

# 2011 Reports/Studies by Education Oversight

Updated: August 18, 2011

Citation	Provision	Shall/May	Date Due
S.L. 2011-145 Sec. 7.1(a) HB 200	Education Reform in North Carolina	Shall	2012 Regular Session

## EDUCATION REFORM IN NORTH CAROLINA

**SECTION 7.1.(a)** It is a priority of the General Assembly that high school graduates enter the workforce or higher education fully prepared. To implement this priority, the Joint Education Oversight Committee shall study (i) literacy and (ii) ways to reduce the need for remedial or developmental education in the State's higher education institutions so that students and the State do not pay repeatedly for the same education. The Committee shall report to the 2012 Regular Session of the 2011 General Assembly with a comprehensive plan, including implementation dates and schedules, that addresses the following items:

- (1) Implementation of a third grade literacy policy, including the advisability of a program for third grade reading specialists modeled on Florida's reading specialist program.
- (2) Ways to hold high schools accountable for the higher education performance of their students, including requiring funding for developmental education to come from high schools.
- (3) The most cost-effective way to provide remedial education in higher education, including funding summer term developmental courses at community colleges based on successful course completions, focusing remediation at the community colleges, and redirecting university appropriations for remedial education to the community colleges.

**SECTION 7.1.(b)** In all cases, any program implemented needs to be structured so that ongoing, evaluable performance and outcome data is available.

**SECTION 7.1.(c)** Funds appropriated to implement this section may be used by the Committee to hire one or more external consultants to complete these studies.



***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***June 2011***

<b>Due date:</b>	June 1, 2011 (annually)	
<b>From:</b>	State Education Assistance Authority	
<b>Description:</b>	Establish the John B. McLendon Leadership Awards	
<b>Chapter:</b>	S.L. 2007-323, sec. 9.18(a)	
<b>Contact(s):</b>	Steve Brooks	
<b>Due date:</b>	June 1, 2011 (annually)	
<b>From:</b>	State Education Assistance Authority	
<b>Description:</b>	Scholarship Administration for the State Lottery	
<b>Chapter:</b>	S.L. 2005-344, HB 1023	
<b>Contact(s):</b>	Steve Brooks	

***July 2011***

<b>Due date:</b>	July 15, 2011 (Quarterly)	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Projects funded from CC general obligation bonds	
<b>Chapter:</b>	S.L. 2000-3, sec. 1.2	
<b>Contact(s):</b>	Jennifer Haygood	

***September 2011***

<b>Due date:</b>	September 2011 (annually)	
<b>From:</b>	UNC Board of Governors	
<b>Description:</b>	2000 Higher Education Bond Program/UNC capital facilities maintenance, repairs & renovations	
<b>Chapter:</b>	S.L. 2000-3, secs. 1.1 & 6	
<b>Contact(s):</b>	Charlie Perusse	
<b>Due date:</b>	September 2011 (biennially)	
<b>From:</b>	UNC Board of Governors	
<b>Description:</b>	Continue Academic Common Market Program	S.L. 2011-145, sec. 9.12 requires that UNC BOG not participate for the purpose of accepting new students for 2012-2013
<b>Chapter:</b>	S.L. 2005-276, sec. 9.24	
<b>Contact(s):</b>	Suzanne Ortega	
<b>Due date:</b>	September 1, 2011 (annually)	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Consolidate Workforce Development Program (Customized Training Program)	
<b>Chapter:</b>	S.L. 2008-107, sec. 8.7(f), S.L. 2005-276, sec. 8.4	
<b>Contact(s):</b>	Maureen Little	

***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***October 2011***

<b>Due date:</b>	October 1, 2011 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Schools of Education performance reports	
<b>Chapter:</b>	S.L. 2000-67, sec. 9.2(a)	
<b>Contact(s):</b>	Elissa Brown, Lynne Johnson, Rebecca Garland	
<b>Due date:</b>	<b>October 1, 2011 (Final Report)</b>	<b>Repealed by S.L. 2011-145, sec. 9.18(c)</b>
<b>From:</b>	<b>State Education Assistance Authority</b>	
<b>Description:</b>	<b>Legislative Tuition Grant</b>	
<b>Chapter:</b>	S.L. 2011-145, sec. 9.18(c), S.L. 2001-424, sec. 31.1(a); G.S. 116-21.2	
<b>Contact(s):</b>	<b>Steve Brooks</b>	
<b>Due date:</b>	<b>October 1, 2011 (annually) (Final Report)</b>	<b>Repealed by S.L. 2011-145, sec. 9.18(c)</b>
<b>From:</b>	<b>State Education Assistance Authority</b>	
<b>Description:</b>	<b>State Contractual Scholarship Fund</b>	
<b>Chapter:</b>	S.L. 2011-145, sec. 9.18(c), S.L. 2001-424, sec. 31.1(b); G.S. 116-19	
<b>Contact(s):</b>	<b>Steve Brooks</b>	
<b>Due date:</b>	October 1, 2011 (annually)	
<b>From:</b>	UNC Board of Governors	
<b>Description:</b>	Progress of Health Professional Schools increasing the number of Grads Entering Primary Care	
<b>Chapter:</b>	S.L. 1995-507, sec. 23A.5(d)	
<b>Contact(s):</b>	Suzanne Ortega	
<b>Due date:</b>	<b>October 15, 2011 (biennially)</b>	
<b>From:</b>	<b>Department of Public Instruction</b>	
<b>Description:</b>	<b>Founding Principles Act</b>	
<b>Chapter:</b>	<b>S.L. 2011-273, sec. 2 (HB 588)</b>	
<b>Contact(s):</b>	<b>Maria Pitre-Martin</b>	
<b>Due date:</b>	October 15, 2011 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	ABCs Report	<b>(For reporting purposes, DPI submits report by Jan. 15)</b>
<b>Chapter:</b>	S.L. 1997-18, sec. 15(a), G.S. 115C-12(25) & S.L. 1997-221, sec. 3(f)	
<b>Contact(s):</b>	Lou Fabrizio, Pat Ashley, Rebecca Garland	
<b>Due date:</b>	October 15, 2011 (Quarterly)	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Projects funded from CC general obligation bonds	
<b>Chapter:</b>	S.L. 2000-3, sec. 1.2	
<b>Contact(s):</b>	Jennifer Haygood	
<b>Due Date:</b>	October 15, 2011 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Educational Performance of Children w/Disabilities	
<b>Chapter:</b>	S.L. 2006-69	
<b>Contact(s):</b>	Mary Watson, Angela Quick, Rebecca Garland	

Studies/reports in bold are from the 2011 Session

***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***November 2011***

<b>Due date:</b>	<b>November 1, 2011 (annually)</b>	
<b>From:</b>	<b>Cancer Research Fund Committee</b>	
<b>Description:</b>	<b>University Cancer Research Fund Report</b>	
<b>Chapter:</b>	<b>S.L. 2011-145, sec. 9.4, G.S. 116-29.1</b>	
<b>Contact(s):</b>		
<b>Due date:</b>	November 1, 2011 (annually)	
<b>From:</b>	Education Cabinet	
<b>Description:</b>	STEM Education Priorities	
<b>Chapter:</b>	S.L. 2010-41 (SB 1198)	
<b>Contact(s):</b>	Education Cabinet	
<b>Due date:</b>	<b>November 15, 2011</b>	
<b>From:</b>	<b>State Board of Education</b>	
<b>Description:</b>	<b>Overview of federally supported food service programs</b>	
<b>Chapter:</b>	<b>S.L. 2011-342, sec. 2 (SB 415)</b>	
<b>Contact(s):</b>	<b>Ben Matthews, Lynn Harvey</b>	
<b>Due date:</b>	<b>November 15, 2011 (annually)</b>	
<b>From:</b>	<b>State Board of Education</b>	
<b>Description:</b>	<b>School and Teacher Paperwork Reduction Act</b>	
<b>Chapter:</b>	<b>S.L. 2011-379, secs. 2(a) &amp; 6(a) (HB 720)</b>	
<b>Contact(s):</b>	<b>June Atkinson</b>	
<b>Due date:</b>	November 15, 2011 (Final Report)	
<b>From:</b>	Committee on Dropout Prevention	
<b>Description:</b>	Results of the evaluation of grants awarded under S.L. 2009-451	Interim Report was due March 31, 2011
<b>Chapter:</b>	S.L. 2009-451, sec. 7.13(c)	
<b>Contact(s):</b>	Debora Williams	
<b>Due date:</b>	November 15, 2011 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Four-Year Cohort Graduation Rate	
<b>Chapter:</b>	SB 1246	
<b>Contact(s):</b>	Rebecca Garland	

***December 2011***

<b>Due date:</b>	December 1, 2011 (annually)	
<b>From:</b>	Department of Public Instruction	
<b>Description:</b>	Sale of seized vehicles and costs for administering the DWI motor vehicle forfeiture law	
<b>Chapter:</b>	S.L. 1998-182, sec. 38	
<b>Contact(s):</b>	Philip Price, Ben Matthews	

Studies/reports in bold are from the 2011 Session

***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***December 2011 (continued)***

<b>Due date:</b>	December 1, 2011 ( <del>annually</del> ) Final Report	Repealed by S.L. 2011-74, Sec. 8, SB 137
<b>From:</b>	UNC Board of Governors	
<b>Description:</b>	Teacher Assistant Scholarship Fund	
<b>Chapter:</b>	S.L. 2011-74, sec. 8, S.L. 2006-95, sec. 2.3, S.L. 2001-424, sec. 31.5, G.S. 116-209.35	
<b>Contact(s):</b>	Bruce Mallette	
<b>Due date:</b>	December 15, 2011	
<b>From:</b>	State Auditor	
<b>Description:</b>	LEA participation and compliance with laws and regulations-School Breakfast Programs	
<b>Chapter:</b>	S.L. 2011-342, sec. 3 (SB 415)	
<b>Contact(s):</b>		

***January 2012***

<b>Due date:</b>	January 15, 2012	
<b>From:</b>	Department of Public Instruction	
<b>Description:</b>	Residential Schools	
<b>Chapter:</b>	S.L. 2011-145, Sec. 7.25(a)	
<b>Contact(s):</b>	Mary Watson	
<b>Due date:</b>	January 1, 2012 (annually)	
<b>From:</b>	Education Cabinet	
<b>Description:</b>	School Connectivity Initiative	
<b>Chapter:</b>	S.L. 2007-323, sec. 7.28(g)	
<b>Contact(s):</b>	Education Cabinet	
<b>Due date:</b>	January 15, 2012 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Use of Funds for Mentoring Services	
<b>Chapter:</b>	S.L. 2009-305, sec. 1(b) (SB 689)	
<b>Contact(s):</b>	Rebecca Garland	
<b>Due date:</b>	January 15, 2012 (annually)	(Was October 15 and annually)
<b>From:</b>	State Board of Education & Governing Boards	
<b>Description:</b>	Evaluation of student success in cooperative innovative education programs	
<b>Chapter:</b>	S.L. 2009-305, sec. 3, S.L. 2005-276, sec. 7.33, S.L. 2003-277, Sec. 2 (codified as G.S. 115C-238.55)	
<b>Contact(s):</b>	Rebecca Garland, Sharon Morrissey	

***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***January 2012 (continued)***

<b>Due date:</b>	January 15, 2012 (Quarterly)	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Projects funded from CC general obligation bonds	
<b>Chapter:</b>	S.L. 2000-3, sec. 1.2	
<b>Contact(s):</b>	Jennifer Haygood	
<b>Due date:</b>	January 15, 2012 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	School Connectivity Initiative	
<b>Chapter:</b>	S.L. 2007-323, sec. 7.28(d)	
<b>Contact(s):</b>	Philip Price	
<b>Due date:</b>	January 15, 2012 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Disadvantaged Student Supplemental Funding	
<b>Chapter:</b>	S.L. 2007-323, sec. 7.8(b), S.L. 2005-276, sec. 7.8	
<b>Contact(s):</b>	Philip Price	
<b>Due date:</b>	January 15, 2012 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Learn and Earn High Schools	
<b>Chapter:</b>	S.L. 2007-323, sec. 7.19(d), S.L. 2005-276, sec. 7.32	
<b>Contact(s):</b>	Rebecca Garland, Tony Habit	
<b>Due date:</b>	January 15, 2012 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Small Restructured High Schools	
<b>Chapter:</b>	S.L. 2007-323, sec. 7.21	
<b>Contact(s):</b>	Philip Price, New Schools Project	
<b>Due date:</b>	January 15, 2012 (annually)	
<b>From:</b>	Education Cabinet	
<b>Description:</b>	Activities to create cooperative innovative education initiatives between secondary schools and higher ed.	
<b>Chapter:</b>	S.L. 2003-277, sec. 1, codified as G.S. 116C-4(c)	
<b>Contact(s):</b>	Education Cabinet	
<b>Due date:</b>	January 31, 2012 (annually)	
<b>From:</b>	Office of Early Learning	
<b>Description:</b>	Review of the More At Four Program	
<b>Chapter:</b>	S.L. 2010-31, Sec. 7.5(g); S.L. 2008-107, sec. 7.17(c) and Part 49 of HB 2431	
<b>Contact(s):</b>	John Pruette	

