a State agency and another person must first be reviewed by the Office of Administrative Hearings (OAH). The decision by OAH can then be reviewed in superior court under G.S. 150B-45. Therefore, if the board of directors of a charter school disagrees with the final action of the State Board regarding disapproval, termination, or nonrenewal of a charter, the board of directors must petition OAH for a hearing before an administrative law judge before seeking review in superior court.

Karen Cochrane-Brown
Director

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

BILL ANALYSIS:

Material revisions

The PCS would require a charter school board of directors to notify parents of enrolled students at least 7 days prior to meeting to consider requesting a material revision to the school's charter. The notice would be required to include information about the board of directors meeting and a description of the material revision being requested. Charter schools would be encouraged, but not required, to notify parents of the final action by the State Board regarding the material revision.

Nonrenewal of the charter of a continually low-performing charter school

The PCS would require the Office of Charter Schools to conduct a public hearing and information session as part of its review of the operations of a continually low-performing charter school, which could be part of the site visits required by State Board policy. The hearing would be required to include information about the academic performance of the charter school, as well as opportunities for the public, including parents, teachers, and community members, to express their views. At least one member of the State Board and one member of the Advisory Board would be required to attend the hearing.

The Office of Charter Schools would be required to notify the charter school at least 20 days in advance of the public hearing regarding the date, time, location, and methods for the public to submit comments. The charter school would then notify parents within 5 days of receiving the notice from the Office of Charter Schools.

Prior to taking final action to not renew the charter of a continually low-performing charter school, the State Board would be required to review and consider a record of the public hearing. If the State Board decides to not renew the charter, the charter school would notify parents within 5 days of receiving notice of the final action from the State Board.

Termination of a charter

The PCS would require the Advisory Board to do the following prior to a final recommendation to terminate the charter of a charter school:

- Conduct a public hearing that includes information on the academic performance of the charter school and an opportunity for public comment. At least one member of the State Board and one member of the Advisory Board must be present at the hearing.
- Notify the charter school of the public hearing at least 20 days in advance.
- Review and consider the following information:
    - A record of the public hearing.
    - A comparison of the charter school's student academic outcomes to the academic outcomes of students in the local school administrative unit in which the charter school is located.
    - An analysis of whether the charter school has met growth or has made measurable progress toward student performance goals under a strategic improvement plan.
    - Considerations related to transitioning students with disabilities enrolled in the charter school to a new school, should the charter school be closed.
    - The impact on the capital needs of the public school or schools where students will be assigned if the charter school ceases to operate.

The State Board would be required to notify the charter school at least 20 days prior to a meeting to take final action on a recommendation of the Advisory Board to terminate its charter. In making its final

determination, the State Board would be required to review and consider the same evidence required of the Advisory Board described above, in addition to evidence from the Advisory Board meeting at which the recommendation was made.

The charter school would be required to notify parents within five days of receiving notice of the public hearing and the State Board meeting to take final action on the Advisory Board's recommendation.

For the termination of a charter due to fiscal mismanagement or violations of law, the requirements described above would not apply. Instead, the following would be required:

- The State Board must notify the charter school at least 20 days prior to scheduling a meeting at which final action on the termination of the charter will be considered.
- The charter school must notify parents within 5 days of receiving notice of the State Board's meeting described above.
- The charter school must notify parents of the final action by the State Board.

Other Changes

The PCS would also make the following changes to existing law:

- Require charter schools to notify parents within 5 days of passing a resolution to voluntarily dissolve the school's charter.
- Require local boards of education to provide a statement on the capital impact a charter school termination would have on their districts.
- Exempt State Board actions related to disapproval, termination, or nonrenewal of charters from the type of contested case that could be subject to the jurisdiction of OAH.
- Clarify that virtual charter pilot schools cannot be terminated prior to the end of the pilot period without following the procedures enacted in the PCS.

EFFECTIVE DATE: The PCS would be effective when it becomes law and would apply to actions commenced to voluntarily dissolve, terminate, not renew, or materially revise a charter on or after July 1, 2019.

SENATE BILL 354

Short Title:	Student Notice/Charter School Closure/Restr.	(Public)
Sponsors:	Senators Ballard, Edwards, and Harrington (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

March 26, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE STUDENT AND FAMILY FAIR NOTICE AND AN IMPACT STATEMENT PRIOR TO THE CLOSING OR RESTRUCTURING OF A CHARTER SCHOOL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-218 reads as rewritten:

"**§ 115C-218. Purpose of charter schools; definitions; establishment of North Carolina Charter Schools Advisory Board and North Carolina Office of Charter Schools.**

...

(a1) Definitions. – For the purposes of this Article, the following definitions apply:

(1) Impact Statement. – A Student and Family Impact Statement prepared in accordance with G.S. 115C-218.99.

(2) Notice. – A notice given by registered or certified mail, by signature confirmation as provided by the United States Postal Service, or by designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2) with delivery receipt, shall be deemed to have been given on the delivery date appearing on the return receipt, copy of the proof of delivery provided by the United States Postal Service, or delivery receipt.

(3) Parent. – A parent or legal guardian.

(4) Significant restructuring. – Any action that requires the charter school to change curriculum, enrollment, grades, or programs offered; leadership; governing board composition; employment of more than one-third of its teaching staff; or contractors for educational services.

...."

SECTION 2. Article 14A of Chapter 115C of the General Statutes is amended by adding new sections to read:

"**§ 115C-218.98. Notice prior to closure or significant restructuring of a charter school.**

(a) Notice and Impact Statement. – In the event of a proposal to involuntarily or voluntarily dissolve or significantly restructure a charter school, fair and timely notice shall be provided to the parents of students of the charter school in accordance with this section and a Student and Family Impact Statement shall be prepared by the State Board of Education or the charter school intending to take the action in accordance with G.S. 115C-218.99.

(b) Notice of Action by the State Board of Education. – If a charter school receives any communication from the State Board of Education initiating a process that could lead to the dissolution, termination, revocation, nonrenewal, or significant restructuring as a condition of continued operation, the charter school shall provide notice to the parents of all impacted students

within 10 days of receiving the communication. The notice shall include a copy of the communication received from the State Board of Education, any reasons or data used to support the communication, and provide detailed information on the subsequent process, including statutory requirements, related to operation of the charter school.

(c) Notice of Action by the Charter School. – If a charter school intends to dissolve and surrender its charter or amend the charter to significantly restructure the school, the charter school shall provide notice to the parents of all impacted students within 10 days of the board of directors' resolution to dissolve or significantly restructure. The notice shall include reasons for the decision to dissolve and surrender the charter or significantly restructure and provide detailed information on the subsequent process, including statutory requirements, related to operation of the charter school.

"**§ 115C-218.99. Student and Family Impact Statement.**

(a) Preparation of the Impact Statement. – Within 60 days of providing notice to parents in accordance with G.S. 115C-218.98, the State Board of Education, if the State Board has commenced an action against the charter school to involuntarily dissolve or significantly restructure the charter school, or the charter school, if it intends to dissolve and surrender its charter or amend the charter to significantly restructure, shall prepare a Student and Family Impact Statement. The Student and Family Impact Statement shall be prepared after a mandatory survey of the parents of all students enrolled in the charter school. The survey shall be conducted in a manner that maximizes parental participation. The survey shall seek the input of the parents on all issues that the Student and Family Impact Statement shall address pursuant to subsection (b) of this section, including (i) whether parents believe the charter school should be closed, be significantly restructured, or remain available, (ii) the satisfaction level with the charter school, (iii) individual parent opinion on the academic impact on the parent's child if returned to the assigned school, (iv) individual reasons for choosing the charter school, and (v) for students with disabilities, detailed information on the level of service at the charter school and the assigned school. If the State Board of Education is preparing the Student and Family Impact Statement, it shall cooperate with the board of directors of the charter school in the preparation of the Impact Statement.

(b) Contents of the Impact Statement. – The Student and Family Impact Statement shall concisely describe and analyze the proposed action that has been noticed, which may have a significant impact on students and families. The Impact Statement shall be made available to the public for information and comment. At a minimum, the Impact Statement shall include the following:

(1) A description of the proposed action, including the charter school's needs and the benefits related to the action.

(2) A review of the potential impact on students in the charter school who are proficient or are achieving academic growth greater than in their prior educational setting.

(3) If the charter school were to close, a full review of the public school that each student will be assigned to.

(4) A review of all similar charter schools in the State in terms of performance and at-risk populations and an analysis of any actions taken related to other similarly situated charter schools.

(5) An analysis of the population of students with disabilities enrolled in the charter school and how needs will be met for those students should the charter school be closed. The Impact Statement shall not include personally identifiable information for individual students.

(6) A survey of the licensed teachers in the charter school regarding the impact on their students should the charter school cease operating or be significantly restructured.

(7) A review of the impact on the public school or schools where students will be assigned if the charter school ceases to operate.

(8) To the extent the proposed action is based, in part or wholly, upon standardized test scores, a review of the participation in the tests and any reliability issues, real or perceived, with the standardized tests relied upon.

(9) To the extent the proposed action is based, in part or wholly, upon a performance framework, a full review of the performance framework in place for the school, the process for creating the performance framework, and progress on any aspects of the performance framework.

(10) An analysis of reasonable alternatives to the proposed action.

(11) Identification of ways to reduce or avoid an adverse impact on students and families, including a separate section on the impact on students with disabilities.

(c) Notice and Hearing on the Impact Statement. – Upon completion of the Student and Family Impact Statement, a notice and a copy, or readily available access to a copy, of the Impact Statement shall be provided to the parents of all impacted students. Within 60 days after providing notice of the completed Student and Family Impact Statement, but no sooner than within 15 days of the delivery of the notice, the State Board of Education or charter school, as applicable, shall hold a public hearing at which any interested parents, school officials, teachers, staff, or community members shall be allowed to present testimony on the findings of the Impact Statement. Interested parties shall also be allowed to present expert testimony. If the State Board prepared the Impact Statement, the board of directors of the charter school shall also be allowed to present for consideration a student and school improvement plan in place of the proposed action by the State Board.

(d) Delay of Action After Hearing. – The State Board of Education shall not take final action to dissolve, terminate, revoke, nonrenew, or significantly restructure a charter school and the charter school shall not dissolve and surrender its charter or amend its charter to significantly restructure, except in the presence of imminent health or safety issues, until at least 30 days after the hearing held in accordance with subsection (c) of this section."

SECTION 3. This act is effective when it becomes law and applies to actions commenced to involuntarily or voluntarily dissolve or significantly restructure a charter school on or after that date.

SENATE BILL 487:
Student Meal Debt Policy.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	May 2, 2019
Introduced by:	Sen. B. Jackson	**Prepared by:**	Kara McCraw Committee Counsel
Analysis of:	First Edition		

OVERVIEW: SB 487 would require the State Board of Education to adopt a policy to ensure all local school administrative units administer unpaid meal charges for school lunch programs in the same manner, including a requirement that students not be prevented from receiving nutritious meals because of an unpaid meal charge.

CURRENT LAW: Part 2 of Article 17 of Chapter 115C requires local boards of education to provide, to the extent practicable, school food services in schools. In their operation of a public school nutrition program, public schools are required to participate in the federal National School Lunch Program (NSLP). School food services are operated on a nonprofit basis, with earnings above the cost of operation used to reduce food costs, serve better food, or provide free and reduced lunch to indigent children.

Under the NSLP, students who meet certain income requirements can qualify to receive free or reduced price lunches, which are partially reimbursed through federal funds. Additionally, schools or districts in high-poverty areas may adopt the Community Eligibility Provision (CEP) to provide breakfast and lunch at no cost to all enrolled students without collecting household applications on income requirements. CEP districts are partially reimbursed through federal funds calculated from the percentage of students categorically eligible for free meals based on their participation in other specific means-tested programs.

BILL ANALYSIS: SB 487 would require the State Board of Education to adopt a policy to ensure that all local school administrative units administer unpaid meal charges in the same manner. At a minimum, the policy would have to guarantee that students are not prevented from receiving nutritious meals because of an unpaid meal charge.

EFFECTIVE DATE: SB 487 would become effective when it becomes law, and applies beginning with the 2019-2020 school year.

Karen Cochrane-Brown
Director

S487-SMTC-33 E1 -V-2

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 487

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

S487-ATC-30 [v.4]

Amends Title [YES]
First Edition

Date _____, 2019

Senator Jerry W. Tillman

moves to amend the bill on page 1, line 3, by rewriting that line to read:

"ENSURE THE UNIFORM ADMINISTRATION OF UNPAID MEAL CHARGES, AND TO PROVIDE SCHOOL LUNCHES AT NO COST FOR SCHOOL CHILDREN WHO QUALIFY FOR REDUCED-PRICE MEALS AT SCHOOLS PARTICIPATING IN THE NATIONAL SCHOOL LUNCH PROGRAM.";

and on page 1, lines 11 through 12, by rewriting those lines to read:

"**SECTION 2.** There is appropriated from the General Fund to the Department of Public Instruction the sum of three million dollars ($3,000,000) in recurring funds for the 2019-2020 fiscal year to be used to provide school lunches at no cost to students of all grade levels qualifying for reduced-price meals in all schools participating in the National School Lunch Program. If appropriated funds are insufficient to provide school lunches at no cost to students qualifying for reduced-price meals, the Department of Public Instruction shall also use any excess funds appropriated for the National School Breakfast Program for the purposes of this section.

SECTION 3. This act is effective when it becomes law and applies beginning with the 2019-2020 school year.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SENATE BILL 487

Short Title:	Student Meal Debt Policy.	(Public)
Sponsors:	Senator B. Jackson (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

April 3, 2019

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT A POLICY TO ENSURE THE UNIFORM ADMINISTRATION OF UNPAID MEAL CHARGES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-12 is amended by adding a new subdivision to read:

"(47) Duty to Ensure Uniform Administration of Unpaid Meal Charges. – The State Board of Education shall adopt a policy to ensure the uniform administration of unpaid meal charges in local school administrative units. At a minimum, the policy shall guarantee that students are not prevented from receiving nutritious meals because of an unpaid meal charge."

SECTION 2. This act is effective when it becomes law and applies beginning in the 2019-2020 school year.

SENATE BILL 609:
K-12 Scholarship Changes.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	May 2, 2019
Introduced by:	Sens. Ballard, Clark, Johnson	**Prepared by:**	Kara McCraw Committee Counsel
Analysis of:	First Edition		

OVERVIEW: SB 609 would make the following changes to kindergarten-12 (K-12) scholarship programs:

- ***Clarify eligibility for 4 year olds in all scholarships.***
- ***Remove certain eligibility requirements for the Special Education Scholarships for Students with Disabilities.***
- ***Raise the income limit for students to qualify for Opportunity Scholarships.***
- ***Eliminate the cap of awards of Opportunity Scholarships to entering kindergarten and 1st grade students.***

CURRENT LAW: G.S. 115C-364 establishes the requirements for admission of students to public school, beginning at age 5. A student may be admitted before the age of 5 if the student meets certain requirements, including a determination by the school principal that the child is gifted and has the maturity to justify admission to the school, based on standards established by the State Board of Education.

G.S. 115C-366 establishes the requirements of domicile for assignment of students to public school in the State.

There are 3 scholarship programs for K-12 students.

1. **Special Education Scholarship for Children with Disabilities.** – This scholarship provides $8000 annually to a qualifying student with a disability to be used for tuition and reimbursement of special education, related services, and educational technology. The scholarship may be used in any nonpublic school, including a home school, to provide for special education and related expenses. To qualify, a student must meet <u>all</u> of the following requirements:
    a. Be a child with a disability for special education purposes who has not been placed in a private setting by a public agency at public expense.
    b. Be eligible to attend a NC public school under G.S. 115C-366.
    c. Has not been enrolled in a postsecondary institution as a full time student or received a high school diploma.
    d. Meets at least one of the following requirements:
        i. Was enrolled in a North Carolina public school or a Department of Defense (DoD) school during the previous semester.

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

ii. Received special education or related services through the North Carolina public schools as a preschool child with a disability during the previous semester.

iii. Was approved for a scholarship for the previous semester.

iv. Is identified as a child with a disability prior to the end of the year of initial enrollment in kindergarten or first grade.

v. Is a child whose parent or legal guardian is on full-time active duty status in the military.

vi. Is a child who has been domiciled in the State for at least six months.

vii. Is a child in foster care.

viii. Is a child whose adoption decree was entered not more than one year prior to submission of the scholarship application.

ix. Is a child enrolled in a nonpublic school when applying who was enrolled in a NC public school or DoD school in the prior school year.

Priority in award of these scholarships is given first to prior year recipients, then to other qualifying students, other than those qualifying on the basis of 6 months' domicile, and finally to those students who qualify on the basis of 6 months' domicile.

2. **Personal Education Savings Account.** - This scholarship provides $9000 annually to a qualifying student with a disability to be used by parents for qualifying education expenses. To qualify, a student must meet all of the following requirements:

    a. Be a child with a disability for special education purposes who has not been placed in a private setting by a public agency at public expense.

    b. Be eligible to attend a NC public school under G.S. 115C-366.

    c. Has not been enrolled in a postsecondary institution as a full time student or received a high school diploma.

3. **Opportunity Scholarship.** – This scholarship provides $4200 annually to a qualifying student who meets certain income requirements to be used for tuition and fees at nonpublic schools that receive those scholarships. To qualify, a student must meet all of the following requirements:

    a. Reside in a household with an income level not in excess of 133% of the amount required for the student to qualify for the federal free or reduced price lunch program.

    b. Reside in the State.

    c. Has not been enrolled in a postsecondary institution as a full time student or received a high school diploma.

    d. Meets at least one of the following requirements:

        i. Was enrolled in a North Carolina public school or a DoD school during the previous semester.

        ii. Was approved for a scholarship for the previous semester.

        iii. Is entering either kindergarten or first grade.

        iv. Is a child whose parent or legal guardian is on full-time duty active status in the military.

v. Is a child in foster care.

vi. Is a child whose adoption decree was entered not more than one year prior to submission of the scholarship application.

Priority in award of these scholarships is given first to prior year recipients, with remaining funds distributed as follows:

- At least 50% of the funds to scholarships for students in households with an income not in excess of the amount required to qualify for free or reduced lunch.
- No more than 40% to students entering kindergarten or 1st grade.
- The remaining funds to all other qualifying students.

BILL ANALYSIS: SB 609 would make the following changes to the scholarship programs:

Part I: Special Education Scholarships for Children with Disabilities

- Allow students who are at least 4 years old and deemed by the nonpublic school to have the maturity to justify admission to the school, to be eligible for the scholarship.
- Require for eligibility that a student (i) be a child with a disability for special education purposes who has not been placed in a private setting by a public agency at public expense, (ii) be eligible to attend a NC public school, and (iii) not be a full-time postsecondary student or high school graduate. All other eligibility criteria are repealed.
- Make conforming changes (i) to the priority of awards to require that scholarships be first awarded to previous recipients and then to all other qualifying students, and (ii) to eliminate reports related to eligibility type.

Part II: Opportunity Scholarships

- Allow students who are at least 4 years old, but deemed by the nonpublic school to have the maturity to justify admission to the school, to be eligible for the scholarship.
- Increase the household income limit to qualify for the scholarship from 133% of the amount required to qualify for the federal free or reduced-price lunch program to 150%.
- Eliminate the cap on scholarship funds for students entering kindergarten and 1st grade.

Part III: Personal Education Savings Accounts

- Allow students who are at least 4 years old, but deemed by the nonpublic school to have the maturity to justify admission to the school, to be eligible for the scholarship.

EFFECTIVE DATE: SB 609 would be effective when it becomes law, and would apply beginning with the award of scholarship funds for the 2020-2021 school year.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 609

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

S609-ATC-31 [v.6]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Johnson

moves to amend the bill on page 1, lines 15-20, by deleting those lines and substituting the following:

"b. Is eligible to attend a North Carolina public school pursuant to ~~G.S. 115C-366.~~Article 25 of this Chapter. A child who is the age of four 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 the student meets the requirements of G.S. 115C-364(d) and those findings are submitted to the Authority with the child's application.";

and on page 3, lines 15-20, by deleting those lines and substituting the following:

"3. Is eligible to ~~entering~~ enter either kindergarten or the first ~~grade.~~grade pursuant to Article 25 of this Chapter. A child who is the age of four 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 the student meets the requirements of G.S. 115C-364(d) and those findings are submitted to the Authority with the child's application.";

and on page 4, lines 16-21, by deleting those lines and substituting the following:

"a. Is eligible to attend a North Carolina public school pursuant to ~~G.S. 115C-366.~~Article 25 of this Chapter. A child who is the age of four 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

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 609

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

S609-ATC-31 [v.6]

seeks to enroll finds that the student meets the requirements of G.S. 115C-364(d) and those findings are submitted to the Authority with the child's application.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

SENATE BILL 609

Short Title:	K-12 Scholarship Changes.	(Public)
Sponsors:	Senators Ballard, Clark, and Johnson (Primary Sponsors).	
Referred to:	Rules and Operations of the Senate	

April 4, 2019

A BILL TO BE ENTITLED

AN ACT TO SIMPLIFY THE ELIGIBILITY REQUIREMENTS FOR THE CHILDREN WITH DISABILITIES SCHOLARSHIP GRANT PROGRAM, CLARIFY ELIGIBILITY FOR SCHOLARSHIP PROGRAMS TO APPLY TO CERTAIN FOUR YEAR OLDS, AND MAKE VARIOUS OTHER CHANGES TO THE OPPORTUNITY SCHOLARSHIP GRANT PROGRAM.

The General Assembly of North Carolina enacts:

PART I. SPECIAL EDUCATION SCHOLARSHIPS FOR CHILDREN WITH DISABILITIES

SECTION 1.1. G.S. 115C-112.5(2) reads as rewritten:

"(2) Eligible student. – A child under the age of 22 who resides in North Carolina and meets all of the following criteria:

a. Is a child with a disability.

b. Is eligible to attend a North Carolina public school pursuant to ~~G.S. 115C-366.~~G.S. 115C-366, including children who do not meet the age-related eligibility requirements for entry into kindergarten set forth in G.S. 115C-364, but are at least four years of age and deemed by a nonpublic school to have the maturity to justify admission to the school.

c. Has not been placed in a nonpublic school or facility by a public agency at public expense.

d. Has not been enrolled in a postsecondary institution as a full-time student taking at least 12 hours of academic credit.

e. Has not received a high school diploma.

~~f. Meets at least one of the following requirements:~~

~~1. Was enrolled in a North Carolina public school or a Department of Defense Elementary and Secondary School, established pursuant to 10 U.S.C. § 2164 and located in North Carolina, during the spring semester prior to the school year for which the student is applying. The Authority shall not count actual days of attendance to determine whether a child was enrolled in a qualifying school for that semester for the purposes of eligibility under this sub-sub-subdivision.~~

~~2. Received special education or related services through the North Carolina public schools as a preschool child with a~~

~~disability during the spring semester prior to the school year for which the student is applying.~~

~~3. Received a scholarship for the school year prior to the school year for which the student is applying.~~

~~4. Is a child who is identified as a child with a disability prior to the end of the year of initial enrollment in kindergarten or first grade. An award by the Authority based on eligibility under this sub-sub-subdivision shall be conditional. If documentation is not provided to the Authority that the child is a child with a disability prior to the end of the year of initial enrollment, (i) no reimbursement shall be awarded and (ii) the child shall not qualify the following year as an eligible student under sub-sub-subdivision 3. of this section.~~

~~5. Is a child whose parent or legal guardian is on full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. § 12301, et seq., and 10 U.S.C. § 12401, et seq.~~

~~6. Is a child who has been domiciled in the State for at least six months.~~

~~7. Is a child in foster care as defined in G.S. 131D-10.2(9).~~

~~8. Is a child whose adoption decree was entered not more than one year prior to submission of the scholarship application.~~

~~9. Is a child who meets both of the following:~~

~~I. Was enrolled in a nonpublic school that meets the requirements of Article 39 of this Chapter during the spring semester prior to the school year for which the student is applying.~~

~~II. Was enrolled for the entire school year immediately prior to the school year in which the student enrolled in the nonpublic school in one of the following:~~

~~A. A North Carolina public school.~~

~~B. A Department of Defense Elementary and Secondary School, established pursuant to 10 U.S.C. § 2164 and located in North Carolina.~~"

SECTION 1.2. G.S. 115C-112.6(a2) reads as rewritten:

"(a2) Priority of Awards. – The Authority shall award scholarships according to the following criteria for applications received by March 15 each year:

(1) First priority shall be given to eligible students who received a scholarship for the school year prior to the school year for which students are applying.

(2) After scholarships have been awarded under subdivision (1) of this subsection, scholarships shall be awarded to ~~students who are eligible under G.S. 115C-112.5(2)f.1., 2., 4., 5., 7., 8., and 9.~~all other eligible students.

~~(3) After scholarships have been awarded under subdivision (2) of this subsection, scholarships shall be awarded to students who are eligible under G.S. 115C-112.5(2)f.6.~~"

SECTION 1.3. G.S. 115C-112.8(b)(5) reads as rewritten:

"(5) Total ~~number of applicants by eligibility type, as listed in G.S. 115C-112.5(2)f., and the total~~ number of scholarships awarded by priority type, as listed in G.S. 115C-112.6(a2)."

PART II. OPPORTUNITY SCHOLARSHIP GRANT PROGRAM

SECTION 2.1. G.S. 115C-562.1(3) reads as rewritten:

"(3) Eligible students. – A student residing in North Carolina who has not yet received a high school diploma and who meets all of the following requirements:

a. Meets one of the following criteria:

1. Was a full-time student (i) assigned to and attending a public school pursuant to G.S. 115C-366 or (ii) enrolled in a Department of Defense Elementary and Secondary School, established pursuant to 10 U.S.C. § 2164 and located in North Carolina, during the spring semester prior to the school year for which the student is applying.
2. Received a scholarship grant for the school year prior to the school year for which the student is applying.
3. Is entering either kindergarten or the first ~~grade.~~grade, including children who do not meet the age-related eligibility requirements for entry into kindergarten set forth in G.S. 115C-364, but are at least four years of age and deemed by a nonpublic school to have the maturity to justify admission to the school.
4. Is a child in foster care as defined in G.S. 131D-10.2(9).
5. Is a child whose adoption decree was entered not more than one year prior to submission of the scholarship grant application.
6. Is a child whose parent or legal guardian is on full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. § 12301, et seq., and 10 U.S.C. § 12401, et seq.

a1. Has not enrolled in a postsecondary institution in a matriculated status eligible for enrollment for 12 hours of academic credit.

b. Resides in a household with an income level not in excess of ~~one hundred thirty-three percent (133%)~~one hundred fifty percent (150%) of the amount required for the student to qualify for the federal free or reduced-price lunch program. The Authority shall not count any distribution from the estate of a decedent in calculating the income level of the applicant's household for the purposes of determining eligibility for a scholarship under this sub-subdivision."

SECTION 2.2. G.S. 115C-562.2(a) reads as rewritten:

"(a) The Authority shall make available no later than February 1 annually applications to eligible students for the award of scholarship grants to attend any nonpublic school. Information about scholarship grants and the application process shall be made available on the Authority's Web site. Beginning March 15, the Authority shall begin awarding scholarship grants according to the following criteria:

(1) First priority shall be given to eligible students who received a scholarship grant for the school year prior to the school year for which the students are applying if those students have applied by March 1.

(2) After scholarship grants have been awarded to prior recipients as provided in subdivision (1) of this subsection, scholarships shall be awarded with remaining funds as follows:

a. At least fifty percent (50%) of the remaining funds shall be used to award scholarship grants to eligible students residing in households with an income level not in excess of the amount required for the student to qualify for the federal free or reduced-price lunch program.

~~b. No more than forty percent (40%) of the remaining funds shall be used to award scholarship grants to eligible students entering either kindergarten or first grade.~~

c. Any remaining funds shall be used to award scholarship grants to all other eligible students."

PART III. PERSONAL EDUCATION SAVINGS ACCOUNTS

SECTION 3. G.S. 115C-591(3) reads as rewritten:

"(3) 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 ~~G.S. 115C-366.~~G.S. 115C-366, including children who do not meet the age-related eligibility requirements for entry into kindergarten set forth in G.S. 115C-364, but are at least four years of age and deemed by a nonpublic school to have the maturity to justify admission to the school.

b. Has not enrolled in a postsecondary institution in a matriculated status eligible for enrollment for 12 hours of academic credit.

c. Is a child with a disability, as defined in G.S. 115C-106.3(1), including, for example, intellectual disability, hearing impairment, speech or language impairment, visual impairment, serious emotional disturbance, orthopedic impairment, autism, traumatic brain injury, other health impairments, specific learning disability, or disability as may be required to be included under IDEA.

d. Has not been placed in a nonpublic school or facility by a public agency at public expense."

PART IV. EFFECTIVE DATE

SECTION 4. This act is effective when it becomes law and applies beginning with the award of scholarship funds for the 2020-2021 school year.

SENATE BILL 522:
Various Changes to Charter School Laws.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education	**Date:**	May 2, 2019
Introduced by:	Sen. Tillman	**Prepared by:**	Drupti Chauhan and Kara McCraw Committee Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 522 makes various changes to charter school laws.

Part I. Authorize Counties to Provide Capital Funds to Charter Schools

Current Law: State funds can be used to enter into leases for real property or mobile classrooms for charter school facilities and can be used for payments on loans made to charter schools facilities, equipment, or operations. State funds cannot be used to obtain any other interest in real property or mobile classroom units. The Attorney General's Office has issued an opinion letter that this restriction also prohibits counties from providing funds for charter school facility needs.

Bill Analysis: Part I would allow counties to provide funds to charter schools by direct appropriation and to lease real property to charter schools. The funds may only be used for the following purposes:

- The acquisition of real property for school purposes, including by not limited to school sites, playgrounds, and athletic fields.
- The acquisition, construction, reconstruction, enlargement, renovation, or replacement of buildings and other structures, including, but not limited to, buildings for classrooms and laboratories, physical and vocational educational purposes, libraries, auditoriums, and gymnasiums.
- The acquisition or replacement of furniture and furnishings, instructional apparatus, and similar items of furnishings and equipment.

If a charter school used county funds to acquire or improve property, the amount provided by the county must be evidenced by a promissory note and secured by a deed of trust on the property acquired or improved by the funds. The county may subordinate the deed of trust to other liens. If the charter school repays the county in the amount of the funds provided, the county shall execute and file a deed of release or other documentation of satisfaction showing that the charter school repaid the county in the amount of the capital funds provided.

Effective Date: This Part is effective when it becomes law and applies with the 2019-2020 fiscal year.

Part II. Make Charter Schools Eligible for Grants from the Need-Based Public School Capital Fund

Current Law: The Need-Based Public School Capital Fund awards grants to counties designated as Tier 1 and Tier 2 to assist with their public school building capital needs, including the acquisition or improvement of real property.

Bill Analysis: This Part would allow Tier 1 counties to use grants awarded from the Need-Based Public School Capital Fund for charter school capital facilities. The grant cannot exceed $1.00 for every $1.00

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

in grant funds provided by the county. Grant funds awarded to the county for this purpose cannot exceed $3,000,000. The property being acquired or improved by grant funds must be owned by the nonprofit organization that holds the charter for the charter school and the amount provided by the county in grant funds must be evidenced by a promissory note and secured by a deed of trust on the property acquired or improved by the funds. The county may subordinate the deed of trust to other liens secured by the deed of trust. If charter school repays the county in the amount of the grant funds provided, the county must execute and file a deed of release or other documentation of satisfaction showing the charter school repaid the county in the amount of the grant funds provided. The property cannot be conveyed to another entity or person without the approval of the State Board of Education (SBE).

Effective Date: This Part is effective July 1, 2019, and applies to applications for grant funds submitted on or after that date.

Part III. Superintendent of Public Instruction May Approve Charter School Facility Bonds

Current Law: Under the Internal Revenue Code, a qualified private activity bond is a type of tax-exempt bond that state and local governments may issue to finance certain projects that would otherwise be classified as private activities. These include nonprofit corporations carrying out charitable purposes, including education. 26 U.S.C. 145. The governmental body has authority to serve as a "conduit" issuer, but has no liability for the repayment of the debt, and only acts as an issuer so that the private activity bonds can be tax exempt. Article 2 of Chapter 159D of the General Statutes establishes the North Carolina Capital Facilities Finance Agency as an issuer in North Carolina for these types of conduit bonds. There are also governmental entities such as the Public Finance Authority in Wisconsin that issue conduit bonds for public and private entities throughout all 50 states.

The Internal Revenue Code, 26 U.S.C. 147(f), requires that qualified private activity bonds receive public approval by both the governmental entity issuing the bonds (issuer approval) and a governmental entity having jurisdiction over the area in which the bond-financed facility is to be located (host approval). Public approval may be satisfied by approval of an applicable elected representative of the approving government unit following a public hearing for which there was reasonable public notice, or by a voter referendum. 26 U.S.C. 147(f). An "applicable elected official" includes an official elected by the voters of the governmental unit and authorized by State law to provide such approval. 26 U.S.C. 147(f)(2)(E)(i)(II).

Bill Analysis: This Part would designate the Superintendent of Public Instruction as an applicable elected representative under the Internal Revenue Code who may approve issuance of a private activity bond to finance a charter school facility, following a public hearing conducted in accordance with the Internal Revenue Code and applicable State and federal laws and regulations.

Effective Date: This Part is effective when it becomes law.

Part IV. Clarify Charter School Renewal Standards

Current Law: The SBE must renew a charter for a charter school upon the request of the chartering entity for subsequent periods of 10 years. However, the SBE may renew the charter for less than 10 years or not renew the charter at all if one of the following applies:

- The charter school has not provided financially sound audits for the immediately preceding three years.
- The charter school's student academic outcomes for the immediately preceding three years have not been comparable to the academic outcomes of students in the local school administrative unit in which the charter school is located.

- The charter school is not, at the time of the request for renewal of the charter, substantially in compliance with State law, federal law, the school's own bylaws, or the provisions set forth in its charter granted by the State Board of Education.

Bill Analysis: This Part would revise the student outcome standard so that the SBE could renew the charter for less than 10 years or not renew the charter if the percent of students who scored at or above proficient for all end-of-grade and end-of-course tests taken in the previous school year is at least 5 percentage points lower in the charter school than in the local school administrative unit in which the charter school is located.

Effective Date: This Part is effective when it becomes law and applies to applications for the renewal of charters submitted on or after that date.

Part V. Charter Application Background Check Standards

Bill Analysis: This Part adds a requirement to the application for a charter to operate a charter school in this State. The application must have the following:

- A nationwide criminal background check for each member of the board of directors of the proposed charter school to ensure that the member has not been convicted of any crime listed in G.S. 115C-332 or a substantially similar crime in another state. The criminal background check must include the following: (i) a social security number trace, including locations returned on at least a county-by-county basis and (ii) any known aliases.
- A certification from each member of the board of directors certifying whether the board member has been convicted of any felony or misdemeanor. If the board member has been convicted of a felony or misdemeanor, the certification shall include a listing of the year of the charge, the charge, and the disposition of the charge.

Effective Date: This Part is effective when it becomes law and applies to applications for initial charters received on or after that date.

Part VI. Charter Schools in the Workplace

Current Law: G.S.115C-218.45 provides that any child qualified for admission to a public school in the State is qualified for admission to a charter school, and that any student who submits a timely application to a charter school must be enrolled if there is space available. If applications exceed space available, the charter school must conduct a lottery. Charters are allowed to give preference in enrollment to students in certain circumstances, including enrollment of siblings, children of teachers or board members (capped at 15%), and students previously enrolled in charter schools under various circumstances.

Bill Analysis: This Part would allow a charter school to give preferential enrollment, capped at 50%, for children of permanent employees of a charter partner.

A charter partner would be a corporation, partnership, or nonprofit organized under Chapters 55, 55A, 55B, 57D, or 59 of the General Statutes that, acting individually or as part of a consortium of corporations, donated one or more of the following, valued at a minimum of fifty thousand dollars ($50,000), to the charter school:

- Land on which the school is built.
- The school building or space the school occupies. If a lease, the lease must be at no cost to the school and for the duration of the charter to provide enrollment priority.
- Major renovations to the school building.

- Other capital improvements, including major investments in technology.

For each year the enrollment priority is provided, the charter partner and charter school must enter into a memorandum of understanding specifying the duration of the priority and the methods by which the charter partner shall support the charter school.

Information on the charter partner would be included in the initial charter applications, and adding a charter partner would be a material revision of the charter subject to SBE approval. Students enrolled in the charter at the time of the material revision could not be displaced by the enrollment priority. Persons affiliated with the charter partner could be members of, but not the majority, of a charter board of directors.

Effective Date: This Part is effective when it becomes law and applies beginning with the 2019-2020 school year.

Part VII. Permit Boards of Trustees of Certain Institutions of Higher Education to Authorize Charter Schools in Collaboration with the State Board of Education

Current Law: The North Carolina Charter Schools Advisory Board (Advisory Board) makes recommendations to the SBE for final approval of charter applications. Final approval of charter applications is granted by the SBE.

Bill Analysis: Part VII of the bill allows an applicant for a charter to submit an application to a Higher Education Institution Authorizer or "HEI Authorizer". An HEI Authorizer is a board of trustees of a North Carolina community college or the board of trustees of a constituent institution of The University of North Carolina designated as participating in the NC Promise Tuition Plan. This Part would do the following:

- Prohibit the Advisory Board from reviewing applications submitted to HEI Authorizers.
- Require applications to HEI Authorizers to include how the HEI Authorizer will be involved in the planning, operation, or evaluation of the charter school.
- Allow HEI Authorizers to authorize a charter school if it finds that the application meets statutory requirements, has the ability to operate the school and would be likely to operate the school in an educationally and economically sound manner.
- Require HEI Authorizers to make final decisions on the authorization or denial of application by August 15 in the year before the charter school proposes to begin operation.
- Allow State funds available to an HEI Authorizer to be used to support the charter school.
- Require that the SBE approve the application that the HEI Authorizer authorized and the Superintendent of Public Instruction recommended.
- Allow the HEI Authorizer to renew charters.
- Direct the HEI Authorizer to submit material revisions of charters to the SBE.
- Provide that charters authorized by an HEI Authorizer be accountable to the HEI Authorizer and operate under a written agreement with the HEI Authorizer.
- Give the HEI Authorizer the ability to authorize a weighted lottery for any charter school it authorizes.
- Prohibit the SBE from terminating, not renewing, or assuming a charter school authorized by the HEI Authorizer until the SBE has consulted with the HEI Authorizer. The SBE may enter an agreement with the HEI Authorizer and the charter school to provide an opportunity for the HEI

Authorizer and the charter school to address concerns that could lead to the termination, nonrenewal, or assumption of the charter school by another entity.

- Allow the board of directors of the charter school authorized by the HEI Authorizer to choose to participate in the Teachers and State Employees Retirement System.

Effective Date: This Part is effective when it becomes law and applies to applications submitted to establish a charter school on or after that date.

Part VIII. Remove the Cap on Enrollment Growth of Virtual Charter Schools Participating in the Virtual Charter School Pilot Program.

Current Law: Section 8.35 of S.L. 2014-100 directed the SBE to establish a pilot program to authorize the operation of 2 virtual charter schools serving students in kindergarten through 12th grade. Maximum student enrollment in any virtual charter school shall be no greater than 1,500 students in the school's first year of operation and may increase by 20% for each participating school up to a maximum student enrollment of 2,592 in the fourth year of the pilot program. The SBE may waive the maximum student enrollment threshold beginning in the fourth year of the school's operation, if it determines it is in the best interests of students.

Bill Analysis: This Part provides that the maximum student enrollment in a virtual charter school may increase annually by 20%. The SBE may increase the maximum student enrollment threshold beginning in the fourth year of the school's operation.

Effective Date: This Part is effective when it becomes law and applies beginning with the 2019-2020 school year.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 522

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

S522-ARQ-14 [v.1]

Amends Title [NO]
First Edition

Date _____,2019

Senator Tillman

moves to amend the bill on page 2, line 18, through page 4, line 32, by deleting those lines;

And on page 6, line 31, through page 15, line 6, by deleting those lines.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

SENATE BILL 522

Short Title:	Various Changes to Charter School Laws.	(Public)
Sponsors:	Senator Tillman (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

April 3, 2019

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS AFFECTING CHARTER SCHOOLS.

