

Enacted Legislation

Public Schools

Extend Virtual Charter School Enrollment Authority

Section 2.5 of S.L. 2021-3 (HB 196) authorizes the two schools participating in the State's virtual charter school pilot program to increase enrollment for the 2021-2022 school year by the same amount they were permitted to increase enrollment for the 2020-2021 school year. For the North Carolina Cyber Academy, enrollment can increase by 1,000 students and for the North Carolina Virtual Academy, enrollment can increase by 2,800 students.

These virtual charter schools must give enrollment priority to students for the 2022-2023 school year who were enrolled in the 2020-2021 school year, prior to the temporary enrollment increases. Virtual charter schools must submit to the Joint Legislative Education Oversight Committee a new interim report by March 15, 2022, and a final report by November 15, 2022.

This section became effective March 11, 2021. (BG)

The Reopen Our Schools Act of 2021

S.L. 2021-4 (SB 220) directs local boards of education (local boards) to provide instruction for the remainder of the 2020-2021 school year by doing the following:

- Complying with the StrongSchoolsNC Public Health Toolkit (K-12) (Toolkit) issued by the North Carolina Department of Health and Human Services (DHHS) as that guidance existed on March 4, 2021.
- Offering in-person instruction under Plan A of the Toolkit (Minimal Social Distancing – which recommends but does not require six feet of social distancing be maintained) to (i) all students in kindergarten through grade 5 and (ii) students in grades 6 through 12 with individualized education plans and Section 504 plans.
- Offering in-person instruction under Plan B of the Toolkit (Six Feet Social Distancing – which requires six feet of social distancing to be maintained) to students in grades 6 through 12.
- Providing remote learning for all grades as an option for parents to select.

Local boards can provide Plan A to students in grades 6 through 12 if a local board (i) partners with the ABC Science Collaborative of the School of Medicine at Duke University (ABC Collaborative) to collect and analyze data related to reopening and (ii) provides notice to DHHS. In addition, local boards have the authority to shift individual schools or classrooms to remote instruction when necessary due to COVID-19 exposures that result in insufficient school personnel or required student quarantines. Shifts to remote instruction must be reported to the Department of Public Instruction (DPI) within 72 hours.

ABC Science Collaborative – DPI must contract with the ABC Collaborative to study COVID-19 related metrics of student, teacher, and staff safety for local school administrative units (LEAs) providing in-person instruction under Plan A for middle and high school students. The ABC Collaborative must report monthly until June 2021 on its findings to various entities, including the Joint Legislative Education Oversight Committee.

Governor's Authority – The Governor can use executive orders to close, restrict, or reduce operations of individual LEAs during the remainder of the 2020-2021 school year when necessary to protect the health and safety of students and employees, but must state the reasons specific to that LEA. The Governor cannot order statewide closures, restrictions, or reductions of the operation of schools in a single executive order, and cannot use the authority granted in the Emergency Management Act to direct statewide school closures during the 2020-2021 school year.

This act became effective March 11, 2021, and requires LEAs to begin offering in-person instruction no later than the first instructional day scheduled in the adopted school calendar 21 days after the effective date. (DC)

Summer Learning Choice for NC Families

S.L. 2021-7 (HB 82) required each local school administrative unit (LEA) to offer a school extension learning recovery and enrichment program (Program) at the end of the 2020-2021 school year. Within available funds, residential schools were also required to offer a Program to students. The Program's purpose was to provide in-person instruction on specific subjects and offer additional enrichment activities to students in kindergarten through grade 12 to address learning losses due to COVID-19 during the 2020-2021 school year. Students at risk for academic failure who were not progressing toward grade promotion and graduation were identified and prioritized for participation in the Program.

LEAs were required and charter schools were encouraged to submit plans for the Program to the Department of Public Instruction (DPI). The plans were required to meet certain components, including a minimum of 150 hours or 30 days of instruction, as well as meal service and physical activities on each instructional day. The plans were also required to include certain instruction based on the grade level served and provide access to enrichment activities for grades K-8 and elective courses for grades 9-12. Transportation, in-person learning, and social-emotional learning supports for all students were also required as part of the Program.