***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***January 2012 (continued)***

<b>Due date:</b>	January 2012 (annually)	<b>Request from agency to move report from December to January</b>
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Regional program offerings/Curriculum Program Approvals in community colleges	
<b>Chapter:</b>	S.L. 2002-126, sec. 8.2, GS 115D-5(f)	
<b>Contact(s):</b>	Sharon Morrissey	

***February 2012***

<b>Due date:</b>	February 1, 2012 (annually)	
<b>From:</b>	Commissioner of Labor	
<b>Description:</b>	<b>Youth Employment Enforcement Activities</b>	
<b>Chapter:</b>	<b>S.L. 2011-291, sec. 2.21, HB 595</b>	
<b>Contact(s):</b>		
<b>Due date:</b>	February 1, 2012 (annually)	Was the Commission on School Technology reporting every 2 years
<b>From:</b>	State Board of Education	
<b>Description:</b>	School Technology Plans	
<b>Chapter:</b>	S.L. 2009-451, sec. 7.31	
<b>Contact(s):</b>	Angela Quick, Neill Kimrey	
<b>Due date:</b>	February 15, 2012 (annually)	
<b>From:</b>	UNC Board of Governors	
<b>Description:</b>	Exchange of information among public schools and IHE (NC High School Feedback Report)	
<b>Chapter:</b>	G.S. 116-11(10a)	
<b>Contact(s):</b>	Suzanne Ortega	

***March 2012***

<b>Due date:</b>	<b>March 1, 2012</b>	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	<b>Study CC Performance Measures</b>	
<b>Chapter:</b>	<b>S.L. 2011-145, Sec. 8.14</b>	
<b>Contact(s):</b>	<b>Bill Schneider, Jennifer Haygood</b>	
<b>Due date:</b>	<b>March 1, 2012</b>	
<b>From:</b>	Fiscal Research Division	
<b>Description:</b>	<b>Tracking and Documenting Receipt of Financial Aid Grants by Students Pursuing Degrees</b>	
<b>Chapter:</b>	<b>S.L. 2011-145, Sec. 9.11(b)</b>	
<b>Contact(s):</b>		



***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***March 2012 (continued)***

<b>Due Date:</b>	March 1, 2012 (annually)	(Was a one time report in budget)
<b>From:</b>	Committee on Dropout Prevention	
<b>Description</b>	Grants Awarded under S.L. 2009-451	
<b>Chapter:</b>	S.L. 2010-31, sec. 7.19(c); S.L. 2009-451, sec. 7.13(b)	
<b>Contact(s)</b>	Debora Williams	
<b>Due Date:</b>	March 1, 2012 (annually)	
<b>From:</b>	UNC Board of Governors	
<b>Description</b>	Amount and use of overhead receipts for The University System	
<b>Chapter:</b>	S.L. 2001-424, sec. 31.14	
<b>Contact(s)</b>	Charlie Perusse	
<b>Due Date:</b>	March 1, 2012 (annually)	
<b>From:</b>	Office of the President, UNC-GA	
<b>Description</b>	Strategic Initiatives Reserve	
<b>Chapter:</b>	Cont., Expansion and Capital Budgets – 9/19/01	
<b>Contact(s)</b>	Charlie Perusse	
<b>Due date:</b>	March 1, 2012 (annually)	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Implementation of performance budgeting	
<b>Chapter:</b>	S.L. 1999-237, sec. 9.2	
<b>Contact(s):</b>	Bill Schneider, Jennifer Haygood	
<b>Due date:</b>	<b>March 15, 2012</b>	
<b>From:</b>	<b>State Board of Education</b>	
<b>Description:</b>	<b>School Calendar Pilot Program</b>	
<b>Chapter:</b>	S.L. 2011-145, Sec. 7.17(a), S.L. 2010-31, sec. 7.10, S.L. 2009-451, sec. 7.40	
<b>Contact(s):</b>	<b>Philip Price, Paul LeSieur</b>	
<b>Due Date:</b>	March 15, 2012 (annually)	
<b>From:</b>	State Board of Education	
<b>Description</b>	More At Four Program	
<b>Chapter:</b>	S.L. 2010-31, sec. 7.5(c)	
<b>Contact(s)</b>	John Pruette	
<b>Due Date:</b>	<b>March 15, 2012 (annually)</b>	
<b>From:</b>	<b>State Board of Education</b>	
<b>Description</b>	<b>Students with Immediate Family in the Military</b>	
<b>Chapter:</b>	S.L. 2011-185, sec. 9(b), SB 597	
<b>Contact(s)</b>		

**2011-2012 Reports to the  
Joint Legislative Education Oversight Committee**

**March 2012 (continued)**

<b>Due Date:</b>	<b>March 15, 2012 (annually)</b>	
<b>From:</b>	<b>State Board of Education</b>	
<b>Description:</b>	<b>Reporting Dropout Rates, <u>Corporal Punishment</u>, Suspensions, Expulsions, and Alt. Placements</b>	<b>S.L. 2011-282, sec. 4 added "corporal punishment" to the reporting requirement</b>
<b>Chapter:</b>	<b>S.L. 2011-282, sec. 4, S.L. 2009-305, sec. 4, S.L. 2001-424, sec. 28.30(f)</b>	
<b>Contact(s):</b>	<b>Charlotte Hughes, Ken Gattis</b>	

**April 2012**

<b>Due date:</b>	<b>April 1, 2012</b>	
<b>From:</b>	<b>UNC Board of Governors</b>	
<b>Description:</b>	<b>Review of Faculty Recruitment and Retention</b>	
<b>Chapter:</b>	<b>S.L. 2011-145, Sec. 9.5</b>	
<b>Contact(s):</b>	<b>Suzanne Ortega</b>	
<b>Due date:</b>	<b>April 1, 2012 (annually)</b>	<b>Final Report was due 4/1/2011. S.L. 2007-484, sec. 35 repealed the sunset provision of July 1, 2011 for this program.</b>
<b>From:</b>	<b>SBE/State Board of Community Colleges</b>	
<b>Description:</b>	<b>Community colleges may train lateral entry teachers</b>	
<b>Chapter:</b>	<b>S.L. 2005-198</b>	
<b>Contact(s):</b>	<b>Philip Price, Susan Ruiz, Sharon Morrissey</b>	
<b>Due date:</b>	<b>April 1, 2012 (annually)</b>	
<b>From:</b>	<b>Communities in Schools</b>	
<b>Description:</b>	<b>Operation and effectiveness of its program</b>	
<b>Chapter:</b>	<b>S.L. 2005-276, sec. 16.3, S.L. 2003-284, Sec. 15.31, S.L. 2001-424, sec. 24.31</b>	
<b>Contact(s):</b>	<b>Jackie Decker (jdecke@cisnc.org)</b>	
<b>Due date:</b>	<b>April 15, 2012 (annually)</b>	<b>S.L. 2011-145, sec. 9.13(c) abolishes the focused growth pilot program</b>
<b>From:</b>	<b>UNC Board of Governors</b>	
<b>Description:</b>	<b>Various Teacher Education Reports Supply and Demand of School Administrators, 2+2 E-Learning Initiative, Teacher Education and Recruitment, <del>Focused Growth Pilot</del></b>	
<b>Chapter:</b>	<b>S.L. 2010-31, sec. 9.3(a)</b>	
<b>Contact(s):</b>	<b>Alisa Chapman, Sandra Williams</b>	
<b>Due Date:</b>	<b>April 15, 2012 (annually)</b>	
<b>From:</b>	<b>Department of Public Instruction</b>	
<b>Description:</b>	<b>Effectiveness of the Plant Operation Program</b>	
<b>Chapter:</b>	<b>S.L. 2008-107, sec. 7.18(b)</b>	
<b>Contact(s):</b>	<b>Ben Matthews</b>	
<b>Due date:</b>	<b>April 15, 2012 (Quarterly)</b>	
<b>From:</b>	<b>State Board of Community Colleges</b>	
<b>Description:</b>	<b>Projects funded from CC general obligation bonds</b>	
<b>Chapter:</b>	<b>S.L. 2000-3, sec. 1.2</b>	
<b>Contact(s):</b>	<b>Jennifer Haygood</b>	

**2011-2012 Reports to the  
Joint Legislative Education Oversight Committee**

**May 2012**

<b>Due date:</b>	May 2012 (annually)	
<b>From:</b>	Child Nutrition Services Section/DPI	
<b>Description:</b>	Child Nutrition Standards	
<b>Chapter:</b>	S.L. 2005-457	
<b>Contact(s):</b>	Philip Price, Ben Matthews	
<b>Due date:</b>	<b>May 1, 2012</b>	
<b>From:</b>	<b>State Board of Education</b>	
<b>Description:</b>	<b>Supplemental Funding in Low-Wealth Counties</b>	<u>If</u> Counties Supplanted Funds
<b>Chapter:</b>	<b>S.L. 2011-145, Sec. 7.4(h)</b>	
<b>Contact(s):</b>	<b>Philip Price</b>	
<b>Due date:</b>	<b>May 1, 2012</b>	
<b>From:</b>	<b>State Board of Education</b>	
<b>Description:</b>	<b>Small School System Supplemental Funding</b>	<u>If</u> Counties Supplanted Funds
<b>Chapter:</b>	<b>S.L. 2011-145, Sec. 7.12(e)</b>	
<b>Contact(s):</b>	<b>Philip Price</b>	
<b>Due date:</b>	May 1, 2012 (annually)	
<b>From:</b>	Community Colleges System Office & ESC	
<b>Description:</b>	Expenditure of ESC training & employment funds	
<b>Chapter:</b>	S.L. 1999-237, sec. 9.11 (HB 275)	
<b>Contact(s):</b>	Jennifer Haygood	
<b>Due date:</b>	May 15, 2012 (Final Report)	
<b>From:</b>	JOBS Commission	
<b>Description:</b>	Joining Our Businesses and Schools Commission	Interim Reports were due May 15, 2010 and February 1, 2011
<b>Chapter:</b>	S.L. 2009-339, (SB 1069)	
<b>Contact(s):</b>	Commission, Rebecca Garland	
<b>Due date:</b>	May 15, 2012 (biennially)	
<b>From:</b>	UNC Board of Governors	
<b>Description:</b>	Efforts to strengthen primary health care	
<b>Chapter:</b>	S.L. 1995-507, sec. 23A.5(a), (b), (b1)	
<b>Contact(s):</b>	Suzanne Ortega	

**June 2012**

<b>Due date:</b>	June 1, 2012 (annually)	
<b>From:</b>	State Education Assistance Authority	
<b>Description:</b>	Establish the John B. McLendon Leadership Awards	
<b>Chapter:</b>	S.L. 2007-323, sec. 9.18(a)	
<b>Contact(s):</b>	Steve Brooks	

***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***June 2012 (continued)***

<b>Due date:</b>	June 1, 2012 (annually)	
<b>From:</b>	State Education Assistance Authority	
<b>Description:</b>	Scholarship Administration for the State Lottery	
<b>Chapter:</b>	S.L. 2005-344, HB 1023	
<b>Contact(s):</b>	Steve Brooks	
<b>Due date:</b>	<b>June 15, 2012</b>	
<b>From:</b>	<b>State Board of Education</b>	
<b>Description:</b>	<b>Driver Education Reform</b>	
<b>Chapter:</b>	<b>S.L. 2011-145, Sec. 28.37(h) &amp; (i)</b>	
<b>Contact(s):</b>	<b>Paula Hildebrand</b>	

***July 2012***

<b>Due date:</b>	July 15, 2012 (Quarterly)	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Projects funded from CC general obligation bonds	
<b>Chapter:</b>	S.L. 2000-3, sec. 1.2	
<b>Contact(s):</b>	Jennifer Haygood	

***September 2012***

<b>Due date:</b>	September 2012 (annually)	
<b>From:</b>	UNC Board of Governors	
<b>Description:</b>	2000 Higher Education Bond Program/UNC capital facilities maintenance, repairs & renovations	
<b>Chapter:</b>	S.L. 2000-3, secs. 1.1 & 6	
<b>Contact(s):</b>	Charlie Perusse	
<b>Due date:</b>	September 1, 2012 (annually)	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Consolidate Workforce Development Program (Customized Training Program)	
<b>Chapter:</b>	S.L. 2008-107, sec. 8.7(f), S.L. 2005-276, sec. 8.4	
<b>Contact(s):</b>	Maureen Little	

***October 2012***

<b>Due date:</b>	October 1, 2012 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Schools of Education performance reports	
<b>Chapter:</b>	S.L. 2000-67, sec. 9.2(a)	
<b>Contact(s):</b>	Elissa Brown, Lynne Johnson, Rebecca Garland	