The General Assembly of North Carolina enacts:

PART I. AUTHORIZE COUNTIES TO PROVIDE CAPITAL FUNDS TO CHARTER SCHOOLS

SECTION 1.1. G.S. 115C-218.100(b) reads as rewritten:

"(b) Distribution of Assets. – Upon dissolution of a charter school, all net assets of the charter school purchased with public funds shall be deemed the property of the local school administrative unit in which the charter school is ~~located.~~located, except capital-sourced assets. For purposes of this subsection, capital-sourced assets include (i) capital funds provided to a charter school by one or more counties pursuant to G.S. 115C-218.105(b1) and (ii) net assets purchased or improved with such funds, up to the total amount of the funds provided. Capital-sourced assets shall be deemed the property of the counties or counties providing the funding and, if applicable, divided between the counties in proportion to the funds provided."

SECTION 1.2. G.S. 115C-218.105 is amended by adding the following new subsections to read:

"(b1) Counties may provide funds to charter schools by direct appropriation as set forth in G.S. 153A-458. These funds shall be used only for the following purposes:

(1) The acquisition of real property for school purposes, including, but not limited to, school sites, playgrounds, and athletic fields.

(2) The acquisition, construction, reconstruction, enlargement, renovation, or replacement of buildings and other structures, including, but not limited to, buildings for classrooms and laboratories, physical and vocational educational purposes, libraries, auditoriums, and gymnasiums.

(3) The acquisition or replacement of furniture and furnishings, instructional apparatus, and similar items of furnishings and equipment.

(b2) If a charter school uses funds provided in subsection (b1) of this section to acquire or improve property, the amount provided by the county must be evidenced by a promissory note and secured by a deed of trust on the property acquired or improved by the funds. The county may subordinate the deed of trust to other liens to facilitate the acquisition or improvement of the property secured by the deed of trust. In the event that a charter school repays the county in the amount of the capital funds provided, the county shall, for the property acquired or improved by the funds, execute and file a deed of release or other documentation of satisfaction showing the charter school repaid the county in the amount of the capital funds provided."

SECTION 1.3. G.S. 153A-149(c) reads as rewritten:

"(c) Each county may levy property taxes for one or more of the purposes listed in this subsection up to a combined rate of one dollar and fifty cents ($1.50) on the one hundred dollars ($100.00) appraised value of property subject to taxation. Authorized purposes subject to the rate limitation are:

...

(8a) Charter Schools. – To provide capital funds for charter schools as authorized by G.S. 153A-458.

...."

SECTION 1.4. Chapter 153A of the General Statutes is amended by a new section to read:

"**§ 153A-458. Charter schools.**

Each county is authorized to appropriate funds and lease real property to schools chartered under Article 14A of Chapter 115C of the General Statutes. Counties may provide funds only for the purposes set forth in G.S. 115C-218.105(b1)."

SECTION 1.5. This Part applies beginning with the 2019-2020 fiscal year.

PART II. MAKE CHARTER SCHOOLS ELIGIBLE FOR GRANTS FROM THE NEED-BASED PUBLIC SCHOOL CAPITAL FUND

SECTION 2.1. Section 5.3 of S.L. 2017-57, as amended by Section 1.1 of S.L. 2017-187, Section 1.2 of S.L. 2017-197, Section 1.1 of S.L. 2017-212, Section 5.3 of S.L. 2018-5, and Section 3A.1 of S.L. 2018-80, read as rewritten:

"**SECTION 5.3.(a)** The appropriations made from the Education Lottery Fund for the 2017-2019 fiscal biennium are as follows:

...

"**SECTION 5.3.(d)** It is the intent of the General Assembly to increase the amount of North Carolina Education Lottery net lottery revenue collected that is dedicated to assist local governments in meeting local school capital needs from sixteen and nine-tenths percent (16.9%) of net lottery revenue collected in the 2016-2017 fiscal year to forty percent (40%) of net lottery revenue collected no later than the 2028-2029 fiscal year. To that end, there is created the Needs-Based Public School Capital Fund as an interest-bearing, nonreverting special fund in the Department of Public Instruction. The State Treasurer shall be the custodian of the Needs-Based Public School Capital Fund and shall invest its assets in accordance with the provisions of G.S. 147-69.2 and G.S. 147-69.3. The Needs-Based Public School Capital Fund shall be used to award grants to counties designated as a development tier one area or a development tier two area, as defined by G.S. 143B-437.08, to assist with their critical public school building capital needs. Notwithstanding G.S. 115C-218.105(b), a qualified county may use a grant awarded under this section for building capital needs for an approved charter school, including the acquisition or improvement of a property by the charter school. For the purposes of this section, a qualified county is a county designated as a development tier one area.

The Superintendent of Public Instruction shall award grants to counties in accordance with the following priorities:

(1) Counties designated as development tier one areas.
(2) Counties with greater need and less ability to generate sales tax and property tax revenue.
(3) Counties with a high debt-to-tax revenue ratio.
(4) The extent to which a project will address critical deficiencies in adequately serving the current and future student population.

"**SECTION 5.3.(e)** Grant funds awarded under this section shall be subject to a matching requirement from the recipient county as follows:

(1) For a county designated as a development tier one area, the grant shall not exceed three dollars ($3.00) in grant funds for every one dollar ($1.00) provided by the county. Grant funds awarded to a county designated as a development tier one area shall not exceed fifteen million dollars ($15,000,000).

(2) For a county designated as a development tier two area, the grant shall not exceed one dollar ($1.00) for every one dollar ($1.00) in grant funds provided by the county. Grant funds awarded to a county designated as a tier two area shall not exceed ten million dollars ($10,000,000).

(3) For a qualified county using grant funds for a charter school, the grant shall not exceed one dollar ($1.00) for every one dollar ($1.00) in grant funds provided by the county. Grant funds awarded to the county for this purpose shall not exceed three million dollars ($3,000,000).

~~Grant~~ Except as otherwise provided for a qualified county using grant funds for a charter school, grant funds shall be used for the construction of new school buildings ~~only. Grant funds~~ only and shall not be used for real property acquisition. Grant funds shall be disbursed in a series of payments based on the progress of the project. To obtain a payment, the grantee shall submit a request for payment along with documentation of the expenditures for which the payment is requested and evidence that the matching requirement ~~contained in subsection (b)~~ of this section has been met. Grant funds shall not be awarded to any county that has received an aggregate amount exceeding eight million seven hundred fifty thousand dollars ($8,750,000) in funds from the Public School Building Capital Fund from the 2012-2013 fiscal year to the 2016-2017 fiscal year. No county may receive grant funds under this section more than once every five years. No portion of grant funds may be used to acquire a Leadership in Energy and Environmental Design (LEED) certification. For fiscal year 2018-2019, for the purposes of this section, a county shall be considered to be designated as a development tier one area if (i) it was so designated by the Department of Commerce in 2017 or 2018 and (ii) the county filed a grant application under this section in 2017.

"**SECTION 5.3.(e1)** A county receiving grant funds pursuant to this section shall enter into an agreement with the Department of Public Instruction detailing the use of grant funds. The agreement shall contain at least all of the following:

(1) A requirement that the grantee seek planning assistance and plan review from the School Planning Section of the Department of Public Instruction.

(2) A progress payment provision governing disbursements to the county for the duration of the school construction project based upon the construction progress and documentation satisfactory to the Department that the matching requirement in subsection (e) of this section has been met.

(3) A provision requiring periodic reports to the Department of Public Instruction on the use of disbursed grant funds and the progress of the school construction project.

(4) A requirement that matching funds paid by the county pursuant to this section must be derived from non-State and nonfederal funds.

(5) For a qualified county using grant funds for a charter school, the agreement shall also contain provisions regarding all of the following:

a. A property being acquired or improved by grant funds shall be owned by the nonprofit organization which holds the charter. The amount provided by the county in grant funds shall be evidenced by a promissory note and secured by a deed of trust on the property acquired or improved by the funds. The county may subordinate the deed of trust to other liens to facilitate the acquisition or improvement of the property secured by the deed of trust. In the event that a charter

school repays the county in the amount of the grant funds provided, the county shall, for the property acquired or improved by the funds, execute and file a deed of release or other documentation of satisfaction showing the charter school repaid the county in the amount of the grant funds provided.

b. The property may not be conveyed to another entity or person without the approval of the State Board of Education.

c. An acknowledgment that upon the dissolution, termination, or nonrenewal of the charter school, all capital-sourced assets shall be deemed the property of the county pursuant to G.S. 115C-218.100(b).

...."

SECTION 2.2. This Part is effective July 1, 2019, and applies to applications for grant funds submitted on or after that date.

PART III. SUPERINTENDENT OF PUBLIC INSTRUCTION MAY APPROVE CHARTER SCHOOL FACILITY BONDS

SECTION 3. Article 14A of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-218.37. Public approval for private activity bonds.**

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

(1) Charter school facility. – Real property, personal property, or both that is used or intended for use in connection with the operation of a charter school.

(2) Applicable elected representative. – An elected official of a governmental unit having jurisdiction over the area in which a charter school facility is located, as defined in the Internal Revenue Code.

(b) The Superintendent of Public Instruction is hereby designated as an applicable elected representative who may approve the issuance of one or more private activity bonds to finance or refinance a charter school facility, after a public hearing following reasonable public notice, in accordance with Section 147 of the Internal Revenue Code and applicable State and federal laws and regulations. Procedures for the public hearing shall be determined by the Superintendent of Public Instruction, and the public hearing shall be conducted by the Superintendent or his or her designee."

PART IV. CLARIFY CHARTER SCHOOL RENEWAL STANDARDS

SECTION 4.1. G.S. 115C-218.6 reads as rewritten:

"**§ 115C-218.6. Review and renewal of charters.**

(a) The State Board of Education shall review the operations of each charter school at least once prior to the expiration of its charter to ensure that the school is meeting the expected academic, financial, and governance standards.

(b) The State Board of Education shall renew a charter upon the request of the chartering entity for subsequent periods of 10 years, unless one of the following applies:

(1) The charter school has not provided financially sound audits for the immediately preceding three years.

(2) ~~The charter school's student academic outcomes for the immediately preceding three years have not been comparable to the academic outcomes of students in the local school administrative unit in which the charter school is located.~~The percent of students who scored at or above proficient for all end-of-grade and end-of-course tests taken in the previous school year, as required by G.S. 115C-174.11(c)(1), is at least five percentage points lower in the charter school than in the local school administrative unit where the charter school is located.

(3) The charter school is not, at the time of the request for renewal of the charter, substantially in compliance with State law, federal law, the school's own bylaws, or the provisions set forth in its charter granted by the State Board of Education.

If one of the conditions set forth in subdivisions (1) through (3) of this subsection applies, then the State Board may renew the charter for a period of less than 10 years or not renew the charter."

SECTION 4.2. This Part applies to applications for the renewal of the charter of a charter school submitted on or after the effective date of this act.

PART V. APPLICATION BACKGROUND CHECK STANDARDS

SECTION 5.(a) G.S. 115C-218.1 reads as rewritten:

"§ 115C-218.1. Eligible applicants; contents of applications; submission of applications for approval.

(a) Any nonprofit corporation seeking to establish a charter school may apply to establish a charter school. If the applicant seeks to convert a public school to a charter school, the application shall include a statement signed by a majority of the teachers and instructional support personnel currently employed at the school indicating that they favor the conversion and evidence that a significant number of parents of children enrolled in the school favor conversion.

(b) The application shall contain at least the following information:

(1) A description of a program that implements one or more of the purposes in G.S. 115C-218.

(2) A description of student achievement goals for the school's educational program and the method of demonstrating that students have attained the skills and knowledge specified for those student achievement goals.

(3) The governance structure of the school including the names of the initial members of the board of directors of the nonprofit, tax-exempt corporation and the process to be followed by the school to ensure parental involvement. A teacher employed by the board of directors to teach in the charter school may serve as a nonvoting member of the board of directors for the charter school.

(4) The local school administrative unit in which the school will be located.

(5) Admission policies and procedures.

(6) A proposed budget for the school and evidence that the financial plan for the school is economically sound.

(7) Requirements and procedures for program and financial audits.

(8) A description of how the school will comply with G.S. 115C-218.20, 115C-218.25, 115C-218.30, 115C-218.40, 115C-218.45, 115C-218.50, 115C-218.55, 115C-218.60, 115C-218.65, 115C-218.70, 115C-218.75, 115C-218.80, 115C-218.85, and 115C-218.90.

(9) Types and amounts of insurance coverage, including bonding insurance for the principal officers of the school, to be obtained by the charter school.

(10) The term of the charter.

(11) The qualifications required for individuals employed by the school.

(12) The procedures by which students can be excluded from the charter school and returned to a public school. Notwithstanding any law to the contrary, any local board may refuse to admit any student who is suspended or expelled from a charter school due to actions that would lead to suspension or expulsion from a public school under G.S. 115C-390.5 through G.S. 115C-390.11 until the period of suspension or expulsion has expired.

(13) The number of students to be served, which number shall be at least 80, and the minimum number of teachers to be employed at the school, which number shall be at least three. However, the charter school may serve fewer than 80 students or employ fewer than three teachers if the application contains a compelling reason, such as the school would serve a geographically remote and small student population.

(14) Information regarding the facilities to be used by the school and the manner in which administrative services of the school are to be provided.

(15) The process for conducting a weighted lottery that reflects the mission of the school if the school desires to use a weighted lottery.

(16) A nationwide criminal background check for each member of the board of directors of the proposed charter school to ensure that the member has not been convicted, at a minimum, of any crime listed in G.S. 115C-332 or a substantially similar crime in another state. The criminal background check shall include all of the following components:

a. A social security number trace, including locations returned on at least a county-by-county basis.

b. Any known aliases.

(17) A certification from each member of the board of directors certifying whether the board member has been convicted of any felony or misdemeanor. If the board member has been convicted of a felony or misdemeanor, the certification shall include a listing of the year of the charge, the charge, and the disposition of the charge.

(c) The State Board shall establish reasonable fees of no less than five hundred dollars ($500.00) and no more than one thousand dollars ($1,000) for initial and renewal charter applications, in accordance with Article 2A of Chapter 150B of the General Statutes. No application fee shall be refunded in the event the application is rejected or the charter is revoked."

SECTION 5.(b) This Part applies to applications for initial charters received on or after the effective date of this act.

PART VI. CHARTER SCHOOLS IN THE WORKPLACE

SECTION 6.(a) G.S. 115C-218.45 reads as rewritten:

"**§ 115C-218.45. Admission requirements.**

...

(f) The charter school may give enrollment priority to any of the following:

...

(7) Limited to no more than fifty percent (50%) of the school's total enrollment, children of permanent employees of a charter partner in accordance with subsection (f1) of this section. If the number of applications from these children exceed fifty percent (50%) of the school's total enrollment, these children shall be accepted by a separate lottery.

(f1) For purposes of this section, the term "charter partner" refers to any legal entity authorized to transact business in this State under Chapter 55, 55A, 55B, 57D, or 59 of the General Statutes and that has, acting individually or as part of a consortium of corporations, donated one or more of the following, valued at a minimum of fifty thousand dollars ($50,000), to the charter school:

(1) The land on which the school is built.

(2) The school building or the space the school occupies. If the charter partner is leasing the building or space to the school, the charter school may only give enrollment priority if the lease provides that the building or space is made

available without cost and if the term of the lease is not less than the duration of the charter.

(3) Major renovations to the existing school building or other capital improvements, including major investments in technology. For purposes of this subdivision, a major renovation to the existing school building means changes that provide significant opportunities for substantial improvement, including, but not limited to, a structural change to the foundation, roof, floor, or interior or exterior walls or extension of an existing facility to increase its floor area, or an extensive alteration of an existing facility, such as a change in its function or purpose, even if such renovation does not include any structural change to the facility. A major investment in technology includes, but is not limited to, a donation of hardware, software, Internet access, Internet hardware, enterprise systems, software licenses, smart board technology, or audiovisual equipment. The value of a major renovation or of an investment of technology shall be equal to at least fifty percent (50%) of the State's per pupil allocation for charter schools for that year multiplied by the charter school's average daily membership.

(f2) Each year that the charter school provides the children of employees of the charter partner with enrollment priority, as described in subsection (f)(7) of this section, the charter partner and the charter school shall enter into a memorandum of understanding that shall specify the duration of the priority and the methods by which the charter partner shall support the charter school, including, but not limited to, internships for students, career counseling, academic tutoring, or enrichment activities.

(f3) The enrollment priority described in subsection (f)(7) of this section shall not be implemented in a way that displaces students who are enrolled at the school at the time the charter application or the material revision providing for the priority is approved by the State Board of Education.

...."

SECTION 6.(b) G.S. 115C-218.1(b) is amended by adding a new subdivision to read:

"(16) Whether the charter school intends to provide enrollment priority to the children of employees of a charter partner in accordance with G.S. 115C-218.45(f)(7) and, if so, identifying information for that charter partner."

SECTION 6.(c) G.S. 115C-218.7 is amended by adding a new subsection to read:

"(e) Adoption of the enrollment priority described in G.S. 115C-218.45(f)(7) shall be considered a material revision of the charter."

SECTION 6.(d) G.S. 115C-218.15 is amended by adding a new subsection to read:

"(b1) Persons affiliated with a charter partner, as defined in G.S. 115C-218.45(f1), are eligible for membership on the board of directors of a charter school that provides enrollment priority to the children of employees of the charter partner, subject to the requirements of subsection (b) of this section, as follows:

(1) Persons affiliated with the charter partner shall not constitute a majority of the board.

(2) If the charter partner is leasing the building or space to the school, the lease shall provide that the building or space is made available without cost and the term of the lease shall not be less than the duration of the charter."

SECTION 6.(e) This Part is effective when it becomes law and applies beginning with the 2019-2020 school year.

PART VII. PERMIT BOARDS OF TRUSTEES OF CERTAIN INSTITUTIONS OF HIGHER EDUCATION TO AUTHORIZE CHARTER SCHOOLS IN COLLABORATION WITH THE STATE BOARD OF EDUCATION

SECTION 7.1. Article 14A of Chapter of 115C of the General Statutes, as amended by this act, reads as rewritten:

"Article 14A.

"Charter Schools.

"§ 115C-218. Purpose of charter schools; establishment of North Carolina Charter Schools Advisory Board and North Carolina Office of Charter Schools.

...

(a1) Definitions. – For the purposes of this Article, "Higher Education Institution Authorizer" or "HEI Authorizer" shall mean the board of trustees of a community college under the jurisdiction of the State Board of Community Colleges or the board of trustees of a constituent institution of The University of North Carolina designated as participating in the NC Promise Tuition Plan pursuant to G.S. 116-143.11.

(b) North Carolina Charter Schools Advisory Board. –

...

(10) Powers and duties. – The Advisory Board shall have the following duties:

a. To make recommendations to the State Board of Education on the adoption of rules regarding all aspects of charter school operation, including time lines, standards, and criteria for acceptance and approval of applications, monitoring of charter schools, and grounds for revocation of charters.

b. To review applications and make recommendations to the State Board for final approval of charter applications. The Advisory Board shall not review applications submitted to an HEI Authorizer pursuant to G.S. 115C-218.4.

c. To make recommendations to the State Board on actions regarding a charter school, including renewals of charters, nonrenewals of charters, and revocations of charters.

d. To undertake any other duties and responsibilities as assigned by the State Board.

(11) Duties of the chair of the Advisory Board. – In addition to any other duties prescribed in this Article, the chair of the Advisory Board, or the chair's designee, shall advocate for the recommendations of the Advisory Board at meetings of the State Board upon the request of the State Board.

(c) North Carolina Office of Charter Schools. –

...

(3) Powers and duties. – The Office of Charter Schools shall have the following powers and duties:

a. Serve as staff to the Advisory Board and fulfill any task and duties assigned to it by the Advisory Board.

b. Provide technical assistance and guidance to charter schools operating within the State.

c. Provide technical assistance and guidance to nonprofit corporations seeking to operate charter schools within the State.

d. Provide or arrange for training for charter schools that have received preliminary approval from an HEI Authorizer or the State Board.

e. Assist approved charter schools and charter schools seeking approval from an HEI Authorizer or the State Board in coordinating services with the Department of Public Instruction.

e1. Assist certain charter schools seeking to participate in the NC prekindergarten program in accordance with G.S. 115C-218.115.

f. Other duties as assigned by the State Board.

(4) Agency cooperation. – All State agencies and departments shall cooperate with the Office of Charter Schools in carrying out its powers and duties as necessary in accordance with this Article.

...

"§ 115C-218.2. Opportunity to correct applications; opportunity to address Advisory Board.

(a) ~~The~~ Except as provided in G.S. 115C-218.4, the State Board of Education and the Advisory Board shall provide timely notification to an applicant of any format issues or incomplete information in the initial application and provide the applicant at least five business days to correct those issues in the initial application. If the applicant submits the corrections within the five business days, equal consideration shall be given to that application.

(b) Before taking action regarding a charter school or charter school ~~applicant,~~ applicant that applies to the State Board pursuant to G.S. 115C-218.5, including recommendations on preliminary or final approval of charter applications, renewals of charters, nonrenewals of charters, and revocations of charters, the Advisory Board or a committee of the Advisory Board shall provide an opportunity for the applicant or charter board member to address the Advisory Board or its committee, if present, at a meeting.

"§ 115C-218.3. Fast-track replication of high-quality charter schools.

Upon recommendations by the Office of Charter Schools and the Charter Schools Advisory Board, the State Board of Education shall adopt a process and rules for fast-track replication of high-quality charter schools currently operating in the ~~State.~~ State, including a charter school authorized by a Higher Education Institution Authorizer and approved by the State Board of Education pursuant to G.S. 115C-218.4. The State Board of Education shall not require a planning year for applicants selected through the fast-track replication process. In addition to the requirements for charter applicants set forth in this Article, the fast-track replication process adopted by the State Board of Education shall, at a minimum, require a board of directors of a charter school to demonstrate one of the following in order to qualify for fast-track replication:

(1) A charter school in this State governed by the board of directors has student academic outcomes that are comparable to the academic outcomes of students in the local school administrative unit in which the charter school is located and can provide three years of financially sound audits.

(2) The board of directors agrees to contract with an education management organization or charter management organization that can demonstrate that it can replicate high-quality charter schools in the State that have proven student academic success and financial soundness.

The State Board of Education shall ensure that the rules for a fast-track replication process provide that decisions by an HEI Authorizer or the State Board of Education on whether to grant a charter through the replication process are completed in less than 120 days from the application submission date. The State Board shall provide a decision on a charter school authorized by an HEI Authorizer pursuant to G.S 115C-218.4 or a charter school approved by the State Board pursuant to G.S. 115C-218.5 no later than October 15 of the year immediately preceding the year of the proposed school opening.

"§ 115C-218.4. Application to a Higher Education Institution Authorizer for a charter school.

(a) An applicant for a charter school may submit an application that meets the requirements of G.S. 115C-218.1 to a Higher Education Institution Authorizer. If the applicant for a charter school submits the application to an HEI Authorizer, the application shall include how the HEI Authorizer shall be involved in the planning, operation, or evaluation of the charter

school. The HEI Authorizer shall provide timely notification to an applicant of any format issues or incomplete information in the initial application and provide the applicant at least five business days to correct those issues in the initial application. The HEI Authorizer may authorize a charter school if it finds the following:

(1) The application meets the requirements set out in this Article and such other requirements as may be adopted by the State Board of Education.

(2) The applicant has the ability to operate the school and would be likely to operate the school in an educationally and economically sound manner.

(3) Authorizing the application would achieve one or more of the purposes set out in G.S. 115C-218.

(b) An HEI Authorizer shall make a final decision on the authorization or denial of an application by August 15 in the year immediately preceding the year in which the charter school proposes to begin operation. An HEI Authorizer that authorizes a charter school shall enter into a written agreement with the charter school incorporating the information provided in the application and any terms and conditions of the HEI Authorizer imposed on the charter school as a condition of authorization. Notwithstanding G.S. 115C-218.100 and G.S. 115C-218.105(b), State funds available to an HEI Authorizer may be used to support the charter school as long as the written agreement with the charter school contains provisions ensuring the return of any assets to the HEI Authorizer to the extent they were purchased with those State funds upon dissolution of the charter school.

(c) The HEI Authorizer shall file a copy of the application and the written agreement with the charter school with the Office of Charter Schools. Upon receipt of the application and the written agreement with the charter school and upon recommendation of the Superintendent of Public Instruction, the State Board of Education shall approve the operation of the charter school for a period not to exceed 10 years. Except as otherwise specified in this Article for a charter school authorized by an HEI Authorizer, a charter school approved pursuant to this subsection shall be subject to the same requirements of a charter school approved pursuant to G.S. 115C-218.5.

(d) Termination, nonrenewal, or assumption of a charter school authorized by an HEI Authorizer pursuant to this section shall not be initiated by the State Board until the State Board has consulted with the HEI Authorizer in accordance with G.S. 115C-218.95(b2).

"**§ 115C-218.5. Final approval of applications to the State Board of Education for charter schools.**

(a) ~~The~~ Except as otherwise provided in G.S. 115C-218.4, the State Board may grant final approval of an application for a charter school if it finds the following:

(1) The application meets the requirements set out in this Article and such other requirements as may be adopted by the State Board of Education.

(2) The applicant has the ability to operate the school and would be likely to operate the school in an educationally and economically sound manner.

(3) Granting the application would achieve one or more of the purposes set out in G.S. 115C-218.

In reviewing applications for the establishment of charter schools within a local school administrative unit, the State Board is encouraged to give preference to applications that demonstrate the capability to provide comprehensive learning experiences to students identified by the applicants as at risk of academic failure.

...

"**§ 115C-218.6. Review and renewal of charters.**

...

(b) The State Board of Education shall renew a charter upon the request of the chartering entity or a Higher Education Authorizer for subsequent periods of 10 years, unless one of the following applies:

(1) The charter school has not provided financially sound audits for the immediately preceding three years.

(2) The percent of students who scored at or above proficient for all end-of-grade and end-of-course tests taken in the previous school year, as required by G.S. 115C-174.11(c)(1), is at least five percentage points lower in the charter school than in the local school administrative unit where the charter school is located.

(3) The charter school is not, at the time of the request for renewal of the charter, substantially in compliance with State law, federal law, the school's own bylaws, or the provisions set forth in its charter granted by the State Board of Education.

If one of the conditions set forth in subdivisions (1) through (3) of this subsection applies, then the State Board may renew the charter for a period of less than 10 years or not renew the charter.

"§ 115C-218.7. Material revisions of charters.

(a) A material revision of the provisions of a charter shall be made only upon the approval of the State Board of Education. A Higher Education Institution Authorizer shall submit a material revision of the provisions of a charter authorized pursuant to G.S. 115C-218.4 consistent with the provisions of this section for State Board approval.

...

"§ 115C-218.15. Charter school operation.

(a) A charter school that is approved by the State shall be a public school within the local school administrative unit in which it is located. All charter schools shall be accountable to the State Board and, if applicable, a Higher Education Institution Authorizer, for ensuring compliance with applicable laws and the provisions of their charters.

...

(c) ~~A~~ Except as otherwise provided in G.S. 115C-218.4, a charter school shall operate under the written charter signed by the State Board and the applicant. A charter school is not required to enter into any other contract. The charter shall incorporate the information provided in the application, as modified during the charter approval process, and any terms and conditions imposed on the charter school by the State Board of Education. No other terms may be imposed on the charter school as a condition for receipt of local funds.

...

"§ 115C-218.20. Civil liability and insurance requirements.

(a) The board of directors of a charter school may sue and be sued. The State Board of Education shall adopt rules to establish reasonable amounts and types of liability insurance that the board of directors shall be required by the charter to obtain. The board of directors shall obtain at least the amount of and types of insurance required by these rules to be included in the charter. Any sovereign immunity of the charter school, of the organization that operates the charter school, or its members, officers, or directors, or of the employees of the charter school or the organization that operates the charter school, is waived to the extent of indemnification by insurance.

(b) No civil liability shall attach to the State Board of Education, the Superintendent of Public Instruction, a Higher Education Institution Authorizer, or to any of their members or employees, individually or collectively, for any acts or omissions of the charter school.

...

"§ 115C-218.45. Admission requirements.

...

(g1) If a procedure for a weighted lottery reflecting the mission of the school has been authorized by a Higher Education Institution Authorizer or approved by the State Board as part

of the charter, and a lottery is needed under subsection (h) of this section, the lottery shall be conducted according to the procedure in the charter.

...

"§ 115C-218.90. Employment requirements.

...

(b) Criminal History Checks. –

...

(2) There shall be no liability for negligence on the part of the State Board of ~~Education~~ Education, Higher Education Institution Authorizer, or the board of directors of the charter school, or their employees, arising from any act taken or omission by any of them in carrying out the provisions of this subsection. The immunity established by this subsection shall not extend to gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable. The immunity established by this subsection shall be deemed to have been waived to the extent of indemnification by insurance, indemnification under Articles 31A and 31B of Chapter 143 of the General Statutes, and to the extent sovereign immunity is waived under the Tort Claims Act, as set forth in Article 31 of Chapter 143 of the General Statutes.

...

"§ 115C-218.95. Causes for nonrenewal or termination; disputes.

...

(b2) Termination, nonrenewal, or assumption of a charter school authorized by a Higher Education Institution Authorizer pursuant to G.S. 115C-218.4 shall not be initiated by the State Board pursuant to this section until the State Board has consulted with the HEI Authorizer. The State Board may enter into an agreement with an HEI Authorizer and the charter school to provide an opportunity for the HEI Authorizer and the charter school to address concerns that could lead to termination, nonrenewal, or assumption of the charter school by another entity pursuant to this section.

...."

SECTION 7.2. G.S. 14-33(c)(6)b. reads as rewritten:

"b. "Employee" or "volunteer" means:

1. An employee of a local board of education; or a charter school authorized under G.S. 115C-218.4 or G.S. 115C-218.5, or a nonpublic school which has filed intent to operate under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes;
2. An independent contractor or an employee of an independent contractor of a local board of education, charter school authorized under G.S. 115C-218.4 or G.S. 115C-218.5, or a nonpublic school which has filed intent to operate under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes, if the independent contractor carries out duties customarily performed by employees of the school; and
3. An adult who volunteers his or her services or presence at any school activity and is under the supervision of an individual listed in sub-sub-subdivision 1. or 2. of this sub-subdivision."

SECTION 7.3. G.S. 14-458(a) reads as rewritten:

"(a) The following definitions apply in this section:

(1) School employee. – The term means any of the following:

a. An employee of a local board of education, a charter school authorized under G.S. 115C-218.4 or G.S. 115C-218.5, a regional school created under G.S. 115C-238.62, a laboratory school created under

G.S. 116-239.7, or a nonpublic school which has filed intent to operate under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes.

b. An independent contractor or an employee of an independent contractor of a local board of education, a charter school authorized under G.S. 115C-218.4 or G.S. 115C-218.5, a regional school created under G.S. 115C-238.62, a laboratory school created under G.S. 116-239.7, or a nonpublic school which has filed intent to operate under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes, if the independent contractor carries out duties customarily performed by employees of the school.

(2) Student. – A person who has been assigned to a school by a local board of education as provided in G.S. 115C-366 or has enrolled in a charter school authorized under G.S. 115C-218.4 or G.S. 115C-218.5, a regional school created under G.S. 115C-238.62, a laboratory school created under G.S. 116-239.7, or a nonpublic school which has filed intent to operate under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes, or a person who has been suspended or expelled from any of those schools within the last year."

SECTION 7.4. G.S. 20-84(b)(3a) reads as rewritten:

"(3a) A motor vehicle that is owned and exclusively operated by a nonprofit corporation authorized under G.S. 115C-218.4 or G.S. 115C-218.5 to operate a charter school and identified by a permanent decal or painted marking disclosing the name of the nonprofit corporation. The motor vehicle shall only be used for student transportation and official charter school related activities."

SECTION 7.5. G.S. 105-228.90(b)(1) reads as rewritten:

"(1) Charter school. – A nonprofit corporation that has a charter under G.S. 115C-218.4 or G.S. 115C-218.5 to operate a charter school."

SECTION 7.6. G.S. 115C-533 reads as rewritten:

"**§ 115C-533. Duty of State Board to operate insurance system.**

The State Board of Education shall have the duty to manage and operate a system of insurance for public school property. The State Board may offer a system of property insurance to any charter schools approved pursuant to G.S. 115C-218.4 or G.S. 115C-218.5."

SECTION 7.7. G.S. 135-5.3(b1) reads as rewritten:

"(b1) The board of directors of a charter school operated by a private nonprofit corporation and that has received State Board of Education approval under G.S. 115C-218.4 or G.S. 115C-218.5 may elect to become a participating employer in the Retirement System in accordance with this Article."

SECTION 7.8. G.S. 136-18(29a) reads as rewritten:

"(29a) To coordinate with all public and private entities planning schools to provide written recommendations and evaluations of driveway access and traffic operational and safety impacts on the State highway system resulting from the development of the proposed sites. All public and private entities shall, upon acquiring land for a new school or prior to beginning construction of a new school, relocating a school, or expanding an existing school, request from the Department a written evaluation and written recommendations to ensure that all proposed access points comply with the criteria in the current North Carolina Department of Transportation "Policy on Street and Driveway Access". The Department shall provide the written evaluation and recommendations within a reasonable time, which shall not exceed 60 days.

This subdivision applies to improvements that are not located on the school property. The Department shall have the power to grant final approval of any project design under this subdivision. To facilitate completion of the evaluation and recommendations within the required 60 days, in lieu of the evaluation by the Department, schools may engage an independent traffic engineer prequalified by the Department. The resulting evaluation and recommendations from the independent traffic engineer shall also fulfill any similar requirements imposed by a unit of local government. This subdivision shall not be construed to require the public or private entities planning schools to meet the recommendations made by the Department or the independent traffic engineer, except those highway improvements that are required for safe ingress and egress to the State highway system, pursuant to subdivision (29) of this section, and that are physically connected to a driveway on the school property. The total cost of any improvements to the State highway system provided by a school pursuant to this subdivision, including those improvements pursuant to subdivision (29) of this section, shall be reimbursed by the Department. Any agreement between a school and the Department to make improvements to the State highway system shall not include a requirement for acquisition of right-of-way by the school, unless the school is owned by an entity that has eminent domain power. Nothing in this subdivision shall preclude the Department from entering into an agreement with the school whereby the school installs the agreed upon improvements and the Department provides full reimbursement for the associated costs incurred by the school, including design fees and any costs of right-of-way or easements. The term "school," as used in this subdivision, means any facility engaged in the educational instruction of children in any grade or combination of grades from kindergarten through the twelfth grade at which attendance satisfies the compulsory attendance law and includes charter schools authorized under G.S. 115C-218.4 or G.S. 115C-218.5. The term "improvements," as used in this subdivision, refers to all facilities within the right-of-way required to be installed to satisfy the road cross-section requirements depicted upon the approved plans. These facilities shall include roadway construction, including pavement installation and medians; ditches and shoulders; storm drainage pipes, culverts, and related appurtenances; and, where required, curb and gutter; signals, including pedestrian safety signals; street lights; sidewalks; and design fees. Improvements shall not include any costs for public utilities."

SECTION 7.9. G.S. 160A-307.1 reads as rewritten:

"**§ 160A-307.1. Limitation on city requirements for street improvements related to schools.**

A city may only require street improvements related to schools that are required for safe ingress and egress to the municipal street system and that are physically connected to a driveway on the school site. The required improvements shall not exceed those required pursuant to G.S. 136-18(29). G.S. 160A-307 shall not apply to schools. A city may only require street improvements related to schools as provided in G.S. 160A-372. The cost of any improvements to the municipal street system pursuant to this section shall be reimbursed by the city. Any agreement between a school and a city to make improvements to the municipal street system shall not include a requirement for acquisition of right-of-way by the school, unless the school is owned by an entity that has eminent domain power. Any right-of-way costs incurred by a school for required improvements pursuant to this section shall be reimbursed by the city. Notwithstanding any provision of this Chapter to the contrary, a city may not condition the approval of any zoning, rezoning, or permit request on the waiver or reduction of any provision

of this section. The term "school," as used in this section, means any facility engaged in the educational instruction of children in any grade or combination of grades from kindergarten through the twelfth grade at which attendance satisfies the compulsory attendance law and includes charter schools authorized under G.S. 115C-218.4 or G.S. 115C-218.5."

SECTION 7.10. This Part applies to applications submitted to establish a charter school on or after the date this act becomes law.

PART VIII. REMOVE THE CAP ON ENROLLMENT GROWTH OF VIRTUAL CHARTER SCHOOLS PARTICIPATING IN THE VIRTUAL CHARTER SCHOOL PILOT PROGRAM

SECTION 8.1. Section 8.35(b) of S.L. 2014-100, as amended by Section 7.13 of S.L. 2018-5, reads as rewritten:

"**SECTION 8.35.(b)** The virtual charter schools participating in the pilot program authorized by this section shall be subject to the statutes and rules applicable to charter schools pursuant to Article 14A of Chapter 115C of the General Statutes, except as follows:

(1) The maximum student enrollment in any participating school shall be no greater than 1,500 in its first year of operation and may increase annually by twenty percent (20%) for each participating ~~school up to a maximum student enrollment of 2,592 in the fourth year of the pilot.~~ school. The State Board of Education may ~~waive~~ increase this maximum student enrollment threshold, beginning in the fourth year of the school's operation, if the State Board determines that doing so would be in the best interest of North Carolina students.

(2) The maximum overall ratio of teachers to students for kindergarten through eighth grade shall be 1:50, and for ninth through twelfth grade shall be 1:150.

(3) A student who regularly fails to participate in courses may be withdrawn from enrollment pursuant to procedures adopted by the virtual charter school. The procedures adopted by the virtual charter school shall ensure that (i) fair notice is provided to the parent and student and (ii) an opportunity is provided, prior to withdrawal of the student by the school, for the student and parent to demonstrate that failure to participate in courses is due to a lawful absence recognized under Part I of Article 26 of Chapter 115C of the General Statutes and any applicable rules adopted by the State Board of Education."

SECTION 8.2. This Part applies beginning with the 2019-2020 school year.

PART IX. EFFECTIVE DATE

SECTION 9. Except as otherwise provided, this act is effective when it becomes law.

SENATE BILL 123:
Portability of Leave/Charter Schools.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	May 2, 2019
Introduced by:	Sen. Sanderson	**Prepared by:**	Brian Gwyn* Committee Co-Counsel
Analysis of:	First Edition		

OVERVIEW: ***Senate Bill 123 requires the State Board of Education to adopt rules allowing the transfer of sick leave between a charter school and local school administrative unit.***

BILL ANALYSIS: SB 123 amends the State Board of Education's powers and duties [G.S. 115C-12] to require that rules providing for sick leave must allow for the transfer of sick leave between a charter school and a local school administrative unit. It further requires that leave accepted by a local school administrative unit must not result in leave being accrued at a greater rate than the rate set by the Board.

The bill also makes a conforming change by amending the law [G.S.115-218.90] pertaining to charter school employment requirements to require charter school employees to be eligible for the transfer of sick leave.

EFFECTIVE DATE: The bill would become effective when it becomes law and apply to individuals employed by a local school administrative unit or charter school on or after that date.

CURRENT POLICY: Below are sick leave policy excerpts from the NC Public Schools Benefits and Employment Policy Manual, which generally applies to local school administrative units. Policy 4.1.9(c) currently provides, "There is no provision for public school employees to transfer leave to or from charter schools." Policy 4.1.8(c) outlines the impact of accumulated sick leave on creditable service toward retirement if the employer participates in the Teachers' and State Employees' Retirement System. G.S. 135-4(e) provides greater specificity as it relates to creditable service at retirement.

4.1.1 Eligibility and Rate of Earning

(a) **Full-time employees**: All permanent, full-time employees working or on paid leave (including paid holidays and workers' compensation) for one-half or more of the workdays in any monthly pay period earn one sick day per month or the number of hours worked daily by a full-time employee in that class of work up to a maximum of eight hours.

(b) **Part-time employees**: All permanent, part-time employees working or on paid leave (including paid holidays and workers' compensation) for one-half or more of the workdays in any monthly pay period earn sick leave computed on a pro rata basis of the amount earned by a full-time employee in that class of work. Permanent, part-time employees previously employed in a full-time position retain the balance of sick leave earned in the prior position upon transferring to a part-time position.