Participation in the Program by students was voluntary. Kindergarten students who participated in the Program were exempt from retention. For all other students at-risk of grade retention, the student's principal was required to reassess the student's promotion eligibility upon completion of the Program.

Teachers and other school personnel were employed temporarily on a contract basis for the Program. Certain retired teachers were also eligible for employment without violating separation of service requirements. LEAs were encouraged to incentivize highly effective teachers through various means and were required to offer both signing bonuses to teachers meeting certain criteria and performance bonuses for third-grade teachers whose students became proficient in reading during the Program.

The State Board of Education provided competency-based assessments for students in grades K-8 for LEAs to use at the beginning and end of the Program, with the assessment results provided to the student's teacher for the 2021-2022 school year.

LEAs were required to report to DPI by October 15, 2021, on the results of the competency-based assessments, as well as the number of students who progressed or were retained in the same grade, and the number of students who received credit recovery in high school. DPI was required to report by January 15, 2022, to the Joint Legislative Education Oversight Committee on implementation of the Program and related reported information, including copies of the Program plans.

This act became effective April 9, 2021. (KM)

Excellent Public Schools Act of 2021

S.L. 2021-8 (SB 387) makes the following changes to the North Carolina Read to Achieve Program:

- Creates a definition of the "Science of Reading."
- Establishes the Early Literacy Program within the Department of Public Instruction (DPI).
- Requires certain early literacy educators to participate in a training program grounded in the Science of Reading.
- Requires Educator Preparation Programs seeking approval or renewal on or after July 1, 2022, to include coursework grounded in the Science of Reading.
- Requires the literacy curriculum and instruction provided by local school administrative units (LEAs) to be aligned with standards developed by the State Board of Education (SBE) and a model implementation plan developed by DPI as soon as possible, but at least beginning with the 2024-2025 school year.
- Creates a definition of "literacy interventions."
- Modifies the definition of "reading camp," which must be offered as a literacy intervention to certain 2nd and 3rd grade students.
- Requires the SBE and DPI to develop literacy intervention standards by December 15, 2021.
- For the 2022-2023 school year, requires LEAs to develop literacy intervention plans that outline the interventions that will be offered. Beginning with plans developed for the 2023-2024 school year, requires that plans be approved by DPI.
- Beginning with the 2022-2023 school year, requires Individual Reading Plans (IRPs) to be developed for students in grades K-3 who demonstrate difficulty with reading development. Each student's IRP must include specific information, such as the specific reading deficiencies and goals and benchmarks for growth.
- Creates two bonus programs for teachers providing instruction during a reading camp, beginning with reading camps associated with the 2021-2022 school year.
- Provides for continuing education credits related to literacy for certain reading camp instructors.
- Establishes a Digital Children's Reading Initiative.
- Requires the SBE to analyze alternative assessments and recommend one for use.
- Beginning with the 2021-2022 school year, creates a uniform reporting structure for Read to Achieve data.

This act became effective April 9, 2021. (SY)

Educational Changes for Military-Connected Students

Section 1 of S.L. 2021-9 (HB 53) makes the following educational changes for military-connected students:

Attendance in a Local School Administrative Unit – Beginning with the 2021-2022 school year, students who are not domiciled in a local school administrative unit (LEA) and are children of active-duty military parents can attend school in the LEA in each of the following situations:

- The student resides with an adult caregiver domiciled in the LEA as a result of the student's inability to physically reside with the parent due to military orders. Students can qualify for enrollment under this provision with a letter from the parent's commanding officer and accompanying affidavits. A local board of education cannot require the student's adult caregiver to be a legal guardian for the student to qualify for enrollment.
- The student resides in the LEA with a parent, legal guardian, or legal custodian who is on activity military duty and assigned by official military order to a military installation or reservation in the State.