**2011-2012 Reports to the  
Joint Legislative Education Oversight Committee**

**October 2012 (continued)**

<b>Due date:</b>	October 15, 2012 (biennially)	(Was September 1 and biennially)
<b>From:</b>	UNC-General Administration	
<b>Description:</b>	UNC Enrollment Growth Reporting	
<b>Chapter:</b>	S.L. 2009-451, sec. 9.11, S.L. 2008-107, sec. 9.15	
<b>Contact(s):</b>	Charlie Perusse, Suzanne Ortega	
<b>Due date:</b>	October 1, 2012 (annually)	
<b>From:</b>	UNC Board of Governors	
<b>Description:</b>	Progress of Health Professional Schools increasing the number of Grads Entering Primary Care	
<b>Chapter:</b>	S.L. 1995-507, sec. 23A.5(d)	
<b>Contact(s):</b>	Suzanne Ortega	
<b>Due date:</b>	October 15, 2012 (annually)	(For reporting purposes, DPI submits report by Jan. 15)
<b>From:</b>	State Board of Education	
<b>Description:</b>	ABCs Report	
<b>Chapter:</b>	S.L. 1997-18, sec. 15(a), G.S. 115C-12(25) & S.L. 1997-221, sec. 3(f)	
<b>Contact(s):</b>	Lou Fabrizio, Pat Ashley, Rebecca Garland	
<b>Due date:</b>	October 15, 2012 (biennially)	(Was September 1 and biennially)
<b>From:</b>	UNC-General Administration	
<b>Description:</b>	UNC Enrollment Growth Reporting	
<b>Chapter:</b>	S.L. 2009-451, sec. 9.11, S.L. 2008-107, sec. 9.15	
<b>Contact(s):</b>	Charlie Perusse, Suzanne Ortega	
<b>Due date:</b>	October 15, 2012 (Quarterly)	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Projects funded from CC general obligation bonds	
<b>Chapter:</b>	S.L. 2000-3, sec. 1.2	
<b>Contact(s):</b>	Jennifer Haygood	
<b>Due Date:</b>	October 15, 2012 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Educational Performance of Children w/Disabilities	
<b>Chapter:</b>	S.L. 2006-69	
<b>Contact(s):</b>	Mary Watson, Angela Quick, Rebecca Garland	

**November 2012**

<b>Due date:</b>	<b>November 1, 2012 (annually)</b>	
<b>From:</b>	<b>Cancer Research Fund Committee</b>	
<b>Description:</b>	<b>University Cancer Research Fund Report</b>	
<b>Chapter:</b>	<b>S.L. 2011-145, sec. 9.4, G.S. 116-29.1</b>	
<b>Contact(s):</b>		

***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***November 2012 (continued)***

<b>Due date:</b>	November 1, 2012 (annually)	
<b>From:</b>	Education Cabinet	
<b>Description:</b>	STEM Education Priorities	
<b>Chapter:</b>	S.L. 2010-41 (SB 1198)	
<b>Contact(s):</b>	Education Cabinet	
<b>Due date:</b>	<b>November 15, 2012 (annually)</b>	
<b>From:</b>	<b>State Board of Education</b>	
<b>Description:</b>	<b>School and Teacher Paperwork Reduction Act</b>	
<b>Chapter:</b>	<b>S.L. 2011-379, secs. 2(a) &amp; 6(a) (HB 720)</b>	
<b>Contact(s):</b>	<b>June Atkinson</b>	
<b>Due date:</b>	November 15, 2012 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Four-Year Cohort Graduation Rate	
<b>Chapter:</b>	SB 1246	
<b>Contact(s):</b>	Rebecca Garland	

***December 2012***

<b>Due date:</b>	December 1, 2012 (annually)	
<b>From:</b>	Department of Public Instruction	
<b>Description:</b>	Sale of seized vehicles and costs for administering the DWI motor vehicle forfeiture law	
<b>Chapter:</b>	S.L. 1998-182, sec. 38	
<b>Contact(s):</b>	Philip Price, Ben Matthews	

***January 2013***

<b>Due date:</b>	January 1, 2013 (annually)	
<b>From:</b>	Education Cabinet	
<b>Description:</b>	School Connectivity Initiative	
<b>Chapter:</b>	S.L. 2007-323, sec. 7.28(g)	
<b>Contact(s):</b>	Education Cabinet	
<b>Due date:</b>	January 15, 2013 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Use of Funds for Mentoring Services	
<b>Chapter:</b>	S.L. 2009-305, sec. 1(b) (SB 689)	
<b>Contact(s):</b>	Rebecca Garland	

***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***January 2013 (continued)***

<b>Due date:</b>	January 15, 2013 (annually)	(Was October 15 and annually)
<b>From:</b>	State Board of Education & Governing Boards	
<b>Description:</b>	Evaluation of student success in cooperative innovative education programs	
<b>Chapter:</b>	S.L. 2009-305, sec. 3, S.L. 2005-276, sec. 7.33, S.L. 2003-277, Sec. 2 (codified as G.S. 115C-238.55)	
<b>Contact(s):</b>	Rebecca Garland, Sharon Morrissey	
<b>Due date:</b>	January 15, 2013 (Quarterly)	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Projects funded from CC general obligation bonds	
<b>Chapter:</b>	S.L. 2000-3, sec. 1.2	
<b>Contact(s):</b>	Jennifer Haygood	
<b>Due date:</b>	January 15, 2013 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	School Connectivity Initiative	
<b>Chapter:</b>	S.L. 2007-323, sec. 7.28(d)	
<b>Contact(s):</b>	Philip Price	
<b>Due date:</b>	January 15, 2013 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Disadvantaged Student Supplemental Funding	
<b>Chapter:</b>	S.L. 2007-323, sec. 7.8(b), S.L. 2005-276, sec. 7.8	
<b>Contact(s):</b>	Philip Price	
<b>Due date:</b>	January 15, 2013 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Learn and Earn High Schools	
<b>Chapter:</b>	S.L. 2007-323, sec. 7.19(d), S.L. 2005-276, sec. 7.32	
<b>Contact(s):</b>	Rebecca Garland, Tony Habit	
<b>Due date:</b>	January 15, 2013 (annually)	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Small Restructured High Schools	
<b>Chapter:</b>	S.L. 2007-323, sec. 7.21	
<b>Contact(s):</b>	Philip Price, New Schools Project	
<b>Due date:</b>	January 15, 2013 (annually)	
<b>From:</b>	Education Cabinet	
<b>Description:</b>	Activities to create cooperative innovative education initiatives between secondary schools and higher ed.	
<b>Chapter:</b>	S.L. 2003-277, sec. 1, codified as G.S. 116C-4(c)	
<b>Contact(s):</b>	Education Cabinet	

***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***January 2013 (continued)***

<b>Due date:</b>	January 31, 2013 (annually)	
<b>From:</b>	Office of Early Learning	
<b>Description:</b>	Review of the More At Four Program	
<b>Chapter:</b>	S.L. 2010-31, Sec. 7.5(g); S.L. 2008-107, sec. 7.17(c) and Part 49 of HB 2431	
<b>Contact(s):</b>	John Pruette	
<b>Due date:</b>	January 2013 (annually)	
<b>From:</b>	State Board of Community Colleges	
<b>Description:</b>	Regional program offerings/Curriculum Program Approvals in community colleges	<b>Request from agency to move report from December to January</b>
<b>Chapter:</b>	S.L. 2002-126, sec. 8.2, GS 115D-5(f)	
<b>Contact(s):</b>	Sharon Morrissey	

***February 2013***

<b>Due date:</b>	<b>February 1, 2013</b>	
<b>From:</b>	<b>Community Colleges System Office</b>	
<b>Description:</b>	<b>Career and College Promise</b>	
<b>Chapter:</b>	<b>S.L. 2011-145, Sec. 7.1A(e)</b>	<b>Or Report to House &amp; Senate Ed Committees if GA is in Session</b>
<b>Contact(s):</b>	<b>Sharon Morrissey, Jennifer Haygood</b>	

***June 2013***

<b>Due date:</b>	<b>June 1, 2013</b>	
<b>From:</b>	<b>State Education Assistance Authority</b>	
<b>Description:</b>	<b>Need-Based Scholarships for Students Attending Private Institutions of Higher Education</b>	
<b>Chapter:</b>	<b>S.L. 2011-145, Sec. 9.18(d)</b>	
<b>Contact(s):</b>	<b>Steve Brooks</b>	

***September 2013***

<b>Due date:</b>	September 2013 (biennially)	
<b>From:</b>	UNC Board of Governors	
<b>Description:</b>	Continue Academic Common Market Program	<b>S.L. 2011-145, sec. 9.12 requires that UNC BOG not participate for the purpose of accepting new students for 2012-2013</b>
<b>Chapter:</b>	S.L. 2005-276, sec. 9.24	
<b>Contact(s):</b>	Suzanne Ortega	



*2011-2012 Reports to the  
Joint Legislative Education Oversight Committee*

*October 2013*

<b>Due date:</b>	<b>October 1, 2013</b>	
<b>From:</b>	<b>Department of Revenue</b>	
<b>Description:</b>	<b>Administration of Education Expenses Credit</b>	
<b>Chapter:</b>	<b>S.L. 2011-395, sec. 4 (HB 344)</b>	
<b>Contact(s):</b>		
<b>Due date:</b>	<b>October 15, 2013 (biennially)</b>	
<b>From:</b>	<b>Department of Public Instruction</b>	
<b>Description:</b>	<b>Founding Principles Act</b>	
<b>Chapter:</b>	<b>S.L. 2011-273, sec. 2 (HB 588)</b>	
<b>Contact(s):</b>	<b>Maria Pitre-Martin</b>	

*December 2013*

<b>Due date:</b>	<b>December 1, 2013 (annually)</b>	
<b>From:</b>	<b>State Education Assistance Authority</b>	
<b>Description:</b>	<b>Establish Forgivable Loan Fund</b>	
<b>Chapter:</b>	<b>S.L. 2011-74, Sec. 1</b>	
<b>Contact(s):</b>	<b>Steve Brooks</b>	

*May 2014*

<b>Due date:</b>	<b>May 15, 2014 (biennially)</b>	
<b>From:</b>	<b>UNC Board of Governors</b>	
<b>Description:</b>	<b>Efforts to strengthen primary health care</b>	
<b>Chapter:</b>	<b>S.L. 1995-507, sec. 23A.5(a), (b), (b1)</b>	
<b>Contact(s):</b>	<b>Suzanne Ortega</b>	

***2011-2012 Reports to the  
Joint Legislative Education Oversight Committee***

***Reports With No Statutory Due Date***

<b>Due date:</b>	Annually	
<b>From:</b>	Arts Education Commission/DPI	
<b>Description:</b>	Recommend Content and Process to Establish an Arts Education Report Card	
<b>Chapter:</b>	S.L. 2011-301, sec. 3, HB 758	
<b>Contact(s):</b>	Helga Fasciano	
<b>Due date:</b>	Periodically	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Early Identification and Intervention for At-Risk Students	
<b>Chapter:</b>	SB 1248	
<b>Contact(s):</b>	Rebecca Garland	
<b>Due date:</b>	N/A	
<b>From:</b>	State Board of Education	
<b>Description:</b>	Charter School Evaluation	
<b>Chapter:</b>	S.L. 2009-451, sec. 7.38	
<b>Contact(s):</b>	Center for Public Policy Research, Joel Medley	

## Chapter 9

### Education

Dee Atkinson (DA), Drupti Chauhan (DC), Sara Kamprath (SK)  
Kara McCraw (KM), Patsy Pierce (PP)

## Enacted Legislation

### **Public Schools**

#### **No Standardized Testing Unless Required by Feds**

S.L. 2011-8 (HB 48) requires tests adopted by the State Board of Education (SBE) for grades 3 through 12 be required by federal law or as a condition of a federal grant. The SBE may require public schools to administer standardized tests not required by federal law or as a condition of a federal grant if the SBE finds that additional tests are needed to allow comparisons with national indicators of student achievement. The SBE's authority to develop and implement a plan for high school end-of-course tests aligned with content standards is repealed, and the following end-of-course tests are eliminated: 1) United States History; 2) Civics and Economics; 3) Algebra II; and 4) Physical Science.

The SBE, in conjunction with the Department of Public Instruction, was directed to consider alternative assessment strategies for measuring student academic performance and the evaluation of teachers, and report on proposals to the House and Senate Education Committees by June 1, 2011.

This act became effective July 1, 2011 and applies beginning with the 2011-2012 school year. (PP)

#### **Amend Law Regulating Proprietary Schools**

S.L. 2011-21 (SB 20), as amended by S.L. 2011-326, Sec. 16 (SB 148), repeals and consolidates terminology for proprietary schools. "Proprietary school" is defined as an educational institution having a physical presence in North Carolina and meeting all of the following conditions:

- Is privately owned and operated as a sole proprietorship, partnership, limited liability company or corporation.
- Is a business or a nonprofit charitable organization.
- Offers instruction to students who have completed elementary and secondary education or are beyond the age of compulsory secondary school attendance and have demonstrated the ability to benefit from instruction.
- Charges tuition or receives any consideration from students for any portion of the instruction including materials.
- Educates, trains or claims to educate or train students in a program leading to licensure, employment, or postsecondary degree below the associate degree level.

The new definition of "proprietary school" also includes branches of private institutions of another state that are located in North Carolina or that offer educational services or education at a physical location within North Carolina. If a proprietary school has physical locations and classes in more than one county, the operations in each county constitute a separate proprietary school. Schools that are licensed by The University of North Carolina are not included in the definition of proprietary schools. Classes or schools taught to five or fewer students are no longer exempted from regulation as a proprietary school.

The act requires the school bulletins of proprietary schools to provide information on refund policies and regulations by requiring that, at a minimum:

- A full refund will be given if:
  - A student withdraws before the first day of class.
  - A proprietary school cancels the class.
- A 75% refund will be given if:
  - A student withdraws from a class within the first quarter (25%) of the enrollment period for which the student was charged.