(c) **Units**: Sick leave must be used in one-half days, whole days, or hours as determined for earning purposes by the local board. Only sick leave taken on an employee's workday shall be deducted from the employee's sick leave balance.

(d) **Accumulation**: Sick leave may be accumulated indefinitely

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

4.1.8 Sick Leave Upon Separation

(a) In the event an employee separates from service before earning sick leave which has been advanced, a deduction will be made from the final salary check for the total unearned sick leave used.
(b) Pay for unused sick leave is not permitted, except when an employee has been approved for long-term disability.
(c) Accumulated sick leave counts as creditable service towards retirement. One month of credit is allowed for each 20 days of unused sick leave upon retirement. One more month is allowed for any part of 20 days left over. Sick leave converted from excess annual vacation leave is also creditable.
(d) From the date an employee resigns or moves to a temporary position, the sick leave balance is retained for 60 or 63 months. (In order to have 63 months, the individual must have separated under a 10 months contract and returned to employment under a 10 months contract.) If the person is re-employed in a full-time or part-time permanent position, or retires within this 60 or 63 months, the sick leave balance is reinstated. After this point, the sick leave balance cannot be reinstated.

4.1.9 Transfer of Sick Leave

(a) **Between school systems**: Unused sick leave must be transferred between local school administrative units. Leave to be accepted by a school system must not result in leave being accrued at a greater rate than the rate set forth in Section 4.1.1 of this manual.
(b) **To and from other state agencies**: Sick leave may be transferred in whole or in part to and from a state agency, institution, community college, technical institute, or position covered by the State Personnel Act in county agencies of mental health, public health, social services or emergency management if the receiving agency is willing to accept the leave. Leave to be accepted by a school system must not result in leave being accrued at a greater rate than the rate set forth in Section 4.1.1 of this manual. If the government agency refuses to accept sick leave earned by a school system employee, there is no lump-sum payout to the employee.
(c) **Charter Schools**: There is no provision for public school employees to transfer leave to or from charter schools.**

**Theresa Matula, Legislative Analyst with the Legislative Analysis Division, substantially contributed to this summary.*

** NOTE: Upon Separation from employment with an LEA to work in a charter school, any vacation leave balance (up to 30 days) is paid by the LEA, and the sick leave balance is retained by the LEA for 60 months (63 months for 10 month employees). See Section 4.1.8.

SENATE BILL 123

Short Title:	Portability of Leave/Charter Schools.	(Public)
Sponsors:	Senator Sanderson (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

February 25, 2019

A BILL TO BE ENTITLED

AN ACT TO ALLOW SICK LEAVE TO BE TRANSFERRED BETWEEN A CHARTER SCHOOL AND A LOCAL SCHOOL ADMINISTRATIVE UNIT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-12(8) reads as rewritten:

"(8) Power to Make Provisions for Sick Leave and for Substitute Teachers. – The Board shall provide for sick leave with pay for all public school employees in accordance with the provisions of this Chapter and shall promulgate rules and regulations providing for necessary substitutes on account of sick leave and other teacher absences.

Rules providing for sick leave shall allow sick leave to be transferred between a charter school and a local school administrative unit. Leave to be accepted by a local school administrative unit must not result in leave being accrued at a greater rate than the rate set by the Board.

The minimum pay for a substitute teacher who holds a teaching certificate shall be sixty-five percent (65%) of the daily pay rate of an entry-level teacher with an "A" certificate. The minimum pay for a substitute teacher who does not hold a teaching certificate shall be fifty percent (50%) of the daily pay rate of an entry-level teacher with an "A" certificate. The pay for noncertified substitutes shall not exceed the pay of certified substitutes.

Local boards may use State funds allocated for substitute teachers to hire full-time substitute teachers.

If a teacher assistant acts as a substitute teacher, the salary of the teacher assistant for the day shall be the same as the daily salary of an entry-level teacher with an "A" certificate."

SECTION 2. G.S. 115C-218.90(a) is amended by adding a new subdivision to read:

"(6) Charter school employees shall be eligible for the transfer of sick leave as provided under G.S. 115C-12(8)."

SECTION 3. This act is effective when it becomes law and applies to individuals employed by a local school administrative unit or a charter school on or after that date.

VISITOR REGISTRATION SHEET

Ed/Higher Ed

(Committee Name)

5/2/19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Drew Martz	UNC System
Mary Stuppin	NCCCS
Amanda Dozier	KTS
Tom West	NCICU
[illegible]	[illegible]
Bruce Mildrum	NCSS
Adam Ridenhour	NCACC
Katherine Joyce	NCASA
Bryan N. Holloway	Holloway Group Inc
Michael Ball	NCGA
Amanda Talbert	LBA

09-21-201

VISITOR REGISTRATION SHEET

Ed/Higher Ed

(Committee Name)

5/2/19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Wade Butner	NCDPI
Kevin Wilkinson	NCDPI
April Neumann	MWC
Lynn Harvey	NCDPI
Joe Maimone	DPI
Kathryn Marker	NC SEAA
Elizabeth McDuffie	NC SEAA
	LVC
Elizabeth Fellerton	NCASA
Martha Balsch	PPAB
JASON Joyner	New Frame
	SBE

09-21-201

Speaker

~~VISITOR SIGN-IN SHEET~~

SENATE COMMITTEE

ON

EDUCATION/HIGHER EDUCATION

May 2, 2019

~~8:30 am~~ after session

NAME	AGENCY/FIRM
Lynn Harvey	DPI
Steven Walker	Lt. Gov / CSAB
Elizabeth Dfo	SEAA

Senate Committee on Education/Higher Education
Wednesday, June 5, 2019, 11:00 AM
1027/1128 Legislative Building

AGENDA

I. Welcome and Opening Remarks

Chairs: Senator Deanna Ballard, Co-Chair, presiding
Senator Rick Horner, Co-Chair
Senator Jerry Tillman, Co-Chair

II. Agenda Items

BILL NO.	SHORT TITLE	SPONSOR
HB 57	Create Term for Public Schs. & Codify NCVPS.	Representative Elmore Representative L. Johnson Representative Horn
HB 389	ABC/Univ Athletic Facility.	Representative Bell Representative Boles Representative Goodman Representative Lewis
HB 664	myFutureNC/Postsecondary Attainment Goal.	Representative Fraley
HB 924	Teacher Contract Changes.	Representative D. Hall Representative Horn

III. Adjournment

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, June 05, 2019

Senator Ballard,
submits the following with recommendations as to passage:

FAVORABLE

HB **389** **(CS#1)** ABC/Univ Athletic Facility.

Draft Number:	None
Sequential Referral:	Commerce and Insurance
Recommended Referral:	None
Long Title Amended:	No

FAVORABLE, AS AMENDED

HB 57 Create Term for Public Schs. & Codify NCVPS.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

HB **664** **(CS#1)** myFutureNC/Postsecondary Attainment Goal.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

HB **924** **(CS#2)** Teacher Contract Changes.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 4

Senator Rick Gunn will handle HB 389
Senator Jerry W. Tillman will handle HB 57
Senator Deanna Ballard will handle HB 664
Senator Jerry W. Tillman will handle HB 924

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

CORRECTED REPORT #1

Wednesday, June 05, 2019

Senator Ballard,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL

HB **57** Create Term for Public Schs. & Codify NCVPS.

Draft Number:	H57-PCS30470-TC-31
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

UNFAVORABLE AS TO COMMITTEE SUBSTITUTE BILL NO. 1, BUT FAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL

HB **664** **(CS#1)** myFutureNC/Postsecondary Attainment Goal.

Draft Number:	H664-PCS30471-BN-22
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

UNFAVORABLE AS TO COMMITTEE SUBSTITUTE BILL NO. 2, BUT FAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL

HB **924** **(CS#2)** Teacher Contract Changes.

Draft Number:	H924-PCS40479-TC-32
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	Yes

TOTAL REPORTED: 3

Senator Jerry W. Tillman will handle HB 57
Senator Deanna Ballard will handle HB 664
Senator Jerry W. Tillman will handle HB 924

Senate Committee on Education/Higher Education
Wednesday, June 5, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on June 5, 2019 in Room 1027/1128 of the Legislative Building. 13 members were present.

Senator Deanna Ballard, Chair, presided. Senator Ballard called the meeting to order and recognized the pages and sergeant-at-arms.

The following bills were considered:

HB 57 Create Term for Public Schs. & Codify NCVPS. (Representatives Elmore, L. Johnson, Horn)
Senator Ballard recognized Representative Elmore to explain HB 57. Senator Horner sent forth an amendment **H57-ATC-42 [v.1]**. Senator Foushee moved for the adoption of the amendment for consideration. The motion passed. Senator Tillman moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the Senate PCS and an unfavorable report to the original bill and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, new PCS, and Committee report are attached.

HB 924 Teacher Contract Changes. (Representatives D. Hall, Horn)
Senator Ballard recognized Representative D. Hall to explain HB 924. Senator Tillman sent forth an amendment **H924-ATC-41 [v.3]**. Kara McGraw of Legislative Analysis explained the amendment, which contains the provisions of SB 134 that had previously been heard in Committee. Senator Krawiec moved for the adoption of the amendment for consideration. The motion passed. Senator Sanderson moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the Senate PCS and an unfavorable report to the House PCS and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, new PCS, and Committee report are attached.

HB 664 myFutureNC/Postsecondary Attainment Goal. (Representative Fraley)
Senator Ballard recognized Representative Fraley to explain HB 664. Senator Horner sent forth an amendment **H664-ABN-40 [v.2]**. Senator Newton moved for the adoption of the amendment for consideration. The motion passed. Senator McInnis moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the Senate PCS and an unfavorable report to the House PCS and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, new PCS, and Committee report are attached.

HB 389 ABC/Univ Athletic Facility. (Representatives Bell, Boles, Goodman, Lewis)
Senator Ballard recognized Representative Bell and Senator Gunn to explain HB 389. Representative Bell stated that 13 out of 14 UNC System Boards of Trustees have voted in support of HB 389. Senator Ballard opened the floor to member discussion. Senator Ballard then opened the floor to audience comments. Rev. Mark Creech of the Christian Action League spoke in opposition to HB 389. Senator Gunn introduced representatives from Appalachian State University, North Carolina Central University, Elizabeth City State University, UNC-Chapel Hill, UNC-Greensboro, and North Carolina State University. Rick Steinbacher of UNC-Chapel Hill spoke in favor of HB 389. Senator Tillman moved for a favorable report and a recommendation the bill be re-referred to the Senate Committee on Commerce and Insurance. The motion passed. A copy of the bill, the bill summary, Fiscal Note, and Committee Report are attached.

The meeting adjourned at 11:45 AM.

Senator Deanna Ballard, Chair
Presiding

William Verbiest, Committee Clerk

HOUSE BILL 57:
Create Term for Public Schs. & Codify NCVPS.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 5, 2019
Introduced by:	Reps. Elmore, Johnson, Horn	**Prepared by:**	Kara McCraw* Committee Counsel
Analysis of:	First Edition		

OVERVIEW: House Bill 57 would:

- ***Create a new definition for the education chapter of the General Statutes for the term "public school unit" to refer collectively to multiple types of public schools in the State.***
- ***Codify the North Carolina Virtual Public School program (NCVPS) in the education chapter of the General Statutes to consolidate all references to NCVPS program.***

BILL ANALYSIS:

Part I: Define Public School Unit

Current Law: Currently, there is no statutorily defined term in Chapter 115C of the General Statutes that can be used to refer to all the different types of public schools in the State.

Bill Analysis: HB 57 would create a new definition for the term "public school unit" in the education chapter of the General Statutes (115C). The term would include local school administrative units, charter schools, regional schools, innovative schools, the residential schools for the deaf and blind, laboratory schools, and the residential School of the Arts high school, and residential School of Science and Mathematics.

Part II: Codify the North Carolina Virtual Public School Program

Current Law: Created in 2006, the North Carolina Virtual Public School program (NCVPS) is a provider of individual online courses and is a part of the Department of Public Instruction. However, all references to the NCVPS program only appear in appropriations/budget bills and do not currently appear in statute.

Bill Analysis: HB 57 would codify past session laws creating and modifying the NCVPS program in Chapter 115C of the General Statutes.

EFFECTIVE DATE: HB 57 would become effective July 1, 2019 and would apply beginning with the 2019-2020 school year.

**Drupti Chauhan, Staff Attorney, substantially contributed to this summary.*

Karen Cochrane-Brown
Director

H57-SMTC-43 E1 -V-1

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 57

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

H57-ATC-42 [v.1]

Amends Title [NO]
First Edition

Date _____ ,2019

Senator Horner

moves to amend the bill on page 2, line 15, by rewriting that line to read:

"with this Part. NCVPS is not a public school unit, as defined in G.S. 115C-5(11).".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

HOUSE BILL 57

Short Title:	Create Term for Public Schs. & Codify NCVPS.	(Public)
Sponsors:	Representatives Elmore, Johnson, and Horn (Primary Sponsors). *For a complete list of sponsors, refer to the North Carolina General Assembly web site.*	
Referred to:	Education - K-12, if favorable, Rules, Calendar, and Operations of the House	

February 13, 2019

A BILL TO BE ENTITLED

AN ACT TO CREATE A TERM FOR PUBLIC SCHOOLS THAT INCLUDES THE VARIOUS TYPES OF PUBLIC SCHOOLS IN THE STATE AND TO CODIFY THE NORTH CAROLINA VIRTUAL PUBLIC SCHOOL PROGRAM.

The General Assembly of North Carolina enacts:

PART I. CREATE A TERM IN CHAPTER 115C OF THE GENERAL STATUTES TO INCLUDE ALL TYPES OF PUBLIC SCHOOLS IN THE STATE

SECTION 1. G.S. 115C-5 is amended by adding a new subdivision to read:

"(11) Public school unit. – Any of the following:

a. A local school administrative unit.

b. A charter school.

c. A regional school.

d. A school providing elementary or secondary instruction operated by one of the following:

1. The State Board of Education, including schools operated under Article 7A and Article 9C of this Chapter.

2. The University of North Carolina, including schools operated under Articles 4, 29, and 29A of Chapter 116 of the General Statutes."

PART II. CODIFY THE NORTH CAROLINA VIRTUAL PUBLIC SCHOOL PROGRAM

SECTION 2.(a) Section 7.16 of S.L. 2006-66 is repealed.

SECTION 2.(b) Section 7.20 of S.L. 2007-323 is repealed.

SECTION 2.(c) Section 7.4 of S.L. 2008-107 is repealed.

SECTION 2.(d) Section 7.9 of S.L. 2009-451 is repealed.

SECTION 2.(e) Section 7.4 of S.L. 2010-31 is repealed.

SECTION 2.(f) Section 3.2A of S.L. 2010-123 is repealed.

SECTION 2.(g) Subsections (a) through (k) of Section 7.22 of S.L. 2011-145, as amended by Section 7.12 of S.L. 2012-142, Section 88 of S.L. 2014-115, and Section 6 of S.L. 2017-173, are repealed.

SECTION 2.(h) Section 8.9(b) of S.L. 2013-360 is repealed.

SECTION 2.1. Article 16 of Chapter 115C of the General Statutes is amended by adding a new Part to read:

"Part 11. North Carolina Virtual Education Program.

"**§ 115C-238.74. Definitions.**

The following definitions apply in this Part:

(1) ADM. – Average daily membership.

(2) NCVPS. – The North Carolina Virtual Public School program, as established by this Part.

(3) Nonpublic school student. – A student enrolled in a school that meets the requirements of Part 1, 2, or 3 of Article 39 of this Chapter as identified by the Division of Nonpublic Education, Department of Administration.

(4) Out-of-state student. – A student who is not qualified to be assigned to a public school in a local school administrative unit in North Carolina pursuant to G.S. 115C-366.

"**§ 115C-238.75. Administration of the North Carolina Virtual Public School program.**

(a) NCVPS shall be administered by the Department of Public Instruction in accordance with this Part.

(b) NCVPS shall be responsible for the following:

(1) Ensuring access to e-learning course offerings for students residing in rural and low-wealth public school units, in order to expand available instructional opportunities.

(2) Providing e-learning instructional opportunities for courses required as part of the standard course of study for high school graduation and for Advanced Placement (AP) offerings when not otherwise available to students.

(3) Establishing NCVPS course quality standards that meet the standards set by the State Board of Education.

(4) Aligning all courses offered through NCVPS with the North Carolina Standard Course of Study.

(c) Within funds available, NCVPS shall provide NCVPS courses at no cost to all students in North Carolina who are enrolled in North Carolina's public school units, Department of Defense schools, and schools operated by the Bureau of Indian Affairs.

(d) NCVPS courses shall be available to nonpublic school students and out-of-state students. The State Board of Education shall establish a separate per student, per course tuition for nonpublic school students and out-of-state students which shall be adjusted upward from the in-State student fee structure by an amount determined appropriate by the State Board of Education.

(e) NCVPS shall implement a plan, approved by the State Board of Education, to generate revenue from the sale of courses to out-of-state educational entities. Revenue generated by NCVPS under this subsection shall be used to offset instructional costs to public school units pursuant to G.S. 115C-238.76(d)(3).

"**§ 115C-238.76. Allotment formula; adjustments to other allotments; enrollment reserve.**

(a) The State Board of Education shall implement an allotment formula for NCVPS as follows:

(1) Project NCVPS student enrollment by semester and year-long course types for each public school unit.

(2) Establish a per student, per course teacher payment structure for the instructional costs of NCVPS. In establishing this payment structure, the State Board of Education shall consider the following:

a. The payment structure shall be based on a total compensation analysis to ensure NCVPS teacher pay has parity with similar programs. The total compensation analysis shall take into account salaries, benefits, and work effort to ensure valid comparisons between occupations.

b. The effects any change in NCVPS teacher payments may have on the attraction and retention of NCVPS teachers.

(3) Develop a per student, per course fee structure that is based on the per student, per course teacher pay structure. The per student, per course fee structure shall ensure that the projected cost for public school units equals the projected instructional cost for NCVPS courses. The State Board of Education shall consider recommendations from the NCVPS Advisory Council in establishing a per student, per course fee structure.

(4) Multiply the per student, per course fees by the projected enrollment by course type to determine the total instructional cost for each public school unit.

(5) Transfer a dollar amount equal to seventy-five percent (75%) of the public school unit's projected instructional cost from the classroom teacher allotment to NCVPS.

(6) No later than February 28 of each year, calculate the actual instructional cost for each public school unit based upon actual NCVPS enrollment as of that date.

(7) Subtract the amount transferred pursuant to subdivision (5) of this subsection from the actual instructional cost for each public school unit and transfer the remaining dollar amount owed, up to a maximum of one hundred percent (100%) of the projected cost.

(8) Develop and implement a policy regarding returning funds to public school units in cases where the amount transferred pursuant to subdivision (5) of this subsection exceeds the actual instructional cost.

(b) The State Board of Education shall reduce each public school unit's classroom teacher allotment, or other allotment, as determined by the State Board of Education, on the basis of ADM in grades six through 12 to support the State-level operations and administration of NCVPS. The allotment reduction to support the State-level operations and administration of NCVPS shall be based on the reduction taken from the prior fiscal year but shall be adjusted annually based upon the percentage growth in NCVPS enrollment to ensure the expansion of services due to increased student enrollment in NCVPS courses.

(c) An NCVPS enrollment reserve fund shall be maintained in an amount of at least two million dollars ($2,000,000). For each fiscal year, the State Board of Education shall reduce each public school unit's classroom teacher allotment, or other allotment, as determined by the State Board of Education, on the basis of ADM in grades six through 12 by an amount that is the difference between two million dollars ($2,000,000) and the balance of the NCVPS enrollment reserve. The funds in the NCVPS enrollment reserve fund shall not revert and shall be used to cover the NCVPS instructional cost of students enrolled in (i) public school units with enrollments exceeding projected NCVPS enrollment, (ii) Department of Defense schools, and (iii) schools operated by the Bureau of Indian Affairs.

(d) Only the following funds shall be used to cover the instructional costs of NCVPS:

(1) Funds provided through the NCVPS allotment formula, as established by subsection (a) of this section.

(2) Funds provided through the NCVPS enrollment reserve, as set forth in subsection (c) of this section.

(3) Funds from the sale of courses to out-of-state educational entities, pursuant to G.S. 115C-238.75(d).

(4) Local funds, including funds from private sources.

(5) Federal funds.

(6) The Special State Reserve Funds for Children and Youth with Disabilities.

(7) The ADM Contingency Reserve.

"**§ 115C-238.77. NCVPS Advisory Council.**

The State Board of Education shall establish the NCVPS Advisory Council to review NCVPS strategic planning, operational initiatives, and readiness for twenty-first century online learning. The membership of the Advisory Council, as appointed by the State Board of Education, shall consist of key stakeholders across the State with expertise in online learning from a variety of fields, including elementary and secondary education, business, universities and colleges, and the community at large.

"**§ 115C-238.78. NCVPS reporting requirements.**

The Department of Public Instruction shall submit an annual report on the operation of NCVPS to the State Board of Education no later than December 15 of each year. The report shall use data from the previous fiscal year and shall include statistics on actual versus projected costs to public school units, student enrollment, virtual teacher salaries, and measures of academic achievement.

"**§ 115C-238.79. Other virtual education providers.**

Local school administrative units may partner with eligible providers other than NCVPS for e-learning opportunities. Eligible providers shall meet all of the following:

(1) Be accredited by a regional accrediting agency such as, but not limited to, AdvancEd or the Southern Association of Colleges and Schools (SACS).

(2) Employ teachers who hold teaching licenses from states that participate in the NASDTEC Educator Identification Clearinghouse.

(3) Ensure that courses offered to North Carolina students are aligned to the North Carolina Standard Course of Study."

SECTION 2.2. The allotment reduction to support the State-level operations and administration of the NCVPS required by G.S. 115C-238.76(b), as enacted by this act, shall be in the amount of at least three million seven hundred sixty thousand eight hundred sixteen dollars ($3,760,816), as was effective for the 2018-2019 fiscal year. In accordance with G.S. 115C-238.76(b), this allotment reduction amount shall be adjusted annually based upon the percentage growth in NCVPS enrollment to ensure the expansion of services due to increased student enrollment in NCVPS courses.

SECTION 2.3. This act becomes effective July 1, 2019, and applies beginning with the 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H D

HOUSE BILL 57
PROPOSED SENATE COMMITTEE SUBSTITUTE H57-PCS30470-TC-31

Short Title: Create Term for Public Schs. & Codify NCVPS. (Public)

Sponsors:

Referred to:

February 13, 2019

A BILL TO BE ENTITLED

AN ACT TO CREATE A TERM FOR PUBLIC SCHOOLS THAT INCLUDES THE VARIOUS TYPES OF PUBLIC SCHOOLS IN THE STATE AND TO CODIFY THE NORTH CAROLINA VIRTUAL PUBLIC SCHOOL PROGRAM.

The General Assembly of North Carolina enacts:

PART I. CREATE A TERM IN CHAPTER 115C OF THE GENERAL STATUTES TO INCLUDE ALL TYPES OF PUBLIC SCHOOLS IN THE STATE

SECTION 1. G.S. 115C-5 is amended by adding a new subdivision to read:

"(11) Public school unit. – Any of the following:

a. A local school administrative unit.

b. A charter school.

c. A regional school.

d. A school providing elementary or secondary instruction operated by one of the following:

1. The State Board of Education, including schools operated under Article 7A and Article 9C of this Chapter.

2. The University of North Carolina, including schools operated under Articles 4, 29, and 29A of Chapter 116 of the General Statutes."

PART II. CODIFY THE NORTH CAROLINA VIRTUAL PUBLIC SCHOOL PROGRAM

SECTION 2.(a) Section 7.16 of S.L. 2006-66 is repealed.

SECTION 2.(b) Section 7.20 of S.L. 2007-323 is repealed.

SECTION 2.(c) Section 7.4 of S.L. 2008-107 is repealed.

SECTION 2.(d) Section 7.9 of S.L. 2009-451 is repealed.

SECTION 2.(e) Section 7.4 of S.L. 2010-31 is repealed.

SECTION 2.(f) Section 3.2A of S.L. 2010-123 is repealed.

SECTION 2.(g) Subsections (a) through (k) of Section 7.22 of S.L. 2011-145, as amended by Section 7.12 of S.L. 2012-142, Section 88 of S.L. 2014-115, and Section 6 of S.L. 2017-173, are repealed.

SECTION 2.(h) Section 8.9(b) of S.L. 2013-360 is repealed.

SECTION 2.1. Article 16 of Chapter 115C of the General Statutes is amended by adding a new Part to read:

"Part 11. North Carolina Virtual Education Program.

"**§ 115C-238.74. Definitions.**

The following definitions apply in this Part:

(1) ADM. – Average daily membership.

(2) NCVPS. – The North Carolina Virtual Public School program, as established by this Part.

(3) Nonpublic school student. – A student enrolled in a school that meets the requirements of Part 1, 2, or 3 of Article 39 of this Chapter as identified by the Division of Nonpublic Education, Department of Administration.

(4) Out-of-state student. – A student who is not qualified to be assigned to a public school in a local school administrative unit in North Carolina pursuant to G.S. 115C-366.

"**§ 115C-238.75. Administration of the North Carolina Virtual Public School program.**

(a) NCVPS shall be administered by the Department of Public Instruction in accordance with this Part. NCVPS is not a public school unit, as defined in G.S. 115C-5(11).

(b) NCVPS shall be responsible for the following:

(1) Ensuring access to e-learning course offerings for students residing in rural and low-wealth public school units, in order to expand available instructional opportunities.

(2) Providing e-learning instructional opportunities for courses required as part of the standard course of study for high school graduation and for Advanced Placement (AP) offerings when not otherwise available to students.

(3) Establishing NCVPS course quality standards that meet the standards set by the State Board of Education.

(4) Aligning all courses offered through NCVPS with the North Carolina Standard Course of Study.

(c) Within funds available, NCVPS shall provide NCVPS courses at no cost to all students in North Carolina who are enrolled in North Carolina's public school units, Department of Defense schools, and schools operated by the Bureau of Indian Affairs.

(d) NCVPS courses shall be available to nonpublic school students and out-of-state students. The State Board of Education shall establish a separate per-student, per-course tuition for nonpublic school students and out-of-state students which shall be adjusted upward from the in-State student fee structure by an amount determined appropriate by the State Board of Education.

(e) NCVPS shall implement a plan, approved by the State Board of Education, to generate revenue from the sale of courses to out-of-state educational entities. Revenue generated by NCVPS under this subsection shall be used to offset instructional costs to public school units pursuant to G.S. 115C-238.76(d)(3).

"**§ 115C-238.76. Allotment formula; adjustments to other allotments; enrollment reserve.**

(a) The State Board of Education shall implement an allotment formula for NCVPS as follows:

(1) Project NCVPS student enrollment by semester and year-long course types for each public school unit.

(2) Establish a per-student, per-course teacher payment structure for the instructional costs of NCVPS. In establishing this payment structure, the State Board of Education shall consider the following:

a. The payment structure shall be based on a total compensation analysis to ensure NCVPS teacher pay has parity with similar programs. The total compensation analysis shall take into account salaries, benefits, and work effort to ensure valid comparisons between occupations.

b. The effects any change in NCVPS teacher payments may have on the attraction and retention of NCVPS teachers.

(3) Develop a per-student, per-course fee structure that is based on the per-student, per-course teacher pay structure. The per-student, per-course fee structure shall ensure that the projected cost for public school units equals the projected instructional cost for NCVPS courses. The State Board of Education shall consider recommendations from the NCVPS Advisory Council in establishing a per-student, per-course fee structure.

(4) Multiply the per-student, per-course fees by the projected enrollment by course type to determine the total instructional cost for each public school unit.

(5) Transfer a dollar amount equal to seventy-five percent (75%) of the public school unit's projected instructional cost from the classroom teacher allotment to NCVPS.

(6) No later than February 28 of each year, calculate the actual instructional cost for each public school unit based upon actual NCVPS enrollment as of that date.

(7) Subtract the amount transferred pursuant to subdivision (5) of this subsection from the actual instructional cost for each public school unit and transfer the remaining dollar amount owed, up to a maximum of one hundred percent (100%) of the projected cost.

(8) Develop and implement a policy regarding returning funds to public school units in cases where the amount transferred pursuant to subdivision (5) of this subsection exceeds the actual instructional cost.

(b) The State Board of Education shall reduce each public school unit's classroom teacher allotment, or other allotment, as determined by the State Board of Education, on the basis of ADM in grades six through 12 to support the State-level operations and administration of NCVPS. The allotment reduction to support the State-level operations and administration of NCVPS shall be based on the reduction taken from the prior fiscal year but shall be adjusted annually based upon the percentage growth in NCVPS enrollment to ensure the expansion of services due to increased student enrollment in NCVPS courses.

(c) An NCVPS enrollment reserve fund shall be maintained in an amount of at least two million dollars ($2,000,000). For each fiscal year, the State Board of Education shall reduce each public school unit's classroom teacher allotment, or other allotment, as determined by the State Board of Education, on the basis of ADM in grades six through 12 by an amount that is the difference between two million dollars ($2,000,000) and the balance of the NCVPS enrollment reserve. The funds in the NCVPS enrollment reserve fund shall not revert and shall be used to cover the NCVPS instructional cost of students enrolled in (i) public school units with enrollments exceeding projected NCVPS enrollment, (ii) Department of Defense schools, and (iii) schools operated by the Bureau of Indian Affairs.

(d) Only the following funds shall be used to cover the instructional costs of NCVPS:

(1) Funds provided through the NCVPS allotment formula, as established by subsection (a) of this section.

(2) Funds provided through the NCVPS enrollment reserve, as set forth in subsection (c) of this section.

(3) Funds from the sale of courses to out-of-state educational entities, pursuant to G.S. 115C-238.75(d).

(4) Local funds, including funds from private sources.

(5) Federal funds.

(6) The Special State Reserve Funds for Children and Youth with Disabilities.

(7) The ADM Contingency Reserve.

"**§ 115C-238.77. NCVPS Advisory Council.**

The State Board of Education shall establish the NCVPS Advisory Council to review NCVPS strategic planning, operational initiatives, and readiness for twenty-first century online learning. The membership of the Advisory Council, as appointed by the State Board of Education, shall consist of key stakeholders across the State with expertise in online learning from a variety of fields, including elementary and secondary education, business, universities and colleges, and the community at large.

"**§ 115C-238.78. NCVPS reporting requirements.**

The Department of Public Instruction shall submit an annual report on the operation of NCVPS to the State Board of Education no later than December 15 of each year. The report shall use data from the previous fiscal year and shall include statistics on actual versus projected costs to public school units, student enrollment, virtual teacher salaries, and measures of academic achievement.

"**§ 115C-238.79. Other virtual education providers.**

Local school administrative units may partner with eligible providers other than NCVPS for e-learning opportunities. Eligible providers shall meet all of the following:

(1) Be accredited by a regional accrediting agency such as, but not limited to, AdvancEd or the Southern Association of Colleges and Schools (SACS).

(2) Employ teachers who hold teaching licenses from states that participate in the NASDTEC Educator Identification Clearinghouse.

(3) Ensure that courses offered to North Carolina students are aligned to the North Carolina Standard Course of Study."

SECTION 2.2. The allotment reduction to support the State-level operations and administration of the NCVPS required by G.S. 115C-238.76(b), as enacted by this act, shall be in the amount of at least three million seven hundred sixty thousand eight hundred sixteen dollars ($3,760,816), as was effective for the 2018-2019 fiscal year. In accordance with G.S. 115C-238.76(b), this allotment reduction amount shall be adjusted annually based upon the percentage growth in NCVPS enrollment to ensure the expansion of services due to increased student enrollment in NCVPS courses.

SECTION 2.3. This act becomes effective July 1, 2019, and applies beginning with the 2019-2020 school year.

HOUSE BILL 924:
Teacher Contract Changes.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 5, 2019
Introduced by:	Reps. D. Hall, Horn	**Prepared by:**	Drupti Chauhan Committee Counsel
Analysis of:	Third Edition		

OVERVIEW: House Bill 924 clarifies how much time a teacher must have already worked for a local board of education in order to be eligible for an extended employment contract.

CURRENT LAW: If a teacher has been employed by a local board of education for less than three years, the employment contract between that teacher and the local board of education must be for a term of one year. If a teacher has been employed by a local board of education for three or more years, then the new employment contract or renewal of the employment contract can be for a term of one, two, or four years. "Year" is defined as a calendar year beginning July 1 and ending June 30.

BILL ANALYSIS: House Bill 924 would clarify how much time a teacher must have already worked for a local board of education in order to be eligible for an extended employment contract. Local boards of education may adopt a policy that a teacher must be employed as a teacher for three consecutive years in order to be eligible for a new or renewed contract for a term of one, two, or four years.

In order to have been employed for a "year", a teacher must have worked for no less than 120 workdays as a teacher in a full-time permanent position.

If the local board of education adopts a policy that the three years of employment be consecutive years, the board policy must then state that if the teacher did not work for at least 120 workdays in a year because the teacher was on approved or legally entitled leave, that year shall not be deemed to constitute a year of employment nor shall it be considered as a break in the continuity of consecutive years of employment.

Suspensions cannot constitute approved or legally entitled leave. Teachers would be provided any additional rights they may have under the federal Uniformed Services Employment and Reemployment Rights Act, 34 U.S.C. §4301, et. seq. Under certain conditions, this Act requires employers to allow individuals to resume their civilian jobs after military service.

EFFECTIVE DATE: The bill becomes effective when it becomes law and applies to contracts executed on or after that date.

Karen Cochrane-Brown
Director

H924-SMRQ-44-E3-V-1

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 924

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

H924-ATC-41 [v.3]

Amends Title [YES]
Third Edition

Date _____,2019

Senator Tillman

moves to amend the bill on page 1, line 2, by rewriting that line to read:

"AN ACT TO CLARIFY ELIGIBILITY FOR EXTENDED TEACHER CONTRACTS; AND TO REQUIRE COMPLETION OF AN ECONOMICS AND PERSONAL FINANCE COURSE AS A HIGH SCHOOL GRADUATION REQUIREMENT IN PUBLIC SCHOOLS, TO CLARIFY REQUIREMENTS FOR HIGH SCHOOL CIVIC LITERACY, AND TO REQUIRE PROFESSIONAL DEVELOPMENT FOR ECONOMICS AND PERSONAL FINANCE TEACHERS.";

and on page 1, line 4, by rewriting that line to read:

"**SECTION 1.(a)** G.S. 115C-325.3 reads as rewritten:";

and on page 1, lines 28-29, by rewriting those lines to read:

"**SECTION 1.(b)** This section applies to contracts executed on or after that date.

SECTION 2.(a) G.S. 115C-81.65 reads as rewritten:

"**§ 115C-81.65. Financial literacy.**

(a) Instruction shall be provided in personal financial literacy for all students. In addition to the requirements in subsection (b) of this section, the State Board of Education shall determine the other components of personal financial literacy that will be covered in the curriculum. ~~The State Board shall also review the high school standard course of study to determine into which courses and grade levels personal financial literacy shall be integrated.~~

(b) ~~Each student shall receive personal financial literacy instruction that shall include:~~ The State Board of Education shall require during the high school years the teaching of a full credit course focused solely on Economics and Personal Finance (EPF). A passing grade in the course shall be required for graduation from high school. The content of the course shall, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education. The EPF course shall provide instruction on economic principles and shall provide personal financial literacy instruction that shall include, at a minimum, the following:

(1) The true cost of credit.
(2) Choosing and managing a credit card.
(3) Borrowing money for an automobile or other large purchase.
(4) Home mortgages.
(5) Credit scoring and credit reports.
(5a) Planning and paying for postsecondary education.
(6) Other relevant financial literacy issues.

(c) The State Board of Education shall require that EPF teachers receive the professional development necessary to ensure that the intent and provisions of this section are carried out. To the extent funds are made available for this purpose, the State Board of Education shall require the employing entity to make available to EPF teachers and prospective EPF teachers the EPF professional development course provided by the North Carolina Council on Economic Education (NCCEE). When practicable, teachers shall complete the EPF professional development course prior to teaching the EPF course in public schools. If necessary, teachers may begin teaching the EPF course in public schools while awaiting the next possible opportunity to complete a session of the EPF professional development course. To the extent possible, the EPF professional development course shall be taken at the NCCEE-approved location most conveniently located to the local school administrative unit."

SECTION 2.(b) The requirements of G.S. 115C-81.65(b), as amended by subsection (a) of this section, shall apply to all students entering the ninth grade in the 2020-2021 school year.

SECTION 3.(a) G.S. 115C-81.45 reads as rewritten:

"**§ 115C-81.45. Classes conducted in English; citizenship; and civic literacy.**

...

(c) Democratic Process and Citizenship ~~Education.~~Education for Middle School Social Studies. –

~~(1)~~ ~~The State Board of Education shall include instruction in civic and citizenship education in the standard course of study for high school social studies. The State Board of Education is strongly encouraged to include, at a minimum, the following components in the high school civic and citizenship education standard course of study:~~

~~a. That students write to a local, State, or federal elected official about an issue that is important to them.~~

~~b. Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.~~

~~c. Information about current events and governmental structure.~~

~~d. Information about the democratic process and how laws are made.~~

~~(2)~~ The State Board of Education shall include instruction in civic and citizenship education in the standard course of study for middle school social studies. The State Board of Education is strongly encouraged to include, at a minimum, the following components in the middle school civic and citizenship education standard course of study:

~~a.~~(1) A tour of representative local government facilities, such as the local jail, the courthouse, or a town hall, to help students understand the way their community is governed.

~~b.~~(2) Allowing students to choose and analyze a community problem and offer public policy recommendations on the problem to local officials.

~~c.~~(3) Information about getting involved in community groups.

(d) Founding Principles of the United States of America and North Carolina: Civic Literacy. –

(1) The State Board of Education shall require ~~during the high school years~~ instruction in civic and citizenship education in the standard course of study for high school social studies through the teaching of a ~~semester~~ full credit course ~~on the~~ that shall be called Founding Principles of the United States of America and ~~the State of North Carolina.~~ North Carolina: Civic Literacy. A passing grade in the course shall be required for graduation from high ~~school, and the~~ school.

(1a) The course required by subdivision (1) of this subsection shall be solely focused on civics and citizenship education, and shall include at least the following subjects:

a. The Creator-endowed inalienable rights of the people.
b. Structure of government, separation of powers with checks and balances.
c. Frequent and free elections in a representative government.
d. Rule of law.
e. Equal justice under the law.
f. Private property rights.
g. Federalism.
h. Due process.
i. Individual rights as set forth in the Bill of Rights.
j. Individual responsibility.
k. Constitutional limitations on government power to tax and spend, and prompt payment of public debt.
l. Strong defense and supremacy of civil authority over military.
m. Peace, commerce, and honest friendship with all nations, entangling alliances with none.

(1b) The State Board of Education is strongly encouraged to include the following components in the course required by subdivision (1) of this subsection:

a. That students write to a local, State, or federal elected official about an issue that is important to them.
b. Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.
c. Information about current events and governmental structure.
d. Information about the democratic process and how laws are made.

(2) The State Board of Education shall require that any high school level curriculum-based tests for the course required in subdivision (1) of this subsection developed and administered statewide ~~beginning with the 2016-2017 academic year~~ include questions related to the philosophical foundations of our form of government and the principles underlying the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.

(3) The Department of Public Instruction and the local boards of education, as appropriate, shall provide or cause to be provided curriculum content for the ~~semester~~ course required in subdivision (1) of this subsection and professional development to ensure that the intent and provisions of this subsection are carried out. The curriculum content established shall include a review of the contributions made by Americans of all races.

(4) The Department of Public Instruction shall submit a biennial report by October 15 of each odd-numbered year to the Joint Legislative Education Oversight Committee covering the implementation of this subsection."

SECTION 3.(b) The requirements of G.S. 115C-81.45(d), as amended by subsection (a) of this section, shall apply to all students entering the ninth grade in the 2021-2022 school year.

SECTION 4.(a) G.S. 115C-218.85(a) is amended by adding a new subdivision to read:

"(5) A charter school shall provide financial literacy instruction as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 4.(b) G.S. 115C-238.66(1) is amended by adding a new sub-subdivision to read:

"e. The board of directors shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 4.(c) G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision to read:

"d. The chancellor shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 4.(d) Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision to read:

"(4a) G.S. 115C-81.65, Financial literacy."

SECTION 5. The State Board of Education shall begin the process for review and revision of the standard course of study for social studies in grades kindergarten through 12 in the 2019-2020 school year, and shall revise the high school standard course of study in accordance with the requirements of this section for the EPF course and the Founding Principles

of America and North Carolina: Civic Literacy course. The State Board shall review the high school standard course of study to determine the high school grade level during which the EPF course and the Founding Principles of America and North Carolina: Civic Literacy course may be completed. The State Board of Education shall not require more than four full course credits in social studies for high school graduation.

SECTION 6. If House Bill 966, 2019 Regular Session, becomes law, subsections (a) through (i) of Section 7.18 of that act are repealed.

SECTION 7. Except as otherwise provided herein, this act is effective when it becomes law.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H 3

HOUSE BILL 924
Committee Substitute Favorable 4/30/19
Committee Substitute #2 Favorable 5/2/19

Short Title: Teacher Contract Changes. (Public)

Sponsors:

Referred to:

April 22, 2019

A BILL TO BE ENTITLED

AN ACT TO CLARIFY ELIGIBILITY FOR EXTENDED TEACHER CONTRACTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-325.3 reads as rewritten:

"**§ 115C-325.3. Teacher contracts.**

(a) Length of Contract. – A contract between the local board of education and a teacher who has been employed by the local board of education for less than three years shall be for a term of one school year. A new contract or renewal of contract between the local board of education and a teacher who has been employed by the local board of education as a teacher for three years or more shall be for a term of one, two, or four school years. A local board of education may require by policy that the three years of employment be consecutive.

(a1) Determination of Years of Employment. –

(1) For purposes of determining whether a teacher has been employed for three years by a local board of education under this section, a year shall not be less than 120 workdays performed as a teacher in a full-time permanent position.

(2) If a local board of education requires by policy that the three years of employment be consecutive, the local board policy shall state that if the teacher in a full-time permanent position did not work for at least 120 workdays as a teacher in a year because the teacher was on approved or legally entitled leave, that year shall not be (i) deemed to constitute a year of employment for the teacher nor (ii) be considered a break in the continuity of consecutive years of employment for the teacher. A suspension shall not constitute approved or legally entitled leave for the purposes of this section. Teachers may have additional rights to the extent required by the federal Uniformed Services Employment and Reemployment Rights Act, 34 U.S.C. § 4301, et seq.

...."

SECTION 2. This act is effective when it becomes law and applies to contracts executed on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H D

HOUSE BILL 924
Committee Substitute Favorable 4/30/19
Committee Substitute #2 Favorable 5/2/19
PROPOSED SENATE COMMITTEE SUBSTITUTE H924-PCS40479-TC-32

Short Title: Teacher Contract Changes. (Public)

Sponsors:

Referred to:

April 22, 2019

A BILL TO BE ENTITLED

AN ACT TO CLARIFY ELIGIBILITY FOR EXTENDED TEACHER CONTRACTS, TO REQUIRE COMPLETION OF AN ECONOMICS AND PERSONAL FINANCE COURSE AS A HIGH SCHOOL GRADUATION REQUIREMENT IN PUBLIC SCHOOLS, TO CLARIFY REQUIREMENTS FOR HIGH SCHOOL CIVIC LITERACY, AND TO REQUIRE PROFESSIONAL DEVELOPMENT FOR ECONOMICS AND PERSONAL FINANCE TEACHERS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 115C-325.3 reads as rewritten:

"**§ 115C-325.3. Teacher contracts.**

(a) Length of Contract. – A contract between the local board of education and a teacher who has been employed by the local board of education for less than three years shall be for a term of one school year. A new contract or renewal of contract between the local board of education and a teacher who has been employed by the local board of education as a teacher for three years or more shall be for a term of one, two, or four school years. A local board of education may require by policy that the three years of employment be consecutive.

(a1) Determination of Years of Employment. –

(1) For purposes of determining whether a teacher has been employed for three years by a local board of education under this section, a year shall not be less than 120 workdays performed as a teacher in a full-time permanent position.

(2) If a local board of education requires by policy that the three years of employment be consecutive, the local board policy shall state that if the teacher in a full-time permanent position did not work for at least 120 workdays as a teacher in a year because the teacher was on approved or legally entitled leave, that year shall not (i) be deemed to constitute a year of employment for the teacher nor (ii) be considered a break in the continuity of consecutive years of employment for the teacher. A suspension shall not constitute approved or legally entitled leave for the purposes of this section. Teachers may have additional rights to the extent required by the federal Uniformed Services Employment and Reemployment Rights Act, 34 U.S.C. § 4301, et seq.

...."

SECTION 1.(b) This section applies to contracts executed on or after that date.

SECTION 2.(a) G.S. 115C-81.65 reads as rewritten:

"**§ 115C-81.65. Financial literacy.**

(a) Instruction shall be provided in personal financial literacy for all students. In addition to the requirements in subsection (b) of this section, the State Board of Education shall determine the other components of personal financial literacy that will be covered in the curriculum. ~~The State Board shall also review the high school standard course of study to determine into which courses and grade levels personal financial literacy shall be integrated.~~

(b) ~~Each student shall receive personal financial literacy instruction that shall include:~~ The State Board of Education shall require during the high school years the teaching of a full-credit course focused solely on Economics and Personal Finance (EPF). A passing grade in the course shall be required for graduation from high school. The content of the course shall, at a minimum, include the standards established by the second edition of the Voluntary National Content Standards in Economics and the 2013 National Standards for Financial Literacy, as developed by the Council for Economic Education. The EPF course shall provide instruction on economic principles and shall provide personal financial literacy instruction that shall include, at a minimum, the following:

(1) The true cost of credit.
(2) Choosing and managing a credit card.
(3) Borrowing money for an automobile or other large purchase.
(4) Home mortgages.
(5) Credit scoring and credit reports.
(5a) Planning and paying for postsecondary education.
(6) Other relevant financial literacy issues.

(c) The State Board of Education shall require that EPF teachers receive the professional development necessary to ensure that the intent and provisions of this section are carried out. To the extent funds are made available for this purpose, the State Board of Education shall require the employing entity to make available to EPF teachers and prospective EPF teachers the EPF professional development course provided by the North Carolina Council on Economic Education (NCCEE). When practicable, teachers shall complete the EPF professional development course prior to teaching the EPF course in public schools. If necessary, teachers may begin teaching the EPF course in public schools while awaiting the next possible opportunity to complete a session of the EPF professional development course. To the extent possible, the EPF professional development course shall be taken at the NCCEE-approved location most conveniently located to the local school administrative unit."

SECTION 2.(b) The requirements of G.S. 115C-81.65(b), as amended by subsection (a) of this section, shall apply to all students entering the ninth grade in the 2020-2021 school year.

SECTION 3.(a) G.S. 115C-81.45 reads as rewritten:

"**§ 115C-81.45. Classes conducted in English; citizenship; and civic literacy.**

...

(c) Democratic Process and Citizenship ~~Education.~~ Education for Middle School Social Studies. –

~~(1)~~ ~~The State Board of Education shall include instruction in civic and citizenship education in the standard course of study for high school social studies. The State Board of Education is strongly encouraged to include, at a minimum, the following components in the high school civic and citizenship education standard course of study:~~

~~a. That students write to a local, State, or federal elected official about an issue that is important to them.~~

~~b. Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.~~

~~c. Information about current events and governmental structure.~~

~~d. Information about the democratic process and how laws are made.~~

~~(2)~~ The State Board of Education shall include instruction in civic and citizenship education in the standard course of study for middle school social studies. The State Board of Education is strongly encouraged to include, at a minimum, the following components in the middle school civic and citizenship education standard course of study:

~~a.~~(1) A tour of representative local government facilities, such as the local jail, the courthouse, or a town hall, to help students understand the way their community is governed.

~~b.~~(2) Allowing students to choose and analyze a community problem and offer public policy recommendations on the problem to local officials.

~~c.~~(3) Information about getting involved in community groups.

(d) Founding Principles of the United States of America and North Carolina: Civic Literacy. –

(1) The State Board of Education shall require ~~during the high school years~~ instruction in civic and citizenship education in the standard course of study for high school social studies through the teaching of a ~~semester~~ full-credit course ~~on the~~ that shall be called Founding Principles of the United States of America and ~~the State of North Carolina.~~ North Carolina: Civic Literacy. A passing grade in the course shall be required for graduation from high ~~school, and the~~ school.

(1a) The course required by subdivision (1) of this subsection shall be solely focused on civics and citizenship education, and shall include at least the following subjects:

a. The Creator-endowed inalienable rights of the people.
b. Structure of government, separation of powers with checks and balances.
c. Frequent and free elections in a representative government.
d. Rule of law.
e. Equal justice under the law.
f. Private property rights.
g. Federalism.
h. Due process.
i. Individual rights as set forth in the Bill of Rights.
j. Individual responsibility.
k. Constitutional limitations on government power to tax and spend, and prompt payment of public debt.
l. Strong defense and supremacy of civil authority over military.
m. Peace, commerce, and honest friendship with all nations, entangling alliances with none.

(1b) The State Board of Education is strongly encouraged to include the following components in the course required by subdivision (1) of this subsection:

a. That students write to a local, State, or federal elected official about an issue that is important to them.
b. Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.
c. Information about current events and governmental structure.
d. Information about the democratic process and how laws are made.

(2) The State Board of Education shall require that any high school level curriculum-based tests for the course required in subdivision (1) of this subsection developed and administered statewide ~~beginning with the~~

~~2016-2017 academic year~~ include questions related to the philosophical foundations of our form of government and the principles underlying the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.

(3) The Department of Public Instruction and the local boards of education, as appropriate, shall provide or cause to be provided curriculum content for the ~~semester~~ course required in subdivision (1) of this subsection and professional development to ensure that the intent and provisions of this subsection are carried out. The curriculum content established shall include a review of the contributions made by Americans of all races.

(4) The Department of Public Instruction shall submit a biennial report by October 15 of each odd-numbered year to the Joint Legislative Education Oversight Committee covering the implementation of this subsection."

SECTION 3.(b) The requirements of G.S. 115C-81.45(d), as amended by subsection (a) of this section, shall apply to all students entering the ninth grade in the 2021-2022 school year.

SECTION 4.(a) G.S. 115C-218.85(a) is amended by adding a new subdivision to read:

"(5) A charter school shall provide financial literacy instruction as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 4.(b) G.S. 115C-238.66(1) is amended by adding a new sub-subdivision to read:

"e. The board of directors shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 4.(c) G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision to read:

"d. The chancellor shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

SECTION 4.(d) Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision to read:

"(4a) G.S. 115C-81.65, Financial literacy."

SECTION 5. The State Board of Education shall begin the process for review and revision of the standard course of study for social studies in grades kindergarten through 12 in the 2019-2020 school year and shall revise the high school standard course of study in accordance with the requirements of this section for the EPF course and the Founding Principles of America and North Carolina: Civic Literacy course. The State Board shall review the high school standard course of study to determine the high school grade level during which the EPF course and the Founding Principles of America and North Carolina: Civic Literacy course may be completed. The State Board of Education shall not require more than four full-course credits in social studies for high school graduation.

SECTION 6. If House Bill 966, 2019 Regular Session, becomes law, subsections (a) through (i) of Section 7.18 of that act are repealed.

SECTION 7. Except as otherwise provided herein, this act is effective when it becomes law.

HOUSE BILL 664: myFutureNC/Postsecondary Attainment Goal.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 5, 2019
Introduced by:	Rep. Fraley	**Prepared by:**	Samantha Yarborough* Staff Attorney
Analysis of:	Second Edition		

OVERVIEW: House Bill 664 would establish a postsecondary educational attainment goal for the State and would create a Joint Legislative Task Force on Postsecondary Attainment (Task Force).

BILL ANALYSIS: House Bill 664 would establish a postsecondary educational attainment goal for the State in order to ensure that the State remains economically competitive now and into the future. The State is to make significant efforts to increase access to learning so that by 2030, at least 2,000,000 residents between the ages of 25 and 44 will have completed a high-quality credential or postsecondary degree.

Beginning September 1, 2020, and annually thereafter, the myFutureNC Commission must report to the General Assembly on the progress of the State reaching the postsecondary attainment goal and the activities of the Commission to further the State towards the goal.

The bill would also create the Task Force which would have 9 members: 3 members of the Senate appointed by the President Pro Tempore; 3 members of the House of Representatives appointed by the Speaker of the House of Representatives; and 3 public members appointed by the Governor. The members of the Task Force must elect a chair and vice chair from among its membership. The first meeting of the Task Force may be called by either the President Pro Tempore of the Senate or the Speaker of the House of Representatives with subsequent meetings at the call of the chair of the Task Force.

The Task Force must create an inventory of existing education programs and policies to assess the effectiveness of those programs and policies in order to facilitate the progress of the State in reaching its postsecondary educational attainment goal. This study must be done in consultation with the Department of Public Instruction, the Community Colleges System Office, The University of North Carolina System Office, the North Carolina Independent Colleges and Universities, and the Department of Health and Human Services. Also as a part of the study, the Task Force must consider the work and recommendations of the myFutureNC Commission and the Postsecondary Education Credentials Commission, as well as any other issues the Task Force considers relevant.

The Task Force must submit an interim report by March 1, 2020, and a final report by December 31, 2020, to the Joint Legislative Education Oversight Committee. The Task Force terminates on December 31, 2020, or upon the filing of its final report, whichever comes first.

EFFECTIVE DATE: The bill would become effective when it becomes law.

**Drupti Chauhan, Committee Counsel, substantially contributed to this summary.*

Karen Cochrane-Brown
Director

H664-SMBN-88 E2 -V-1

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 664

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

H664-ABN-40 [v.2]

Amends Title [NO]
Second Edition

Date _____ ,2019

Senator Horner

moves to amend the bill on page 1, line 32, by deleting the phrase "at least";

and on page 2, line 4, by rewriting that line to read:
"G.S. 120-29.5, and to the Joint Legislative Education Oversight Committee on the progress of the State reaching the postsecondary attainment goal set forth";

and on page 2, lines 7 through 44, by rewriting those lines to read:
"**SECTION 2.** This act is effective when it becomes law.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

H664-ABN-40-V-2

HOUSE BILL 664
Committee Substitute Favorable 4/16/19

Short Title: myFutureNC/Postsecondary Attainment Goal. (Public)

Sponsors:

Referred to:

April 10, 2019

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH AN EDUCATIONAL ATTAINMENT GOAL FOR THE STATE.

Whereas, the State of North Carolina is one of nine states in the country that does not have a shared postsecondary attainment goal and has less than half the 25- to 44-year-old workforce with a postsecondary degree or certificate; and

Whereas, the myFutureNC Commission, a statewide group of business, education, and government leaders, recently studied North Carolina's evolving workforce needs and the alignment between future demands and trends in educational attainment; and

Whereas, based on that study, the myFutureNC Commission developed an educational attainment goal that will ensure North Carolina remains economically competitive now and into the future; and

Whereas, to make progress towards that goal, the North Carolina higher education community must improve student outcomes, reduce the time to graduation, and create opportunities that meet the needs of today's students; and

Whereas, increasing on-time graduation rates at institutions of higher education and expanding access to high-quality workforce training places more graduates into the workforce more quickly, reduces student debt, and increases the supply of skilled workers in North Carolina, making the State more attractive to businesses to start, expand, or relocate; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 116C-1 through G.S. 116C-5 are designated as Article 1 of Chapter 116C of the General Statutes, which is entitled "Education Cabinet."

SECTION 1.(b) Chapter 116C of the General Statutes is amended by adding a new Article to read:

"Article 2.

"North Carolina Postsecondary Attainment Goal.

"**§ 116C-10. North Carolina postsecondary attainment goal.**

(a) Findings. – The General Assembly finds it necessary to set a goal for postsecondary attainment for North Carolina residents to ensure that the State remains economically competitive now and into the future.

(b) Postsecondary Attainment Goal. – The State shall make significant efforts to increase access to learning and improve the education of more North Carolinians so that, by the year 2030, at least 2,000,000 residents between the ages of 25 and 44 will have completed a high-quality credential or postsecondary degree.

(c) Rights Not Created. – The attainment goal established in this section is not to the exclusion of any other goals and does not confer a right or create a claim for any person."

SECTION 1.(c) Beginning September 1, 2020, and every September 1 thereafter, the myFutureNC Commission, which is a statewide commission focusing on postsecondary educational attainment in North Carolina, shall report to the General Assembly, as provided by G.S. 120-29.5, on the progress of the State reaching the postsecondary attainment goal set forth in G.S. 116C-10, as enacted by this act, and activities by the Commission to further North Carolina towards the postsecondary attainment goal.

SECTION 2.(a) There is created the Joint Legislative Task Force on Postsecondary Attainment (Task Force).

SECTION 2.(b) The Task Force shall consist of three members of the Senate appointed by the President Pro Tempore of the Senate, three members of the House of Representatives appointed by the Speaker of the House of Representatives, and three public members appointed by the Governor. These appointments shall be made no later than September 1, 2019. The members of the Task Force shall elect a chair and a vice chair from among its membership.

SECTION 2.(c) In consultation with the Department of Public Instruction, the Community Colleges System Office, The University of North Carolina System Office, the North Carolina Independent Colleges and Universities, and the Department of Health and Human Services, the Task Force shall create an inventory of existing education programs and policies to assess the effectiveness of those programs and policies in order to determine how to facilitate the progress of the State in reaching the postsecondary attainment goal set forth in G.S. 116C-10. As a part of this study, the Task Force shall consider the work and recommendations of the myFutureNC Commission and the Postsecondary Education Credentials Commission and any other issues the Task Force considers relevant.

SECTION 2.(d) Either the President Pro Tempore of the Senate or the Speaker of the House of Representatives may call the first meeting of the Task Force. Subsequent meetings of the Task Force shall be upon the call of its chair. A quorum of the Task Force is a majority of its members. No action may be taken except by a majority vote at a meeting at which a quorum is present. The Task Force, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Task Force may contract for professional, clerical, or consultant services, as provided by G.S. 120-32.02. If the Task Force hires a consultant, the consultant shall not be a State employee or a person currently under contract with the State to provide services. Members of the Task Force shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1. The expenses of the Task Force shall be considered expenses incurred for the joint operation of the General Assembly.

SECTION 2.(e) The Legislative Services Officer shall assign professional and clerical staff to assist the Task Force in its work. The Director of Legislative Assistants of the House of Representatives and the Director of Legislative Assistants of the Senate shall assign clerical support to the Task Force.

SECTION 2.(f) Meetings of the Task Force shall begin no later than October 1, 2019. The Task Force shall submit an interim report by March 1, 2020, and a final report by December 31, 2020, on the results of its study, including proposed legislation, to the Joint Legislative Education Oversight Committee. The Task Force shall terminate on December 31, 2020, or upon the filing of its final report, whichever comes first.

SECTION 3. This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H D

HOUSE BILL 664
Committee Substitute Favorable 4/16/19
PROPOSED SENATE COMMITTEE SUBSTITUTE H664-PCS30471-BN-22

Short Title: myFutureNC/Postsecondary Attainment Goal. (Public)

Sponsors:

Referred to:

April 10, 2019

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH AN EDUCATIONAL ATTAINMENT GOAL FOR THE STATE.

Whereas, the State of North Carolina is one of nine states in the country that does not have a shared postsecondary attainment goal and has less than half the 25- to 44-year-old workforce with a postsecondary degree or certificate; and

Whereas, the myFutureNC Commission, a statewide group of business, education, and government leaders, recently studied North Carolina's evolving workforce needs and the alignment between future demands and trends in educational attainment; and

Whereas, based on that study, the myFutureNC Commission developed an educational attainment goal that will ensure North Carolina remains economically competitive now and into the future; and

Whereas, to make progress towards that goal, the North Carolina higher education community must improve student outcomes, reduce the time to graduation, and create opportunities that meet the needs of today's students; and

Whereas, increasing on-time graduation rates at institutions of higher education and expanding access to high-quality workforce training places more graduates into the workforce more quickly, reduces student debt, and increases the supply of skilled workers in North Carolina, making the State more attractive to businesses to start, expand, or relocate; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 116C-1 through G.S. 116C-5 are designated as Article 1 of Chapter 116C of the General Statutes, which is entitled "Education Cabinet."

SECTION 1.(b) Chapter 116C of the General Statutes is amended by adding a new Article to read:

"Article 2.

"North Carolina Postsecondary Attainment Goal.

"**§ 116C-10. North Carolina postsecondary attainment goal.**

(a) Findings. – The General Assembly finds it necessary to set a goal for postsecondary attainment for North Carolina residents to ensure that the State remains economically competitive now and into the future.

(b) Postsecondary Attainment Goal. – The State shall make significant efforts to increase access to learning and improve the education of more North Carolinians so that, by the year 2030, 2,000,000 residents between the ages of 25 and 44 will have completed a high-quality credential or postsecondary degree.

(c) Rights Not Created. – The attainment goal established in this section is not to the exclusion of any other goals and does not confer a right or create a claim for any person."

SECTION 1.(c) Beginning September 1, 2020, and every September 1 thereafter, the myFutureNC Commission, which is a statewide commission focusing on postsecondary educational attainment in North Carolina, shall report to the General Assembly, as provided by G.S. 120-29.5, and to the Joint Legislative Education Oversight Committee on the progress of the State reaching the postsecondary attainment goal set forth in G.S. 116C-10, as enacted by this act, and activities by the Commission to further North Carolina towards the postsecondary attainment goal.

SECTION 2. This act is effective when it becomes law.

HOUSE BILL 389:
ABC/Univ Athletic Facility.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Commerce and Insurance. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 5, 2019
Introduced by:	Reps. Bell, Boles, Goodman, Lewis	**Prepared by:**	Drupti Chauhan* Committee Counsel
Analysis of:	Second Edition		

OVERVIEW: House Bill 389 would authorize public colleges and universities to allow alcohol sales at stadiums, athletic facilities, and arenas located on their property.

CURRENT LAW: G.S. 18B-1006(a) prohibits the issuance of permits for the sale of alcoholic beverages to businesses on the campus or property of a public school, college or university, unless a specific exception applies.

BILL ANALYSIS:

House Bill 389 would create a new exception to authorize the issuance of permits for the sale of alcoholic beverages at stadiums, athletic facilities, or arenas on the campus or property of a public college or university if (i) the Board of Trustees has voted to allow the issuance of permits at that particular stadium, athletic facility, or arena, and (ii) the Board has notified the Alcoholic Beverage Control Commission of that vote. This exception would not apply to community colleges.

If the Board of Trustees has authorized the issuance of permits, permits for the sale and serving of alcohol could be issued to applicants that meet the requirements for the requested permit. However, if a mixed beverage permit is issued, sales of mixed beverages would not be allowed when the stadium, athletic facility, or arena is being used for a sports event sponsored by the public college or university. Sales that are already allowed under the current statutory exceptions would not be affected by the provisions of this exception.

For the purpose of issuing permits pursuant to this exception, the premises of a stadium, athletic facility, or arena could include any area within 500 feet of the facility, designated by the facility in a written description or map that clearly defines the boundary of the area, and that can be designated in a way to ensure compliance with the alcohol laws. The written description or map of the area must be included in the permit application.

EFFECTIVE DATE: This act would be effective when it becomes law.

**Susan Sitze, Legislative Analysis Division, substantially contributed to this summary.*

Karen Cochrane-Brown
Director

H389-SMRQ-45 E2 -V-1

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

NORTH CAROLINA GENERAL ASSEMBLY

Session 2019

Legislative Fiscal Note

Short Title: ABC/Univ Athletic Facility.
Bill Number: House Bill 389 (First Edition)
Sponsor(s): **Representatives Bell, Boles, Goodman, and Lewis**

SUMMARY TABLE

FISCAL IMPACT OF H.B. 389, V.1

	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
State Impact					
General Fund Revenue	-	-	-	-	-
Less Expenditures	-	-	-	-	-
General Fund Impact	**No Estimate Available - Refer to Fiscal Analysis section**				
NET STATE IMPACT	**No Estimate Available - Refer to Fiscal Analysis section**				

FISCAL IMPACT SUMMARY

Fiscal Research cannot determine which educational institutions, if any, would apply for the permits added in Section 1 of this bill. Therefore, the costs to the ABC Commission and revenues to the public colleges or universities and to the General Fund cannot be estimated at this time.

FISCAL ANALYSIS

Section 1 of the bill would add a permit for the sale of alcoholic beverages as described in G.S. 18B-1001, 18B-1002(a)(2), or 18B-2001(a)(5) in a stadium, athletic facility, or arena on the campus or property of a public college or universities if the Board of Trustees of that institution vote to allow the issuance of such a permit. The section would not permit the sale of mixed beverages when the facility is being used for a sports event sponsored by the public college or university.

Fiscal Research finds that while there will be more locations eligible to apply for permits, there is no method to determine how many such facilities will actually apply for such permits. The ABC Commission may incur costs for processing these additional applications and may remit additional revenue to the General Fund from additional ABC fees, but the amounts cannot be determined at this time. Because it is unknown which Board of Trustees for a public college or university would apply for such a permit, if any, the fiscal impact to the public colleges or universities also cannot be estimated at this time.

TECHNICAL CONSIDERATIONS

N/A.

DATA SOURCES

ABC COMMISSION

LEGISLATIVE FISCAL NOTE – PURPOSE AND LIMITATIONS

This document is an official fiscal analysis prepared pursuant to Chapter 120 of the General Statutes and rules adopted by the Senate and House of Representatives. The estimates in this analysis are based on the data, assumptions, and methodology described in the Fiscal Analysis section of this document. This document only addresses sections of the bill that have projected direct fiscal impacts on State or local governments and does not address sections that have no projected fiscal impacts.

CONTACT INFORMATION

Questions on this analysis should be directed to the Fiscal Research Division at (919) 733-4910.

ESTIMATE PREPARED BY

William Childs and Chris Hearley

ESTIMATE APPROVED BY

Mark Trogdon, Director of Fiscal Research
Fiscal Research Division
April 1, 2019

Signed copy located in the NCGA Principal Clerk's Offices

HOUSE BILL 389*
Committee Substitute Favorable 4/2/19

Short Title: ABC/Univ Athletic Facility. (Public)

Sponsors:

Referred to:

March 20, 2019

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE PUBLIC COLLEGES AND UNIVERSITIES TO ALLOW ALCOHOL SALES AT STADIUMS, ATHLETIC FACILITIES, AND ARENAS LOCATED ON SCHOOL PROPERTY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-1006(a) reads as rewritten:

"(a) School and College Campuses. – No permit for the sale of alcoholic beverages shall be issued to a business on the campus or property of a public school, college, or university. This subsection shall not apply to the following:

(1) A regional facility as defined by G.S. 160A-480.2 operated by a facility authority under Part 4 of Article 20 of Chapter 160A of the General ~~Statutes, unless the permit is for a public school or public college or university function.~~Statutes.

(2) Property owned by a local board of education and leased for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing board is appointed by a city governing board, a county board of commissioners, or a local school board.

(3) A hotel.

(4) A nonprofit alumni organization.

(5) Restaurants, eating establishments, food businesses, or retail businesses on the property defined by G.S. 116-198.33(4).

(6) Any golf courses owned or leased by the public college or university and open to the public for use.

(7) The sale of malt beverages, unfortified wine, or fortified wine at the following:

a. Performing arts centers located on property owned or leased by the public college or university.

b. Any stadiums that support a NASCAR-sanctioned one-fourth mile asphalt flat oval short track, that are owned or leased by the public college or university, and that only sell malt beverages, unfortified wine, or fortified wine at events that are not sponsored or funded by the public college or university.

(8) Special one-time permits as described in G.S. 18B-1002(a)(5) for the Loudermilk Center for Excellence facility at the University of North Carolina at Chapel Hill.

(9) A stadium, athletic facility, or arena on the campus or property of a public college or university, if the Board of Trustees of the public college or

university has voted to allow the issuance of permits for use at that stadium, athletic facility, or arena. If a Board of Trustees votes to allow the issuance of permits in accordance with this subdivision, the Board of Trustees shall provide written notice to the Commission that it has voted to allow the issuance of permits. For purposes of this subdivision, the term "public college or university" does not include a community college. Any permit described in G.S. 18B-1001, 18B-1002(a)(2), or 18B-1002(a)(5) may be issued pursuant to this subdivision to applicants meeting the requirements for the requested permit. Notwithstanding the issuance of a mixed beverages permit pursuant to G.S. 18B-1001(10), this subdivision does not authorize the sale of mixed beverages when the stadium, athletic facility, or arena is being used for a sports event sponsored by the public college or university. This subdivision does not apply to any sales authorized under subdivisions (1) through (8) of this subsection. For purposes of this subdivision, the premises of a stadium, athletic facility, or arena shall include any area that meets all of the following requirements:

a. Is within 500 feet of the furthest exterior building wall, perimeter fence, or permanent fixed perimeter.

b. Is designated by the stadium, athletic facility, or arena in a map or written description that clearly defines the boundary of the area, and that map or written description is included in the permit application.

c. Can be designated in a manner that enables the stadium, athletic facility, or arena to ensure compliance with the provisions of this Chapter."

SECTION 2. This act is effective when it becomes law.

NCGA

NORTH CAROLINA GENERAL ASSEMBLY

COMMITTEE

ON

EDUCATION / HIGHER EDUCATION

June 5, 2019 – 11:00 AM

Room 1027 / 1128

Senate Sergeant at Arms:

John Enloe

Frank Urben

Senate Pages Attending

COMMITTEE: Education **ROOM:** 1027LB

DATE: 6-5 **TIME:** 11 AM

PLEASE PRINT LEGIBLY....*or else!!!!!*

Page Name	Hometown	Sponsoring Senator
1. Jordan Britt	Clayton	Sen Horner
2. Annakate Gilchrist	Clayton	Sen. Horner
3. Mary Elizabeth Morris	Hookerton	Sen. Davis
4. Miller Andrews	Snow Hill	Sen. Davis
5.		
6.		
7.		
8.		

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.

Visitor Sign-in

Senate Committee on Education/Higher Learning

June 5, 2019 11:00 AM Room 1027/1128

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Ray Covington	
Leanne Winner	NCSBA
Rhaegan Jackson	Focus Public Affairs
Jim Hoge	Ed Consultant
Tadel Beaulieu	PBLaw
Richard Bostic	NC SBA
Abby Cooper	OCRCC
Lindsay Byers	NCCASA
Skye David	[illegible]
Tyler Ford	MWC
DAVID POWERS	UNC BOG
JERRY SCHILL	NC Fisheries Assn.
Kevin Howell	NC State

SENATE COMMITTEE

ON EDUCATION /HIGHER EDUCATION

June 5, 2019 – Room 1027/1128 – 11:00 AM

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Julie Smith	NC State University
Michael Lipitz	NC State University
John Welch	Appalachian State University
Jonathan Pardee	Appalachian State University
Matthew Dockham	Appalachian State University
Amanda Donovan	KTS
Edna Velarde	RTI
Katherine Joyce	NCASA
Michael D. Page	NCCU
Kevin Wilkinson	NCDPI
Wade Brotnar	NCDPI
Kevin Daniels	CCC
[illegible]	NCSBE

Visitor Sign-in

Senate Committee on Education/Higher Learning

June 5, 2019 11:00 AM Room 1027/1128

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Tirrell Listenbee	CAL
Rev. Mark Creech	CAL
Hoppie Mims	NCICU
Tom West	NCICU
Mia Murphy	NCVPS
Sandra Freeman	NCVPS
Eliz Colbert	NCVPS
Mary Stuping	NCCCS
Elizabeth Greenstein	NCCCS
Jess Bousquette	Public School Forum
Jim Van Hecke	ABC
Amy Auth	UNC-Chapel Hill
Rick Steinbacher	UNC-Chapel Hill

Speaker Sign-in

Senate Committee on Education/Higher Learning

June 5, 2019 11:00 AM Room 1027/1128

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY / BILL No.
Rev. MARK CREECH	CAL
Rick Steinbacher	UNC-CH

09-22-2016

Senate Committee on Education/Higher Education
Wednesday, June 19, 2019, 11:00 AM
1027/1128 Legislative Building

AGENDA

WELCOME & OPENING REMARKS

INTRODUCTION OF PAGES & SERGEANT-AT ARMS

AGENDA ITEMS

BILL NO.	SHORT TITLE	SPONSOR
HB 299	Henderson Cty/Build Community College Bldgs.	Representative McGrady Representative Henson
HB 411	Modify School Qual./Student Success Indicator.	Representative Horn Representative Corbin Representative Elmore Representative Johnson

ADJOURNMENT

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, June 19, 2019

Senator Horner,
submits the following with recommendations as to passage:

FAVORABLE

HB **299** **(CS#1)** Henderson Cty/Build Community College Bldgs.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 1

Senator Chuck Edwards will handle HB 299

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, June 19, 2019

Senator Horner,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO COMMITTEE SUBSTITUTE BILL NO. 1, BUT FAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL

HB **411** **(CS#1)** Modify School Qual./Student Success Indicator.

Draft Number:	H411-PCS40486-BN-27
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	Yes

TOTAL REPORTED: 1

Senator Rick Horner will handle HB 411

Senate Committee on Education/Higher Education
Wednesday, June 19, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on June 19, 2019 in Room 1027/1128 of the Legislative Building. Eight members were present.

A Visitor Registration log is attached and made part of these minutes.

Senator Horner, Presiding Chair, called the meeting to order at 11:00 am. He introduced the Pages and the Sergeant-at-Arms staff. The following bills were considered:

HB 299; Henderson Cty/Build Community College Bldgs. (Representatives McGrady, Henson). Representatives McGrady was not available to present the bill in committee. The Chair recognized Senator Edwards to explain HB 299. Senator Jonson moved for a favorable report and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, and Committee Report is attached.

HB 411; Modify School Qual./Student Success Indicator. (Representatives Horn, Corbin, Elmore, Johnson). The Chair recognized Representative Horn to explain the bill. Senator Johnson sent forth an amendment **H411-ABN-42 [v.3]**. Senator McInnis moved for the adoption of the amendment for consideration. The motion passed. The Chair recognized Ms. Samantha Yarborough, NCGA Staff Attorney, to explain the amendment. Senator D. Davis spoke in support of the bill and moved to roll the amendment into a Senate PCS, with a favorable report as to the Senate PCS, as amended; unfavorable to the original bill and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, the amendment, Senate PCS and Committee Report is attached.

There being no further business, the Chair adjourned the meeting at 11:10 am.

Senator Rick Horner, Chair
Presiding

Regina Irwin, Committee Clerk

HOUSE BILL 299:
Henderson Cty/Build Community College Bldgs.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 19, 2019
Introduced by:	Reps. McGrady, Henson	**Prepared by:**	Drupti Chauhan Committee Counsel
Analysis of:	Second Edition		

OVERVIEW: House Bill 299 would allow Henderson County to construct and renovate community college buildings on the Henderson County campus of Blue Ridge Community College, provided the County funds the construction entirely with County funds.

CURRENT LAW: G.S. 115D-9 requires approval by the State Board of Community Colleges before the expenditure of any State funds on capital improvements of existing community college institutions. G.S. 115D-15.1 requires approval by the State Board of Community Colleges before a community college may dispose, transfer, or acquire property. Chapter 143 gives the Department of Administration control of real property owned or leased by the State. G.S. 143-341(3) gives the Department of Administration control over the architecture and engineering of community college buildings.

BILL ANALYSIS:

Section 1 would authorize Henderson County to do the following:

- Construct or renovate community college buildings located on the campus of Blue Ridge Community College in Henderson County to be used for (i) a new arts, sciences, and general studies center and (ii) a new police officers physical abilities test training center.
- Make substantial renovations to existing buildings on campus.

Section 1 also sets forth requirements that Henderson County would have to meet in order to construct or renovate community college buildings located within Henderson County.

Section 2 would allow Henderson County and the Board of Trustees of Blue Ridge Community College (BOT) to enter into a memorandum of understanding to allow Henderson County to construct community college buildings in a timely fashion and cost-efficient manner.

Section 3(a) would set a deadline of within 120 days of the effective date of this act for the BOT to identify to Henderson County (i) the real property upon which it intends the new buildings to be constructed and (ii) any other real property needed for the financing of the construction and renovations authorized by this act. The real property identified by the BOT must be a portion of the real property described in Book 490, Page 373 of the Henderson County Registry.

Section 3(b) would set a deadline of within 30 days of the identification of the real property, as provided in Section 3(a), for the BOT to transfer title to the identified property to Henderson County for the life of the debt incurred against the property for the construction or renovation authorized in Section 1.

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

Section 3(c) would require Henderson County to transfer the property back to the BOT upon satisfaction of the debt incurred in the construction or renovation of the buildings. If no debt is incurred against the property by December 31, 2023, Henderson County would be required to transfer title back to the BOT.

Section 4 would allow Henderson County and the BOT to enter into a lease agreement for any space in county-owned buildings located within Henderson County.

EFFECTIVE DATE: Sections 1, 2, and 3 would be effective when they become law and apply only to construction and renovation projects by Henderson County on the Henderson County campus of Blue Ridge Community College between January 1, 2019, and December 31, 2023. The remainder of this act would be effective when it becomes law.

BACKGROUND: Similar acts affecting Henderson County and Blue Ridge Community College were enacted in 2016 (S.L. 2016-22) and 2017 (S.L. 2017-21).

Nicholas Giddings, Legislative Analysis Division, substantially contributed to this summary.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H 2

HOUSE BILL 299
Committee Substitute Favorable 4/10/19

Short Title: Henderson Cty/Build Community College Bldgs. (Local)

Sponsors:

Referred to:

March 11, 2019

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT COMMUNITY COLLEGE BUILDINGS ON THE HENDERSON COUNTY CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE TO BE USED FOR ARTS, SCIENCES, AND GENERAL STUDIES AND POLICE PHYSICAL ABILITIES TEST TRAINING AND TO AUTHORIZE THE COUNTY TO MAKE SUBSTANTIAL RENOVATIONS TO EXISTING CAMPUS BUILDINGS.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding G.S. 115D-9, 115D-15.1, 143-341(3), or any other provision of law, Henderson County is hereby authorized to (i) construct or renovate community college buildings, as that term is defined in G.S. 143-336, on the main campus of Blue Ridge Community College located within Henderson County, to be used for a new arts, sciences, and general studies center and for a new police officers physical abilities test training center and (ii) make substantial renovations to existing buildings on campus. In exercising the authority granted in this Section, Henderson County shall comply with all of the following:

(1) Article 3D of Chapter 143 of the General Statutes (Procurement of Architectural, Engineering, and Surveying Services).
(2) Article 8 of Chapter 143 of the General Statutes (Public Contracts).
(3) Article 8 of Chapter 159 of the General Statutes (Financing Agreements and Other Financing Arrangements).
(4) G.S. 160A-20 (Security interests).
(5) Henderson County shall consult with the Board of Trustees of Blue Ridge Community College about programming requirements for the buildings and shall keep the Board of Trustees informed as to the construction process and progress.
(6) Henderson County shall fund all projects entirely with County funds.

SECTION 2. Henderson County and the Board of Trustees of Blue Ridge Community College may enter into a memorandum of understanding to allow for the construction of community college buildings authorized by Section 1 of this act in a timely fashion and cost-efficient manner if deemed appropriate by the parties.

SECTION 3.(a) Within 120 days of the effective date of this act, the Board of Trustees of Blue Ridge Community College shall identify, in writing, to Henderson County (i) the real property upon which it intends the new buildings described in Section 1 of this act to be constructed and (ii) any other real property needed for the financing of the construction and renovations authorized by Section 1 of this act. The real property identified by the Board of

Trustees shall be a portion of the real property described in Book 490, Page 373 of the Henderson County Registry.

SECTION 3.(b) Within 30 days of the identification of the real property as provided in subsection (a) of this Section, the Board of Trustees of Blue Ridge Community College shall transfer title to the identified property to Henderson County for the life of any debt incurred against the property by Henderson County for the construction or renovation of community college buildings as authorized by Section 1 of this act.

SECTION 3.(c) Upon the satisfaction of any debt incurred against the property referred to in subsection (a) of this Section, Henderson County shall transfer title to the property back to the Board of Trustees of Blue Ridge Community College. If no debt is incurred against the property referred to in subsection (a) of this Section by Henderson County for the construction or renovation of community college buildings on or before December 31, 2023, Henderson County shall transfer title to the property back to the Board of Trustees of Blue Ridge Community College.