The section of this act specifying the refund policies and regulations became effective March 31, 2011 and applies beginning with the 2011-2012 academic year. The remainder of this act became effective July 1, 2011. (DC)

## **High School to Work Partnership**

S.L. 2011-91 (HB 769) directs each local board of education to encourage high school-business partnership targeting students who may not pursue higher education. The partnerships may include opportunities to complete a job shadow, internship, or apprenticeship.

Local boards must develop a policy that provides for students who are absent from school while on a job shadow to make up missed work. Students would not be counted as absent when participating in these work-based experiences or in Career and Technical Education student organization activities. Local boards may determine a maximum number of days that a student can participate in job-shadowing experiences.

This act became effective May 26, 2011 and applies beginning with the 2011-2012 school year. (SK)

## **School Calendar Flexibility/Inclement Weather**

S.L. 2011-93 (HB 197) gives local school administrative units (LEAs) and charter schools the flexibility to make up instructional days missed due to inclement weather or other emergency situations during the 2010-2011 school year if the following criteria are met:

- The LEA missed more than 20 instructional days due to inclement weather but instruction must be provided at least through June 10. A charter school must miss more than 20 instructional days due to inclement weather.
- The LEA missed instructional days at one or more schools due to the partial or complete destruction of a school building and is located in a county, with a population of less than 25,000, declared a federal disaster area as a result of severe storms, tornadoes, and flooding occurring on April 16, 2011.
- The public school missed instructional days due to partial or complete damage of the school building and the school is located in an LEA within a county declared a federal disaster area as a result of severe storms, tornadoes, and flooding occurring on April 16, 2011.
- The public school missed instructional days due to a state of emergency in March 2011 declared by the county, and the school is located in an LEA which is located in a coastal county with a population of more than 175,000.

If the above criteria are met, then the local board of education is authorized to schedule either 180 days or 1,000 hours of instruction rather than 180 days and 1,000 hours of instruction. Qualifying local boards that schedule 1,000 hours of instruction on less than 180 days are deemed to have 180 days of instruction and employees must be compensated accordingly. Qualifying charter schools are exempt from the requirement to provide 180 days of instruction for the 2010-2011 school year, but are required to provide a minimum of 180 days or 1,000 hours of instruction covering at least nine calendar months.

This act became effective May 26, 2011 and applies only to the 2010-2011 school year.  
(DC)

## **Add Superintendent to North Carolina Economic Development Board**

S.L. 2011-121 (HB 181) increases the membership of the Economic Development Board from 38 to 39 members by adding the Superintendent of Public Instruction, or the Superintendent's designee, to the Board. The act is a recommendation of the Joint Legislative Joining Our Businesses and Schools (JOBS) Study Commission.

This act became effective June 13, 2011. (SK)

## **Career and College Promise**

S.L. 2011-145, Sec. 7.1A (HB 200, Sec. 7.1A), as amended by S.L. 2011-391, Sec. 13 (HB 22, Sec. 2011-391, Sec. 13), requires the State Board of Education (SBE) and the North Carolina Community College System (NCCCS) to establish the Career and College Promise program to offer structured opportunities for qualified high school students to dually enroll in community college courses that provide pathways to lead to a certificate, diploma, or degree as well as provide entry-level jobs skills. Existing high school transition programs must be consolidated and replaced by Career and College Promise.

The following Career and College pathways, aligned with the Kindergarten-12 curriculum and career and college ready standards adopted by the SBE, may be offered upon approval by the State Board of Community Colleges:

- Career Technical Education Pathway – leading to a certificate or diploma aligned with one or more high school Tech Prep Career Clusters.
- College Transfer Pathway – leading to a college transfer certificate requiring successful completion of 30 hours of transfer courses, including English and mathematics, for qualified junior and senior high school students.
- Cooperative innovative high schools – small high school programs partnered with institutions of higher education approved under Part 9 of Article 16 of Chapter 115C of the General Statutes.

Subject to approval of the Board of Governors, constituent institutions of The University of North Carolina may offer cooperative innovative high school programs as a Career and College pathway.

The NCCCS and the Department of Public Instruction must jointly develop and implement a plan to evaluate short and long term outcomes for Career and College Promise, including impact of dual enrollment on high school completion, academic achievement and performance of dually enrolled high school students, number of students who successfully complete college certificates while dually enrolled, impact of dual enrollment and certificate completion on enrollment in college, and both persistence and completion rates of students as well as academic achievement and performance of students who continue into college programs after high school graduation.

Community colleges will generate budget full-time equivalent (FTE) for instruction provided through Career and College Promise, and the Community Colleges System Office must report on the number and cost of high school FTE served as a result of the Career and College Promise program no later than February 1 to the Joint Legislative Education Oversight Committee or the House and Senate Education Committees.

Statutes permitting students under the age of 16 to enroll in a community college under certain conditions and permitting enrollment of students in grades 9 through 12 in Learn and Earn online college courses are repealed.

The NCCCS and The University of North Carolina General Administration must develop a plan for articulation of a college transfer certificate requiring the successful completion of thirty credit hours of college transfer courses for qualified junior and senior high school students. The North Carolina Independent Colleges and Universities may participate in the development of this plan if it chooses.

Cooperative innovative high school programs may target high school students with parents who did not continue education beyond high school, and must enable students to concurrently obtain a high school diploma and either begin or complete an associate's degree, master a certificate or vocational program, or earn up to two years of college credit within five years. Additional requirements for cooperative innovative high school programs, including specific requirements targeted at students at-risk of dropping out of high school and programs with accelerated learning programs are repealed.

Cooperative innovative high schools are defined as high schools which have no more than 100 students per grade level, partner with an institution of higher education to enable students to earn both a high school diploma and an associate's degree, mastery of a vocational program, or college credit within five years, and are located on the campus of an institution of higher education. The governing board may waive the location requirement. Other types of cooperative innovative high schools previously approved by the State Board of Education prior to July 1, 2011 must meet the definition of a cooperative innovative high school no later than July 1, 2014. Provisions related to other types of cooperative innovative high schools, such as five year academies, are repealed.

Cooperative innovative high schools must not be provided additional state funds unless appropriated by the General Assembly, effective January 1, 2013 through June 30, 2015.

This section becomes effective January 1, 2012. (KM)

## **Tuition Charge for Governor's School**

S.L. 2011-145, Sec. 7.9 (HB 200, Sec. 7.9) provides the State Board of Education with the option to make the North Carolina Governor's School receipt-supported beginning with the Summer 2012 program. State funding for this program is eliminated after the Summer 2011 session.

This section became effective July 1, 2011. (PP)

## **Elimination of Reporting Requirements**

S.L. 2011-145, Sec. 7.13 (HB 200, Sec. 7.13), as amended by S.L. 2011-391, Sec. 14(a) and Sec. 14(b) (HB 22, Sec. 14(a) and Sec. 14(b)), repeals the Local Safe School Plan, the Local School System Technology Plan, and eliminates the annual reporting requirement relating to local school administrative unit expenditure of the At-Risk allotment.

This section became effective July 1, 2011. (SK)

## **Renewal of Professional Educator's License**

S.L. 2011-145, Sec. 7.13A (HB 200, Sec. 7.13A) prohibits the State Board of Education from requiring more than five semester hours or seven and one-half units of renewal credits in order to renew a North Carolina Standard Professional 2 professional educator's license.

This section became effective July 1, 2011. (DC)

## **School Calendar Pilot Program**

S.L. 2011-145, Sec. 7.17 (HB 200, Sec. 7.17) requires the State Board of Education (SBE) to extend the school calendar pilot program in Wilkes County Schools for a third consecutive

school year in FY 2011-2012, and to expand the program to Montgomery and Stanly County Schools. The pilot program allows these local school administrative units to operate a calendar with either 185 instructional days or 1,025 hours of instruction covering at least nine calendar months. This section also provides the SBE with the discretion to grant pilot school systems a waiver to use up to five instructional days or an equivalent number of hours as teacher workdays, if student performance will be enhanced.

The SBE must report to the Joint Legislative Education Oversight Committee by March 15, 2012 on the pilot's administration, cost savings, and impact on student achievement.

This section became effective July 1, 2011. (PP)

## **North Carolina Virtual Public Schools**

S.L. 2011-145, Sec. 7.22 (HB 200, Sec. 7.22) requires the North Carolina Virtual Public School (NCVPS) to report to the State Board of Education (SBE) and maintain an administrative office in the Department of Public Instruction. The Director of NCVPS must ensure that students in rural and low-wealth local school administrative units have access to e-learning opportunities to expand available educational opportunities.

The SBE is directed to take steps to implement an allotment formula for NCVPS to begin with the 2011-2012 school year. NCVPS must use all funds transferred to it to provide the program at no cost to all North Carolina students enrolled in the State's public schools, Department of Defense schools, and schools operated by the Bureau of Indian Affairs.

The SBE must develop a separate per student tuition for out-of-state students, home-schooled students, and private school students.

The SBE must direct NCVPS to develop a plan to generate revenue from the sale of courses to out-of-state educational entities and submit the plan to the SBE by September 15, 2011.

Beginning in 2011, the Director of NCVPS must submit an annual report to the SBE no later than December 1 of each year including statistics on actual versus projected costs, student enrollment, virtual teacher salaries, and measures of academic achievement.

The section provides an exemption to the Umstead Act to allow NCVPS to sell courses to home schools, private schools, and out-of-state educational entities.

This section became effective July 1, 2011. (SK)

## **Performance-Based Reductions in Force**

S.L. 2011-145, Sec. 7.23 (HB 200, Sec. 7.23), as amended by S.L. 2011-391, Sec. 16 (HB 22, Sec. 16), requires local school administrative units (LEAs) to adopt a Reduction in Force policy for certified employees on or before July 15, 2011. In forming the policy, LEAs must consider structural issues such as identifying positions, departments, courses, programs, operations, and other areas where the following exist:

- Less essential, duplicative, or excess personnel.
- Job responsibility and/or position inefficiencies.
- Opportunities for combined work functions.
- Decreased student or other demands for curriculum, programs, operations or other services.

LEAs must also consider the anticipated organizational needs of the school system and program and school enrollment. Work performance must be considered by LEAs in determining which employees in similar positions are to be subject to a reduction in force.

This section also eliminates the statutory requirement that career employees who are dismissed due to reduction in force have priority on positions in which they acquired career status for three consecutive years succeeding their dismissal.

This section became effective July 1, 2011. (DC)

## Residential Schools

S.L. 2011-145, Sec. 7.25 (HB 200, Sec. 7.25) finds that the operation of the Eastern North Carolina School for the Deaf, the Governor Morehead School for the Blind, and the North Carolina School for the Deaf (residential schools) no longer meets the needs of served populations and that current levels of utilization can be accommodated in two schools. The Department of Public Instruction (DPI) must report to the Joint Legislative Education Oversight Committee by January 15, 2012 on the residential school it has decided to close, and the plan for consolidation of the remaining schools, which must be carried out by July 1, 2012. The choice for closure must be based on the following considerations:

- Minimization of impact on services to deaf and blind students currently served by the residential schools.
- Minimization of costs of modifications at the two remaining residential schools.
- Maximization of funds generated or net savings to the State from the school closure and transfer or sale of assets.
- Minimization of required travel for students of the residential school that is closed.
- Historical and cultural significance of the residential school.

DPI must ensure that residential and instructional schedules for residential schools in effect before February 8, 2010 remain in effect unless the General Assembly approves a material change to the instructional week. Residential students must have the opportunity to arrive at school on the evening of the day before commencement of academic instruction for the week. DPI must also maintain substantially similar summer school programming at residential schools as in prior years, and make no material changes to summer school programming without approval of the General Assembly.

Principal positions may be created at each residential school not currently assigned such a position. The position of superintendent for residential school within DPI is eliminated, and DPI must designate one of the directors of the residential schools to serve as superintendent.

The statute governing employment of teachers also applies to persons employed by the Department of Public Instruction as teachers.

This section became effective July 1, 2011. (KM)

## Increase Number of Instructional Days

S.L. 2011-145, Sec. 7.29 (HB 200, Sec. 7.29) requires a school calendar to have at least 185 days and 1,025 hours of instruction, and eliminates the requirement to include five protected teacher workdays in the school calendar. The State Board of Education may grant local school administrative units waivers to use up to five instructional days as teacher workdays if student performance will be enhanced. This section also makes conforming changes to the required instructional program offered by charter schools.

This section became effective July 1, 2011. (PP)

## Testing Program

S.L. 2011-145, Sec. 7.30, (HB 200, Sec. 7.30) was repealed by S.L. 2011-280 (SB 479). See the summary for S.L. 2011-280 (SB 479) in this chapter. (SK)

## Cost-Efficient Tire Retreads on State Vehicles and School Buses

S.L. 2011-145, Sec. 28.36(b) (HB 200, Sec. 28.36(b)). See **Transportation**.



## **Driver Education Reform**

S.L. 2011-145, Sec. 28.37 (HB 200, Sec. 28.37), as amended by S.L. 2011-334 (SB 339), requires the Department of Public Instruction (DPI) to administer a standardized program of driver education for students enrolled in a public school, private school, or home school. Local boards of education must offer noncredit driver education in the high schools using the standardized curriculum provided by DPI.