SECTION 4. Henderson County and the Board of Trustees of Blue Ridge Community College may enter into a lease agreement in accordance with G.S. 160A-274 for any space in county-owned buildings located within Henderson County if deemed appropriate by the parties.

SECTION 5. Sections 1 through 3 of this act are effective when they become law and apply only to construction and renovation projects by Henderson County on the Henderson County campus of Blue Ridge Community College between January 1, 2019, and December 31, 2023. The remainder of this act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H D

HOUSE BILL 411
Committee Substitute Favorable 4/3/19
PROPOSED SENATE COMMITTEE SUBSTITUTE H411-PCS40486-BN-27

Short Title: Modify School Qual./Student Success Indicator. (Public)

Sponsors:

Referred to:

March 21, 2019

A BILL TO BE ENTITLED

AN ACT TO COMBINE THE CAREER AND COLLEGE READINESS INDICATORS USED FOR SCHOOL PERFORMANCE GRADES AND FOR THE PURPOSE OF COMPLIANCE WITH FEDERAL LAW FOR GRADES NINE THROUGH TWELVE, AND TO REQUIRE THE STATE BOARD OF EDUCATION TO INCLUDE ADDITIONAL CAREER AND COLLEGE READINESS INFORMATION ON ANNUAL REPORT CARDS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-83.15(b)(2) reads as rewritten:

"(2) For schools serving any students in ninth through twelfth grade, the State Board shall assign points on the following measures available for that school:

...

e. One point for each percent of students who either (i) achieve the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college ~~readiness.~~

~~f.~~ ~~One point for each percent of students~~ readiness or (ii) are enrolled in Career and Technical Education courses ~~who meet the standard when scoring~~ and score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness.

g. One point for each percent of students who graduate within four years of entering high school.

h. One point for each percent of students who progress in achieving English language proficiency.

In calculating the overall school achievement score earned by schools, the State Board of Education shall (i) use a composite approach to weigh the achievement elements based on the number of students measured by any given achievement element and (ii) proportionally adjust the scale to account for the absence of a school achievement element for award of scores to a school that does not have a measure of one of the school achievement elements annually assessed for the grades taught at that school. The overall school achievement score shall be translated to a 100-point scale and used for school reporting purposes as provided in G.S. 115C-12(9)c1., 115C-218.65, 115C-238.66, and 116-239.8."

SECTION 2. G.S. 115C-83.16(a)(2) reads as rewritten:

"(2) For schools serving any students in ninth through twelfth grade, the State Board shall define the indicators as follows:

...

b. School quality and student success indicator. – The school quality and student success indicator shall be made up of the following measures:

1. Proficiency on the Biology end-of-course test.
2. The percentage of students who complete Algebra II or Integrated Math III with a passing grade.
3. The percentage of students who either (i) achieve the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college ~~readiness.~~
4. ~~The percentage of students~~ readiness or (ii) are enrolled in Career and Technical Education courses ~~who meet the standard when scoring~~ and score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness."

SECTION 3. G.S. 115C-12(9)c1. reads as rewritten:

"c1. To issue an annual "report card" for the State and for each local school administrative unit, assessing each unit's efforts to improve student performance based on the growth in performance of the students in each school and taking into account progress over the previous years' level of performance and the State's performance in comparison with other states. This assessment shall take into account factors that have been shown to affect student performance and that the State Board considers relevant to assess the State's efforts to improve student performance. The annual "report card" for each local school administrative unit shall include the following:

...

4. For schools serving any students in ninth through twelfth grade, the percentage of students who achieved the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college readiness.
5. For schools serving any students in ninth through twelfth grade, the percentage of students enrolled in Career and Technical Education courses who score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness."

SECTION 4. G.S. 115C-83.15 is amended by adding a new subsection to read:

"(e1) Career and College Readiness Scores. – For schools serving any students in ninth through twelfth grade, the percentage of students who either (i) achieve the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college readiness or (ii) are enrolled in Career and Technical Education courses and score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness shall be reported on the annual school report card provided under G.S. 115C-12(9)c1., 115C-218.65, 115C-238.66, and 116-239.8."

SECTION 5. This act is effective when it becomes law and applies to measures based on data from the 2018-2019 school year and each school year thereafter.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 411

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

H411-ABN-42 [v.3]

Amends Title [YES]
Second Edition

Date 6 - 19 - 2019

Senator Johnson

moves to amend the bill on page 1, line 4, by rewriting the line to read:
"COMPLIANCE WITH FEDERAL LAW FOR GRADES NINE THROUGH TWELVE, AND TO REQUIRE THE STATE BOARD OF EDUCATION TO INCLUDE ADDITIONAL CAREER AND COLLEGE READINESS INFORMATION ON ANNUAL REPORT CARDS.";

and on page 2, lines 11-12, by rewriting those lines to read:

"**SECTION 3.** G.S. 115C-12(9)c1. reads as rewritten:

"c1. To issue an annual "report card" for the State and for each local school administrative unit, assessing each unit's efforts to improve student performance based on the growth in performance of the students in each school and taking into account progress over the previous years' level of performance and the State's performance in comparison with other states. This assessment shall take into account factors that have been shown to affect student performance and that the State Board considers relevant to assess the State's efforts to improve student performance. The annual "report card" for each local school administrative unit shall include the following:

...

4. For schools serving any students in ninth through twelfth grade, the percentage of students who achieved the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college readiness.

5. For schools serving any students in ninth through twelfth grade, the percentage of students enrolled in Career and Technical Education courses who score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness."

SECTION 4. G.S. 115C-83.15 is amended by adding a new subsection to read:

"(e1) Career and College Readiness Scores. – For schools serving any students in ninth through twelfth grade, the percentage of students who either (i) achieve the minimum score

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 411

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

H411-ABN-42 [v.3]

required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college readiness or (ii) are enrolled in Career and Technical Education courses and score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness shall be reported on the annual school report card provided under G.S. 115C-12(9)c1., 115C-218.65, 115C-238.66, and 116-239.8."

SECTION 5. This act is effective when it becomes law and applies to measures based on data from the 2018-2019 school year and each school year thereafter.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

HOUSE BILL 411:
Modify School Qual./Student Success Indicator.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 19, 2019
Introduced by:	Reps. Horn, Corbin, Elmore, Johnson	**Prepared by:**	Samantha Yarborough Staff Attorney
Analysis of:	Second Edition		

OVERVIEW: ***The 2nd edition of House Bill 411 would combine career and college readiness indicators for both school performance grades required under State law as well as for federal reporting purposes under the Every Student Succeeds Act (ESSA).***

CURRENT LAW: Under ESSA, states must annually measure school performance on certain indicators, such as academic achievement, student growth, and graduation rate. States must include at least one school quality and student success indicator, such as career or college readiness, that is (i) valid and reliable; (ii) used statewide for all students; and (iii) allows for meaningful differentiation of school performance.

Under G.S. 115C-83.15, school performance grades are calculated using multiple measures. Two of those measures are (i) college readiness, as measured by performance on a nationally normed test of college readiness, such as the ACT, and (ii) career readiness, as measured by a workplace readiness test. The college readiness indicator is based on the performance of all students, while the career readiness indicator is only based on the performance of students who complete a concentration of Career and Technical Education (CTE) courses, which is out of compliance with ESSA because it is only based on a subset of students.

G.S. 115C-83.16 requires the career and college readiness indicators calculated as part of the school performance grades to also be used as school quality and student success indicators for federal reporting purposes.

To comply with ESSA, S.L. 2018-97 required the combination of the career and college readiness indicators so that high schools earn one point for each percent of students who are either career ready or college ready. However, the requirement only affects performance grades based on data from the 2017-2018 school year. Going forward, the career readiness indicator would be out of compliance with ESSA.

BILL ANALYSIS: The 2nd edition of House Bill 411 would require the State Board of Education to combine the career and college readiness measures so a high school would earn one point for each percent of students who are either college ready or career ready.

EFFECTIVE DATE: The bill would be effective when it becomes law and would apply to measures based on data from the 2018-2019 school year and each school year thereafter.

**Brian Gwyn, Committee Counsel, substantially contributed to this summary.*

Karen Cochrane-Brown
Director

H411-SMBN-97-E2-V-1

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

HOUSE BILL 411
Committee Substitute Favorable 4/3/19

Short Title: Modify School Qual./Student Success Indicator. (Public)

Sponsors:

Referred to:

March 21, 2019

A BILL TO BE ENTITLED

AN ACT TO COMBINE THE CAREER AND COLLEGE READINESS INDICATORS USED FOR SCHOOL PERFORMANCE GRADES AND FOR THE PURPOSE OF COMPLIANCE WITH FEDERAL LAW FOR GRADES NINE THROUGH TWELVE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-83.15(b)(2) reads as rewritten:

"(2) For schools serving any students in ninth through twelfth grade, the State Board shall assign points on the following measures available for that school:

...

e. One point for each percent of students who either (i) achieve the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college ~~readiness.~~

~~f.~~ ~~One point for each percent of students~~ readiness or (ii) are enrolled in Career and Technical Education courses ~~who meet the standard when scoring~~ and score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness.

g. One point for each percent of students who graduate within four years of entering high school.

h. One point for each percent of students who progress in achieving English language proficiency.

In calculating the overall school achievement score earned by schools, the State Board of Education shall (i) use a composite approach to weigh the achievement elements based on the number of students measured by any given achievement element and (ii) proportionally adjust the scale to account for the absence of a school achievement element for award of scores to a school that does not have a measure of one of the school achievement elements annually assessed for the grades taught at that school. The overall school achievement score shall be translated to a 100-point scale and used for school reporting purposes as provided in G.S. 115C-12(9)c1., 115C-218.65, 115C-238.66, and 116-239.8."

SECTION 2. G.S. 115C-83.16(a)(2) reads as rewritten:

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3. The percentage of students who either (i) achieve the minimum score required for admission into a constituent institution of The University of North Carolina on a nationally normed test of college ~~readiness.~~
4. ~~The percentage of students~~ readiness or (ii) are enrolled in Career and Technical Education courses ~~who meet the standard when scoring~~ and score at Silver, Gold, or Platinum levels on a nationally normed test of workplace readiness."

SECTION 2. This act is effective when it becomes law and applies to measures based on data from the 2018-2019 school year and each school year thereafter.

Education/Higher Education – Senate Committee

June 19, 2019

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Martha Hill	Smith
Richard Bostic	NC SBA
Adam Prodemore	NCACC
Matt Ellinwood	NCJC
Cole del Charco	UNC
Keung Hui	NRO
Ami Newman	mmc
Mary Shuping	NCCCS
Elizabeth Grovenstein	NCCCS
Jason James	nf
Skye Rand	nf
Austen Powell	UNC System
Amy Auth	UNC-CH
Ed [illegible]	USP
Kevin W. Hood	NCDPI
Wade Butler	NCDPI
Tammy Howard	NCDPI

Education/Higher Education – Senate Committee

June 19, 2019

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Hampton Billips	KTS
dustin Biles	Sen. Waddell
Emily [illegible]	FPA
Rhaegan Jackson	FPA
Katherine Joyce	NCASA
Bryan N. Wellborn	Wellborn Group Assoc.
Sandy Sands	VP
Ross Barnhardt	VP
Susan Harrison	NCDTSEA
[illegible]	TAG
Karson Nelson	NCPA
Claudia Swenneker	governing the state Advocacy
[illegible]	

Senate Committee on Education/Higher Education
Wednesday, June 26, 2019, 11:00 AM
1027/1128 Legislative Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
HB 107	PED Oversight/EPP Changes.	Representative Horn Representative Farmer-Butterfield Representative Lucas
HB 362	15-Point Scale For School Performance Grades.	Representative Horn Representative Harris Representative Elmore Representative Autry
HB 668	Various Higher Education Changes.	Representative Fraley

Adjournment

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, June 26, 2019

Senator Tillman,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL

HB **362** 15-Point Scale For School Performance Grades.

Draft Number:	H362-PCS10678-TC-40
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	Yes

UNFAVORABLE AS TO COMMITTEE SUBSTITUTE BILL NO. 1, BUT FAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL

HB **668** **(CS#1)** Various Higher Education Changes.

Draft Number:	H668-PCS10679-TC-39
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	Yes

UNFAVORABLE AS TO COMMITTEE SUBSTITUTE BILL NO. 2, BUT FAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL

HB **107** **(CS#2)** PED Oversight/EPP Changes.

Draft Number:	H107-PCS40496-BE-28
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 3

Senator Rick Horner will handle HB 362
Senator Deanna Ballard will handle HB 668
Senator Rick Horner will handle HB 107

Senate Committee on Education/Higher Education
Wednesday, June 26, 2019 at 11:00 AM
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on June 26, 2019 in Room 1027/1128 of the Legislative Building. 13 members were present.

Senator Jerry W. Tillman, presided. Senator Tillman called the meeting to order and recognized the pages and sergeant-of-arms. The following bills were considered:

HB 107 PED Oversight/EPP Changes. (Representatives Horn, Farmer-Butterfield, Lucas) Representative Horn was recognized to explain the bill. Senator Ballard sent forth an amendment. Hope Williams, NC Independent Colleges & Universities, was recognized to speak on the amendment. Brian Gwyn, NCGA Legislative Analysis, was recognized to explain and clarify language. The motion to adopt the amendment was made. The motion passed. Senator Johnson moved for a favorable report to the bill as amended, rolled into a proposed committee substitute, with a favorable report to the committee substitute and an unfavorable report to the original bill with a re-referral to Senate Rules. The motion passed.

HB 362 15-Point Scale For School Performance Grades. (Representatives Horn, Harris, Elmore, Autry) Representative Horn was recognized to explain the bill. Senator Horner sent forth an amendment. The motion to adopt the amendment was made. The motion passed. Senator McInnis moved for a favorable report to the bill as amended, rolled into a proposed committee substitute, with a favorable report to the committee substitute and an unfavorable report to the original bill with a re-referral to Senate Rules. The motion passed.

HB 668 Various Higher Education Changes. (Representative Fraley) Representative Fraley was recognized and sent forth an amendment. Drew Moretz, UNC System, was recognized to speak on the amendment. The motion to adopt the amendment was made. The motion passed. Senator Johnson moved for a favorable report to the bill as amended, rolled into a proposed committee substitute, with a favorable report to the committee substitute and an unfavorable report to the original bill with a re-referral to Senate Rules. The motion passed.

The meeting adjourned at 11:30 AM.

(Note: Audio recording was inoperable during committee meeting due to technical issue)

Senator Jerry W. Tillman, Chair
Presiding

Suzanne Castleberry, Committee Clerk

HOUSE BILL 107:
PED Oversight/EPP Changes.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 26, 2019
Introduced by:	Reps. Horn, Farmer-Butterfield, Lucas	**Prepared by:**	Brian Gwyn* Staff Attorney
Analysis of:	Third Edition		

OVERVIEW: House Bill 107 would do all of the following:

- ***Include as a performance standard for Educator Preparation Programs (EPPs) the two-year retention rate of EPP completers initially licensed and employed in a North Carolina public school.***
- ***Remove the quality of students entering the EPP as a performance standard, and instead only include it in the annual performance report.***
- ***Make various clarifying and technical changes to the annual performance report.***
- ***Direct the State Board of Education (State Board) to adopt a rule creating a small group reporting exception any time data are at risk of being individually identifiable.***
- ***Direct the State Board, in consultation with the Department of Public Instruction (DPI) and the Professional Educator Preparation and Standards Commission (PEPSC), to develop a formulaic, performance-based weighted model and report to the Joint Legislative Education Oversight Committee before implementing the model.***

CURRENT LAW: G.S. 115C-269.35(a) requires the State Board to establish performance standards that all EPPs must meet in order to continue recommending candidates for licensure and avoid sanctions. Performance standards must at least include:

- Performance of EPP completers on annual teacher evaluations.
- Proficiency and growth of students taught by EPP completers.
- Results from an educator satisfaction survey.
- Quality of students entering the EPP.

Under G.S. 115C-269.35(b), EPPs must submit annual performance reports that include performance standard data, in addition to several other data indicators. Additionally, G.S. 115C-269.50 requires that the State Board put together an annual report card for each EPP, which summarizes data from the annual performance reports.

BILL ANALYSIS: House Bill 107 would do the following:

- Remove the performance standard related to the quality of students entering the EPP, and instead only include it in the annual performance report.

Karen Cochrane-Brown
Director

H107-SMBE-47 E3 -V-1

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

- Require that the State Board establish a performance standard for EPPs based on the two-year retention rate for EPP completers initially licensed and employed in a North Carolina public school.
- Direct the State Board to adopt a rule to establish a small group exception for circumstances in which individually identifiable data may be revealed.
- Direct the State Board, in consultation with DPI and PEPSC, to consider certain information and include specific factors in the development of a formulaic, performance-based weighted model. The State Board would report on the model to the Joint Legislative Education Oversight Committee by February 15, 2020.
- Make various clarifying and technical changes to the annual performance report.

EFFECTIVE DATE: The act would be effective when it becomes law. The changes to the performance standards would apply to (i) EPPs authorized by the State Board on or after the date the act becomes law and (ii) reports submitted to the State Board by an EPP and reviews by the State Board of an EPP beginning with the 2019-2020 academic year.

BACKGROUND: As introduced, HB 107 was recommended by the Joint Legislative Program Evaluation Oversight Committee. A report by the Program Evaluation Division (PED) can be found here: https://www.ncleg.net/PED/Reports/documents/EPP/EPP_Report.pdf

**Leslie Karkanawi, Staff Attorney with the Bill Drafting Division, substantially contributed to this summary.*

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

HOUSE BILL 107*
Committee Substitute Favorable 3/5/19
Committee Substitute #2 Favorable 3/26/19

Short Title: PED Oversight/EPP Changes. (Public)

Sponsors:

Referred to:

February 20, 2019

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES TO THE EDUCATOR PREPARATION PROGRAM PERFORMANCE STANDARDS AND DATA REPORTING SYSTEM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-269.35 reads as rewritten:

"**§ 115C-269.35. Accountability for educator preparation programs.**

(a) Performance Measures. – The State Board shall adopt rules necessary to establish standards of performance to govern the continuing accountability of all EPPs. At a minimum, the performance standards shall be based on the following information that is disaggregated with respect to race, sex, and ethnicity:

(1) Performance based on the standards and criteria for annual evaluations of licensed employees.

(2) Proficiency and growth of students taught by educators holding an initial professional license, to the extent practicable. When available, EVAAS data shall be used to measure student ~~proficiency and~~ growth.

(3) Results from an educator satisfaction survey, developed by the State Board with stakeholder input, performed at the end of the educator's first year of teaching after receiving an initial professional license.

(4) ~~Quality of students entering the EPP, including the average grade point average and average score on preprofessional skills tests or college entrance exams that assess reading, writing, mathematics, and other competencies.~~The two-year retention rate for individuals who completed an EPP and became initially licensed and employed in a North Carolina public school.

(b) Annual Performance Reports. – The State Board shall require all recognized EPPs to submit annual performance reports. The performance reports shall provide the State Board with a focused review of the EPPs and the current authorization process in order to ensure that the programs produce graduates that are well prepared to teach. At a minimum, the annual report shall contain the following indicators:

(1) Performance data from subsection (a) of this section.

(2) Data related to the EPP's compliance with requirements for field supervision of students during their internship and residency experiences.

(3) The following information, disaggregated by race, sex, and ethnicity:

a. The number of students who ~~apply.~~apply to candidacy of the EPP.

b. The number of students ~~admitted.~~admitted as candidates of the EPP.

c. ~~The number of students retained.~~The number of students completing the program.

d. ~~The number of students completing the program.~~The number of graduates of the EPP licensed in North Carolina.

e. ~~The number of students employed as beginning teachers under initial professional licenses by not later than the first anniversary of completing the program.~~The number of graduates of the EPP employed in North Carolina.

f. ~~The amount of time required by students employed as beginning teachers under residency licenses to be issued initial professional licenses.~~The number and percentage of students who convert from a residency license to either an initial professional license or a continuing professional license.

g. ~~The number of students retained in the profession.~~Any other information required by federal law.

~~h. Any other information required by federal law.~~

(4) ~~The ratio of field supervisors to students completing an internship or residency.~~Quality of students entering the EPP, including the average grade point average and average score on preprofessional skills tests or college entrance exams that assess reading, writing, mathematics, and other competencies.

(5) Graduation rates.

~~(6) Time-to-graduation rates.~~

(7) ~~Average scores~~ Pass rates of graduates on professional, pedagogy, and content area examinations for the purpose of licensure.

(8) Percentage of graduates receiving initial professional licenses.

(9) The ~~extent to which the~~ activities offered by the program that are designed to ~~prepares~~ prepare educators, including general education teachers and special education teachers, to effectively teach the following:

a. Students with disabilities.

b. Students of limited English proficiency.

(10) The activities offered by the program that are designed to prepare educators to do the following:

a. Integrate technology effectively into curricula and instruction, including activities consistent with the principles of universal design for learning.

b. Use technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of increasing student academic achievement.

(11) The ~~perseverance~~ retention of beginning educators in the ~~profession, as determined on the basis of the number of beginning educators who maintain status as active contributing members in the North Carolina State Employee Retirement System~~ profession for at least three years after ~~licensure in comparison to similar programs.~~licensure.

(12) The results of surveys given to school principals that involve evaluation of the program's effectiveness in preparing participants to succeed in the classroom, based on experience with employed program participants.

(13) Any other information necessary to enable the State Board to assess the effectiveness of the program on the basis of educator retention and success criteria adopted by the State Board.

(c) Submission of Annual Performance Reports. – Performance reports shall be provided annually to the following:

(1) The State Board.

(2) The board of trustees or board of directors of the entity submitting the report.

(d) Information Requests by EPPs. – The State Board of Education shall annually provide, upon request, the data required to be included in an EPP's annual performance report related to subdivisions ~~(1) and (2)~~ (1), (2), and (4) of subsection (a) of this ~~section and subdivision (11) of subsection (b) of this~~ section. The State Board of Education shall provide this information to an EPP as aggregate data and disaggregated by race, sex, and ethnicity. Notwithstanding Article 21A of this Chapter, local school administrative units shall provide to the State Board of Education for the purposes of these information requests any North Carolina Educator Evaluation System effectiveness status assigned to teachers based on queries from the State Board. The State Board of Education shall not report aggregated or disaggregated data to the EPP that reveals confidential information in a teacher's personnel file, as defined by Article 21A of this Chapter, such as making the effectiveness status personally identifiable to an individual teacher."

SECTION 2. G.S. 115C-269.45 is amended by adding a new subsection to read:

"(c1) Small Group Exception. – Notwithstanding the provisions of subsection (a) of this section, the State Board of Education shall adopt a rule to establish a small group exception for circumstances in which there is a risk of identifying individual program participants. The rule shall include the number of students necessary to qualify for the exception and the alternative method of performance assessment and assignment of sanctions. The rule may provide for measuring performance of small student groups cumulatively over multiple years for EPP accountability purposes."

SECTION 3.(a) The State Board of Education, in consultation with the Department of Public Instruction and the Professional Educator Preparation and Standards Commission (PEPSC), shall develop a formulaic, performance-based weighted model for the purposes of comparing the annual report card information between each educator preparation program (EPP) pursuant to G.S. 115C-269.50. The State Board, in consultation with the Department and PEPSC, shall do at least the following in designing the weighted model:

(1) Identify and select measures from the annual performance reports required by G.S. 115C-269.35(b), as amended by this act, to be used in the weighted model.

(2) Assign weight to each measure, including making rounding decisions for awarding points.

(3) Determine the number of years of data that will be used to calculate measures, such as three or five years.

(4) Examine potential reasons for excluding EPPs from the reporting, including if there are missing or too few data points for certain measures.

(5) Establish targets and minimum standards. To the extent practicable, EPPs shall be measured against objective criteria rather than norm-referenced criteria.

(6) Consider whether the weighted model should be used solely for public accountability and to inform policymakers or if the weighted model may also be used as a corrective or compliance tool.

(7) Examine how an information dashboard system could be used as part of the reporting system, including any challenges related to integrating data from both public and private EPPs in one information dashboard system.

(8) Examine whether additional information should be included in the weighted model to most effectively achieve the following:

a. Meet federal and State law requirements.

b. Hold EPPs accountable for established standards.

c. Assist EPPs in improving performance.
d. Communicate EPP performance to policymakers and the public.

(9) Identify any necessary changes to State law that would enable a transition to the new weighted model.

SECTION 3.(b) By February 15, 2020, the State Board, in consultation with the Department and PEPSC, shall report to the Joint Legislative Education Oversight Committee on (i) the development of the formulaic, performance-based weighted model for EPPs as required by subsection (a) of this section; (ii) recommendations on the purposes and uses of the weighted model; (iii) recommendations on the time line for possible implementation of the weighted model; and (iv) any legislative changes needed for implementation of the model.

SECTION 4. By October 1, 2019, the State Board of Education shall adopt the rule required by G.S. 115C-269.45(c1), as enacted by this act. The State Board shall apply the rule beginning with data collected from the 2018-2019 academic year for the purposes of the annual report made available to the public by December 15, 2019, and annually thereafter, pursuant to G.S. 115C-269.50.

SECTION 5. This act is effective when it becomes law. Section 1 of this act applies to (i) educator preparation programs (EPPs) authorized by the State Board of Education on or after the date this act becomes law and (ii) reports submitted to the State Board and reviews by the State Board of an EPP beginning with the 2019-2020 academic year.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 107*

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

H107-ABE-31 [v.4]

Amends Title [NO]
Third Edition

Date _____ ,2019

Senator Ballard

moves to amend the bill on page 2, line 23, by rewriting the line to read:

"(6) Time-to-graduation rates.";

on page 2, line 43, by rewriting the line to read:

"~~Retirement System~~ profession for at least ~~three~~ two years after ~~licensure in~~";

on page 3, lines 15-16, by inserting between the lines:

"**SECTION 1.5.** G.S. 115C-269.45(a) reads as rewritten:

"(a) Accountability Statuses. – The State Board shall at least annually review the accountability status of each EPP. The State Board shall adopt rules necessary for the sanction of EPPs that do not meet accountability standards or comply with State law or rules. The rules shall provide for the assignment of warned, probation, or revoked statuses according to the following criteria:

(1) Warned. – An EPP shall be assigned warned status if the program meets any of the following criteria:

a. Fails to meet the performance standards set by the State Board for the overall performance of all its students on any of the indicators set forth in G.S. 115C-269.35(a) in any one year.

b. Fails to meet the performance standards in any two sex, race, or ethnicity demographic groups on any of the indicators set forth in G.S. 115C-269.35(a) in any one year.

c. Fails to meet the performance standards for ~~a~~ any one sex, race, or ethnicity demographic group on any of the indicators set forth in G.S. 115C-269.35(a) for two consecutively measured years, regardless of whether the deficiency is in the same ~~demographic group or~~ standard.

d. The State Board determines that the EPP has violated applicable laws or rules that should result in warned status.

(2) Probation. – An EPP shall be assigned probation status if the program meets any of the following criteria:

a. Fails to meet the performance standards set by the State Board for the overall performance of all its students on any of the indicators set forth in G.S. 115C-269.35(a) for two consecutively measured years.

b. Fails to meet the performance standards in any three sex, race, or ethnicity demographic groups on any of the indicators set forth in G.S. 115C-269.35(a) in any one year.

c. Fails to meet the performance standards for ~~a~~ any one sex, race, or ethnicity demographic group on any of the indicators set forth in G.S. 115C-269.35(a) for three consecutively measured years, regardless of whether the deficiency is in the same ~~demographic group or~~ standard.

d. The State Board determines that the EPP has violated applicable laws or rules that should result in probation status.

(3) Revoked. – An EPP shall be assigned revoked status and its approval to recommend students for educator licensure revoked if it meets any of the following criteria:

a. Is assigned probation status for three consecutively measured years.

b. Has been on probation status for one year and the State Board determines that revoking the program's approval is reasonably necessary to achieve the purposes of this Article."";

on page 4, line 10, by adding the following at the end of the line:

"The State Board shall not implement the weighted model without express authorization from the General Assembly.";

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 107*

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

H107-ABE-31 [v.4]

And on page 4, line 12, by rewriting the line to read:

"required by G.S. 115C-269.45(c1), as enacted by this act, and shall report on the rule to the Joint Legislative Education Oversight Committee. The State Board shall apply the rule".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

HOUSE BILL 362:
15-Point Scale For School Performance Grades.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 26, 2019
Introduced by:	Reps. Horn, Harris, Elmore, Autry	**Prepared by:**	Kara McCraw* Committee Counsel
Analysis of:	First Edition		

OVERVIEW: House Bill 362 would permanently change the scale for the determination of school performance grades to a 15 point scale.

CURRENT LAW: The State Board of Education (SBE) is required to award school achievement, growth, and performance scores and an associated A-F performance grade for public schools. School performance scores are calculated by adding the school achievement score as 80% of the total score and the school growth score as 20% of the total score and then converting the total score to a 100-point scale. A-F school performance grades are assigned a corresponding letter grade based on a ten-point grading scale, as follows:

A School Performance Score of:	Equals a School Performance Grade of:
At least 90	A
At least 80	B
At least 70	C
At least 60	D
Less than 60	F

S.L. 2014-5 changed the scale for calculating A-F school performance grades from a ten-point scale to a 15-point scale for the 2013-2014 school year only, as follows:

A School Performance Score of:	Equals a School Performance Grade of:
At least 85	A
At least 70	B
At least 55	C
At least 40	D
Less than 40	F

S.L. 2015-17 extended the use of the 15-point scale for assignment of A-F school performance grades for the 2014-2015 and 2015-2016 school years. Section 8.19 of S.L. 2016-94 further extended the use of the 15-point scale for assignment of A-F school performance grades for the 2016-2017, 2017-2018, and 2018-2019 school years.

BILL ANALYSIS: House Bill would permanently change the scale to a 15-point scale for assignment of A-F school performance grades.

EFFECTIVE DATE: The bill would become effective when it becomes law and apply beginning with the 2019-2020 school year.

**Drupti Chauhan and Samantha Yarborough, Committee Counsels, substantially contributed to this summary.*

Karen Cochrane-Brown
Director

H362-SMTC-57-E1-V-1

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

HOUSE BILL 362

Short Title:	15-Point Scale For School Performance Grades.	(Public)
Sponsors:	Representatives Horn, Harris, Elmore, and Autry (Primary Sponsors). *For a complete list of sponsors, refer to the North Carolina General Assembly web site.*	
Referred to:	Education - K-12, if favorable, Rules, Calendar, and Operations of the House	

March 18, 2019

A BILL TO BE ENTITLED

AN ACT TO ADOPT A FIFTEEN-POINT SCALE IN THE DETERMINATION OF SCHOOL PERFORMANCE GRADES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-83.15(d) reads as rewritten:

"(d) Calculation of the Overall School Performance Scores and Grades. – The State Board of Education shall calculate the overall school performance score by adding the school achievement score, as provided in subsection (b) of this section, and the school growth score, as determined using EVAAS as provided in subsection (c) of this section, earned by a school. The school achievement score shall account for eighty percent (80%), and the school growth score shall account for twenty percent (20%) of the total sum. For all schools, the total school performance score shall be converted to a 100-point scale and used to determine an overall school performance grade. The overall school performance grade shall be based on the following scale and shall not be modified to add any other designation related to other performance measures, such as a "plus" or "minus":

(1) A school performance score of at least ~~90~~ 85 is equivalent to an overall school performance grade of A.

(2) A school performance score of at least ~~80~~ 70 is equivalent to an overall school performance grade of B.

(3) A school performance score of at least ~~70~~ 55 is equivalent to an overall school performance grade of C.

(4) A school performance score of at least ~~60~~ 40 is equivalent to an overall school performance grade of D.

(5) A school performance score of less than ~~60 points~~ 40 is equivalent to an overall school performance grade of F."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H D

HOUSE BILL 362
PROPOSED SENATE COMMITTEE SUBSTITUTE H362-PCS10678-TC-40

Short Title: 15-Point Scale For School Performance Grades. (Public)

Sponsors:

Referred to:

March 18, 2019

A BILL TO BE ENTITLED

AN ACT TO ADOPT A FIFTEEN-POINT SCALE IN THE DETERMINATION OF SCHOOL PERFORMANCE GRADES, TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT EMERGENCY RULES IN PREPARATION FOR PERMANENT RULE MAKING, AND TO DIRECT THE STATE BOARD OF EDUCATION TO STUDY THE REPORTING METHODS USED FOR SCHOOL ACCOUNTABILITY PURPOSES ON THE NORTH CAROLINA ANNUAL SCHOOL REPORT CARDS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-83.15(d) reads as rewritten:

"(d) Calculation of the Overall School Performance Scores and Grades. – The State Board of Education shall calculate the overall school performance score by adding the school achievement score, as provided in subsection (b) of this section, and the school growth score, as determined using EVAAS as provided in subsection (c) of this section, earned by a school. The school achievement score shall account for eighty percent (80%), and the school growth score shall account for twenty percent (20%) of the total sum. For all schools, the total school performance score shall be converted to a 100-point scale and used to determine an overall school performance grade. The overall school performance grade shall be based on the following scale and shall not be modified to add any other designation related to other performance measures, such as a "plus" or "minus":

(1) A school performance score of at least ~~90~~ 85 is equivalent to an overall school performance grade of A.

(2) A school performance score of at least ~~80~~ 70 is equivalent to an overall school performance grade of B.

(3) A school performance score of at least ~~70~~ 55 is equivalent to an overall school performance grade of C.

(4) A school performance score of at least ~~60~~ 40 is equivalent to an overall school performance grade of D.

(5) A school performance score of less than ~~60 points~~ 40 is equivalent to an overall school performance grade of F."

SECTION 2.(a) Section 27.(b) of S.L. 2018-114 reads as rewritten:

"**SECTION 27.(b)** The General Assembly finds that the North Carolina Supreme Court, in *North Carolina State Board of Education v. State of North Carolina and North Carolina Rules Review Commission*, No. 110PA16-2 (June 8, 2018), affirmed the authority of the General Assembly to delegate authority to the Rules Review Commission to review and approve the administrative rules that are proposed by the State Board of Education for codification. To ensure that administration of the free public schools shall continue without interruption, the existing

policies of the State Board of Education subject to rule making as provided in Chapter 150B of the General Statutes shall be deemed interim rules so long as they do not conflict with any provisions of the General Statutes. Notwithstanding G.S. 150B-21.1A, those interim rules shall be adopted as permanent rules as follows:

(1) The State Board of Education shall adopt all interim rules as emergency rules and submit those rules to the Codifier of Rules no later than August 9, 2019. Notwithstanding G.S. 150B-21.1A(e), when the Codifier of Rules enters the emergency rules in the North Carolina Administrative Code, the Codifier shall publish notice of the emergency rules on the Internet. Any interim rule authorized by this section shall become null and void ~~May 30, 2019,~~ August 9, 2019, if the State Board of Education has failed by that date to ~~publish a notice of text in the North Carolina Register to adopt that interim rule as a permanent rule, as required by G.S. 150B-21.2.~~ comply with the requirements of this subdivision.

(2) The State Board of Education shall not be required to adopt temporary rules for any emergency rules authorized by this section.

(3) The State Board of Education shall, no later than December 6, 2019, submit a notice for publication of text to adopt all emergency rules authorized by this section as permanent rules in the North Carolina Register no later than January 2, 2020.

(4) Any ~~interim~~ emergency rule authorized by this ~~section~~ section shall remain effective until the earlier of the adoption of that emergency rule as a permanent rule or May 30, 2020, but shall become null and void May 30, 2020, if the State Board of Education has failed to adopt that ~~interim~~ emergency rule as a permanent rule by that date in accordance with Article 2A of Chapter 150B of the General Statutes."

SECTION 2.(b) This section applies to interim rules of the State Board of Education existing on May 29, 2019. The State Board of Education shall take any necessary steps to affirm and validate any actions taken pursuant to interim rules between May 30, 2019, and the date this section becomes effective.

SECTION 3. The State Board of Education, in consultation with the State Superintendent of Public Instruction, shall study (i) the weighting of the school achievement score and the school growth score in calculation of the overall school performance score to best reflect performance and progress for each school and (ii) the reporting methods used to meaningfully differentiate schools on the North Carolina annual school report cards. Based on its study, the State Board shall propose recommendations on whether any changes should be made to the current weighting of school achievement scores and school growth scores and how the reporting methods for school performance scores could be improved to more accurately reflect the effectiveness of each North Carolina public school. With the goal of maintaining the current school achievement and school growth measures, the study shall examine methods of reporting data that will better depict school performance and progress. The study shall analyze the feasibility of the following:

(1) Reporting school achievement and school growth separately.

(2) Reporting by graph, in a manner that depicts the intersection of (i) school achievement and growth scores, (ii) local school administrative unit achievement and growth scores, and (iii) State achievement and growth scores.

(3) Including the school achievement and school growth scores for the prior two school years in annual graphical reporting, in order to provide stakeholders with clear, consistent data on individual school progress.

The State Board, together with the Superintendent, shall submit a final report of the results of its study along with its recommendations to the Joint Legislative Education Oversight Committee by February 15, 2020.

SECTION 4. This act is effective when it becomes law. Section 1 of this act applies beginning with the 2019-2020 school year.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 362

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

H362-ATC-52 [v.5]

Amends Title [YES]
First Edition

Date _____ ,2019

Senator Horner

moves to amend the bill on page 1, line 3, by rewriting that line to read:

"PERFORMANCE GRADES; AND TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT EMERGENCY RULES IN PREPARATION FOR PERMANENT RULEMAKING; AND TO DIRECT THE STATE BOARD OF EDUCATION TO STUDY THE REPORTING METHODS USED FOR SCHOOL ACCOUNTABILITY PURPOSES ON THE NORTH CAROLINA ANNUAL SCHOOL REPORT CARDS.";

and on page 1, lines 26-27, by rewriting those lines to read:

"**SECTION 2.(a)** Section 27.(b) of S.L. 2018-114 reads as rewritten:

"**SECTION 27.(b)** The General Assembly finds that the North Carolina Supreme Court, in *North Carolina State Board of Education v. State of North Carolina and North Carolina Rules Review Commission*, No. 110PA16-2 (June 8, 2018), affirmed the authority of the General Assembly to delegate authority to the Rules Review Commission to review and approve the administrative rules that are proposed by the State Board of Education for codification. To ensure that administration of the free public schools shall continue without interruption, the existing policies of the State Board of Education subject to rule making as provided in Chapter 150B of the General Statutes shall be deemed interim rules so long as they do not conflict with any provisions of the General Statutes. Notwithstanding G.S. 150B-21.1A, those interim rules shall be adopted as permanent rules as follows:

(1) The State Board of Education shall adopt all interim rules as emergency rules and submit those rules to the Codifier of Rules no later than August 9, 2019.

Notwithstanding G.S. 150B-21.1A(e), when the Codifier of Rules enters the emergency rules in the North Carolina Administrative Code, the Codifier shall publish notice of the emergency rules on the Internet. Any interim rule authorized by this section shall become null and void ~~May 30, 2019,~~August 9, 2019, if the State Board of Education has failed by that date to comply with the requirements of this subdivision. ~~publish a notice of text in the North Carolina Register to adopt that interim rule as a permanent rule, as required by G.S. 150B-21.2.~~

(2) The State Board of Education shall not be required to adopt temporary rules for any emergency rules authorized by this section.

(3) The State Board of Education shall, no later than December 6, 2019, submit a notice for publication of text to adopt all emergency rules authorized by this section as permanent rules in the North Carolina Register no later than January 2, 2020.

(4) Any ~~interim~~ emergency rule authorized by this ~~section~~ section shall remain effective until the earlier of the adoption of that emergency rule as a permanent rule or May 30, 2020, but shall become null and void May 30, 2020, if the State Board of Education has failed to adopt that ~~interim~~emergency rule as a permanent rule by that date in accordance with Article 2A of Chapter 150B of the General Statutes."

SECTION 2.(b) This section applies to interim rules of the State Board of Education existing on May 29, 2019. The State Board of Education shall take any necessary steps to affirm and validate any actions taken pursuant to interim rules between May 30, 2019 and the date this section becomes effective.