The State Board of Education (SBE) must implement a strategic plan that consists of goals, performance indicators, and the duties of an advisory committee of representatives from the Division of Motor Vehicles, the Department of Public Instruction, and other stakeholders.

The SBE must develop a salary range for the delivery of driver education courses by driver education instructors who are public school employees based on their credentials related to these courses. All driver education instructors must meet requirements established by the SBE but are not required to hold teacher licenses.

By July 15, 2011, the SBE must report to the Joint Legislative Program Evaluation Oversight Committee on the status of the creation of the standard curriculum to be used. The SBE must establish, in at least five local school administrative units, a pilot program to deliver driver education by electronic means and report on the implementation of the pilots, including per student costs and participant success rate, to the Joint Legislative Education Oversight Committee and the Joint Legislative Program Evaluation Oversight Committee by June 15, 2012.

The SBE must also report to the Joint Legislative Education Oversight Committee and the Joint Legislative Program Evaluation Oversight Committee by June 15, 2012 on the most cost-effective method of delivering driver education.

This section became effective July 1, 2011. (SK)

## **Education/Driver Education Course Fee**

S.L. 2011-145, Sec. 31.1 (HB 200, Sec. 31.1) allows a local board of education to assess a fee of up to \$45.00 for each student participating in a driver education course.

This section became effective July 1, 2011. (SK)

## **Gfeller-Waller Concussion Awareness Act**

S.L. 2011-147 (HB 792) directs the Matthew A. Gfeller Sport Related Traumatic Brain Injury Research Center at the University of North Carolina at Chapel Hill, in consultation with the North Carolina Medical Society, the North Carolina Athletic Trainers Association, the Brain Injury Association of North Carolina, the North Carolina Neuropsychological Society, the North Carolina High School Athletic Association, and the Department of Public Instruction, to develop an athletic concussion safety training program. This program would be for use by coaches, school nurses, school athletic directors, volunteers, students who participate in interscholastic athletic activities in the public schools, and the parents of these students. The program must include (i) written information detailing the signs and symptoms of concussions and other head injuries, (ii) a description of the physiology and the potential short-term and long-term effects of concussions and other head injuries, and (iii) the medical return-to-play protocol for post-concussion participation in interscholastic athletic activities.

The State Board of Education (SBE) must adopt rules governing interscholastic athletic activities conducted by local boards of education. The rules for middle and high school interscholastic athletic activities must provide for the following:

- Annual dissemination of a "concussion and head injury information sheet" to all persons involved in athletic activities such as school personnel, volunteers, first responders, students and their parents which must be signed and returned to the coach. Parents must sign the sheet and return it to the coach before their children

can participate in any interscholastic athletic activities. A concussion is defined as a traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function which may or may not result in the loss of consciousness.

- Removal of students exhibiting signs and symptoms consistent with concussion from the activity. Students would not be allowed to return to play or practice until evaluated by, and in receipt of, written clearance from medical personnel with training in concussion management.
- Development of written school emergency action plans for dealing with serious injuries and acute medical conditions. The plan must be reviewed by a North Carolina licensed athletic trainer, approved by the school's principal, distributed to all appropriate personnel, posted conspicuously at all venues, and annually reviewed and rehearsed by all personnel involved with interscholastic athletic activities.
- Maintenance of complete and accurate records by each school of compliance with these requirements pertaining to head injuries.

This act became effective June 16, 2011 and applies beginning with the 2011-2012 school year. (DC)

## **No Cap on Number of Charter Schools**

S.L. 2011-164 (SB 8) makes the following changes to the charter school laws:

- Eliminates the State-wide charter school cap of 100 schools.
- Gives the State Board of Education (SBE) discretion in granting final approval of a charter school application if it finds that the application meets the requirements set out in the statutes or adopted by the SBE.
- Raises the charter school enrollment growth cap of 10% per year to 20%.
- Allows charter schools to charge any fees to students that are charged by the local school administrative unit in which the charter school is located.
- Requires the SBE to adopt criteria for the adequate performance by a charter school and directs the SBE to identify charter schools with inadequate performance. A charter school that is inadequate in the first five years of the charter, would have to develop a strategic plan to meet specific goals for student performance. The SBE would have the authority to terminate or not renew a charter for failure to demonstrate improvement under the strategic plan. If a charter school is inadequate and has had a charter for more than five years, the SBE is authorized to terminate or not renew the charter.

The SBE must submit reports to the General Assembly by May 10, 2012 and June 11, 2012, on the implementation of the changes. The report has to include information on:

- The creation, composition, and function of an advisory committee.
- The charter school application process.
- A profile of the applicants and the basis for acceptance or rejection.
- The resources required at the State level for implementation of the charter school laws.

This act became effective July 1, 2011. (SK)

## **Behavioral Health Services for Military**

S.L. 2011-185, Sec. 9 (SB 597, Sec. 9). See **Military, Veterans', & Indian Affairs**.

## **Repeal Savings Bond Payroll Savings Program**

S.L. 2011-210, Sec. 2 (HB 313, Sec. 2). See **State Government**.

## **Public-Private Partnership for Schools**

S.L. 2011-234 (SB 243) extends the sunset for lease financing that allows local school administrative units to enter into capital leases for school facilities and allows for those leases to contain an agreement relating to construction, repairs, or renovations until July 1, 2015.

This act became effective June 23, 2011 and will be repealed effective July 1, 2015. (SK)

## **Regional Schools**

S.L. 2011-241 (SB 125) establishes a method for local boards of education to jointly establish regional schools to promote knowledge and skills in career clusters important in the region where the school is established. Through resolutions approved by the State Board of Education, any two or more local boards of education may create a regional school. The regional school must have a Board of Directors (Board) composed of representatives from participating local school boards, superintendents, economic development regional partnerships, parent advisory councils, and institutions of higher education.

The Board establishes the course of study, admissions criteria policies, and standards for academic performance, attendance, conduct, issuance of driving eligibility certificates. The Board employs all principals, teachers, and other staff in the regional school. The principal and at least 50% of the teachers must meet requirements for certification, unless waived by the State Board of Education. Employees of the regional schools are exempt from most provisions of the State Personnel Act, and are not eligible for career status.

Only students domiciled in a participating unit are eligible to attend the regional school. Admission criteria are established by the Board, and must include priority for first generation students as well as academic achievement, interest in attendance, and parental support for attendance.

For each student that enrolls in the regional school, State and local funds that would be allocated to the participating unit on a per pupil basis for that student would be allocated to the regional school. Additional amounts for children with disabilities and children with limited English proficiency would be allocated.

This act became effective June 23, 2011. (PP)

## **Clarify Process/Reportable Offenses in School**

S.L. 2011-248 (SB 394) requires the principal of a school to report certain criminal acts to law enforcement when the principal has "a reasonable belief" that the act occurred on school property. The act would repeal the current Class 3 misdemeanor for failure to report to law enforcement but instead would authorize the demotion or dismissal of a principal who willfully fails to make a report to law enforcement. It would also prohibit the State Board of Education from requiring principals to report any criminal acts not required to be reported and would provide that the act must not be interpreted to interfere with the due process rights of school employees or the privacy rights of students.

This act became effective June 23, 2011 and applies beginning with the 2011-2012 school year. (SK)

## **Dropout Recovery Pilot Program**

S.L. 2011-259 (HB 822) directs the State Board of Education (SBE) to implement a three-year Dropout Recovery Program (Pilot Program) in New Hanover County Schools and in three other local school administrative units. Under the Pilot Program, the educational services and programming will be provided by a nonprofit or for-profit education partner approved by the SBE.

The Pilot Program must provide accessible facilities, flexible scheduling and attendance requirements, differentiated instruction and daily student assessments aligned with State and local standards and requirements. Education partners must have at least a two-year history of dropout recovery services provided to diverse populations in traditional and charter public schools through brick and mortar and online delivery, and must demonstrate a detailed operational plan.

A student attending the Pilot Program will be enrolled as a student and included in the average daily membership of the resident school system. The resident school system will retain 5% of the total per pupil funding for the student in order to cover administrative costs and would remit the remaining 95% to the education partner within 15 days of receiving payment from the Department of Public Instruction.

This act became effective July 1, 2011. (PP)

## **Modify Law Regarding Corporal Punishment**

S.L. 2011-270 (SB 498) prohibiting corporal punishment on students whose parents had indicated in writing that corporal punishment not be administered, was repealed by S.L. 2011-282 (HB 736). See the summary for S.L. 2011-282 (HB 736) in this chapter. (PP)

## **The Founding Principles Act**

S.L. 2011-273 (HB 588) requires that high school students must pass a semester-long American history course on the Founding Principles in order to graduate. The Department of Public Instruction (DPI) and local boards of education, as appropriate, must provide or cause to be provided the curriculum content for the course.

The State Board of Education must require that any State-wide high school curriculum-based tests, administered beginning with the 2014-2015 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 the most important of the Federalist Papers.

DPI must submit a biennial report by October 15 of each odd-numbered year to the Joint Legislative Education Oversight Committee regarding implementation of the act.

This act became effective June 23, 2011 and applies beginning with the 2014-2015 school year. (SK)

## **Testing in the Public Schools**

S.L. 2011-280 (SB 479) requires the State Board of Education (SBE) to continue to participate in the development of the Common Core Standards, review all nationally-developed assessments related to the Common Core, and to implement the assessments that the SBE considers most appropriate.

To the extent that funds are available, the SBE would require administration of the American College Testing (ACT) for 11th grade students, administration of diagnostic tests aligned to the ACT in the 8th and 10th grades to help diagnose student learning and help students to know if they are on track for remediation-free community college or university education, and require local school systems to make appropriate WorkKeys tests available for students completing the second level of vocational and career coursework.

If both S.L. 2011-145, Sec. 7.30 (HB 200, Sec. 7.30) and S.L. 2011-280 (SB 479) are enacted, then S.L. 2011-145, Sec. 7.30 (HB 200, Sec. 7.30) will be repealed.

This act became effective July 1, 2011 and applies beginning with the 2011-2012 school year. (SK)

## **Amend Law Re: School Discipline**

S.L. 2011-282 (HB 736) revises current school discipline law by repealing existing statutes and codifying a new statutory process that does the following:

- Clarifies purpose of school discipline and definitions of several terms used in this Act.
- Requires local boards of education (local boards) to adopt policies governing student conduct and provide notice to students of expected behavior and disciplinary measures. Mandatory long-term suspensions are not permitted unless otherwise provided by law.
- Provides that school personnel may use reasonable force to control behavior, for several purposes.
- Requires local boards to determine if corporal punishment will be allowed and, if so, must adopt policies for administration, including a prohibition on corporal punishment if a parent states in writing that corporal punishment not be administered on their child.
- Gives principals the authority to use short-term (less than 10-day) suspensions, clarifies students' rights while suspended, and details short-term suspension procedures.
- Gives the superintendent the sole authority to impose a long-term suspension, details long-term suspension procedures, and provides that local board decisions to uphold long-term suspensions upon appeal are subject to judicial review.
- Provides that long-term suspended students must be offered alternative education services unless the superintendent provides a significant or compelling reason for declining those services.
- Requires local boards to develop policies to comply with the federal Guns Free School Act requiring mandatory 365 day suspensions for firearms on educational property.
- Grants authority to local boards to expel students 14 years and older who present a clear threat to staff or other students and details procedure for expulsion.
- Details the process for students expelled or suspended for 365 days to apply for readmission after 180 days.

This act became law June 23, 2011 and applies beginning with the 2011-2012 school year. (PP)

## **Establish Arts Education Commission**

S.L. 2011-301 (HB 758) creates the Arts Education Commission (Commission) consisting of nine members: three appointed by the Governor; three appointed by the Speaker of the House of Representatives, including one Representative and two citizens at-large; and three appointed by the President Pro Tempore of the Senate, including one Senator and two citizens at-large. The Speaker of the House of Representatives and the President Pro Tempore of the Senate would each designate one Cochair for the Commission.

The Commission must:

- Review, prioritize, and recommend implementation strategies for the recommendations of the Comprehensive Arts Education Plan for grades Kindergarten-12.
- Recommend the content and process for establishing an annual arts education "report card" to the Joint Legislative Education Oversight Committee.
- Recommend ways to assess and promote opportunities for students to learn creativity and innovation.
- Work with the Department of Public Instruction to create assessment models for arts education to measure student achievement in arts education. This analysis and assessment of student performance would then be included in the North Carolina

Educator Evaluation System for Arts Education Teachers and serve as a model for evaluating the effective practice of arts integration by classroom teachers in other content areas.

- Recommend the establishment of arts education accountability incentives for schools that included the following:
  - Providing that arts education be taught by certified arts educators and implementing arts integration strategies taught by classroom teachers from other content areas.
  - Completing concentrations in an arts education discipline.
- Recommend a permanent financing strategy to provide for comprehensive arts education in grades Kindergarten-12.

The Commission must report its findings and recommendations to the 2012 Session of the 2011 General Assembly by May 1, 2012 and terminates upon the filing of its final report.

This act became effective June 24, 2011. (DC)

## **High School Accreditation**

S.L. 2011-306 (HB 342). See **Higher Education** in this chapter.

## **Local Boards of Education/403(b) Option**

S.L. 2011-310 (HB 730). See **Retirement**.