SECTION 3. The State Board of Education, in consultation with the State Superintendent of Public Instruction, shall study (i) the weighting of the school achievement score and the school growth score in calculation of the overall school performance score to best reflect performance and progress for each school and (ii) the reporting methods used to meaningfully differentiate schools on the North Carolina annual school report cards. Based on its study, the State Board shall propose recommendations on whether any changes should be made to the current weighting of school achievement scores and school growth scores and how the reporting methods for school performance scores could be improved to more accurately reflect the effectiveness of each North Carolina public school. With the goal of maintaining the current school achievement and school growth measures, the study shall examine methods of reporting data that will better depict school performance and progress. The study shall analyze the feasibility of the following:

(1) Reporting school achievement and school growth separately.

(2) Reporting by graph, in a manner that depicts the intersection of (i) school achievement and growth scores, (ii) local school administrative unit achievement and growth scores, and (iii) State achievement and growth scores.

(3) Including the school achievement and school growth scores for the prior two school years in annual graphical reporting, in order to provide stakeholders with clear, consistent data on individual school progress.

The State Board, together with the Superintendent, shall submit a final report of the results of its study along with its recommendations to the Joint Legislative Education Oversight Committee by February 15, 2020.

SECTION 4. This act is effective when it becomes law. Section 1 of this act applies beginning with the 2019-2020 school year.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

HOUSE BILL 668:
Various Higher Education Changes.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 26, 2019
Introduced by:	Rep. Fraley	**Prepared by:**	Kara McCraw* Committee Counsel
Analysis of:	Second Edition		

OVERVIEW: HB 668 would make various changes to laws related to community colleges and The University of North Carolina.

CURRENT LAW and BILL ANALYSIS:

PART I: North Carolina Community Colleges System

Section 1.1(a)-(c) and (e): The State Board of Community Colleges is required to report annually on tuition waivers, the Customized Training Program, certain capital projects for constitution institutions, and the voluntary shared leave program.

Section 1.1(a)-(c) and (e) would change the reporting entity for these reports from the State Board of Community Colleges to the Community Colleges System Office, and specify September 1 as the date for the Customized Training Program report to be submitted.

Section 1.1(d): The Apprenticeship Council is required to report annually on its activities to several committees at the General Assembly focused on Agriculture and Natural and Economic Resources.

Section 1.1(d) directs the Apprenticeship Council report to instead come to the Joint Legislative Education Oversight Committee and House and Senate Appropriations subcommittees on Education.

Section 1.2: G.S. 115D-58.10 requires the State Board of Community Colleges to determine which State and community college employees must give bonds for the protection of State funds and property, and authorizes the State Board to place the bonds and pay the premiums from State funds. The statute also requires boards of trustees of community colleges to bond all employees permitted to draw on local funds or handle institutional funds or property.

Section 1.2 would allow the State Board of Education and local boards of trustees to determine and use adequate insurance coverage in place of bonds for employees handling institutional funds and property.

Section 1.3. The 2017 and 2018 budgets (SL 2017-57 and SL 2018-5) authorized the President of the Community Colleges System Office to reorganize the System Office in accordance with recommendations and plans submitted to and approved by the State Board of Community Colleges. Any such reorganization was required to be reported annually to the Joint Legislative Education Oversight Committee, Fiscal Research Division, and the House and Senate Appropriation subcommittees on Education.

Section 1.3 would codify the President's authority to reorganize the System Office in accordance with recommendations and plans submitted to and approved by the State Board of Community Colleges. This section would require reports on such reorganizations to be reported by June 30 of the fiscal years in which

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

the reorganizations occur to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly.

This section would become effective July 1, 2019.

Part II: University of North Carolina System

Sec. 2.3: Currently, Future Teachers of North Carolina (FTNC) provides the curricula and professional development for high school courses on the profession of teaching, including field experiences for high school students. 3 constituent institutions are designated to collaborate on FTNC. All high schools are encouraged to offer FTNC courses in partnership with an institution of higher education, and students who complete the courses with a B or higher earn dual credit from a constituent institution partner.

Sec. 2.3 would eliminate the current FTNC program, and replace it with an annual symposium for high school juniors and seniors that is selective and application based. The FTNC symposium would be administered by the UNC System Office in coordination with a FTNC Council selected by the UNC President. The System Office would annually report on participations and demographic information, a description of the event, and student survey responses following the symposium.

Sec. 2.4: The UNC Board of Governors Planning Task Force is required to conduct a systemwide analysis of the capital needs of constituent institutions for STEM. The Task Force was appropriated $3 million to use in conducting the analysis. The Task Force was to report on the UNC System Plan to the Joint Legislative Capital Improvements Oversight Committee and Fiscal Research Division by April 1, 2019.

Sec. 2.4 would require the Task Force to submit an initial report by April 1, 2019, and a final report by February 1, 2020. It would also allow the funds that are not otherwise encumbered to not revert and remain available through the end of the 2019-2020 fiscal year.

This section would become effective June 30, 2019.

Sec. 2.5 would allow funds appropriated for enrollment adjustments for The University of North Carolina to a reserve account to not revert but remain available until the end of the 2020-2021 fiscal year for the purposes of the buy down of financial obligations resulting from the NC Promise program at Elizabeth City State University, University of North Carolina at Pembroke, and Western Carolina University.

This section becomes effective June 30, 2019.

EFFECTIVE DATE: Except as otherwise provided, HB 668 would become effective when it becomes law.

HOUSE BILL 668
Committee Substitute Favorable 4/29/19

Short Title: Various Higher Education Changes. (Public)

Sponsors:

Referred to:

April 11, 2019

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS CHANGES TO HIGHER EDUCATION LAWS, AS RECOMMENDED BY THE STATE BOARD OF COMMUNITY COLLEGES AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

PART I. THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

SECTION 1.1.(a) Reporting Changes. – G.S. 115D-5(b2) reads as rewritten:

"(b2) Beginning February 1, 2018, and annually thereafter, the ~~State Board of~~ Community Colleges System Office shall report to the Joint Legislative Education Oversight Committee on the number and type of waivers granted pursuant to subsection (b) of this section."

SECTION 1.1.(b) G.S. 115D-5.1(f) reads as rewritten:

"(f) The ~~State Board~~ Community Colleges System Office shall report ~~on an annual basis~~ no later than September 1 of each year to the Joint Legislative Education Oversight Committee on:

(1) The total amount of funds received by a company under the Customized Training ~~Program;~~Program.

(1a) The types of services sought by the company, whether for new, expanding, or existing industry.

(2) The amount of funds per trainee received by that ~~company;~~company.

(3) The amount of funds received per trainee by the community college delivering the ~~training;~~training.

(4) The number of trainees trained by the company and community ~~college; and~~college.

(5) The number of years that company has been funded."

SECTION 1.1.(c) G.S. 115D-9(g) reads as rewritten:

"(g) The ~~State Board~~ Community Colleges System Office shall annually report to the State Building Commission the following:

(1) A list of projects governed by this section.

(2) The estimated cost of each project along with the actual cost.

(3) The name of each person awarded a contract under this section.

(4) Whether the person or business awarded a contract under this section meets the definition of "minority business" or "minority person" as defined in G.S. 143-128.2(g)."

SECTION 1.1.(d) G.S. 115D-11.6 reads as rewritten:

"**§ 115D-11.6. Apprenticeship Council.**

The State Board of Community Colleges shall appoint an Apprenticeship Council composed of four representatives each from employer and employee organizations respectively and three representatives from the public at large. One State official designated by the Department of Public Instruction and one State official designated by the Department of Commerce shall be a member ex officio of the council, without vote. The terms of office of the members of the Apprenticeship Council shall be designated by the State Board. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his or her predecessor shall be appointed for the remainder of the term. Each member of the Council not otherwise compensated by public moneys, shall be reimbursed for transportation and shall receive such per diem compensation as is provided generally for boards and commissions under the biennial maintenance appropriation acts for each day spent in attendance at meetings of the Apprenticeship Council. The State Board of Community Colleges shall annually appoint one member of the Council to act as its chair.

The Apprenticeship Council shall meet at the call of the State Board of Community Colleges and shall aid the State Board and the Community Colleges System Office in formulating policies for the effective administration of this Article. The Apprenticeship Council shall establish standards for apprentice agreements which in no case shall be lower than those prescribed by this Article, shall recommend rules and regulations to the State Board of Community Colleges as may be necessary to carry out the intent and purposes of this Article, and shall perform other functions as the State Board of Community Colleges may direct. ~~Not less than once a~~ No later than September 1 of each year the Apprenticeship Council shall make a report through the Community Colleges System Office of its activities and findings to the public and to the Joint Legislative Education Oversight ~~Committee on Agriculture and Natural and Economic Resources;~~ Committee, the chairs of the Senate Appropriations Committee on ~~Agriculture, Natural, and Economic Resources;~~ Education/Higher Education, and the chairs of the House of Representatives Appropriations Committee on ~~Agriculture and Natural and Economic Resources.~~Education."

SECTION 1.1.(e) G.S. 126-8.3(c) reads as rewritten:

"(c) The State Human Resources Commission, the State Board of Education, and the ~~State Board of~~ Community Colleges System Office and all State agencies, departments, and institutions shall annually report to the Office of State Human Resources on the voluntary shared leave program. For the prior fiscal year, the report shall include the total number of days or hours of vacation leave and sick leave donated and used by voluntary shared leave recipients and the total cost of the vacation leave and sick leave donated and used."

SECTION 1.2. Community colleges permitted to provide insurance in lieu of bond. – G.S. 115D-58.10 reads as rewritten:

"**§ 115D-58.10. Surety ~~bonds.~~bonds and related insurance.**

The State Board of Community Colleges shall determine what State employees and employees of institutions shall give bonds or be insured for the protection of State funds and property and the State Board is authorized to place the ~~bonds~~ bonds, determine adequate insurance coverage, and pay the premiums thereon from State funds.

The board of trustees of each institution shall require all institutional employees authorized to draw or approve checks or vouchers drawn on local funds, and all persons authorized or permitted to receive institutional funds from whatever source, and all persons responsible for or authorized to handle institutional property, to be bonded by a surety company authorized to do business with the State in such amount as the board of trustees deems sufficient for the protection of such property and funds. In lieu of a bond, the board of trustees may obtain and maintain adequate insurance coverage sufficient for the protection of institutional funds and property. The tax-levying authority of each institution shall provide the funds necessary for the payment of the premiums of ~~such bonds.~~the bonds or for insurance coverage."

SECTION 1.3.(a) Codify the President's Authority to Reorganize. – G.S. 115D-3 reads as rewritten:

"§ 115D-3. Community Colleges System Office; ~~staff.~~staff; reorganization authority.

(a) The Community Colleges System Office shall be a principal administrative department of State government under the direction of the State Board of Community Colleges, and shall be separate from the free public school system of the State, the State Board of Education, and the Department of Public Instruction. The State Board has authority to adopt and administer all policies, regulations, and standards which it deems necessary for the operation of the System Office.

The State Board shall elect a President of the North Carolina System of Community Colleges who shall serve as chief administrative officer of the Community Colleges System Office. The compensation of this position shall be fixed by the State Board from funds provided by the General Assembly in the Current Operations Appropriations Act.

The President shall be assisted by such professional staff members as may be deemed necessary to carry out the provisions of this Chapter, who shall be elected by the State Board on nomination of the President. The compensation of the staff members elected by the Board shall be fixed by the State Board of Community Colleges, upon recommendation of the President of the Community College System, from funds provided in the Current Operations Appropriations Act. These staff members shall include such officers as may be deemed desirable by the President and State Board. Provision shall be made for persons of high competence and strong professional experience in such areas as academic affairs, public service programs, business and financial affairs, institutional studies and long-range planning, student affairs, research, legal affairs, health affairs and institutional development, and for State and federal programs administered by the State Board. In addition, the President shall be assisted by such other employees as may be needed to carry out the provisions of this Chapter, who shall be subject to the provisions of Chapter 126 of the General Statutes. The staff complement shall be established by the State Board on recommendation of the President to insure that there are persons on the staff who have the professional competence and experience to carry out the duties assigned and to insure that there are persons on the staff who are familiar with the problems and capabilities of all of the principal types of institutions represented in the system. The State Board of Community Colleges shall have all other powers, duties, and responsibilities delegated to the State Board of Education affecting the Community Colleges System Office not otherwise stated in this Chapter.

(b) Notwithstanding any other provision of law, the President may reorganize the System Office in accordance with recommendations and plans submitted to and approved by the State Board of Community Colleges. If a reorganization is implemented pursuant to this subsection, including any movement of positions and funds between fund codes on a recurring basis, the President shall report by June 30 of the fiscal year in which the reorganization occurred to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly."

SECTION 1.3.(b) This section becomes effective July 1, 2019.

PART II. UNIVERSITY OF NORTH CAROLINA SYSTEM

SECTION 2.3.(a) Future Teachers of North Carolina. – G.S. 116-41.30(b) reads as rewritten:

"(b) Program. – FTNC shall be a ~~program providing professional development and curricula for courses that provide~~ selective, application-based symposium for high school juniors and seniors, offering a challenging introduction to teaching as a ~~profession for high school students through courses offered by participating high schools in conjunction with college partners.~~ profession. FTNC courses shall ~~include both content on pedagogy and the profession of teaching and field experiences for high school students.~~provide instruction on pedagogy, ethics and professionalism, child development, successful teaching strategies and classroom management practices, effective lesson planning, assessment and intervention, and requirements of teacher licensure. The FTNC Symposium should provide practical benefit to participating

students, which may include interaction with current educators, administrators, and educator preparation program faculty members, a simulated student teaching experience, and information about financial aid and scholarship opportunities."

SECTION 2.3.(b) G.S. 116-41.31 reads as rewritten:

"**§ 116-41.31. Oversight of Future Teachers of North Carolina.**

(a) FTNC ~~General Administration.~~ System Office. – FTNC shall be administratively located in The University of North Carolina System Office. The President shall ~~select three constituent institutions with highly successful schools of education located in the western, central, and eastern regions of the State, respectively, to collaborate on development of curricula for FTNC and to provide professional development to high school teachers who will teach FTNC courses. The three constituent institutions shall also work with other constituent institutions and other institutions of higher education in the State to seek input in the development of curricula and professional development for FTNC and to create a network of college faculty to provide support to high schools offering FTNC courses.~~establish a Future Teachers of North Carolina Advisory Council (FTNC Council) to oversee the FTNC program. At the President's discretion, the FTNC Council shall coordinate with constituent institutions to utilize expertise from administrators, faculty, and staff members of institutions of higher education in designing the agenda and instructional content for the FTNC Symposium. The FTNC Council shall ensure diverse representation of the educator preparation programs represented at the FTNC Symposium. The FTNC Council shall also be responsible for creating an application process for interested high school students, reviewing submitted applications, selecting students to attend, and recruitment and outreach efforts.

~~(b) FTNC Site Applications. All high schools in the State are encouraged to offer FTNC courses to students. A high school shall apply to offer FTNC courses with the geographically appropriate constituent institution overseeing FTNC and shall ensure that all teachers teaching FTNC courses have received appropriate training. High schools shall also seek a partner institution of higher education to provide support from college faculty. High schools participating in the FTNC program shall report demographic, survey, and other available outcome data to The University of North Carolina System Office as necessary for completion of the FTNC annual report required by G.S. 116-41.32.~~

~~(c) FTNC Institution of Higher Education Partners. Constituent institutions that partner with high schools shall offer dual credit for high school students who successfully complete the FTNC course with a grade of "B" or higher. Other institutions of higher education that partner with high schools are encouraged to offer dual credit for high school students who successfully complete the FTNC course with a grade of "B" or higher. Constituent institutions shall provide annually to The University of North Carolina System Office data on students who have received dual credit for completion of an FTNC course and students who applied for admission into an educator preparation program at a constituent institution who indicated in the application for admission that the student completed an FTNC course. Other institutions of higher education are encouraged to provide annually to The University of North Carolina System Office data on students who have received dual credit for completion of an FTNC course and students who applied for admission into an educator preparation program at the institution of higher education who indicated in the application for admission that the student completed an FTNC course.~~"

SECTION 2.3.(c) G.S. 116-41.32 reads as rewritten:

"**§ 116-41.32. Future Teachers of North Carolina reporting.**

The University of North Carolina System Office shall report annually, beginning October 15, ~~2019,~~ 2020, on the following:

(1) ~~Total number and names of local school administrative units with~~ List of high schools and local school administrative units represented by participating ~~in FTNC, total number and names of high schools offering FTNC, partner~~

~~institution of higher education for each high school, and number of sections of the course being offered at each high school.~~students.

(1a) Number of students who submitted an application to attend the FTNC Symposium.

(1b) Number of students attending the FTNC Symposium, including distribution by region.

(2) Demographic information of students ~~enrolled in FTNC courses.~~attending the FTNC Symposium.

(2a) Description of the event agenda and content.

(3) Percentage of students who, after ~~completing the course,~~ attending the FTNC Symposium, reported the following:

a. The student plans to choose teaching as a profession.

a1. The student plans to enroll in a community college, a constituent institution, a private postsecondary institution located in North Carolina, or a postsecondary institution located in another state.

b. The ~~course~~ FTNC Symposium was very or somewhat effective in helping the student formulate a positive perception of the education profession.

c. The ~~coursework and activities~~ FTNC Symposium increased the student's knowledge of the teaching profession and other careers in education.

~~d. The field experience helped the student understand the many factors that contribute to effective teaching.~~

~~(4) Percentage of students who completed an FTNC course who received dual credit for successful completion of the course, by institution.~~

~~(5) Percentage of students who completed an FTNC course who applied for admission into an educator preparation program, by institution.~~

~~(6) Number of teachers provided professional development for FTNC.~~"

SECTION 2.4.(a) UNC Board of Governors Planning Task Force. – Section 36.6 of S.L. 2018-5 reads as rewritten:

"**SECTION 36.6.(a)** There is created the UNC Board of Governors Planning Task Force. The Task Force shall consist of four current Board members appointed by the Board of Governors, one of whom shall be designated as chair. These appointments shall be made no later than August 1, 2018.

"**SECTION 36.6.(b)** The Task Force shall conduct a systemwide analysis of the capital needs of the campuses of each constituent institution in relation to the Science Technology Engineering and Mathematics (STEM) subject area, taking into account the strengths, weaknesses, opportunities, and needs of each constituent institution, and any regional similarities and differences. The Task Force shall also consider the impact of any relevant programmatic planning elements being currently utilized that could be implemented as a best-practice among other similar programmatic areas to encourage systemwide efficiencies. In particular, the Task Force shall consider the capital needs relating to the Brody School of Medicine at East Carolina University, the UNC Applied Physical Sciences and Institute for Convergent Science in Chapel Hill, and other STEM projects to determine areas where capital funds may be used more efficiently and effectively. The Task Force shall use the information gathered pursuant to this subsection to compile a UNC System Plan.

"**SECTION 36.6.(c)** The three million dollars ($3,000,000) appropriated to the Board of Governors of The University of North Carolina in Section 36.2 of this act shall be used by the Task Force in conducting the analysis described in subsection (b) of this section. The Task Force shall submit a preliminary report on or before April 1, 2019. On or before ~~April 1, 2019,~~ February 1, 2020, the Task Force shall submit a final report containing the UNC System Plan and any

legislative recommendations to the Joint Legislative Capital Improvements Oversight Committee and the Fiscal Research Division.

"**SECTION 36.6.(d)** The funds appropriated in Section 36.2 of this act to the Board of Governors for the Task Force for the 2018-2019 fiscal year that are not otherwise encumbered shall not revert at the end of the 2018-2019 fiscal year but shall remain available until the end of the 2019-2020 fiscal year for the purposes set forth in this section."

SECTION 2.4.(b) This section becomes effective June 30, 2019.

SECTION 2.5.(a) UNC Enrollment Growth Funds. – The funds appropriated by S.L. 2018-5 for enrollment adjustments for The University of North Carolina, including funds for the NC Promise Tuition Plan, to a reserve account in the Office of State Budget and Management for the 2018-2019 fiscal year shall not revert at the end of the 2018-2019 fiscal year but shall remain available until the end of the 2020-2021 fiscal year for the purpose of the "buy down" of any financial obligations resulting from the established tuition rate under G.S. 116-143.11 incurred by Elizabeth City State University, the University of North Carolina at Pembroke, and Western Carolina University or for rapid growth at any of those constituent institutions.

SECTION 2.5.(b) This section becomes effective June 30, 2019.

PART III. EFFECTIVE DATE

SECTION 3. Except as otherwise provided in this act, this act is effective when it becomes law.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 668

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

H668-ATC-53 [v.5]

Amends Title [YES]
Second Edition

Date _____ ,2019

Senator ~~Tillman~~ Ballard

moves to amend the bill on page 1, lines 2-4, by rewriting those lines to read:

"AN ACT TO MAKE VARIOUS CHANGES TO HIGHER EDUCATION LAWS.";

and on page 1, line 8, through page 2, line 33, by deleting those lines;

and on page 2, line 34, by deleting the phrase "**SECTION 1.2.**" and substituting the phrase "**SECTION 1.1.**";

and on page 2, line 50, through page 3, line 38, by rewriting those lines to read:

"**SECTION 1.2.** If House Bill 966, 2019 Regular Session, becomes law, Section 1.1 of this act is repealed.";

and on page 3, line 41, through page 6, line 20, by rewriting those lines to read:

"**SECTION 2.1.(a)** G.S. 116-36 reads as rewritten:
"**§ 116-36. Endowment fund.**
…
(i1) The Board of Governors of the University of North Carolina shall establish and maintain in a manner not inconsistent with the provisions of this section or with regulations established under this section an endowment fund for all endowment funds now held or hereafter acquired for the benefit of the University of North Carolina Center for Public ~~Television.~~Media.
(j) Any gift or devise of real or personal property to a constituent institution of the University of North Carolina or to the University of North Carolina or to the University of North Carolina Press or to the University of North Carolina Center for Public ~~Television~~ Media shall be presumed, nothing to the contrary appearing, a gift or devise, as the case may be, to the endowment fund of the respective institution or agency.
…."

SECTION 2.1.(b) G.S. 116-37.1 reads as rewritten:
"**§ 116-37.1. Center for public ~~television.~~media.**

(a) The Board of Governors is hereby authorized and directed to establish "the University of North Carolina Center for Public ~~Television~~"Media" (hereinafter called "the Center"). It shall be the functions of the Center, through itself or agencies with whom it may contract, to provide research, development, and production of noncommercial educational and informational ~~television programming~~media programming, and program ~~materials;~~materials and communications; to provide distribution of noncommercial ~~television~~ media programming and information through the broadcast facilities licensed to the University of North ~~Carolina;~~Carolina and other available distribution platforms and otherwise to enhance the uses of ~~television~~ television, media, and related technology for public purposes.

(b) The Center shall have a board of trustees, to be named "the Board of Trustees of the University of North Carolina Center for Public ~~Television~~"Media" (hereinafter called "the Board of Trustees"). The Board of Governors is hereby authorized and directed to establish the Board of Trustees of the Center and to delegate to the Board of Trustees such powers and duties as the Board of Governors deems necessary or appropriate for the effective discharge of the functions of the Center; provided, that the Board of Governors shall not be deemed by the provisions of this section to have the authority to delegate any responsibility it may have as licensee of the broadcast facilities of the University of North Carolina.

(1) The Board of Trustees of the University of North Carolina Center for Public ~~Television~~ Media shall be composed of the following membership: 11 persons appointed by the Board of Governors; four persons appointed by the Governor; two members appointed by the General Assembly, one upon the recommendation of the Speaker of the House of Representatives, and one upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121; and ex officio, the Secretary of Natural and Cultural Resources, the Secretary of the Department of Health and Human Services, the Secretary of the Department of Public Safety, the Superintendent of Public Instruction, the President of the Community College System, and the President of the University of North Carolina. In making initial appointments to the Board of Trustees, the Board of Governors shall designate six persons for two-year terms and five persons for four-year terms, and the Governor shall designate two persons for two-year terms and two persons for four-year terms. The initial members appointed to the Board of Trustees by the General Assembly shall serve for terms expiring June 30, 1983, and notwithstanding anything else in this section, their successors shall be appointed in 1983 and biennially thereafter for two year terms. Thereafter, the term of office of appointed members of the Board of Trustees of the Center shall be four years. In making appointments to the Board of Trustees the appointing authorities shall ~~give consideration to~~ consider promoting diversity among the membership, to the end that, in meeting the responsibilities delegated to it, the Board of Trustees will reflect and be responsive to the diverse needs, interests, and concerns of the citizens of North Carolina.

...."

SECTION 2.1.(c) G.S. 116D-1(11) reads as rewritten:

"(11) University. – The University of North Carolina and its constituent and affiliated institutions, including, without limitation, the University of North Carolina Center for Public ~~Television,~~Media, the University of North Carolina Health Care System, the North Carolina School of Science and Mathematics, and the North Carolina Arboretum."

SECTION 2.1.(d) G.S. 116D-22(2) reads as rewritten:

"(2) Institution. – Each of the institutions enumerated in G.S. 116-2, and any affiliated institutions of the University, including, without limitation, the University of North Carolina Center for Public ~~Television,~~Media, the University of North Carolina Health Care System, the North Carolina School of Science and Mathematics, and the North Carolina Arboretum."

SECTION 2.1.(e) G.S. 120-123(21) reads as rewritten:

"(21) The Board of Trustees of the University of North Carolina Center for Public ~~Television,~~ Media, as established by G.S. 116-37.1."

SECTION 2.1.(f) G.S. 143B-426.9(6) reads as rewritten:

"(6) The Chairman of the Board of Trustees of The University of North Carolina Center for Public ~~Television~~ Media (if and when established), ex officio;"

SECTION 2.1.(g) G.S. 143B-426.10(6) reads as rewritten:

"(6) In addition to and not in place of the programs, projects, and services of The University of North Carolina Center for Public ~~Television~~ Media (or its functional predecessor), to develop and provide media programs and programming materials and services of a noncommercial educational, informational, cultural or scientific nature;"

SECTION 2.2 G.S. 116-41.2 is amended by adding a new subdivision to read:

"(10) Notwithstanding any other provision of law and subject to policies established by the Board of Governors, to purchase or finance the purchase of computers, computer hardware, computer software, and emergency management equipment such as power generators through lease purchase or installment purchase contracts that create a security interest in the purchased property that secures payment of the purchase price to the seller or entity advancing monies or supplying financing for the purchase transaction. The contracts allowed in this subdivision shall be subject to State appropriations in accordance with the North Carolina State Constitution, and shall not pledge directly or indirectly the taxing power of the State. No deficiency judgment may be rendered against the Board of Governors or the State in any action for breach of a contractual obligation authorized by this subdivision."

PART III: HIGHER EDUCATION CHANGES.

SECTION 3. G.S. 116-143.1 reads as rewritten:

"**§ 116-143.1. Provisions for determining resident status for tuition purposes.**

(a) As defined under this section:

(1) A "legal resident" or "resident" is a person who qualifies as a domiciliary of North Carolina; a "nonresident" is a person who does not qualify as a domiciliary of North Carolina.

(2) A "resident for tuition purposes" is a person who qualifies for the in-State tuition rate; a "nonresident for tuition purposes" is a person who does not qualify for the in-State tuition rate.

(3) "Institution of higher education" means any of the constituent institutions of the University of North Carolina and the community colleges under the jurisdiction of the State Board of Community Colleges.

(4) "Authority" means the State Education Assistance Authority created by and authorized to act under Article 23 of Chapter 116 of the General Statutes.

(b) To qualify as a resident for tuition purposes, a person must have established legal residence (domicile) in North Carolina and maintained that legal residence for at least 12 months immediately prior to his or her classification as a resident for tuition purposes. Every applicant for admission shall be required to make a statement as to his length of residence in the State.

(c) To be eligible for classification as a resident for tuition purposes, a person must establish that his or her presence in the State currently is, and during the requisite 12-month qualifying period was, for purposes of maintaining a bona fide domicile rather than of maintaining a mere temporary residence or abode incident to enrollment in an institution of higher education.

(d) An individual shall not be classified as a resident for tuition purposes and, thus, not rendered eligible to receive the in-State tuition rate, until he or she has provided such evidence related to legal residence and its duration as may be required by the coordinated and centralized residency determination process administered by the Authority in accordance with this Article acting on behalf of officials of the institution of higher education from which the individual seeks the in-State tuition rate.

(e) When an individual presents evidence that the individual has living parent(s) or court-appointed guardian of the person, the legal residence of such parent(s) or guardian shall be prima facie evidence of the individual's legal ~~residence, which~~ residence. This presumption may be reinforced or rebutted relative to the age and general circumstances of the individual by the other evidence of legal residence required of or presented by the ~~individual; provided, that the~~ individual. An individual may offer evidence of graduation from a North Carolina high school to reinforce or rebut the presumption that the individual's domicile is the same domicile as the individual's living parent or guardian; however, evidence of graduation from a North Carolina high school alone shall not establish legal residence in the State. The legal residence of an individual whose parents are domiciled outside this State shall not be prima facie evidence of the individual's legal residence if the individual has lived in this State the five consecutive years prior to enrolling or reregistering at an institution of higher education.

(f) In making domiciliary determinations related to the classification of persons as residents or nonresidents for tuition purposes, the domicile of a married person, irrespective of sex, shall be determined, as in the case of an unmarried person, by reference to all relevant evidence of domiciliary intent. For purposes of this section:

(1) No person shall be precluded solely by reason of marriage to a person domiciled outside North Carolina from establishing or maintaining legal residence in North Carolina and subsequently qualifying or continuing to qualify as a resident for tuition purposes;

(2) No persons shall be deemed solely by reason of marriage to a person domiciled in North Carolina to have established or maintained a legal residence in North Carolina and subsequently to have qualified or continued to qualify as a resident for tuition purposes;

(3) In determining the domicile of a married person, irrespective of sex, the fact of marriage and the place of domicile of his or her spouse shall be deemed relevant evidence to be considered in ascertaining domiciliary intent.

(g) Any nonresident person, irrespective of sex, who marries a legal resident of this State or marries one who later becomes a legal resident, may, upon becoming a legal resident of this State, accede to the benefit of the spouse's immediately precedent duration as a legal resident for purposes of satisfying the 12-month durational requirement of this section.

...."

PART IV: EFFECTIVE DATE.

SECTION 4. This act is effective when it becomes law.".

SIGNED Dana Ballard
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

Education/Higher Education – Senate Committee

June 26, 2019

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Amanda Donovan	VTS
Justin Giles	Sen. Waddell
Andrew Meehan	NC Chamber
Adam Pridemore	NCACC
Bruce Mildewurf	NCSBA
Elizabeth Yelverton	NC ASA
Katherine Joyce	NC ASA
Jon Weil	NCICU
Hope Williams	NCICU
Elizabeth Morrison	NCCCS
Mary Stumping	NCCCS
Gwen Canady	NCSEA/A
Austin Rounds	UNC System
Drew Morris	UNC System
Richard Bostic	NC ISBA
Rebekah Howard	NCSBA
Martez Hill	Smith Hill
MICHAEL LAPAGLIA	LAPAGLIA
Jenna Winn	NCSBA
Tim Boland	NCWC
Rachel Bell	Publix

VISITOR REGISTRATION SHEET

Ed/Higher Ed

(Committee Name)

6-26-19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Amy Auth	UNC - Chapel Hill
Kenny Hu	News and Observer
Tammy Sevier	MWE
Clare Kilmartin	Gov. Office
Susan Harrison	NCDTSEA
Lela Holder	NCSBE
Tom Tomberlin	NCDPI
Karson Nelson	NCDPI
Mark Lanier	UNCW
Chloe Gossage	NCDPI
Ty Ford	UNC
Amanda Wernicke	governor
Leah Sutton	Best NC
Isaac Ridgeway	BEST NC
Rhaegan Jackson	FPA
Emily Manning	FPA
Betty Doster	DNC Chair's Office

VISITOR REGISTRATION SHEET

Ed/Higher Ed

(Committee Name)

6-26-19

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Matt Ellinwood	NCSC

09-21-201

Education/Higher Education – Senate Committee

June 26, 2019

Public Speakers

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Hope Williams	NCICU

ATTENDANCE

Committee: **Education/Higher Education Committee**

2020 Session

DATES / NAMES	05-27-2020	06-10-2020	06-17-2020									
Sen. Deanna Ballard (Chair)	X	X	X									
Sen. Rick Horner (Chair)	X	X	X									
Sen. Jerry Tillman (Chair)	X	X	X									
Sen. Rob Bryan		X	X									
Sen. Jay J. Chaudhuri												
Sen. Don Davis		X										
Sen. Chuck Edwards	X	X	X									
Senator Valerie Foushee	X	X	X									
Sen. Kathy Harrington		X										
Sen. Todd Johnson	X	X										
Sen. Joyce Krawiec	X	X	X									
Sen. Tom McInnis	X	X	X									
Sen. Paul Newton	X	X	X									
Sen. Gladys A. Robinson		X	X									
Senator Norman Sanderson	X	X	X									
Senator Sam Searcy	X		X									
Drupti Chauhan, Staff		X	X									
Kara McCraw, Staff	X	X	X									
Brian Gwyn, Staff		X	X									
Samantha Yarborough, Staff	X	X	X									
Virginia Barlow, Staff	X	X	X									
Eric W. Naisbitt, Senate Staff	X	X	X									
Suzanne Castleberry, Clerk	X											
Regina Irwin, Clerk		X	X									
William Verbiest, Clerk	X	X										

EDUCATION/HIGHER EDUCATION

Senate Standing Committee

Chairs

Sen. Ballard

Sen. Horner

Sen. Tillman

Members

Sen. Bryan

Sen. Chaudhuri

Sen. D. Davis

Sen. Edwards

Sen. Foushee

Sen. Harrington

Sen. Johnson

Sen. Krawiec

Sen. McInnis

Sen. Newton

Sen. Robinson

Sen. Sanderson

Sen. Searcy

Senate Education/Higher Education Committee Membership List
2020 Session

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Sen. Paul Newton	Justus Cochran	(919) 733-7223	312
Sen. Gladys A. Robinson	Phyllis Cameron	(919) 715-3042	1026
Sen. Norman W. Sandersen	Emily Barnes	(919) 733-5706	628
Sen. Sam Searcy	Michael Barnhill	(919) 733-5653	1118

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Education Policy Advisor Room 1406

Eric W. Naisbitt	Eric.Naisbitt@ncleg.gov	919-301-2009

Principal Clerk ____
Reading Clerk ____

Updated #1: Location Changed to 643 LOB

SENATE
NOTICE OF COMMITTEE MEETING
AND
BILL SPONSOR NOTICE

The **Senate Committee on Education/Higher Education** will meet at the following time:

DAY	DATE	TIME	ROOM
Wednesday	May 27, 2020	11:00 AM	643 LOB

The following will be considered:

BILL NO.	SHORT TITLE	SPONSOR
SR 824	SBCC Vacancy Elections.	Senator Ballard Senator Horner Senator Tillman
SB 476	Compt-Based Assess. & Mental Hlth/Teen Viol.	Senator Horner Senator Tillman Senator Ballard

Conference report for Senate Bill 476 For Discussion Only

Senator Deanna Ballard, Co-Chair
Senator Rick Horner, Co-Chair
Senator Jerry W. Tillman, Co-Chair

Senate Committee on Education/Higher Education
Wednesday, May 27, 2020, 11:00 AM
643 Legislative Office Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
SR 824	SBCC Vacancy Elections.	Senator Ballard Senator Horner Senator Tillman
SB 476	Compt-Based Assess. & Mental Hlth/Teen Viol.	Senator Horner Senator Tillman Senator Ballard

Senate Committee on Education/Higher Education
Wednesday, May 27, 2020 at 11:00 AM
Room 643 of the Legislative Office Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 AM on May 27, 2020 in Room 643 of the Legislative Office Building. 11 members were present.

Senator Tillman, presiding chair, called the meeting to order. He welcomed the members of the committee and introduced the Sergeant-at-Arms. The following bills were considered.

SR 824 SBCC Vacancy Elections. (Senators Ballard, Horner, Tillman) Senator Ballard was recognized to present the Senate Resolution which establishes the date for the Senate to elect members to fill vacancies on the State Board of Community Colleges. Senator Krawiec moved for a favorable report with a recommendation that the bill be re-referred to Senate Rules. The motion passed.

SB 476 School-Based Mental Health. (Senators Horner, Tillman, Ballard) Senator Ballard was recognized to present the conference committee report. The conference report was for discussion only. The committee recommended that the conference report be adopted by the full Senate.

There being no further business, the Chair adjourned the meeting at 11:22 am.

Senator Jerry Tillman, Chair
Presiding

SC

Suzanne Castleberry, Committee Clerk

SENATE RESOLUTION 824

Sponsors:	Senators Ballard, Horner, and Tillman (Primary Sponsors).
Referred to:	Rules and Operations of the Senate

May 21, 2020

A SENATE RESOLUTION SETTING THE DATE FOR THE SENATE TO ELECT MEMBERS TO FILL VACANCIES ON THE STATE BOARD OF COMMUNITY COLLEGES.

Be it resolved by the Senate:

SECTION 1. Pursuant to G.S. 115D-2.1(b)(4)e., the Senate shall elect one member to the State Board of Community Colleges to fill a vacancy with an unexpired term ending June 30, 2021, during the regular session of the Senate to be held Thursday, June 11, 2020.

SECTION 2. Pursuant to G.S. 115D-2.1(b)(4)e., the Senate shall elect one member to the State Board to fill a vacancy with an unexpired term ending June 30, 2025, during the regular session of the Senate to be held Thursday, June 11, 2020.

SECTION 3. The Senate shall follow the procedure set out in G.S. 115D-2.1 for the nomination and election of members to the State Board.

SECTION 4. This resolution is effective upon adoption.

SENATE RESOLUTION 824: SBCC Vacancy Elections.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education	**Date:**	May 27, 2020
Introduced by:	Sens. Ballard, Horner, Tillman	**Prepared by:**	Samantha Yarborough Committee Staff
Analysis of:	First Edition		

OVERVIEW: Senate Resolution 824 would establish Thursday, June 11, 2020, as the date for the Senate to elect members to fill vacancies on the State Board of Community Colleges (State Board).

CURRENT LAW: G.S. 115D-2.1(b)(4)e. requires that any vacancy occurring among State Board members elected by the House of Representatives or the Senate before the expiration of the term is filled when the General Assembly next convenes.

G.S. 115D-2.1(b)(4)f. sets out the procedure for elections by the Senate to the State Board. The procedures include the following requirements:

- The President Pro Tempore must assign to a committee the duty of receiving nominations of persons to be considered for election to the State Board.
- Chairs of the assigned committee must jointly determine a nomination period. Each member may nominate only one candidate.
- Once the nomination period has closed, the assigned committee must vote on whether each candidate will be listed as a nominee of the committee. Nominations must be screened by the assigned committee as to their qualifications, background, lack of statutory disabilities, and willingness and ability to serve if elected. At least one candidate must be nominated by the committee for each vacancy. However, if there are sufficient candidates, the committee must nominate at least two persons for each vacancy.
- The committee must report its list of nominees at the election session. No additional nominees are allowed from the floor.
- A nominee is chosen when that person receives the votes of a majority of all members present and voting.

BILL ANALYSIS: Senate Resolution 824 would establish Thursday, June 11, 2020, as the date for election of members to the State Board by the Senate.

EFFECTIVE DATE: The simple resolution would become effective upon adoption.

BACKGROUND: Twenty-one members serve on the State Board in staggered six-year terms, four of which are elected by the Senate in a staggered election cycle. There are currently two vacancies among State Board members appointed by the Senate, one with a term ending June 30, 2021, and one with a term ending June 30, 2025. Mr. Clark Twiddy was elected in 2015 and resigned effective May 1, 2020. This seat expires June 30, 2021. Mr. Scott Shook was elected in 2019 and resigned effective May 1, 2020. This seat expires June 30, 2025.

Karen Cochrane-Brown
Director

S824-SMBN-127 E1 -V-1

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 476

Education/Higher Education Committee Substitute Adopted 4/10/19
House Committee Substitute Favorable 7/10/19
Corrected Copy 7/16/19
Proposed Conference Committee Substitute S476-PCCS35410-TC-10

Short Title: School-Based Mental Health. (Public)

Sponsors:

Referred to:

April 3, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT A SCHOOL-BASED MENTAL HEALTH POLICY AND TO REQUIRE K-12 SCHOOL UNITS TO ADOPT AND TO IMPLEMENT A SCHOOL-BASED MENTAL HEALTH PLAN THAT INCLUDES A MENTAL HEALTH TRAINING PROGRAM AND A SUICIDE RISK REFERRAL PROTOCOL.