## **Eliminate Cost/Reduced-Price School Breakfast**

S.L. 2011-342 (SB 415) requires funds appropriated for the school breakfast program to be used to provide school breakfasts at no cost to students of all grade levels qualifying for reduced-price meals in all of the schools that participate in the National School Breakfast Program. If the appropriated funds are insufficient to provide school breakfasts at no cost to students qualifying for reduced-price meals, then the local child nutrition programs must charge students qualifying for reduced-price meals the allowable amount for a reduced-price breakfast under the guidelines of the National School Breakfast Program.

By November 15, 2011, the State Board of Education must report to the Joint Legislative Education Oversight Committee and the Joint Legislative Commission on Governmental Operations on the following:

- An overview of the federally supported food service programs.
- The procedure for participation in the programs, including the number of students who apply, are accepted, and are rejected for free and reduced-price meals or automatically qualify for the programs as required by the United States Department of Agriculture.

The State Auditor must audit the Division of School Support, Child Nutrition Services of the Department of Public Instruction, by December 15, 2011 and report to the Joint Legislative Education Oversight Committee and the Joint Legislative Commission on Governmental Operations on whether the local school administrative units' participation in the federally supported food service programs effectively serve the intent of the General Assembly and comply with federal and State law and regulations.

This act became effective July 1, 2011. (DC)

## **Modify Teacher Career Status Law**

S.L. 2011-348 (SB 466) amends the law related to career status for public school teachers. The act amends the process for the dismissal hearings by extending and clarifying

deadlines, and requiring that all related documents include a signed certificate of service similar to that required in court pleadings. This law also replaces case managers with hearing officers who are members of the North Carolina State Bar with relevant experience and expertise. The selection and removal process for hearing officers is specified.

The act clarifies the evaluation process for licensed employees of low-performing schools. Employees evaluated below proficient must receive a mandatory improvement plan or recommendation of dismissal or demotion. A principal may immediately institute a mandatory improvement plan regardless of ratings on past evaluations any time a teacher engages in inappropriate conduct or performs inadequately to a degree that causes substantial harm to the educational environment.

A new statute is added to govern the evaluations of teachers in schools not identified as low-performing and specifies when mandatory improvement plans are to be implemented and the process of dismissal for these teachers. A process for observation by qualified observers is also established.

This act became effective July 1, 2011 and applies to persons recommended for dismissal or demotion on or after that date. (PP)

## **Multiple Birth Sibling Classroom Placement**

S.L. 2011-354 (SB 726) allows parents of multiple birth siblings assigned to the same grade level to request a consultative meeting with the principal to consider the initial placement of their children in the same or different classroom. The request must be made not later than five days before the first day of each school year or five days after the multiple birth siblings first attend school. Schools may recommend and offer educational advice to parents regarding the appropriate placements of the multiple birth siblings. Schools must place the children as requested by parents, with three exceptions:

- If separate classroom placement would require an additional classroom to the grade level of the multiple birth siblings.
- If, at the end of the first grading period of the enrollment of the students in the school, the principal, in consultation with the multiple birth siblings' teachers, decide that the placements is disruptive to the school.
- If the school administrative unit, principal or teacher has the right to remove a student from the classroom under the discipline policies of that local school administrative unit.

This act becomes effective beginning with the 2011-2012 school year. (DC)

## **School and Teacher Paperwork Reduction Act**

S.L. 2011-379 (HB 720) directs the State Board of Education (SBE) to allow schools and local school administrative units (LEAs) to electronically submit all reports to the Department of Public Instruction (DPI). The SBE, in collaboration with the education roundtables within the DPI, must consolidate all plans that affect the school community including school improvement plans. The consolidated plans must be posted on each school's website. The SBE must report to the Joint Legislative Education Oversight Committee by November 15 of each year on the reports it has consolidated or eliminated for the upcoming school year. The SBE is also directed to adopt policies for streamlining the process for LEAs applying for State funding by providing for a consolidation of these applications.

For local reporting requirements, local boards of education must consolidate reporting requirements and prior to the beginning of each school year, they must identify and make available software protocols such as NC Wise that can be used to minimize repetitious data entry by teachers. If a local board of education finds that a school improvement plan covers the

information in another plan that the LEA is otherwise required to prepare, then the LEA may not be required to prepare that other plan.

The Department of Health and Human Services, in consultation with the More at Four Program and the Smart Start Program, must review reporting requirements imposed on the public schools in relation to the operations of those programs and child care regulation requirements. The Department of Health and Human Services must reduce the frequency of reporting based upon the review and report to the General Assembly on this issue by October 1, 2011.

The act repeals a provision that allowed teachers to be prepaid on the monthly pay date for days not yet worked and provides that teachers must be paid only for the days employed as of the set pay date. Payment for a full month when days employed are less than a full month is prohibited.

This act became effective June 27, 2011 and applies beginning with the 2011-2012 school year. The section of this act prohibiting prepayment to teachers becomes effective July 1, 2012. (DC)

## **Safe Students Act**

S.L. 2011-388 (HB 744) requires principals to require that a parent or guardian of any child presented for admission for the first time to that school, furnish a certified copy of the child's birth certificate or other satisfactory evidence of date of birth.

If a certified copy of a birth certificate is not available, school authorities would be able to use other competent and verifiable evidence as secondary proof of age that could include the following documents, but would not be limited to these documents:

- A certified copy of any medical record of the child's birth issued by the treating physician or the hospital in which the child was born.
- A certified copy of a birth certificate issued by a church, mosque, temple, or other religious institution that maintains birth records of its members.

This act became effective June 28, 2011 and applies beginning with the 2011-2012 school year. (SK)

## **Tax Credits for Children with Disabilities**

S.L. 2011-395 (HB 344) creates the education expenses tax credit. A taxpayer would be entitled to an education expenses tax credit of up to \$3,000 per semester for tuition and special education and related services expenses for each "eligible dependent child" who is a resident of this State and who enrolled for one or two semesters during the taxable year in grades Kindergarten-12 at either (i) a nonpublic school or (ii) a public school where tuition is charged for the child's enrollment. For home schools, the credit is equal to the amount the taxpayer paid for special education and related services expenses not to exceed \$3,000. The tax credit allowed may not exceed the amount of tax imposed, reduced by the sum of all credits allowed against the tax except for payments of tax made by or on behalf of the taxpayer. Any unused portion of the credit could be carried forward for three succeeding years.

### **Qualifications for the Tax Credit.—**

In order for a child to be an "eligible dependent child" all of the following criteria must be met:

- The child must be a child with a disability who requires an individualized education program (IEP) under Article 9 of Chapter 115C of the General Statutes (Education of Students with Disabilities) and the federal Individuals with Disabilities Education Improvement Act (IDEA), 20 U.S.C. § 1400 et seq. (2004), as amended. The child must be reevaluated every three years by a local educational agency to verify that the child continues to be a child with a disability.



- The child must receive special education or related services on a daily basis.
- The child must be a child for whom the taxpayer is entitled to deduct a personal exemption under section 151(c) of the Code for the taxable year.

For the initial eligibility for the tax credit during the first five years that the credit is available, the eligible dependent child must have been enrolled for at least the preceding two semesters in a public school or receiving special education or related services through the public schools as a preschool child with a disability. This initial eligibility requirement is reduced to one semester beginning for taxable years on or after January 1, 2016.

There are two semesters during each taxable year with the spring semester being the first six months of the taxable year and the fall semester being the second six months of the taxable year. An eligible dependent child is considered to have been enrolled in a school for a semester if the eligible dependent child is enrolled in that school for more than 70 days during that semester.

**Disqualifications for the Tax Credit.—**

A taxpayer would not qualify for the education expenses tax credit for any semester when the taxpayer's otherwise eligible dependent child was:

- Placed in a nonpublic school or facility by a public agency at public expense.
- Enrolled for any time as a full-time student taking at least 12 hours of academic credit at a postsecondary educational institution.
- 22 years of age or older during the entire semester.
- Graduated from high school prior to the end of the semester.

**Reduction of the Tax Credit.—**

The amount of the education expenses tax credit would be reduced for any semester in which the eligible dependent child spent any time enrolled in a public school. The amount of the reduction would be equal to the percentage of the semester that the eligible dependent child was enrolled in a public school.

**Information Submissions to the Department of Revenue to Claim Education Expenses Tax Credit.—**

To substantiate the credit, a taxpayer would have to provide all of the following information, if requested by the Secretary of Revenue:

- The name, address and social security number of each eligible dependent child for whom the credit is claimed and the name and address of the school or schools in which the eligible dependent child was enrolled in and attended for more than 70 days of each semester.
- A certification that there were no disqualifying factors.
- The name of the local school administrative unit in which the eligible dependent child resides.
- The amount of the tuition paid to a public school for each semester the eligible dependent child was enrolled in and attended that public school.
- The eligibility determination that the eligible dependent child is a child with a disability who requires special education and related services.
- A listing of the tuition and special education and related services expenses on which the education expenses tax credit is based.
- For home schools, a listing of the special education and related services expenses on which the education expenses tax credit is based.

**Fund for Special Education and Related Services.—**

The act creates the Fund for Special Education and Related Services (Fund) which is a special revenue fund under the control and direction of the State Board of Education with the monies in the Fund to be used only for special education and related services for children with disabilities and to reimburse local educational agencies for conducting reevaluations for continued eligibility and developing revised individualized education programs for children with disabilities. At the end of each fiscal year, the Secretary of Revenue must transfer an amount equal to \$2,000 multiplied by the number of education expenses tax credits taken during the fiscal year to

the Fund from the net individual income tax collections. Interest and other investment income earned by the Fund accrue to it and monies in the Fund do not revert.

**Reporting Requirements.—**

The Department of Revenue must report to the Revenue Laws Study Committee and the Joint Legislative Education Oversight Committee on the administration of the education expenses tax credit by October 1, 2013. The report must include the following information:

- The number and amount of education expenses tax credits taken.
- Concerns relating to the administration of the education expenses tax credits or taxpayer compliance.
- Any other matter the Department of Revenue wishes to address with respect to the education expenses tax credit.

This act became effective for taxable years beginning on or after January 1, 2011, and applies to semesters for which the credit is claimed beginning on or after July 1, 2011. For taxable years beginning on or after January 1, 2016, the eligibility requirement that the eligible dependent child must have been enrolled for at least the preceding two semesters in a public school or receiving special education or related services through the public schools as a preschool child with a disability is reduced to one semester. The initial eligibility requirement may be met during semesters prior to July 1, 2011 and July 1, 2016, respectively. Transfers to the Fund will not be made before the 2012-2013 fiscal year. The remainder of this act became effective July 1, 2011. (DC)

## **Higher Education**

### **Abolish Higher Education Bond Oversight Committee**

S.L. 2011-43 (SB 154) repeals the Higher Education Bond Oversight Committee (Committee) which was created to oversee implementation of the general obligation bonds issued under the Michael K. Hooker Higher Education Facilities Financing Act in 2000. The purpose of the bonds was to finance \$2.5 billion of capital facilities for The University of North Carolina (UNC) and \$600 million of capital facilities for the community colleges. In May of 2010, the co-chairs of the Committee formally requested the dissolution of the Committee effective December 31, 2010. The Committee recommended that oversight of the remaining community college projects be placed within the Office of State Budget and Management and The University of North Carolina General Administration for the remaining UNC project. As of September 2010, 318 of 319 UNC projects were closed. As of July 30, 2010, the Community College System Office reported that 94% of the projects had been closed-out or completed. The last project was projected to be completed in July 2012.

This act became effective April 19, 2011. (DC)

### **Establish Forgivable Loan Fund**

S.L. 2011-74 (SB 137) consolidates specific existing scholarship loan programs to establish the new Forgivable Education Loans for Service Program and Fund (Program). The purpose of the Program is twofold:

- To provide financial assistance to qualified students to prepare them for certain high-need professions, initially targeting future teachers, nurses and other allied health professionals.
- To respond to current and future employment needs in the State.

The State Education Assistance Authority (Authority) would be responsible for: 1) administering the program, 2) adopting the eligibility criteria to participate in the Program, 3) establishing the interest rate, loan amount and repayment terms for the loans, 4) appointing an advisory group to make recommendations on the future distribution of loans, 5) making an

annual report to the Joint Legislative Education Oversight Committee beginning December 1, 2013, and 6) adopting the rules necessary to implement and administer the Program.

All financial obligations to students who received loans from the terminated funds would be honored under the new Program, and all contractual agreements between students awarded a scholarship loan from a terminated program before July 1, 2012 and the Authority would remain enforceable.

The act is a recommendation of the Joint Select Committee on State Funded Student Financial Aid.

The establishment of the Program became effective July 1, 2011. The repeal of the scholarship loan programs to be consolidated and the transfer of all assets and liabilities from the programs to the new Program becomes effective July 1, 2012. (SK)

## **High School Accreditation**

S.L. 2011-306 (HB 342) requires that the Board of Governors of The University of North Carolina and the State Board of Community Colleges each adopt a system-wide policy that would prohibit any of their institutions from soliciting or using information regarding the accreditation of a secondary school in the State attended by an applicant as a factor in decisions about admissions, loans, scholarships, or other educational activity at the institution unless the accreditation of the secondary school had been conducted by a State agency. The State Board of Education (SBE) is authorized to accredit schools upon the request of a local board of education to determine whether the education provided meets acceptable levels of quality. The local school administrative unit must compensate the SBE for the actual costs of the accreditation process.

All receipts collected by the SBE for the accreditation process would be appropriated to the Department of Public Instruction (DPI) for the 2011-2012 and the 2012-2013 fiscal years. DPI would be required to use the funds available within its budget to establish a position to coordinate the accreditation process.

This act became effective June 27, 2011. The new policies apply to academic semesters beginning on or after July 1, 2011. (SK)

## **No Adult Left Behind**

S.L. 2011-327 (SB 166) directs the Commission on Workforce Development to serve as the lead agency and to cooperate with other agencies such as the Department of Commerce, the Department of Labor, Employment Security Commission, the Community College System, The University of North Carolina, and the North Carolina Independent Colleges and Universities to create the "No Adult Left Behind" initiative. The major goal of this initiative is to increase to 40% the percentage of North Carolinians with two- and four-year degrees. This goal will be achieved through collaboration of the above entities to provide model evening-weekend certificate and degree programs for non-traditional students in high-demand fields, and promote systemic changes to increase the accessibility of these programs.

The Commission on Workforce Development must submit an annual report beginning on May 1, 2012 to the Governor and General Assembly which includes annual goals, objectives, and accomplishments towards the implementation of the "No Adult Left Behind" initiative.

This act became effective July 1, 2011. (PP)

# **Community Colleges**

## **Career and College Promise**

S.L. 2011-145, Sec. 7.1A (HB 200, Sec. 7.1A). See **Public Schools** in this chapter.

## **Implement Alternative Formula Model**

S.L. 2011-145, Sec. 8.3 (HB 200, Sec. 8.3) directs the State Board of Community Colleges (SBCC) to consolidate the Health Sciences Allotment, Technical Education Allotment, and Special High Cost Allotment for Heavy Equipment with formula funds to support curriculum instruction. The SBCC must allocate formula funds appropriated to support curriculum instruction and the occupational education component of continuing education through a formula that provides an instructional base allocation to all of the community colleges and allocates remaining funds on a weighted full-time equivalent basis. In making the determination for the appropriate weighting, the SBCC must weigh curriculum courses in high-cost areas such as health care, technical education, and lab-based science courses more heavily than other curriculum courses. The SBCC must also weigh continuing education courses that lead to a third-party credential or certification and courses providing an industry-designed curriculum more heavily than other occupational extension courses.

This section became effective July 1, 2011. (DC)

## **Use of Overrealized Receipts to Support Enrollment Growth Reserve Rather Than Equipment Reserve**

S.L. 2011-145, Sec. 8.4 (HB 200, Sec. 8.4) requires receipts for community college tuition and fees which exceed the amount certified in General Fund Codes at the end of a fiscal year to be transferred by the State Board of Community Colleges (State Board) to the Enrollment Growth Reserve (EGR) rather than the Equipment Reserve Fund. Funds in the EGR do not revert to the General Fund and remain available to the State Board until expended. The State Board may allocate funds in the EGR to colleges experiencing enrollment increases greater than 5% of budgeted enrollment levels.

This section became effective July 1, 2011. (KM)

## **Clarification Regarding Equipment Titled to State Board**

S.L. 2011-145, Sec. 8.9 (HB 200, Sec. 8.9) allows community colleges to transfer personal property titled to the State Board of Community Colleges among themselves at no cost and without the approval of the Department of Administration, Division of Surplus Property.

This section became effective July 1, 2011. (PP)

## **No State Funds for Intercollegiate Athletics**

S.L. 2011-145, Sec. 8.10 (HB 200, Sec. 8.10) prohibits the use of any State funds, student tuition receipts, or student aid funds to create, maintain, or operate an intercollegiate athletics program at a community college.

This section became effective July 1, 2011. (SK)

## **Community College Tuition Waivers**

S.L. 2011-145, Sec. 8.12 (HB 200, Sec. 8.12), as amended by S.L. 2011-391, Sec. 18, (HB 22, Sec. 18), provides clarification as to whom the State Board of Community Colleges (SBCC) may provide waivers of tuition and registration fees. Municipal, county, or State law enforcement agencies may now receive these waivers. Groups that may no longer receive the waivers include:

- Patients in State alcoholic rehabilitation centers.
- Clients of sheltered workshops.
- Clients of adult developmental activity programs.
- Students in Health and Human Services Developmental Programs.
- Juveniles of any age committed to the Department of Juvenile Justice and Delinquency Prevention by a court of competent jurisdiction.
- Members of the North Carolina State Defense Militia.
- Prison inmates.

The SBCC is prohibited from waiving tuition and registration fees for any individuals or groups not specifically authorized in statute. Community colleges are allowed to use State or local funds to pay tuition and registration fees for one course per semester for full-time community college faculty or staff members employed for a nine, ten, eleven, or twelve month term.

The Community Colleges System Office must transfer funds appropriated for curriculum and continuing education instruction to the Department of Correction for it to use to pay tuition and fees for prisoners but there will be a reduction of up to 43% in the number of curriculum and continuing education courses provided to prisoners. Finally, the section provides that federal law enforcement officers, firefighters, EMS personnel, and rescue and lifesaving personnel with permanent duty stations in North Carolina are eligible for the State resident community college tuition rate for courses that support their organizations' training needs and have been approved for that purpose by the SBCC.

This section became effective July 1, 2011. (DC)

## **Funding for Multicampus Centers**

S.L. 2011-145, Sec. 8.13 (HB 200, Sec. 8.13) requires all multicampus centers approved by the State Board of Community Colleges to receive funding under the same formula.

This section became effective July 1, 2011. (KM)

## **Community College Audits**

S.L. 2011-145, Sec. 8.15 (HB 200, Sec. 8.15) requires that each community college must be audited at least once every two years by the State Auditor or a certified public accountant. The colleges must submit the results to the State Board of Community Colleges.

This section became effective July 1, 2011. (SK)

## **Exempt Community Colleges from Administrative Procedure Act**

S.L. 2011-145, Sec. 8.18 (HB 200, Sec. 8.18), as amended by S.L. 2011-391, Sec. 19, (HB 22, Sec. 19), exempts the State Board of Community Colleges from the Administrative Procedure Act except for construction contract issues under G.S. 143-135.3 and the right to judicial review under the Administrative Procedure Act.

This section became effective July 1, 2011. (DC)

## **Capital Improvements at Community Colleges**

S.L. 2011-145, Sec. 8.19 (HB 200, Sec. 8.19) allows the State Board of Community Colleges (SBCC) to conduct fee negotiations for design contracts, develop procedures governing the responsibility of the North Carolina Community College System to perform the duties of the Department of Administration (DOA) and the Office of State Construction, and use existing plans and specifications for construction projects for State funded property developments up to \$4 million. Non-State funded capital improvement projects are exempted from the authority of the DOA if the SBCC determines that the community college has the expertise to manage the project, unless the assistance of the Office of State Construction is requested.

This section became effective June 15, 2011, and applies to projects initiated on or after that date. (KM)

## **Granting Community Colleges Additional Flexibility with Regard to Investments**

S.L. 2011-145, Sec. 8.20 (HB 200, Sec. 8.20) grants community colleges additional investment flexibility with institutional funds by allowing community colleges to invest in any investments permitted for county governments or managed by an investment advisor who meets certain criteria. The Board of Trustees must appoint an Investment Committee to review and evaluate investment options. The Board must consider specific criteria in investing, including making investments solely in the interest of the college and to provide adequate return.

This section became effective July 1, 2011. (PP)

## **Community College Budget Flexibility**

S.L. 2011-145, Sec. 8.21 (HB 200, Sec. 8.21), as amended by S.L. 2011-391, Sec. 20 (HB 22, Sec. 20), prohibits a college whose board of trustees has adopted a resolution declining to participate in the William D. Ford Federal Direct Loan Program from transferring an amount exceeding 2% of State funds allocated for faculty salaries to support other instructional costs or other purposes.

This section became effective July 1, 2011. (KM)

**If the Governor signs HB 335, Prison Maintenance/Justice Reinvestment/Technical Corrections, then Section 3.3 of HB 335 would repeal this Section. However, as of September 29, the Governor had not taken any action on HB 335.**

## **Education/State Board Authority to Establish General Education Development Testing Fees**

S.L. 2011-145, Sec. 31.2 (HB 200, Sec. 31.2) provides that the State Board of Community Colleges may establish fees charged to students taking the General Education Development (GED) test including fees for retesting.

This section became effective July 1, 2011. (DC)

## **Community College Opt Out of Federal Loan Program**

S.L. 2011-148 (HB 15), S.L. 2011-154 (HB 541), S.L. 2011-155 (HB 58), and S.L. 2011-178 (HB 134) allow certain community colleges to opt out of participating in the William D. Ford

Federal Direct Loan Program (Program) if the board of trustees of the community college adopts a resolution declining to participate in the Program. If the board of trustees of the community college chooses to rescind the resolution and participate in the Program, the board of trustees may not decline to participate in the Program again.

The following community colleges are authorized to opt out of participation in the Program:

- S.L. 2011-148 (HB 15): Beaufort County Community College, Brunswick Community College, Cleveland Community College, James Sprunt Community College, Lenoir Community College, Sandhills Community College, and Surry Community College.
- S.L. 2011-154 (HB 541): Alamance Community College, Central Piedmont Community College, Gaston College, Mitchell Community College, Montgomery Community College, Randolph Community College, Richmond Community College, Robeson Community College, Stanly Community College, and Wilkes Community College.
- S.L. 2011-155 (HB 58): Caldwell Community College and Technical Institute, Martin Community College, Rockingham Community College, and Sampson Community College.
- S.L. 2011-178 (HB 134): Central Carolina Community College, Pamlico Community College, Rowan Cabarrus Community College, South Piedmont Community College, and Vance Granville Community College.

These acts became effective July 1, 2011. (KM)

## **Community College Tuition for Members of Military**

S.L. 2011-184 (HB 515) permits community colleges to include the cost of textbooks in the tuition costs for military members who are attending community colleges under the military's Tuition Assistance program, if the student's branch of service permits the addition of textbook to tuition costs in its tuition assistance program. In order for the cost to be covered, the books must be purchased at the college's bookstore. The community college is allowed to retain the funds attributable to the cost of the textbooks.

This act became effective June 20, 2011. (PP)

## **Modify Regulation of Proprietary Schools**

S.L. 2011-308 (SB 685) creates the State Board of Proprietary Schools (SBPS) in the North Carolina Community Colleges System Office to oversee the licensing of proprietary schools in the State. The SBPS would provide the State Board of Community Colleges (SBCC) with written recommendations concerning applicants for licenses and annual renewal applications for licenses. It would also have to prepare a certificate of license for approval by the SBCC that reflects the SBPS's recommendation.

The SBPS would also be given the authority to establish reasonable fees for licenses, renewals, and approvals granted and for inspections.

The SBPS shall be required to report annually to the SBCC on the number of schools receiving initial licenses during the previous year; a list of currently licensed proprietary schools; school closures including catastrophic closures; complaints received and resulting actions; total fees received, and balances of the Commercial Education and Student Protection Funds.

The establishment of the SBPS becomes effective January 1, 2012. (SK)

## **Extend Small Business Center Incubator Period**

S.L. 2011-331 (SB 287) allows small business incubators at community colleges to extend the time period of the services they offer to qualified new business ventures from 24 to 48

months. A community college can permit the use of its personnel or facilities in support of or by a private business enterprise located on the community college campus or its service areas in support of specific services for economic development if the board of trustees of the college has specifically approved the use of the facilities or personnel. These specific services include small business incubators which are sites for new business ventures that are located within a community college's service area and which are not likely to succeed without the support and assistance provided by the college.

This act became effective June 27, 2011. (DC)

## **Universities**

### **Center for Public Television Continuation Review**

S.L. 2011-145, Sec. 9.1 (HB 200, Sec. 9.1) requires The University of North Carolina General Administration and the Center for Public Television (UNC-TV) to prepare a continuation review to assist the General Assembly in determining whether to continue, reduce, or eliminate funding for UNC-TV. The review must be submitted to the House and Senate Appropriations Subcommittees on Education by March 31, 2012.

This section became effective July 1, 2011. (SK)

### **University Cancer Research Fund Reporting Requirement**

S.L. 2011-145, Sec. 9.4 (HB 200, Sec. 9.4) requires the Cancer Research Fund Committee of the University Cancer Research Fund to provide an annual financial report by November 1 of each year to the Joint Legislative Education Oversight Committee and to the Office of State Budget and Management. The report must include the following components:

- Accounting of expenditures of State funds related to strategic initiatives, development of infrastructure, and ongoing administrative functions.
- Accounting of expenditures of extramural funds related to strategic initiatives, development of infrastructure, and ongoing administrative functions.
- Measures of impact to the State's economy in the creation of jobs, intellectual property, and start-up companies.
- Other performance measures directly related to the investment of State funds.
- Accounting of any fund balances retained by the University Cancer Research Fund along with information about any restrictions on the use of these funds.

This section became effective July 1, 2011. (DC)

### **The University of North Carolina Board of Governors Review of Faculty Recruitment and Retention**

S.L. 2011-145, Sec. 9.5 (HB 200, Sec. 9.5) requires the Board of Governors of The University of North Carolina to review current policies regarding financial incentives to retain faculty. The review must focus on prioritization of recruitment and retention funds and identification of key metrics to measure overall program effectiveness. The Board of Governors must report findings and recommendations to the Joint Legislative Education Oversight Committee, the Office of State Budget and Management, and the Fiscal Research Division by April 1, 2012.