The General Assembly of North Carolina enacts:

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

"Article 25B.

"Mental Health Needs of Student.

"**§ 115C-376.5. School-based mental health plan required.**

(a) Definitions. – The following definitions shall apply in this section:

(1) K-12 school unit. – A local school administrative unit, a charter school, a regional school, an innovative school, or a laboratory school.

(2) School personnel. – Teachers, instructional support personnel, principals, and assistant principals. This term may also include, in the discretion of the K-12 school unit, other school employees who work directly with students in grades kindergarten through 12.

(b) School-Based Mental Health Policy. – The State Board of Education shall adopt a school-based mental health policy that includes (i) minimum requirements for a school-based mental health plan for K-12 school units and (ii) a model mental health training program and model suicide risk referral protocol for K-12 school units. Consistent with this section, the model mental health training program and model suicide risk referral protocol shall meet all of the following requirements:

(1) The model mental health training program shall be provided to school personnel who work with students in grades kindergarten through 12 and address the following topics:

a. Youth mental health.

b. Suicide prevention.

c. Substance abuse.

d. Sexual abuse prevention.

e. Sex trafficking prevention.

f. Teenage dating violence.

(2) The model suicide risk referral protocol shall be provided to school personnel who work with students in grades six through 12 and provide both of the following:

a. Guidelines on the identification of students at risk of suicide.

b. Procedures and referral sources that address actions that should be taken to address students identified in accordance with this subdivision.

(c) School-Based Mental Health Plan. – Each K-12 school unit shall adopt a plan for promoting student mental health and well-being that includes, at a minimum, the following:

(1) Minimum requirements for a school-based mental health plan established by the State Board of Education pursuant to subsection (b) of this section.

(2) A mental health training program and a suicide risk referral protocol that are consistent with the model programs developed by the State Board of Education pursuant to subsection (b) of this section.

(d) Training and Protocol Requirements. – Each K-12 school unit shall provide its adopted mental health training program and suicide risk referral protocol to school personnel at no cost to the employee. Employees shall receive an initial mental health training of at least six hours and subsequent mental health trainings of at least two hours. The initial mental health training shall occur within the first six months of employment. Subsequent mental health trainings shall occur in the following school year and annually thereafter. In the discretion of the K-12 school unit, the initial mental health training may be waived in the event the employee completed an initial mental health training at another K-12 school unit. School personnel may meet mental health training requirements in any of the following ways:

(1) Electronic delivery of instruction.

(2) Videoconferencing.

(3) Group, in-person training.

(4) Self-study.

(e) Review and Update. – Beginning August 1, 2025, and every five years thereafter, the Superintendent of Public Instruction shall review the State Board of Education's minimum requirements for a school-based mental health plan, model mental health training program, and model suicide risk referral protocol and recommend any needed changes to the State Board of Education. The State Board shall update its policies to reflect those recommendations and publish the updates to K-12 school units. A K-12 school unit shall update its adopted school-based mental health plan in accordance with any updates provided by the State Board.

(f) Reporting; State Audit. – By September 15 of each year, each K-12 school unit shall report to the Department of Public Instruction on (i) the content of the school-based mental health plan adopted in the unit, including the mental health training program and suicide risk referral protocol, and (ii) prior school year compliance with requirements of this section. The Department of Public Instruction may also audit K-12 school units at appropriate times to ensure compliance with the requirements of this section. The Department shall report the information it receives pursuant to this subsection to the Joint Legislative Education Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services by December 15 of each year.

(g) No Duty. – Nothing in this section shall be construed to impose an additional duty on a K-12 school unit to provide referral, treatment, follow-up, or other mental health and suicide prevention services to students of the K-12 school unit.

(h) Limitation of Civil Liability. – No governing body of a K-12 school unit, nor its members, employees, designees, agents, or volunteers, shall be liable in civil damages to any party for any loss or damage caused by any act or omission relating to the provision of, participation in, or implementation of any component of a school-based mental health plan, mental health training program, or suicide risk referral protocol required by this section, unless

that act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing. Nothing in this section shall be construed to impose any specific duty of care or standard of care on a K-12 school unit."

SECTION 1.(b) G.S. 115C-75.9 is amended by adding a new subsection to read:

"(n) School-Based Mental Health Plan Required. – An innovative school shall adopt a school-based mental health plan, including a mental health training program and suicide risk referral protocol, in accordance with G.S. 115C-376.5."

SECTION 1.(c) G.S. 115C-218.75 is amended by adding a new subsection to read:

"(h) A charter school shall adopt a school-based mental health plan, including a mental health training program and suicide risk referral protocol, in accordance with G.S. 115C-376.5."

SECTION 1.(d) G.S. 115C-238.66 is amended by adding a new subdivision to read:

"(16) School-based mental health plan required. – A regional school shall adopt a school-based mental health plan, including a mental health training program and suicide risk referral protocol, in accordance with G.S. 115C-376.5."

SECTION 1.(e) G.S. 116-239.8(b) is amended by adding a new subdivision to read:

"(18) School-based mental health plan required. – A laboratory school shall adopt a school-based mental health plan, including a mental health training program and suicide risk referral protocol, in accordance with G.S. 115C-376.5."

SECTION 1.(f) Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision to read:

"(16a) Article 25B, Mental Health Needs of Students."

SECTION 1.(g) The State Board of Education shall adopt a school-based mental health policy, including a model mental health training program and model suicide risk referral protocol, in accordance with this act no later than December 1, 2020. The school-based mental health policy shall effectuate the recommendations of the May 31, 2018, report of the Superintendent's Working Group on Student Health and Well-Being pursuant to Section 4 of S.L. 2017-57 to the extent those recommendations are consistent with this act and current State law. The model mental health training program and model suicide risk referral protocol incorporated in that policy shall meet the requirements developed by the Superintendent's Working Group on Health and Well-Being in its October 15, 2018, report pursuant to Section 5 of S.L. 2018-32. The Superintendent of Public Instruction shall ensure that a copy of the school-based mental health policy adopted by the State Board in accordance with this act is made available to each K-12 school unit by December 31, 2020. Each K-12 school unit shall adopt a school-based mental health plan that incorporates the State Board policy, including a mental health training program and suicide risk referral protocol, no later than July 1, 2021.

SECTION 2. This act is effective when it becomes law. Notwithstanding G.S. 115C-376.5(d), as enacted by this act, school personnel required to complete the training and employed in a K-12 school unit as of the effective date of this act shall complete their initial mental health training by the end of the 2021-2022 school year.

SENATE BILL 476:
School-Based Mental Health.

2019-2020 General Assembly

Committee:		**Date:**	May 27, 2020
Introduced by:	Sens. Horner, Tillman, Ballard	**Prepared by:**	Kara McCraw
Analysis of:	CCS to Second Edition S476-CCSTC-10		Committee Counsel

OVERVIEW: ***The Conference Committee Substitute (CCS) for Senate Bill 476 removes the requirement that the State Board of Education (SBE) study competency-based assessments as that was enacted in S.L. 2019-212. The CCS directs the SBE to adopt a school-based mental policy and directs K-12 school units to adopt and implement a school-based mental plan that includes a mental health training program and a suicide risk referral protocol. The CCS also clarifies that the requirements for the school-based mental health plans apply to the Renewal School System.***

BILL ANALYSIS:

SBE Policy on School-Based Mental Health

The CCS directs the SBE to adopt a school-based mental health policy that contains the following for K-12 school units:

- Minimum requirements for a school-based mental health plan.
- A model mental health training program and model suicide risk referral protocol.

"K-12 school units" are local school administrative units, charter schools, regional schools, innovative schools, and laboratory schools.

The model mental health training program must be provided to school personnel who work with students in grades kindergarten through 12 and must address the following topics: youth mental health; suicide prevention; substance abuse; sexual abuse prevention; sex trafficking prevention; and teenage dating violence.

The model suicide risk referral protocol must be provided to school personnel who work with students in grades 6 through 12 and must include guidelines on identifying students at risk of suicide and procedures and referral sources that address the actions that should be taken.

The State Board of Education is directed to adopt the school-based mental health policy by December 1, 2020 and it must effectuate the recommendations of the May 31, 2018 report of the Superintendent's Working Group on Health and Well-Being pursuant to Section 4 of S.L. 2017-57 to the extent those recommendations are consistent with this act and current State law. The model mental health training program and model suicide risk referral protocol incorporated in the policy must meet the requirements developed by the Superintendent's Working Group on Health and Well-Being in its October 15, 2018 report required by Section of 5 of S.L. 2018-32. The policy must be made available to each K-12 school unit by December 31, 2020.

School-Based Mental Health Plan

Each K-12 school unit must adopt a school-based mental health plan that includes the minimum requirements set by the SBE and a mental health training program and suicide risk referral protocol consistent with the models developed by the SBE.

Each K-12 school unit must provide its adopted mental health training program and suicide risk referral program to school personnel with training in the first 6 months of employment and then in the following school year and annually thereafter.

The school-based mental health plan must be adopted by each K-12 school unit by July 1, 2021.

Periodic Review and Reporting

The Superintendent of Public Instruction must review the minimum requirements for a school-based mental health plan, model mental health training program, and model suicide risk referral protocol starting in August 2025 and every five years thereafter and recommend any changes needed.

By September 15 of each year, K-12 school units must report to the Department of Public Instruction (DPI) on its school-based mental health plan and its prior school year compliance. DPI must report this information to the Joint Legislative Education Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services by December 15 annually.

The bill would not impose any additional duties on a K-12 school unit to provide referrals, treatments, follow-ups or other mental health and suicide prevention services to students of a K-12 school unit. The bill also limits the civil liability of the governing body of the K-12 school unit and its members, employees, designees, agents, or volunteers.

EFFECTIVE DATE: The bill would become effective when it becomes law. School personnel required to complete the training and employed in a K-12 school unit as of the effective date of this act must complete their initial mental health training by the end of the 2021-2022 school year.

NCGA

NORTH CAROLINA GENERAL ASSEMBLY

Senate Committee

On

Education / Higher Education

May 27, 2020

Room 643

11:00 AM

Senate Sergeant at Arms:

TERRY BARNHARDT

TERRY EDMONDSON

FRANCES PATTERSON

FRANK URBEN

VISITOR REGISTRATION SHEET

Education/Higher Education

(Committee Name)

May 27, 2020

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Susan Vick	Fetzer Vick
Tom Fetzer	Fetzer Vick
Rachel Bentley	RPB Law
Lee Teague	TAG
Sara Kirkman	NCDST

Principal Clerk
Reading Clerk

Updated #2: Removing SB 847/Adding HB 1199

SENATE
NOTICE OF COMMITTEE MEETING
AND
BILL SPONSOR NOTICE

The **Senate Committee on Education/Higher Education** will meet at the following time:

DAY	DATE	TIME	ROOM
Wednesday	June 10, 2020	11:00 AM	1027/1128 LB

The following will be considered:

BILL NO.	SHORT TITLE	SPONSOR
HB 463	Education/Job Readiness in Prisons & Jails.	Representative Rogers Representative Brody Representative Hardister Representative John
HB 1199	Graduating Sr. Numeric Grade.	Representative Arp Representative Horn Representative Brody

Nominations to the State Board of Community Colleges

Senator Horner will chair the meeting.

Senator Deanna Ballard, Co-Chair
Senator Rick Horner, Co-Chair
Senator Jerry W. Tillman, Co-Chair

Senate Committee on Education/Higher Education
Wednesday, June 10, 2020, 11:00 am
1027/1128 Legislative Building

AGENDA

I. CALL TO ORDER

Chairs: **Sen. Rick Horner, Co-Chair, presiding**
Senator Deanna Ballard, Co-Chair
Senator Jerry W. Tillman, Co-Chair

II. WELCOME & OPENING REMARKS

III. AGENDA ITEMS

IV. NOMINATIONS TO THE STATE BOARD OF COMMUNITY COLLEGES

Bill NO.	Short Title	
HB 463	Education/Job Readiness in Prisons & Jails.	Representative Rogers Representative Brody Representative Hardister Representative John
HB 1199	Graduating Sr. Numeric Grade	Representative Arp Representative Horn Representative Brody

V. ADJOURNMENT

Senate Committee on Education/Higher Education
Wednesday, June 10, 2020 at 11:00 am
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 am on June 10, 2020 in Room 1027/1128 of the Legislative Building. Fourteen members were present.

A Visitor Registration log is attached and made part of these minutes.

Senator Horner, Presiding Chair, called the meeting to order at 11:00 am. He welcomed the members of the Committee and introduced the Sergeant-at-Arms staff. The following bills and nominations to the State Board of Community Colleges were considered.

State Board of Community Colleges Nominations. Members of the Senate Education Committee have been charged with selecting new members of the State Board of Community Colleges. The election of the new members will take place on the Senate floor June 11, 2020. The Chair recognized Senator Harrington, nominating member, to introduce Mr. Stephen Rosenburgh, nominee, for vacancy expiring June 30, 2021. The Chair welcomed Mr. Rosenburgh to speak to the committee. Senator McInnis moved to accept the nomination of Mr. Rosenburgh to put forth to the Senate on June 11, 2020 for the election of the State Board of Community Colleges. The motion passed.

The Chair recognized Senator Johnson, nominating member, to introduce Mr. Jerry Vaughan, nominee, for vacancy expiring June 30, 2025. Unfortunately, due to a scheduling conflict, Mr. Vaughan was not available to attend the meeting. Senator Johnson spoke on behalf of Mr. Vaughan. Senator Tillman moved to accept the nomination of Mr. Vaughan to put forth to the Senate on June 11, 2020 for the election of the State Board of Community Colleges. The motion passed. Legal qualifications of the nominees and SBCC Elections committee report is attached.

HB 463 Education/Job Readiness in Prisons & Jails. (Representatives Rogers, Brody, Hardister, John). Due to a scheduling conflict Representative Rogers, bill sponsor, was not available to present the bill in committee. Senator Ballard sent forth an amendment **H463-ABE-66 [v.4]** and explained the amendment. See attachment. Senator D. Davis moved for the adoption of the amendments for consideration. The motion passed. Senator Britt explained the amended bill. The Chair recognized Mr. Brian Gwen, Staff Attorney Legislative Analyses and Ms. Lisa Fox, Staff Attorney Fiscal Research Div. to respond to questions from committee members. Ms. Whitney Christensen (VERA Institute of Justice) and Ms. Mary Shuping (Director of Government Relations/NC Community College System) spoke in support of the bill. Senator Johnson moved for a favorable report as to the PCS, as amended; unfavorable to the original bill and recommendation the bill be re-referred to the Senate Committee on Appropriation/Base Budget. The motion passed. A copy of the bill, the bill summary, the amendment, PCS and committee report is attached.

HB 1199 Graduating Sr. Numeric Grade. (Representatives Arp, Horn, Brody). Due to a scheduling conflict Representative Arp, bill sponsor, was not available to present the bill in committee. The Chair recognized Senator Johnson to explain the bill. Senator McInnis moved for a favorable report and recommendation the bill be re-referred to the Senate Committee on Rules. The motion passed. A copy of the bill, the bill summary, and committee report is attached.

There being no further business, the Chair adjourned the meeting at 11:25 am.

Senator Rick Horner, Chair
Presiding

Regina Irwin, Committee Clerk

North Carolina General Assembly
Senate

SENATOR RICK HORNER
11TH DISTRICT

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DISTRICT: JOHNSTON AND NASH

COMMITTEES:

EDUCATION/HIGHER EDUCATION—CO-CHAIRMAN
APPROPRIATIONS ON GENERAL GOVERNMENT AND INFORMATION TECHNOLOGY—CO-CHAIRMAN
STATE AND LOCAL GOVERNMENT—CO-CHAIRMAN
APPROPRIATIONS ON EDUCATION/HIGHER EDUCATION
APPROPRIATIONS/BASE BUDGET
HEALTH CARE
JUDICIARY
PENSIONS AND RETIREMENT AND AGING

SENATE EDUCATION/HIGHER EDUCATION COMMITTEE

2019-2020

June 10, 2020

MEMORANDUM

TO: Members of the Senate

FROM: Senator Deanna Ballard, Senator Rick Horner, and Senator Jerry Tillman, Co-Chairs, Senate Education/Higher Education Committee

RE: Report of Senate Education/Higher Education on the State Board of Community Colleges Election

Pursuant to G.S. 115D-2.1(b)(4)e. and f., the Senate Education/Higher Education Committee met on June 10, 2020, the majority of members being present, and submits the following nominees to be considered by the Senate for election to the State Board of Community Colleges to fill a vacancy:

For the term ending June 30, 2021: Mr. Stephen Rosenburgh

For the term ending June 30, 2025: Mr. Jerry Vaughan

NORTH CAROLINA GENERAL ASSEMBLY
Legislative Services Office

Paul Y. Coble, Legislative Services Officer

Legislative Analysis Division
300 N. Salisbury Street, Suite 545
Raleigh, NC 27603-5925
Tel. 919-733-2578 Fax 919-715-5460

Karen Cochrane-Brown
Director

To: Senator Deanna Ballard, Senator Rick Horner, and Senator Jerry Tillman, Co-Chairs, Senate Education/Higher Education

From: Samantha Yarborough, Staff Attorney

Date: June 9, 2020

Re: Legal Qualifications of the Nominees for the State Board of Community Colleges

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The following names are before the Senate Education Committee as nominees for the State Board of Community Colleges. I have reviewed each application and indicated whether the nominee has any statutory disabilities. My opinion as to the nominee's statutory disabilities is based solely upon the information provided in the nominee's application. All nominees have certified that the information provided in the application is accurate.

Nominee for Vacancy Expiring 2021	**Sponsor**	**SEI Submitted**	**CV Submitted**	**Statutory Disability**
Rosenburgh, Stephen	Sen. Harrington	Yes.	Yes.	None.

Nominee for Vacancy Expiring 2025	**Sponsor**	**SEI Submitted**	**CV Submitted**	**Statutory Disability**
Vaughan, Jerry	Sen. Johnson	Yes.	Yes.	None.

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

STATUTORY REQUIREMENTS FOR COMMITTEE SELECTION OF NOMINEES FOR THE STATE BOARD OF COMMUNITY COLLEGES

- **List all candidates.**
- **Separately vote "aye" or "no" on each candidate to determine if that person should be listed as a nominee. A verbal vote of those present and voting shall constitute one nominee of the committee.**
- **Nominate at least two people for each seat if there are sufficient candidates. Otherwise, nominate at least one person for each seat.**

MEMBERSHIP ON THE STATE BOARD OF COMMUNITY COLLEGES

- **Two current vacancies:**
  - **One expiring June 30, 2021.**
  - **One expiring June 30, 2025.**
- **No member may serve more than two consecutive six year terms.**

INDIVIDUALS STATUTORILY BARRED FROM SERVING

- **A member of the General Assembly.**
- **An officer or employee of the State.**
- **An officer or employee of any institution under the jurisdiction of the State Board.**
- **A spouse of any of the above.**
- **Any person who within the prior 5 years has been an employee of the Community College System Office.**

SENATE
STATE BOARD OF COMMUNITY COLLEGES
2020 NOMINATION FORM FOR TERM ENDING
JUNE 30, 2021

1. Senator ~~P. Berger~~ Harrington (Sponsor's Name) proposes Stephen ROSENBURGH (Nominee's Name) as a nominee for election to the State Board of Community Colleges to **fill a vacancy expiring June 30, 2021**

2. Nominee's Name: Stephen ROSENBURGH

Nominee's Occupation: manager

Nominee's Physical Home Address: 14822 RESOLVES Lane
Charlotte NC. 28277

Home Telephone:

Work Telephone: 704-576-0022

E-mail Address:

3. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense?

_ Yes ✓No

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary

4. Is the nominee current on all federal, State, and local taxes?

✓Yes _ No

Nomination forms for the term ending June 2021 must be received by the Senate Principal Clerk's Office by 5:00 pm on June 3, 2020.
Statements of Economic Interest must be received by 5:00 p.m. on June 3, 2020

2

received by LG
6/3/2020 2:58 p.m.

5. Does the nominee currently hold any State or local offices, either elected or appointed?

_ Yes ✓ No

If yes, list all applicable offices, including dates of service:

6 Does the nominee's spouse currently hold any State or local offices, either elected or appointed?

_ Yes ✓ No

If yes, list all applicable offices, including dates of service:

7. Is the nominee an employee of the State of North Carolina?

_ Yes ✓ No

8. Is the nominee's spouse an employee of the State of North Carolina?

_ Yes ✓ No

9. Is the nominee an officer or employee of the Community College System?

_ Yes ✓ No

10. Is the nominee's spouse an officer or employee of the Community College System?

_ Yes ✓ No

11 Is the nominee an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?

_ Yes ✓ No

12. Is the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?

Yes ✓ No

Nomination forms for the term ending June 2021 must be received by the Senate Principal Clerk's Office by 5:00 pm on June 3, 2020.
Statements of Economic Interest must be received by 5:00 p.m. on June 3, 2020

13 Has the nominee been an employee of the Community College System Office at any time during the last five years?

_ Yes ✓ No

14. If elected, will the nominee serve?

✓ Yes No

15. If elected, will the nominee (or if applicable, the nominee's spouse) resign from any elected or appointed offices or any positions of employment which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.)

✓ Yes _ No

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "No member of the General Assembly, no officer or employee of the State, and no officer or employee of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board."

I have attached a current vitae and have submitted a completed original Statement of Economic Interest to the State Ethics Commission with a cover sheet indicating that I am a nominee for the State Board of Community Colleges for a vacancy with a term ending June 2021.

Stephen Rawlings Jr. June 3/2020
Signature of Nominee Date

Hanson June 3 '20
Signature of Sponsor Date

Nomination forms for the term ending June 2021 must be received by the Senate Principal Clerk's Office by 5:00 pm on June 3, 2020
Statements of Economic Interest must be received by 5:00 p.m. on June 3, 2020

US DEVELOPMENTS
BROKERAGE, DEVELOPMENT, MANAGEMENT.

Stephen Rosenburgh
Founder, President & CEO
US Developments, LLC

Industry Experience

Mr. Rosenburgh manages a team of experienced development specialists who help implement the company's real estate investment strategies, on behalf of its clients. Mr. Rosenburgh's career includes positions in government affairs and manufacturing.

After working for two years in the Cabinet of the Province of Ontario, Canada, he joined an international real estate development corporation based in Toronto. While with the company, Mr. Rosenburgh was involved in the acquisition and disposition of more than $300 million in real estate assets. His responsibilities included planning and zoning as well as design, finance, and project management and leasing/sales.

Mr. Rosenburgh expanded his range of knowledge in the fields of development and building by acquiring a significant interest in Morewood Industries, a manufacturer of housing components and modular homes. He served as the company's president and managing director for several years.

After executing the profitable sale of Morewood, Rosenburgh returned to development and construction as the Senior Vice President of Bramalea Limited. At that time, Bramalea was the largest publicly traded real estate development company in North America, and Mr. Rosenburgh was responsible for low rise housing, design, land acquisition, marketing, sales, purchasing, construction and administration with an annual budget exceeding $120 million.

After a successful career in Canada, he moved to Charlotte, N.C., where he founded Jordan Homes, a residential building and land development company. Some of his projects included Carrington, The Greens at Birkdale (which won several national awards), Legend Oaks and Stonebridge, both large mix-use golf course developments. Deciding to concentrate on land development, he sold his interest in the housing company and established Asset Corporation and US Land Investments, LLC to concentrate in residential, commercial and industrial land development in the Southeastern US. Mr. Rosenburgh acts as a consultant to Wall Street firms looking to invest in the real estate markets in the Southeast.

Seeking international assets, Mr. Rosenburgh acquired a 50% interest in Chenay Bay, a 50 unit (free standing) resort in St. Croix US VI. He and his partners founded, developed and sold this full service resort.

In order to provide a platform to assist debt and equity investors in real estate, Rosenburgh has formed Dynamic Asset Management. This company is a consortium of experienced and widely known real estate professionals who will analyze real estate investments, including both debt and equity, manage them and help owners to sell them.

US DEVELOPMENTS
BROKERAGE. DEVELOPMENT. MANAGEMENT.

Education

Mr. Rosenburgh received a bachelor's degree in political science from Laurentian University, and also holds a master's degree in administration and marketing, as well as an advanced degree in public administration, from Carleton University and the University of Ottawa. He completed an Executive Management Program at Harvard and he is also a graduate of the North Carolina College of Bankers.

Public Service

Mr. Rosenburgh served a five-year term as a member of the North Carolina Banking Commission. He has served as a Housing Commissioner for the City of Charlotte and was the Chairman of the Charlotte Planning Commission for 4 years and a member of the Regional Transportation Board. Starting in 2011, Mr. Rosenburgh was asked to bring his 30 years of real estate and financial experience to access the current market conditions and provide solutions for distressed real estate assets. These activities have included speaking at real estate forums throughout the US, England, and the Middle East as well as advising the Federal Reserve. Most recently, the governor of NC appointed Mr. Rosenburgh as a commissioner with NC Works which is the employment and training commission for the State of NC and has 60 offices throughout the state.

SENATE
STATE BOARD OF COMMUNITY COLLEGES
2020 NOMINATION FORM FOR TERM ENDING
JUNE 30, 2025

1. Senator Todd Johnson (Sponsor's Name) proposes

Jerry M. Vaughan (Nominee's Name) as a nominee for election to the State Board of Community Colleges to fill a vacancy expiring June 30, 2025.

2. Nominee's Name: Jerry M. Vaughan

Nominee's Occupation: Sales Analysis Manager

Nominee's Physical Home Address: 7201 Prescott Pond Lane
Charlotte NC 28270

Home Telephone: 704-540-8178

Work Telephone: 704-277-9549

E-mail Address: jmvaughan@carolina.rr.com

3. Has the nominee ever been arrested, given a written warning, taken into custody, or accused, formally or informally, of the violation of a law for any offense?

☐ Yes ☒ No

If yes, list every incident including the date, place, charges, and final disposition. Attach additional sheets if necessary.

4. Is the nominee current on all federal, State, and local taxes?

☒ Yes ☐ No

Nomination forms for the term ending June 2025 must be received by the Senate Principal Clerk's Office by 5:00 pm on June 3, 2020.
Statements of Economic Interest must be received by 5:00 p.m. on June 3, 2020.

received by LG
6/3/2020 11:04a.m.

5. Does the nominee currently hold any State or local offices, either elected or appointed?

☐ Yes ☒ No

If yes, list all applicable offices, including dates of service:

6. Does the nominee's spouse currently hold any State or local offices, either elected or appointed?

☐ Yes ☒ No

If yes, list all applicable offices, including dates of service:

7. Is the nominee an employee of the State of North Carolina?

☐ Yes ☒ No

8. Is the nominee's spouse an employee of the State of North Carolina?

☐ Yes ☒ No

9. Is the nominee an officer or employee of the Community College System?

☐ Yes ☒ No

10. Is the nominee's spouse an officer or employee of the Community College System?

☐ Yes ☒ No

11. Is the nominee an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?

☐ Yes ☒ No

12. Is the nominee's spouse an officer or employee of an institution under the jurisdiction of the State Board of Community Colleges?

☐ Yes ☒ No

Nomination forms for the term ending June 2025 must be received by the Senate Principal Clerk's Office by 5:00 pm on June 3, 2020.
Statements of Economic Interest must be received by 5:00 p.m. on June 3, 2020.

13. Has the nominee been an employee of the Community College System Office at any time during the last five years?

☐ Yes ☒ No

14. If elected, will the nominee serve?

☒ Yes ☐ No

15. If elected, will the nominee (or if applicable, the nominee's spouse) resign from any elected or appointed offices or any positions of employment which conflict with service on the State Board of Community Colleges? (Generally, local positions do not need to be resigned.)

☒ Yes ☐ No

The above information is accurate, and I will serve if elected. I understand that G.S. 115D-2.1(d) provides that "No member of the General Assembly, no officer or employee of the State, and no officer or employee of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board."

I have attached a current vitae and have submitted a completed original Statement of Economic Interest to the State Ethics Commission with a cover sheet indicating that I am a nominee for the State Board of Community Colleges for a vacancy with a term ending June 2021.

Jerry M. Vaughan June 02, 2020

Signature of Nominee/Date

6/2/20

Signature of Sponsor/Date

Nomination forms for the term ending June 2025 must be received by the Senate Principal Clerk's Office by 5:00 pm on June 3, 2020.
Statements of Economic Interest must be received by 5:00 p.m. on June 3, 2020.

Jerry M. Vaughan

7201 Prescott Pond Lane, Charlotte, NC 28270 **Phone**: (704) 540-8178 **E-mail**: jmvaughan@carolina.rr.com

A well-qualified executive professional with diverse experience in sales analysis, retail marketing, consulting, regional relationship management, business banking, economic development and entrepreneurship. Extensive experience in active listening, conceptualization and communication of strategic business models. Self-starter, persistent and hard working with exceptional communication skills; proven ability to successfully complete processes in a team environment. Areas of strength include:

- Forces & Factors Analysis
- Quantitative & Financial Analysis
- Generation & Integration of Data
- Conceptualization & Design
- Consultative Sales
- Communication (verbal/written/financial/schematic)
- Management (up/down/lateral)
- Collaboration/Diplomacy
- Civic Engagement & Service
- Organization & Leadership

Qualification Highlights

- Developed sales forecasting and phasing tools for "bottoms up" annual operating planning and periodic sales risk & opportunity estimates in a Supplier/Distributor environment across multiple Southeastern US states. Created monthly interim sales forecasting tools. Modelled route-to-market strategies and structures for sales teams. Developed KPIs and performance tracking systems using inputs from CRM software and field surveillance software platforms. Assisted in modelling and planning pricing/discounting timing and expected ROI (lift analysis). Developed data-derived targeting tactics and performed M&Es to assess post-execution impact.
- Designed and implemented a complex proprietary scoring system for prioritizing, mapping and managing retail floor displays based on vendor provided value enhancements, product profitability and sales volume. Established and implemented space management standards for retail shelf sets. Conceptualized, implemented and managed an objective performance monitoring process that tracks retail consumer experience by evaluating customer service, merchandising and retail environmental factors at 23 retail locations.
- Managed a retail consumer experience ("secret shopper") program for a large, urban Alcohol Beverage Control subdivision. Managed client communications; trained and led shopper team; co-developed statistical data, findings and strategic recommendations; produced written report and presentation materials; and presented completed project to executive management and board of directors.
- Conceptualized the structure of a successful merger transaction and led the valuation process to determine the allocation of ownership interest. Teamed with attorneys on both sides of the transaction to negotiate the final deal terms, and to prepare the closing documents.
- Conceptualized and sold through the Charlotte Small Business Enterprise Loan Fund, a public-private partnership that includes the City of Charlotte, foundation investors (John S. and James L. Knight Foundation & Foundation For The Carolinas) and local private sector investors (Wachovia Corporation, Bank of America, BB&T, Time Warner, Piedmont Natural Gas and others). The fund was capitalized at $10MM and leveraged the public-sector investment 20:1.
- Managed a regional community development bank with a staff of commercial and residential lenders that grew from four to eight. Grew the bank's brand equity in the region as the Charlotte regional office emerged to become the bank's most productive regional office generating more than $20MM in capital for small businesses and homeowners.
- Initiated and managed an "intra-preneurial" process to acquire, preserve and rehabilitate the historic Great Aunt Stella Center utilizing federal historic tax credits for real estate development. The property remains in use as a not-for-profit center and performing arts facility.
- Executed processes and procedures to underwrite and fund business and commercial real estate loans using local, state and federal guarantee programs. Consulted, advised and coached entrepreneurial management teams on mergers, acquisitions, joint ventures and capital formation.

Work History

Southern Glazers Wine & Spirits (Coastal-Pacific Div.) — **Raleigh, NC**
Sales Analysis Manager – NC/AL/MS/VA/WV — August 2012 – Present

Southern Glazer's Wine & Spirits is the largest wine and spirits distributor in the US with operations in 44 states. The Coastal-Pacific Division proudly represents the brand portfolios of Diageo and Moet Hennessy.

Mecklenburg County ABC Board — **Charlotte, NC**
Marketing & Customer Service Manager — January 2010 – August 2012

Mecklenburg County ABC Board is a retailer of spirituous liquors operating 23 retail and 18 wholesale outlets in Charlotte, North Carolina.

Creative Value Partners — **Charlotte, NC**
Founder & Principal — January 2004 – January 2010

Creative Value Partners is a provider of business development services, valuation, capital formation advisory services and strategic consulting services.

Self-Help Ventures Fund (A division of Self-Help Services Corporation) — **Charlotte, NC**
Fund Manager, Charlotte SBE Loan Fund — July 2003 - January 2004
Director, Charlotte Region — November 1998 - September 2003
Commercial Lending Officer — March 1997 - November 1998

Self-Help is a non-profit, statewide community development financial institution (CDFI) headquartered in Durham, North Carolina.

AXIA Partners, LLC — **New York, NY**
Co-Founder & Principal — November 1995 - December 1997

AXIA Partners, LLC was a private investment and strategic advisory partnership headquartered in New York City.

Education

Bachelor of Business Administration, Finance (Cum Laude)
Howard University, Washington, DC-December 1989
Beta Gamma Sigma Business Fraternity; Golden Key National Honor Society

Associate of Science, Accounting
Manchester Community College, Manchester, CT-May 1987

Professional/Community Involvement

Member, North Carolina State Board of Community Colleges (NCSBCC)
Chairman, Presidential Search & Strategic Planning Committees (NCSBCC)
Graduate, Bank of America Leadership Academy
Graduate, Leadership North Carolina, Class VIII
Member, Charlotte Chamber Congressional Committee
Committee Member, Charlotte-Mecklenburg Board of Education, Bond Oversight Committee
Citizen Diplomat, US Department of State/International House Council for International Visitors Program

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, June 10, 2020

Senator Horner,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO COMMITTEE SUBSTITUTE BILL NO. 1, BUT FAVORABLE AS TO SENATE COMMITTEE SUBSTITUTE BILL

HB **463** **(CS#1)** Education/Job Readiness in Prisons & Jails.

Draft Number:	H463-PCS10853-BE-40
Sequential Referral:	Appropriations/Base Budget
Recommended Referral:	None
Long Title Amended:	Yes

TOTAL REPORTED: 1

Senator Danny Earl Britt, Jr. will handle HB 463

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H D

HOUSE BILL 463
Committee Substitute Favorable 6/11/19
PROPOSED SENATE COMMITTEE SUBSTITUTE H463-PCS10853-BE-40

Short Title: Education in Prisons. (Public)

Sponsors:

Referred to:

March 27, 2019

A BILL TO BE ENTITLED

AN ACT TO PROVIDE ACCESS TO EDUCATION FOR INDIVIDUALS INCARCERATED IN STATE PRISONS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 8.3(a) of S.L. 2010-31 reads as rewritten:

"**SECTION 8.3.(a)** Funds appropriated for community college courses for prison inmates shall be used only for inmates in State prisons. The first priority for the use of these funds shall be to restore the FTE for basic skills courses to the FY 2008-2009 level. Funds not needed for this purpose may be used for continuing education and curriculum courses related to job skills training. ~~These funds shall not be used for Associate of Arts, Associate of Science, or Associate of General Education degrees.~~"

SECTION 2. This act becomes effective July 1, 2020.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 463

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

H463-ABE-66 [v.4]

Amends Title [YES]
Second Edition

Date _____,2020

Senator Ballard

moves to amend the bill on page 1, lines 2 through 3, by rewriting the lines to read:

"AN ACT TO PROVIDE ACCESS TO EDUCATION FOR INDIVIDUALS INCARCERATED IN STATE PRISONS.";

and rewriting the Short Title to read:

"Education in Prisons.";

and moves to amend the bill on page 1, lines 5 through 28, by rewriting the lines to read:

"**SECTION 1.** Section 8.3.(a) of S.L. 2010-31 reads as rewritten:

"**SECTION 8.3.(a)** Funds appropriated for community college courses for prison inmates shall be used only for inmates in State prisons. The first priority for the use of these funds shall be to restore the FTE for basic skills courses to the FY 2008-2009 level. Funds not needed for this purpose may be used for continuing education and curriculum courses related to job skills training. ~~These funds shall not be used for Associate of Arts, Associate of Science, or Associate of General Education degrees.~~"

SECTION 2. This act becomes effective July 1, 2020.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

HOUSE BILL 463:
Education/Job Readiness in Prisons & Jails.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 10, 2020
Introduced by:	Reps. Rogers, Brody, Hardister, John	**Prepared by:**	Brian Gwyn* Committee Co-Counsel
Analysis of:	Second Edition		

OVERVIEW: ***The 2nd edition of House Bill 463 would allow funds appropriated for community college courses for prison inmates to be used for Associate of Arts, Associate of Science, or Associate of General Education degrees. Additionally, it would allow community colleges to earn FTE for courses taught in local jails.***

CURRENT LAW: Section 8.3 of S.L. 2010-31 provides that funds appropriated for community college courses for prison inmates must be used only for inmates in State prisons, not federal prisons or local jails. These funds cannot be used for Associate of Arts, Associate of Science, or Associate of General Education degrees.

Until 2019, Section 8.3 of S.L. 2010-31 also prohibited courses taught in federal prisons and local jails from earning regular budget full-time equivalencies (FTE), though they could be offered on a self-supporting basis. Section 3.4 of S.L. 2019-235 modified S.L. 2010-31 to allow courses taught in local jails to earn regular budget FTE beginning with the 2019-2020 academic year.

G.S. 115D-5(c), as amended by S.L. 2019-235, requires that courses provided at State expense to any captive group of students must be approved by the State Board of Community Colleges. All courses approved for State prison inmates or prisoners in local jails must be tied to clearly identified job skills, transition needs, or both. A course taught without this approval will not yield any FTE.

BILL ANALYSIS: HB 463 would remove the restriction that prohibits funds from being used for Associate of Arts, Associate of Science, and Associate of General Education degrees. HB 463 would also allow courses taught in local jails to earn regular budget FTE, if the courses are approved by the State Board, beginning with the 2019-2020 academic year.

EFFECTIVE DATE: The bill would become effective July 1, 2019.

**Samantha Yarborough, staff attorney with the Legislative Analysis Division, substantially contributed to this summary.*

Karen Cochrane-Brown
Director

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H 2

HOUSE BILL 463
Committee Substitute Favorable 6/11/19

Short Title: Education/Job Readiness in Prisons & Jails. (Public)

Sponsors:

Referred to:

March 27, 2019

A BILL TO BE ENTITLED

AN ACT TO PROVIDE ACCESS TO EDUCATION AND JOB READINESS SKILLS FOR INDIVIDUALS INCARCERATED IN STATE PRISONS AND LOCAL JAILS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Section 8.3 of S.L. 2010-31 reads as rewritten:

"**SECTION 8.3.(a)** Funds appropriated for community college courses for prison inmates shall be used only for inmates in State prisons. The first priority for the use of these funds shall be to restore the FTE for basic skills courses to the FY 2008-2009 level. Funds not needed for this purpose may be used for continuing education and curriculum courses related to job skills training. ~~These funds shall not be used for Associate of Arts, Associate of Science, or Associate of General Education degrees.~~

"**SECTION 8.3.(b)** Courses in federal prisons ~~or local jails~~ shall not earn regular budget full-time equivalents, but may be offered on a self-supporting basis.

...."

SECTION 1.(b) G.S. 115D-5(c) reads as rewritten:

"(c) No course of instruction shall be offered by any community college at State expense or partial State expense to any captive or co-opted group of students, as defined by the State Board of Community Colleges, without prior approval of the State Board of Community Colleges. All course offerings approved for State prison inmates or prisoners in local jails must be tied to clearly identified job skills, transition needs, or both. Approval by the State Board of Community Colleges shall be presumed to constitute approval of both the course and the group served by that institution. The State Board of Community Colleges may delegate to the President the power to make an initial approval, with final approval to be made by the State Board of Community Colleges. A course taught without such approval will not yield any full-time equivalent students, as defined by the State Board of Community Colleges."

SECTION 1.(c) Beginning with the 2019-2020 academic year, community college courses offered in local jails shall earn regular budget full-time equivalents.