This section became effective July 1, 2011. (KM)



## **Advisory Commission on Military Affairs/Modify Membership**

S.L. 2011-145, Sec. 9.6A (HB 200, Sec. 9.6A) adds the President of The University of North Carolina and the President of the North Carolina Community College System to the North Carolina Advisory Commission on Military Affairs as ex officio, nonvoting members.

This section became effective July 1, 2011. (PP)

## **Allow Chancellors of Constituent Institutions to Approve Certain Repair and Maintenance Projects and Fund Those with Available Operating Funds**

S.L. 2011-145, Sec. 9.6C (HB 200, Sec. 9.6C) authorizes the chancellors of The University of North Carolina constituent institutions to approve the expenditure of up to \$1 million in operating funds for institutional repairs, renovations, maintenance, or related equipment purchases. Obligated funds must not revert at the end of the fiscal year but remain available until the completion of the project.

This section became effective July 1, 2011. (SK)

## **Amend Regulation of The University of North Carolina Institutional Trust Funds and Funds of The University of North Carolina Health Care System**

S.L. 2011-145, Sec. 9.6E (HB 200, Sec. 9.6E) allows the Board of Governors of The University of North Carolina to authorize chancellors to deposit each institution's available trust fund cash balances in interest-bearing accounts and other investments authorized by the Board of Governors without regard to any statute or rule of law relating to the investment of funds by fiduciaries. Trust funds are no longer required to be deposited with the State Treasurer.

The Board of Directors of The University of North Carolina Health Care System may also deposit available funds, including money received in respect to borrowing for capital equipment or construction projects to further services, in interest-bearing accounts and other investments in its sound discretion, without regard to any statute or rule of law relating to the investment of funds by fiduciaries. Available funds are no longer required to be deposited with the State Treasurer.

This section became effective July 1, 2011. (KM)

## **The University of North Carolina/Institutional Expenditure Benchmarks**

S.L. 2011-145, Sec. 9.6F (HB 200, Sec. 9.6F) broadens the circumstances under which The University of North Carolina constituent institutions may make purchases without oversight from the Department of Administration's Division of Purchase and Contract (Division).

For constituent institutions that have an independent expenditure benchmark established by the Board of Governors of greater than \$250,000, only offers received in competitive bid procedures above the independent expenditure benchmark must be submitted to the Division for decision and recommendation.

This section became effective July 1, 2011. (PP)

## **The University of North Carolina Assume Responsibility for Quality Acceptance Inspection Process**

S.L. 2011-145, Sec. 9.6G (HB 200, Sec. 9.6G) exempts the constituent institutions of The University of North Carolina from the Department of Administration's oversight regarding inspections to determine the quality of purchased supplies, materials, equipment, and related delivered goods. The President of The University of North Carolina must issue regulations or guidelines for use by the constituent institutions for conducting quality inspections to ensure that deliveries comply with specifications.

This section becomes effective October 1, 2011. (SK)

## **Consolidate Assets of Millennium Teaching Scholarship Loan Program and Prospective Teachers Scholarship Loan Fund/Give Priority for Scholarship Loans for Prospective Teachers to Certain Former Teacher Assistants**

S.L. 2011-145, Sec. 9.10 (HB 200, Sec. 9.10) abolishes the Millennium Teaching Scholarship Loan Program (MTSLP) effective January 1, 2012. Financial obligations to students awarded scholarship loans from the MTSLP (scholarship students) before January 1, 2012 must be fulfilled with funds from the Scholarship Loan Fund for Prospective Teachers, if the scholarship student remains eligible under the provisions of the MTSLP. Contractual agreements between the scholarship student and the State Education Assistance Authority (SEAA) regarding the loan remain enforceable. \$500,000 of the assets of the MTSLP are transferred to the Escheat Fund, and the remaining balance is transferred to the Scholarship Loan Fund for Prospective Teachers.

When awarding scholarship loans for the Scholarship Loan for Prospective Teachers Program, the SEAA must give priority to qualified applicants formerly employed as teacher assistants at a public school in North Carolina who lost their position as a result of a reduction in force.

This section became effective July 1, 2011. (KM)

## **Limit Certain Financial Aid Grants to the Traditional Time Period Required to Earn a Baccalaureate Degree**

S.L. 2011-145, Sec. 9.11(a) (HB 200, Sec. 9.11(a)) limits the length of time a student may receive The University of North Carolina Need-Based Financial Aid grant to nine full-time academic semesters, or the part-time equivalency. For five-year degree programs, the grant may be received for 11 full-time academic semesters, or the part-time equivalency. An additional semester may be granted under demonstration of certain circumstances that disrupted the student's degree pursuit.

See also **Studies** subheading in this chapter.

This section became effective July 1, 2011. The limitation on length of time for grants is effective beginning with the 2012-2013 academic year. (PP)

## **Academic Common Market**

S.L. 2011-145, Sec. 9.12 (HB 200, Sec. 9.12) phases out the State's participation in the Academic Common Market program by not allowing the Board of Governors of The University of North Carolina to accept new students for the 2012-2013 academic year. No new students are allowed to enroll through the Academic Common Market program into The University of North Carolina graduate programs for the 2012-2013 academic year. Students enrolled prior to the

2012-2013 academic year may continue to pay in-State tuition as long as the student is enrolled in that program.

This section became effective July 1, 2011. (SK)

## **Eliminate Private Medical School Aid**

S.L. 2011-145, Sec. 9.14 (HB 200, Sec. 9.14) repeals the statute providing for annual grants of \$5,000 for each academic year to medical students who are North Carolina residents and who enroll in and attend medical school at either Duke University or Wake Forest University.

This section became effective July 1, 2011. (KM)

## **Special Responsibility Constituent Institution Audits**

S.L. 2011-145, Sec. 9.16 (HB 200, Sec. 9.16) requires The University of North Carolina's special responsibility constituent institutions to be audited annually by the State Auditor or a certified public accountant. The audit must be given to the Chancellor and Board of Trustees of the special responsibility institution, the Board of Governors of The University of North Carolina, and the State Auditor.

This section became effective July 1, 2011. (SK)

## **Need-Based Scholarships for Students Attending Private Institutions of Higher Education**

S.L. 2011-145, Sec. 9.18 (HB 200, Sec. 9.18) creates the "Need-Based Scholarships for Students Attending Private Institutions of Higher Education" (Scholarship Program). In order to be eligible to receive a scholarship under this Scholarship Program, a student must be seeking a degree, diploma, or certificate at an eligible private postsecondary institution which is defined as any of the following:

- A nonprofit postsecondary educational institution with a main permanent campus located in North Carolina that is not owned or operated by the State of North Carolina or by an agency or political subdivision of the State or by any combination thereof that meets these requirements:
  - Is accredited by the Southern Association of Colleges and Schools under the standards of the College Delegate Assembly or by the New England Association of Schools and Colleges through its Commission on Institutions of Higher Education.
  - Awards postsecondary degrees.
- A postsecondary institution owned or operated by a hospital authority or school of nursing affiliated with a nonprofit postsecondary education institution.

The student seeking the degree, diploma, or certificate must meet all of the following requirements:

- Be a "needy North Carolina student" which is defined as a student whose expected family contribution under the federal methodology does not exceed an amount as set annually by the State Education Assistance Authority (Authority) based upon costs of attendance at The University of North Carolina.
- Be eligible for the federal Pell Grant, with the exception of the expected family contribution.
- Be a legal resident of North Carolina and a resident for tuition purposes in accordance with the definition of residency as adopted by the Board of Governors of The University of North Carolina.

- Be admitted, enrolled, and classified as an undergraduate student in a matriculated status at an eligible private postsecondary institution.
- Maintain satisfactory academic progress in a course of study for continued eligibility in the student's second and subsequent academic years in accordance with the standards and practices used for federal Title IV programs.

**Limitations on Scholarship.—**

A student cannot receive a scholarship under this Scholarship Program for more than nine full-time academic semesters, or the equivalent if enrolled part-time unless the student is enrolled in a program officially designated by the eligible postsecondary institution as a five-year degree program. For a student enrolled in such a five-year degree program, the student cannot receive the scholarship for more than 11 full-time academic semesters or the equivalent if enrolled part-time.

**Scholarship Amounts.—**

The amount for scholarships awarded under the Scholarship Program will be determined annually by the Authority based upon the enrollment status and expected family contribution of the student consistent with the methodology for the federal Title IV programs and subject to the sum appropriated by the General Assembly. The minimum award of a scholarship under this Scholarship Program must be \$500.00.

**Administration of Scholarship Program.—**

The Scholarship Program will be administered by the Authority under rules adopted by it. The Authority may use up to one and one-half percent of the funds appropriated for the Scholarship Program for administrative purposes. Unexpended funds will remain available for future scholarships awarded under the Scholarship Program.

This section also repeals the State Contractual Scholarship Fund Program, the North Carolina Legislative Tuition Grant Program, and State grants for eligible students attending certain private institutions of higher education under G.S. 116-43.5. The Authority must report to the Joint Legislative Education Oversight Committee by June 1, 2013 on the implementation of the Scholarship Program. The report must contain, for the 2012-2013 academic year, the amount of scholarship and grant money disbursed, the number of students eligible for the funds, the number of eligible students receiving the funds, and a breakdown of the eligible private postsecondary institutions that received the funds.

The Scholarship Program becomes effective July 1, 2011 and applies to the 2012-2013 academic year and each subsequent academic year. The provision of the section which repeals the State Contractual Scholarship Fund Program, the North Carolina Legislative Tuition Grant Program, and State grants for eligible students attending certain private institutions of higher education under G.S. 116-43.5 and makes conforming statutory changes becomes effective July 1, 2012. (DC)

**Constituent Institutions May Purchase Motor Vehicles Independent of Motor Fleet Management**

S.L. 2011-145, Sec. 9.19 (HB 200, Sec. 9.19) allows the constituent institutions of The University of North Carolina to purchase passenger motor vehicles used primarily for law enforcement purposes independent of the central motor pool of the Department of Administration.

This section became effective July 1, 2011. (KM)

## **Behavioral Health Services for Military**

S.L. 2011-185, Sec. 10 (SB 597, Sec. 10). See **Military, Veterans', & Indian Affairs**.

### **Studies**

#### **New/Independent Studies/Commissions**

##### **Study Length of School Year**

S.L. 2011-257 (HB 765) establishes a 19-member Blue Ribbon Commission (Commission) in the General Assembly to study the current length of the school year. The Commission is composed of ten members appointed by the leadership of the General Assembly (five members of the House and five members of the Senate), executive directors of various educational organizations, the Chair of the State Board of Education, and the Superintendent of Public Instruction.

The Commission must study and report to the General Assembly in 2012 and 2013 about strategies for making North Carolina's children ready to compete in the 21<sup>st</sup> century, cost for implementing a longer school year, impact of summer learning loss, cost of remediation, impact of the current calendar on low-income and at-risk students and on math and science scores, and the achievement gap.

This act became effective July 1, 2011. (PP)

#### **Referrals to Existing Commissions/Committees**

##### **Education Reform in North Carolina**

S.L. 2011-145, Sec. 7.1 (HB 200, Sec. 7.1) directs the Joint Legislative Education Oversight Committee (Committee) to study literacy and ways to reduce the need for remedial or developmental education in the State's higher education institutions. The Committee must report with a comprehensive plan, including implementation dates and schedules that address the following:

- Implementation of a third grade literacy policy and consideration of a program for third grade reading specialists modeled on Florida's reading specialist program.
- Ways to hold high schools accountable for the higher education performance of their students including requiring high schools to fund developmental education.
- Cost-effective methods to provide remedial education in higher education, including funding summer term development courses at community colleges, focusing remediation at the community colleges and redirecting university appropriations for remedial education at the community colleges.

Any program implemented must be structured so that ongoing performance can be evaluated and outcome data is available. The Committee may hire one or more external consultants to complete the studies. The Committee must make a final report to the 2012 Regular Session of the 2011 General Assembly.

This section became effective July 1, 2011. (DC)

## **Referrals to Departments, Agencies, Etc.**

### **Study Community College Performance Measures**

S.L. 2011-145, Sec. 8.14 (HB 200, Sec. 8.14) requires the State Board of Community Colleges to report to the Joint Legislative Education Oversight Committee by March 1, 2012 on a revised set of accountability measures and performance standards to evaluate and measure student progress and success, including graduation rates and course completion, and a plan to incorporate the measures into regular formula funding.

This section became effective July 1, 2011. (PP)

### **Limit Certain Financial Aid Grants to the Traditional Time Period Required to Earn a Baccalaureate Degree**

S.L. 2011-145, Sec. 9.11(b) (HB 200, Sec. 9.11(b)) requires the Fiscal Research Division to study and report to the General Assembly on how to limit receipt of state grants to the designated length of time for students who transfer between the university, community college, and private college systems, waivers for students who encounter legitimate disruptions, and procedures for extending eligibility. The report is due by March 1, 2012 to the Joint Legislative Education Oversight Committee and to the Education Appropriation Subcommittees of the House of Representatives and the Senate.

This section became effective July 1, 2011. (PP)