SECTION 2. This act becomes effective July 1, 2019.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, June 10, 2020

Senator Horner,
submits the following with recommendations as to passage:

FAVORABLE

HB **1199 (CS#1)** Graduating Sr. Numeric Grade.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 1

Senator Todd Johnson will handle HB 1199

HOUSE BILL 1199:
Graduating Sr. Numeric Grade.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 10, 2020
Introduced by:	Reps. Arp, Horn, Brody	**Prepared by:**	Brian Gwyn* Committee Co-Counsel
Analysis of:	Second Edition		

OVERVIEW: The 2nd edition of HB 1199 would give Union County Public Schools the authority to allow each graduating high school senior the choice of whether their spring 2020 course grades would appear on official transcripts as numeric grades or Pass/Withdrawal.

CURRENT LAW: G.S. 116-11(10a) requires DPI to generate and local school administrative units to use standardized transcripts in an automated format for applicants to higher education institutions. The standardized transcript must include grade point average, class rank, end-of-course test scores, and uniform course information.

Under State Board of Education Policy GRAD-009, all graduating seniors in North Carolina will receive either a Pass or Withdrawal as their grades for their spring 2020 courses. The codes "PC19" (Pass) or "WC19" (Withdrawal) will appear on official transcripts rather than numerical grades.

BILL ANALYSIS: The bill would give Union County Public Schools the authority to allow each graduating senior to choose from one of the following two options regarding how grades for courses from spring 2020 would appear on official transcripts:

(1) The highest grade of either (i) the numeric grade as of March 13, 2020; or (ii) if numeric grades were given during remote instruction, the grade as improved during the remainder of the semester through remote instruction.

(2) Pass or Withdrawal, as appropriate.

EFFECTIVE DATE: The bill would be effective when it becomes law.

**Manning Peeler, extern with the Legislative Analysis Division, substantially contributed to this summary.*

Karen Cochrane-Brown
Director

Legislative Analysis Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H 2

HOUSE BILL 1199
Committee Substitute Favorable 6/2/20

Short Title: Graduating Sr. Numeric Grade. (Local)

Sponsors:

Referred to:

May 27, 2020

A BILL TO BE ENTITLED

AN ACT TO ALLOW GRADUATING SENIORS IN UNION COUNTY PUBLIC SCHOOLS TO RECEIVE NUMERIC GRADES ON TRANSCRIPTS.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding G.S. 116-11(10a) and State Board of Education policy GRAD-009, including emergency additions to the policy approved March 27, 2020, and April 23, 2020, or any other policy or guidance to the contrary, for spring courses during the 2019-2020 school year, the Union County Board of Education shall have authority, in its discretion, to allow each graduating senior to choose one of the two following options for how each course grade will appear on official transcripts:

(1) Numeric grade, defined as the highest of (i) the grade representing learning as of March 13, 2020, or (ii) if numeric grades were given during remote instruction, the grade as improved during the remainder of the semester through remote instruction.

(2) Pass or Withdrawal, as appropriate.

SECTION 2. This act applies only to the Union County Public School System.

SECTION 3. This act is effective when it becomes law.

NCGA

NORTH CAROLINA GENERAL ASSEMBLY

Senate Committee

On

Education/Higher Education

June 10, 2020

Room 1027/1128

11:00 AM

Senate Sergeant at Arms

John Enloe

Billy Fritscher

Dwight Green

Frances Patterson

Education/Higher Education – Senate Comm

June 10, 2020

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
FREEBIRD McKINNEY	SBE
Mary Shepherd	NCCCS
Hannah Billings	RTS
Stephen Rowe	U.S. Dept.
Drew Moretz	UNC System
Whitney Christian	Vera
DAVID WILLIS	Public
Jordan Willis	Public
Jackson Willis	Public
Gisa Mateo	Capitol
Betty Poston	UNC Charlotte
Hazel Jones	Wellness

Education/Higher Education – Senate Comm

Speaker

June 10, 2020

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Stephen Roszkurgy	U.S. Department
Whitney Christensen	H463 - Vera Institute

Regina Irwin (Sen. Rick Horner)

From: Regina Irwin (Sen. Rick Horner)
Sent: Tuesday, June 16, 2020 11:25 AM
To: Sen. Harry Brown; Rep. Craig Horn; Rep. John Fraley; Rep. Ashton Wheeler Clemmons
Cc: Kolt Ulm (Sen. Harry Brown); Sally-Ann Gupta (Sen. Harry Brown); Lorie Byrd (Sen. Harry Brown); Erin Wilson (Rep. Craig Horn); Jan Copeland (Rep. John Fraley); Rianah Alexander (Rep. Ashton Wheeler Clemmons)
Subject: <NCGA> Senate Education/Higher Education Committee Meeting Notice for Wednesday, June 17, 2020 at 11:00 AM - UPDATED #1
Attachments: Add Meeting to Calendar_LINC_.ics

Principal Clerk ____
Reading Clerk ____

Updated #1: Added HB 1050

SENATE
NOTICE OF COMMITTEE MEETING
AND
BILL SPONSOR NOTICE

The **Senate Committee on Education/Higher Education** will meet at the following time:

DAY	DATE	TIME	ROOM
Wednesday	June 17, 2020	11:00 AM	1027/1128 LB

The following will be considered:

BILL NO.	SHORT TITLE	SPONSOR
SB 706	Educ. Changes for Military-Connected Students.	Senator Brown
HB 1050	PED/Low-Performing School Districts.	Representative Horn Representative Fraley Representative Clemmons

Senator Horner, Chair

Senator Deanna Ballard, Co-Chair
Senator Rick Horner, Co-Chair
Senator Jerry W. Tillman, Co-Chair

Senate Committee on Education/Higher Education
Wednesday, June 17, 2020, 11:00 am
1027/1128 Legislative Building

AGENDA

WELCOME & OPENING REMARKS

INTRODUCTION OF SERGEANT-AT ARMS

AGENDA ITEMS

BILL NO	SHORT TITLE	SPONSOR
HB 1050	PED/Low-Performing School Districts.	Representative Horn Representative Fraley Representative Clemmons
SB 706	Educ. Changes for Military-Connected Students.	Senator Brown

ADJOURNMENT

Senate Committee on Education/Higher Education
Wednesday, June 17, 2020 at 11:00 am
Room 1027/1128 of the Legislative Building

MINUTES

The Senate Committee on Education/Higher Education met at 11:00 am on June 10, 2020 in Room 1027/1128 of the Legislative Building. Twelve members were present.

A Visitor Registration log is attached and made part of these minutes.

Senator Horner, Presiding Chair, called the meeting to order at 11:00 am. He welcomed the members of the Committee and introduced the Sergeant-at-Arms staff. The following bills were considered.

HB 1050 PED/Low-Performing School Districts. (Representatives Horn, Fraley, Clemmons). The Chair recognized Representative Horn, bill sponsor, to explain the bill. Senator McInnis moved for a favorable report with a re-referral to the Committee on Rules and Operations of the Senate. The motion passed. A copy of the bill, the bill summary, and committee report is attached.

SB 706 Educ. Changes for Military-Connected Students. (Senator Brown). Due to a scheduling conflict Senator Brown, bill sponsor, was not available to present the bill in committee. Senator Ballard sent forth an amendment **S706-ATC-112 [v.5]** and explained the amendment. See attachment. Senator Krawiec moved for the adoption of the amendment for consideration. The motion passed. Senator Ballard explained the amended bill. Senator Tillman moved for a favorable report to the bill as amended, rolled into a PCS, with a favorable report to the Committee Substitute and an unfavorable report to the original bill with a re-referral to the Committee on Rules and Operations of the Senate. The motion passed. A copy of the bill, the bill summary, the amendment, PCS and committee report is attached.

There being no further business, the Chair adjourned the meeting at 11:05 am.

Senator Rick Horner, Chair
Presiding

Regina Irwin, Committee Clerk

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, June 17, 2020

Senator Horner,
submits the following with recommendations as to passage:

FAVORABLE

HB **1050 (CS#1)** PED/Low-Performing School Districts.

Draft Number:	None
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	No

TOTAL REPORTED: 1

Senator Rob Bryan will handle HB 1050

HOUSE BILL 1050:
PED/Low-Performing School Districts.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 17, 2020
Introduced by:	Reps. Horn, Fraley, Clemmons	**Prepared by:**	Drupti Chauhan* Committee Counsel
Analysis of:	Second Edition		

OVERVIEW: ***House Bill 1050 would require that plans for improvement and comprehensive needs assessments of low-performing local school administrative units include consideration and examination of early childhood learning.***

CURRENT LAW: G.S. 115C-105.39A requires the State Board of Education (SBE) to identify low-performing local school administrative units (LEAs) on an annual basis. A low-performing LEA is a unit in which the majority of the schools in the unit have been identified as low-performing schools. G.S. 115C-105.37 defines low-performing schools as those that earn an overall school performance grade of D or F and a school growth score of "met expected growth" or "not met expected growth," as defined in G.S. 115C-83.15.

G.S. 115C-105.39A also requires that within 30 days of being identified as a low-performing LEA, the superintendent must submit a preliminary plan for improving both the school performance grade and school growth score of each low-performing school within the unit to the local board of education. The plan must include how the superintendent and other central office administrators will work with each low-performing school and monitor the schools' progress, and how current LEA policy should be changed to improve student achievement throughout the LEA. The plan is reviewed by both the local board of education and the SBE before final approval. The final plan approved by the local board of education must be posted on the LEA and Department of Public Instruction (DPI) websites.

BILL ANALYSIS: HB 1050 would require that the superintendent include specific strategies to improve early childhood learning along with measurable goals in the preliminary plan for improving the school performance grade and school growth score of each low-performing school in a low-performing LEA.

HB 1050 would also require that DPI ensure that the comprehensive needs assessment tool used to provide support for low-performing LEAs include an examination of early childhood learning. The assessment would examine the following, at a minimum, for preschool through grade 3: (i) training levels of early childhood teachers and support staff, (ii) the ratio of students to teachers, (iii) alignment of preschool curricula to kindergarten through grade 3 curricula, (iv) kindergarten transition supports, including collaboration with preschool educators, and (v) kindergarten preparedness.

EFFECTIVE DATE: HB 1050 would be effective when it becomes law and would apply beginning with plans of improvement and comprehensive needs assessments for LEAs identified as low performing based on data from the 2020-2021 school year.

**Samantha Yarborough, Committee Counsel, substantially contributed to this summary.*

Karen Cochrane-Brown
Director

Legislative Analysis
Division
919-733-2578

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H 2

HOUSE BILL 1050*
Committee Substitute Favorable 6/2/20

Short Title: PED/Low-Performing School Districts. (Public)

Sponsors:

Referred to:

April 30, 2020

A BILL TO BE ENTITLED

AN ACT TO REQUIRE CONSIDERATION OF EARLY CHILDHOOD LEARNING IN IMPROVEMENT PLANS FOR LOW-PERFORMING LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO REQUIRE THAT COMPREHENSIVE NEEDS ASSESSMENTS FOR LOW-PERFORMING LOCAL SCHOOL ADMINISTRATIVE UNITS INCLUDE ANALYSIS OF EARLY CHILDHOOD LEARNING.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-105.39A reads as rewritten:

"**§ 115C-105.39A. Identification of low-performing local school administrative units.**

(a) Identification of Low-Performing Local School Administrative Units. – The State Board of Education shall identify low-performing local school administrative units on an annual basis. A low-performing local school administrative unit is a unit in which the majority of the schools in that unit that earned an overall school performance grade and school growth score as provided in G.S. 115C-83.15 have been identified as low-performing schools, as provided in G.S. 115C-105.37.

(b) Plan for Improvement of Low-Performing Local School Administrative Units. – Once a local school administrative unit has been identified as low-performing under this section, the following actions shall be taken:

(1) The superintendent shall proceed under G.S. 115C-105.39.

(2) Within 30 days of the identification of a local school administrative unit as low-performing by the State Board, the superintendent shall submit to the local board of education a preliminary plan for improving both the school performance grade and school growth score of each low-performing school in the unit, including how the superintendent and other central office administrators will work with each low-performing school and monitor the low-performing school's progress and how current local school administrative unit policy should be changed to improve student achievement throughout the local school administrative unit. The plan shall also include specific strategies to improve early childhood learning along with measurable goals.

(3) Within 30 days of its receipt of the preliminary plan, the local board shall vote to approve, modify, or reject this plan. Before the local board votes on the plan, it shall make the plan available to the public, including the personnel assigned to each low-performing school and the parents and guardians of the students who are assigned to each low-performing school, and shall allow for written comments.

(4) The local board shall submit a final plan to the State Board within five days of the local board's approval of the plan. The State Board shall review the plan expeditiously and, if appropriate, may offer recommendations to modify the plan. The local board shall consider any recommendations made by the State Board and, if necessary, amend the plan and vote on approval of any changes to the final plan.

(5) The local board of education shall provide access to the final plan on the local school administrative unit's Web site. The State Board of Education shall also provide access to each low-performing local school administrative unit plan on the Department of Public Instruction's Web site.

...."

SECTION 2. When providing intensive support for low-performing local school administrative units through Regional Support Teams, the Department of Public Instruction shall ensure that the comprehensive needs assessment tool includes an examination of early childhood learning. The assessment shall examine, at a minimum, the following for preschool through third grade:

(1) Training levels of early childhood teachers and support staff.

(2) The ratio of students to teachers.

(3) Alignment of preschool curricula to curricula for kindergarten through third grade.

(4) Kindergarten transition supports, including collaboration with preschool educators.

(5) Kindergarten preparedness.

SECTION 3. This act is effective when it becomes law and applies beginning with plans of improvement and comprehensive needs assessments for local school administrative units identified as low-performing based on data from the 2020-2021 school year.

NORTH CAROLINA GENERAL ASSEMBLY
SENATE

EDUCATION/HIGHER EDUCATION COMMITTEE REPORT
Senator Ballard, Co-Chair
Senator Horner, Co-Chair
Senator Tillman, Co-Chair

Wednesday, June 17, 2020

Senator Horner,
submits the following with recommendations as to passage:

UNFAVORABLE AS TO BILL, BUT FAVORABLE AS TO COMMITTEE SUBSTITUTE BILL

SB **706** Educ. Changes for Military-Connected Students.

Draft Number:	S706-PCS35429-TC-69
Sequential Referral:	Rules and Operations of the Senate
Recommended Referral:	None
Long Title Amended:	Yes

TOTAL REPORTED: 1

Senator Deanna Ballard will handle SB 706

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S D

SENATE BILL 706
PROPOSED COMMITTEE SUBSTITUTE S706-PCS35429-TC-69

Short Title: Educ. Changes for Military-Connected Students. (Public)

Sponsors:

Referred to:

May 1, 2020

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE STUDENT ATTENDANCE IN A LOCAL SCHOOL ADMINISTRATIVE UNIT FOR CHILDREN OF ACTIVE DUTY MILITARY DUE TO THE MILITARY ORDERS OF THE PARENT AND TO CLARIFY CONTINUOUS ENROLLMENT FOR HIGH SCHOOL STUDENTS WHO ARE DEPENDENTS OF MILITARY PERSONNEL ONCE THOSE STUDENTS ARE ADMITTED TO A STATE INSTITUTION OF HIGHER EDUCATION.

The General Assembly of North Carolina enacts:

PART I. AUTHORIZE STUDENT ATTENDANCE IN A LOCAL SCHOOL ADMINISTRATIVE UNIT FOR CHILDREN OF ACTIVE DUTY MILITARY DUE TO THE MILITARY ORDERS OF THE PARENT

SECTION 1.(a) G.S. 115C-366(a3) reads as rewritten:

"(a3) A student who is not a domiciliary of a local school administrative unit may attend, without the payment of tuition, the public schools of that unit if all of the following apply:

(1) The student resides with an adult, who is a domiciliary of that unit, as a result of any one of the following:

a. The death, serious illness, or incarceration of a parent or legal guardian.

b. The abandonment by a parent or legal guardian of the complete control of the student as evidenced by the failure to provide substantial financial support and parental guidance.

c. Abuse or neglect by the parent or legal guardian.

d. The physical or mental condition of the parent or legal guardian is such that he or she cannot provide adequate care and supervision of the student.

e. The relinquishment of physical custody and control of the student by the student's parent or legal guardian upon the recommendation of the department of social services or the Division of Mental Health.

f. The loss or uninhabitability of the student's home as the result of a natural disaster.

g. The parent or legal guardian is one of the following:

~~1.~~ ~~On active military duty and is deployed out of the local school administrative unit in which the student resides. For purposes of this sub-sub-subdivision, the term "active duty" does not include periods of active duty for training for less than 30 days.~~

2. A member or veteran of the uniformed services who is severely injured and medically discharged or retired, but only for a period of one year after the medical discharge or retirement of the parent or guardian.
3. A member of the uniformed services who dies on active duty or as a result of injuries sustained on active duty, but only for a period of one year after death. For purposes of this sub-sub-subdivision, the term "active duty" is as defined in G.S. 115C-407.5

Assignment under this sub-subdivision is only available if some evidence of the deployment, medical discharge, retirement, or death is tendered with the affidavits required under subdivision (3) of this subsection.

h. The parent or legal guardian is on active military duty, and the commanding officer of the parent or legal guardian provides in a signed letter that the parent or legal guardian's military orders prevent the parent or legal guardian from physically residing with the student. Assignment under this sub-subdivision is only available if the signed letter from the commanding officer of the parent or legal guardian is included with the affidavits required under subdivision (3) of this subsection, and the commanding officer indicates the time period that such military orders will be in effect. For purposes of this sub-subdivision, the term "active military duty" does not include periods of active duty for training for less than 30 days.

(2) The student is:
a. Not currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or an expulsion from the local school administrative unit, or
b. Currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or an expulsion from the local school administrative unit and is identified as eligible for special education and related services under the Individuals with Disabilities Education Improvement Act, 20 U.S.C. § 1400, et seq., (2004). Assignment under this sub-subdivision is available only if evidence of current eligibility is tendered with the affidavit required under subdivision (3) of this subsection.

(3) The caregiver adult and the student's parent, guardian, or legal custodian have each completed and signed separate affidavits that do all of the following:
a. Confirm the qualifications set out in this subsection establishing the student's residency.
b. Attest that the student's claim of residency in the unit is not primarily related to attendance at a particular school within the unit.
c. Attest that the caregiver adult has been given and accepts responsibility for educational decisions for the student.

If the student's parent, guardian, or legal custodian is unable, refuses, or is otherwise unavailable to sign the affidavit, then the caregiver adult shall attest to that fact in the affidavit. If the student is a minor, the caregiver adult must make educational decisions concerning the student and has the same legal authority and responsibility regarding the student as a parent or legal custodian would have even if the parent, guardian, or legal custodian does not sign the affidavit. The minor student's parent, legal guardian, or legal custodian retains liability for the student's acts.

Upon receipt of both affidavits or an affidavit from the caregiver adult that includes an attestation that the student's parent, guardian, or legal custodian is unable, refuses, or is otherwise unavailable to sign an affidavit, the local board shall admit and assign as soon as practicable the student to an appropriate school, as determined under the local board's school assignment policy, pending the results of any further procedures for verifying eligibility for attendance and assignment within the local school administrative unit. No requirement of legal guardianship by the caregiver adult shall be required by a local board for a student to qualify for enrollment under this subsection.

If it is found that the information contained in either or both affidavits is false, then the local board may, unless the student is otherwise eligible for school attendance under other laws or local board policy, remove the student from school. If a student is removed from school, the board shall provide an opportunity to appeal the removal under the appropriate policy of the local board and shall notify any person who signed the affidavit of this opportunity. If it is found that a person willfully and knowingly provided false information in the affidavit, the maker of the affidavit shall be guilty of a Class 1 misdemeanor and shall pay to the local board an amount equal to the cost of educating the student during the period of enrollment. Repayment shall not include State funds.

Affidavits shall include, in large print, the penalty, including repayment of the cost of educating the student, for providing false information in an affidavit."

SECTION 1.(b) G.S. 115C-366 is amended by adding a new subsection to read:

"(a10) A student who is not a domiciliary of a local school administrative unit shall be permitted to register to enroll in the public schools of that unit if that student resides in that local school administrative unit with a parent, legal guardian, or legal custodian on active military duty who is assigned by official military order to a military installation or reservation in the State. Nothing in this subsection shall be construed to curtail a local school administrative unit's authority pursuant to G.S. 115C-366(a5)."

SECTION 1.(c) This section is effective when it becomes law and applies beginning with the 2020-2021 school year.

PART II. CLARIFY CONTINUOUS ENROLLMENT FOR HIGH SCHOOL STUDENTS WHO ARE DEPENDENTS OF MILITARY PERSONNEL ONCE THOSE STUDENTS ARE ADMITTED TO A STATE INSTITUTION OF HIGHER EDUCATION

SECTION 2.(a) G.S. 116-143.3 reads as rewritten:

"§ 116-143.3. Tuition of Armed Forces personnel and their dependents.

...

(c) Any dependent relative of a member of the Armed Forces who is abiding in this State incident to active military duty, as defined by the Board of Governors of The University of North Carolina and by the State Board of Community Colleges while sharing the abode of that member shall be eligible to be charged the in-State tuition rate, if the dependent relative qualifies for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3). The dependent relatives shall comply with the requirements of the Selective Service System, if applicable, in order to be accorded this benefit. In the event the member of the Armed Forces is reassigned outside of North Carolina or retires, the dependent relative shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the dependent relative is continuously enrolled in the degree or other program in which the dependent relative was enrolled at the time the member is reassigned or retires. In the event the member of the Armed Forces receives an Honorable Discharge from military service, the dependent relative shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the dependent relative establishes residency within North Carolina within 30 days after the discharge and is continuously enrolled in the degree or other program in which the dependent relative was enrolled at the time the member is discharged.

(c1) A dependent relative who resides with a member of the Armed Forces who is reassigned outside of the State incident to active military duty shall remain eligible to be charged the in-State tuition rate if all of the following are met:

(1) At the time the dependent relative applies for admission to the institution of higher education, as defined in G.S. 116-143.1(a)(3), the dependent relative both:

a. Is enrolled in a North Carolina high school.

b. Meets the requirements of subsection (c) of this section.

(2) Upon admission, the dependent relative enrolls in the institution of higher education no later than the fall academic semester immediately following notice of admission and remains continuously enrolled.

...."

SECTION 2.(b) This section is effective when it becomes law and applies to students admitted for the fall academic semester of 2020 and thereafter.

PART III. EFFECTIVE DATE

SECTION 3. Except as otherwise provided herein, this act is effective when it becomes law.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 706

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

S706-ATC-112 [v.5]

Amends Title [YES]
First Edition

Date 6-17- ,2020

Senator Ballard

moves to amend the bill on page 1, lines 4-5, by deleting those lines and substituting the following:

"THE MILITARY ORDERS OF THE PARENT AND TO";

and on page 1, lines 8-9, by deleting those lines and substituting the following:

"ADMITTED TO A STATE INSTITUTION OF HIGHER EDUCATION.";

and on page 3, line 32, through page 4, line 39, by deleting those lines;

and by renumbering the remaining sections and parts accordingly.

SIGNED Donna Ballard
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

S706-ATC-112-V-5

SENATE BILL 706:
Educ. Changes for Military-Connected Students.

2019-2020 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	**Date:**	June 17, 2020
Introduced by:	Sen. Brown	**Prepared by:**	Kara McCraw Staff Attorney
Analysis of:	First Edition		

OVERVIEW: HB 1047 would make the following changes:

- ***Part I would authorize students with parents or legal guardians not domiciled in the State who are active duty military to attend school in the State if the student is residing with an adult domiciled in the State due to the inability of the student to physically reside with the military parent due to the parent's military orders.***
- ***Part II would require nonpublic schools to annually update information, including reporting on whether the home school includes military-connected students.***
- ***Part III would allow high school students who are eligible for in-state tuition at the time of application due to their status as dependents of military personnel to retain that status upon enrollment, even if the parent has been reassigned to another state incident to active military duty.***

PART I: STUDENT ATTENDANCE IN LOCAL SCHOOL ADMINISTRATIVE UNITS

CURRENT LAW: G.S. 115C-366 establishes the requirements for assignment of students to local school administrative units (LEAs). Generally, a student must be domiciled in a local school administrative unit to attend its public schools free of tuition. A minor's domicile is the same as the minor's parent or legal guardian (parent). *Graham v. Mock*, 143 N.C. App. 315, 318 (2001). However, there are a number of exceptions. One of the exceptions is when that student resides with a caregiver adult who is domiciled in the LEA because the student's parent is on active military duty and is deployed outside of the LEA in which the student resides. Affidavits and evidence of the deployment must be provided to the local board of education.

BILL ANALYSIS: Sec. 1(a) would replace the current exception for enrollment of students whose parent is on active military duty with a new exception. This exception would authorize enrollment of a non-domiciled student living with a caregiver adult domiciled in the LEA if the following apply:

- The parent is on active military duty.
- The commanding officer of the parent provides a signed letter that the parent's military orders prevent the parent from physically residing with the student, and includes the time period the military orders will be in effect. Active military duty would not include periods of active duty for training of less than 30 days.
- The signed letter is submitted with the required affidavits.

The section also clarifies that legal guardianship by the caregiver adult is not a requirement for enrollment.

This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.

Sec. 1(b) would clarify that a student is eligible to register to attend school in an LEA if the student resides in the LEA with a parent on active military duty assigned to a military installation or reservation in the State, even if the parent is not domiciled in the State.

EFFECTIVE DATE: Part I would become effective when it becomes law, and would apply beginning with the 2020-2021 school year.

PART II: IDENTIFICATION OF MILITARY-CONNECTED STUDENTS IN NONPUBLIC SCHOOLS

CURRENT LAW: G.S. 115C-12(1)f. requires the annual identification in local school administrative units of military-connected students. A military-connected student is defined as a student who has a parent, step-parent, or other person who resides in the same household serving in the armed forces.

Article 39 of Chapter 115C establishes the requirements for operation of nonpublic schools in the State, including religious private schools, other private schools, and home schools.

BILL ANALYSIS: Sections 2 (a) and (b) would require all private schools to annually report to the Division of Nonpublic Education, Department of Administration, (Division) on enrolled military-connected students, defined in the same manner as for public schools. The information would not be public record, but would be accessible to school liaisons employed by the State, local governments, or the Armed Forces.

Sections 2 (c) and (d) would require home schools to make the same annual report on military-connected students required for private schools. The initial report would be made in the notice of intent to open a home school, and an annual update to the original notice of intent would be required through the Division's website, including an option to indicate that no changes have occurred. The Division would be required to establish a simplified process for the annual updates, including the no change option, by August 1, 2020.

EFFECTIVE DATE: Part II would become effective when it became law, and would apply to all nonpublic schools beginning with the 2020-2021 school year.

PART III: CLARIFY CONTINUOUS ENROLLMENT FOR MILITARY DEPENDENT HIGH SCHOOL STUDENTS ONCE ADMITTED

CURRENT LAW: G.S. 116-143.1 requires that an individual reside in the State for 12 months to qualify for in-state tuition at a constituent institution or community college of the State (institution of higher education). G.S. 116-143.4 provides an exception to this requirement for members of the Armed Forces abiding in the State incident to active military duty and their dependent relatives who reside with them, and grants them in-state tuition without meeting the 12 month residency requirement. The benefit is retained by the dependent even after the member is reassigned outside of the State or retires, as long as the dependent remains continuously enrolled in the degree or program.

BILL ANALYSIS: Section 3(a) would qualify a dependent relative of a member of the Armed Forces for in-state tuition after the member is reassigned outside of the State incident to active military duty if all of the following criteria are met:

- While the member of the Armed Forces is assigned in North Carolina, the dependent relative applies for admission to an institution of higher education while enrolled in a North Carolina high school.
- The member is reassigned outside of North Carolina before the student enrolls in the institution of higher education.
- Upon admission, the dependent relative enrolls in the institution of higher education no later than the fall semester following the notice of admission and remains continuously enrolled.

EFFECTIVE DATE: Part III would become effective when it became law, and would apply to students admitted for the fall academic semester of 2020 and thereafter.

SENATE BILL 706

Short Title:	Educ. Changes for Military-Connected Students.	(Public)
Sponsors:	Senator Brown (Primary Sponsor).	
Referred to:	Rules and Operations of the Senate	

May 1, 2020

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE STUDENT ATTENDANCE IN A LOCAL SCHOOL ADMINISTRATIVE UNIT FOR CHILDREN OF ACTIVE DUTY MILITARY DUE TO THE MILITARY ORDERS OF THE PARENT, TO REQUIRE IDENTIFICATION OF MILITARY-CONNECTED STUDENTS IN NONPUBLIC SCHOOLS, AND TO CLARIFY CONTINUOUS ENROLLMENT FOR HIGH SCHOOL STUDENTS WHO ARE DEPENDENTS OF MILITARY PERSONNEL ONCE THOSE STUDENTS ARE ADMITTED TO A STATE INSTITUTION OF HIGHER EDUCATION, AS RECOMMENDED BY THE NORTH CAROLINA MILITARY AFFAIRS COMMISSION.

The General Assembly of North Carolina enacts:

PART I. AUTHORIZE STUDENT ATTENDANCE IN A LOCAL SCHOOL ADMINISTRATIVE UNIT FOR CHILDREN OF ACTIVE DUTY MILITARY DUE TO THE MILITARY ORDERS OF THE PARENT

SECTION 1.(a) G.S. 115C-366(a3) reads as rewritten:

"(a3) A student who is not a domiciliary of a local school administrative unit may attend, without the payment of tuition, the public schools of that unit if all of the following apply:

(1) The student resides with an adult, who is a domiciliary of that unit, as a result of any one of the following:

a. The death, serious illness, or incarceration of a parent or legal guardian.

b. The abandonment by a parent or legal guardian of the complete control of the student as evidenced by the failure to provide substantial financial support and parental guidance.

c. Abuse or neglect by the parent or legal guardian.

d. The physical or mental condition of the parent or legal guardian is such that he or she cannot provide adequate care and supervision of the student.

e. The relinquishment of physical custody and control of the student by the student's parent or legal guardian upon the recommendation of the department of social services or the Division of Mental Health.

f. The loss or uninhabitability of the student's home as the result of a natural disaster.

g. The parent or legal guardian is one of the following:

~~1.~~ ~~On active military duty and is deployed out of the local school administrative unit in which the student resides. For purposes~~

~~of this sub-sub-subdivision, the term "active duty" does not include periods of active duty for training for less than 30 days.~~

2. A member or veteran of the uniformed services who is severely injured and medically discharged or retired, but only for a period of one year after the medical discharge or retirement of the parent or guardian.
3. A member of the uniformed services who dies on active duty or as a result of injuries sustained on active duty, but only for a period of one year after death. For purposes of this sub-sub-subdivision, the term "active duty" is as defined in G.S. 115C-407.5

Assignment under this sub-subdivision is only available if some evidence of the deployment, medical discharge, retirement, or death is tendered with the affidavits required under subdivision (3) of this subsection.

h. The parent or legal guardian is on active military duty, and the commanding officer of the parent or legal guardian provides in a signed letter that the parent or legal guardian's military orders prevent the parent or legal guardian from physically residing with the student. Assignment under this sub-subdivision is only available if the signed letter from the commanding officer of the parent or legal guardian is included with the affidavits required under subdivision (3) of this subsection, and the commanding officer indicates the time period that such military orders will be in effect. For purposes of this sub-subdivision, the term "active military duty" does not include periods of active duty for training for less than 30 days.

(2) The student is:

a. Not currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or an expulsion from the local school administrative unit, or
b. Currently under a term of suspension or expulsion from a school for conduct that could have led to a suspension or an expulsion from the local school administrative unit and is identified as eligible for special education and related services under the Individuals with Disabilities Education Improvement Act, 20 U.S.C. § 1400, et seq., (2004). Assignment under this sub-subdivision is available only if evidence of current eligibility is tendered with the affidavit required under subdivision (3) of this subsection.

(3) The caregiver adult and the student's parent, guardian, or legal custodian have each completed and signed separate affidavits that do all of the following:

a. Confirm the qualifications set out in this subsection establishing the student's residency.
b. Attest that the student's claim of residency in the unit is not primarily related to attendance at a particular school within the unit.
c. Attest that the caregiver adult has been given and accepts responsibility for educational decisions for the student.

If the student's parent, guardian, or legal custodian is unable, refuses, or is otherwise unavailable to sign the affidavit, then the caregiver adult shall attest to that fact in the affidavit. If the student is a minor, the caregiver adult must make educational decisions concerning the student and has the same legal authority and responsibility regarding the student as a parent or legal custodian would have even if the parent, guardian, or legal custodian does not sign the

affidavit. The minor student's parent, legal guardian, or legal custodian retains liability for the student's acts.

Upon receipt of both affidavits or an affidavit from the caregiver adult that includes an attestation that the student's parent, guardian, or legal custodian is unable, refuses, or is otherwise unavailable to sign an affidavit, the local board shall admit and assign as soon as practicable the student to an appropriate school, as determined under the local board's school assignment policy, pending the results of any further procedures for verifying eligibility for attendance and assignment within the local school administrative unit. No requirement of legal guardianship by the caregiver adult shall be required by a local board for a student to qualify for enrollment under this subsection.

If it is found that the information contained in either or both affidavits is false, then the local board may, unless the student is otherwise eligible for school attendance under other laws or local board policy, remove the student from school. If a student is removed from school, the board shall provide an opportunity to appeal the removal under the appropriate policy of the local board and shall notify any person who signed the affidavit of this opportunity. If it is found that a person willfully and knowingly provided false information in the affidavit, the maker of the affidavit shall be guilty of a Class 1 misdemeanor and shall pay to the local board an amount equal to the cost of educating the student during the period of enrollment. Repayment shall not include State funds.

Affidavits shall include, in large print, the penalty, including repayment of the cost of educating the student, for providing false information in an affidavit."

SECTION 1.(b) G.S. 115C-366 is amended by adding a new subsection to read:

"(a10) A student who is not a domiciliary of a local school administrative unit shall be permitted to register to enroll in the public schools of that unit if that student resides in that local school administrative unit with a parent, legal guardian, or legal custodian on active military duty who is assigned by official military order to a military installation or reservation in the State. Nothing in this subsection shall be construed to curtail a local school administrative unit's authority pursuant to G.S. 115C-366(a5)."

SECTION 1.(c) This section is effective when it becomes law and applies beginning with the 2020-2021 school year.

PART II. REQUIRE IDENTIFICATION OF MILITARY-CONNECTED STUDENTS IN NONPUBLIC SCHOOLS

SECTION 2.(a) Part 1 of Article 39 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-550.1. Reporting of military-connected students.**

(a) A private church school or school of religious charter shall annually report to the Division of Nonpublic Education, Department of Administration, in a manner established by the Division, on enrolled military-connected students. For purposes of this section, a "military-connected student" means a student enrolled in a private church school or school of religious charter who has a parent, stepparent, sibling, or any other person who resides in the same household serving in the active or reserve components of the Army, Navy, Air Force, Marine Corps, Coast Guard, or National Guard.

(b) The identification of military-connected students is not a public record within the meaning of G.S. 132-1 and shall not be made public by any person, except as follows:

(1) As permitted under the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g.

(2) By the Division of Nonpublic Education to any school liaison in the State employed by the State, a local government, or the Armed Forces, as defined in G.S. 116-143.3."

SECTION 2.(b) Part 2 of Article 39 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-558.1. Reporting of military-connected students.**

(a) A qualified nonpublic school shall annually report to the Division of Nonpublic Education, Department of Administration, in a manner established by the Division, on enrolled military-connected students. For purposes of this section, a "military-connected student" means a student enrolled in a qualified nonpublic school who has a parent, stepparent, sibling, or any other person who resides in the same household serving in the active or reserve components of the Army, Navy, Air Force, Marine Corps, Coast Guard, or National Guard.

(b) The identification of military-connected students is not a public record within the meaning of G.S. 132-1 and shall not be made public by any person, except as follows:

(1) As permitted under the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g.

(2) By the Division of Nonpublic Education to any school liaison in the State employed by the State, a local government, or the Armed Forces, as defined in G.S. 116-143.3."

SECTION 2.(c) G.S. 115C-564 reads as rewritten:

"**§ 115C-564. Qualifications and requirements.**

(a) A home school shall make the election to operate under the qualifications of either Part 1 or Part 2 of this Article and shall meet the requirements of the Part elected, except ~~that any~~ as follows:

(1) Any requirement related to safety and sanitation inspections shall be waived if the school operates in a private ~~residence and except that~~ residence.

(2) The testing requirements in G.S. 115C-549 and G.S. 115C-557 shall be on an annual basis.

(3) A home school shall annually report a notice of intent to operate to the Division of Nonpublic Education, and shall comply with the report on military-connected students required in G.S. 115C-550.1 and G.S. 115C-558 in the notice of intent to operate. Continued operation of a home school with no changes from a prior notice of intent shall be indicated through a simplified process established by the Division of Nonpublic Education.

(b) The persons providing academic instruction in a home school shall hold at least a high school diploma or its equivalent."

SECTION 2.(d) The Division of Nonpublic Education shall establish, no later than August 1, 2020, a simplified process for home schools to annually update the notice of intent to operate if no changes are required to the information submitted previously to the Division, as required by G.S. 115C-564(a)(3), as amended by this act.

SECTION 2.(e) This section is effective when it becomes law and applies to all nonpublic schools beginning with the 2020-2021 school year.

PART III. CLARIFY CONTINUOUS ENROLLMENT FOR HIGH SCHOOL STUDENTS WHO ARE DEPENDENTS OF MILITARY PERSONNEL ONCE THOSE STUDENTS ARE ADMITTED TO A STATE INSTITUTION OF HIGHER EDUCATION

SECTION 3.(a) G.S. 116-143.3 reads as rewritten:

"**§ 116-143.3. Tuition of Armed Forces personnel and their dependents.**

...

(c) Any dependent relative of a member of the Armed Forces who is abiding in this State incident to active military duty, as defined by the Board of Governors of The University of North Carolina and by the State Board of Community Colleges while sharing the abode of that member shall be eligible to be charged the in-State tuition rate, if the dependent relative qualifies for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3). The dependent

relatives shall comply with the requirements of the Selective Service System, if applicable, in order to be accorded this benefit. In the event the member of the Armed Forces is reassigned outside of North Carolina or retires, the dependent relative shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the dependent relative is continuously enrolled in the degree or other program in which the dependent relative was enrolled at the time the member is reassigned or retires. In the event the member of the Armed Forces receives an Honorable Discharge from military service, the dependent relative shall continue to be eligible for the in-State tuition rate and applicable mandatory fees so long as the dependent relative establishes residency within North Carolina within 30 days after the discharge and is continuously enrolled in the degree or other program in which the dependent relative was enrolled at the time the member is discharged.

(c1) A dependent relative who resides with a member of the Armed Forces who is reassigned outside of the State incident to active military duty shall remain eligible to be charged the in-State tuition rate if all of the following are met:

(1) At the time the dependent relative applies for admission to the institution of higher education, as defined in G.S. 116-143.1(a)(3), the dependent relative both:

a. Is enrolled in a North Carolina high school.

b. Meets the requirements of subsection (c) of this section.

(2) Upon admission, the dependent relative enrolls in the institution of higher education no later than the fall academic semester immediately following notice of admission and remains continuously enrolled.

...."

SECTION 3.(b) This section is effective when it becomes law and applies to students admitted for the fall academic semester of 2020 and thereafter.

PART IV. EFFECTIVE DATE

SECTION 4. Except as otherwise provided herein, this act is effective when it becomes law.

NCGA

NORTH CAROLINA GENERAL ASSEMBLY

Senate Committee

On

Education / Higher Education

Room 1027 / 1128, LB

11:00 AM

June 17, 2020

Senate Sergeant at Arms:

TERRY EDMONDSON

BILLY FRITSCHER

JIM HAMILTON

CHARLES MARSALIS

Senate Committee On Education / Higher Education

June 17, 2020 – Room 1027 / 1128 LB – 11:00 AM

PLEASE SIGN IN BELOW

NAME	FIRM OR AGENCY
Andy Munn	EQV
Karson Nelson	NCDPI
FREEBIRD McKINNEY	NC SBE
Mary Shuping	NCCCS
Drew Morris	UNC System