This section of the act became effective April 9, 2021, and applies beginning with the 2021-2022 school year. (BG)

High School Adjunct Instructors/CC Prep.

S.L. 2021-48 (SB 582) allows an individual employed at an institution of higher education as a faculty member to also qualify as an adjunct instructor for courses in fine and performing arts, and foreign languages in grades K-12, if the person meets the criteria set by the State Board of Education.

Additionally, an individual who (i) holds a related bachelor's degree or graduate degree and (ii) attends a community college or educator preparation program and completes at least one semester of courses concentrating in teacher preparation is eligible to be an adjunct instructor for high school level courses in academic subjects, fine and performing arts, and foreign language in the individual's area of specialized knowledge or work experience.

This act became effective June 21, 2021, and applies beginning with the 2021-2022 school year. (SY)

Timely Local Payments to Charter Schools

S.L. 2021-79 (HB 335) revises the requirements regarding the transfer of funds from a local school administrative unit (LEA) to a charter school to incentivize the timely transfer of funds. The Superintendent of Public Instruction, in consultation with charter schools and LEAs, must create the following:

- A standardized enrollment verification and transfer request document (transfer document) that charter schools must use to request the per pupil share of the local current expense fund from LEAs. Charter schools can only be required to list certain identifying information on the transfer document as that information was provided by the student's parent or guardian.
- A standardized procedure that LEAs must use when transferring the per pupil share of the local current expense fund to charter schools. The procedure must require that the LEAs use electronic transfer to the extent practicable.

The per pupil share of the local current expense fund must be transferred within 30 days of the later of the following:

- The receipt of monies into the local current expense fund.
- The receipt by an LEA of the transfer document.

Charter schools must send the transfer document to LEAs on a monthly basis. If an LEA receives additional monies into the local current expense fund following the initial transfer to the charter schools, the LEA must transfer the per pupil share of those additional monies within 30 days of receipt of the monies. LEAs cannot delay transfers of undisputed amounts, but they can delay the transfer of disputed amounts.

If an LEA receives written notice directed to the superintendent and school finance officer from a charter school that the per pupil share of the local current expense fund has not been transferred within the required statutory timeframe, the LEA must electronically transfer or postmark (if by mail) the monies within 15 days of the notice, or else pay a 3% late fee. Interest on the amount owed accrues at 8% until the transfer is made. LEAs are not required to pay late fees or interest on any amounts not owed under G.S. 115C-218.105(c), as amended by the act, or per pupil amounts owed for any student whose information is shown to be materially incorrect on the transfer document. LEAs are given an additional 30 days to make the transfer to a charter school for any month in which the charter school failed to send the transfer document with the required student enrollment information.

This act became effective July 8, 2021, and applies beginning with the 2021-2022 school year. (BG)

Commission on School Technology

Section 5 of S.L. 2021-90 (SB 126) repeals the Commission on School Technology. This section became effective July 22, 2021. (KM)

Private School Standardized Testing Requirements

Section 1 of S.L. 2021-111 (HB 78) changes the requirements for all nonpublic school testing in ninth grade to allow the use of a test that measures either (i) achievement in the areas of English grammar, reading, spelling, and mathematics or (ii) competencies in the verbal and quantitative areas.

For nonpublic schools required to administer annual testing to Opportunity Scholarship recipients, the following are required:

- In grades 3-8, tests that measure achievement in the areas of English grammar, reading, spelling, and mathematics.
- In grades 9-12, tests that measure either (i) achievement in the areas of English grammar, reading, spelling, and mathematics or (ii) competencies in the verbal and quantitative areas.

This section became effective August 23, 2021, and applies to tests given beginning with the 2021-2022 school year. (SY)

K-12 COVID-19 Provisions

S.L. 2021-130 (SB 654) makes changes to numerous education laws that continued to be impacted by COVID-19.

School Performance Grades/Annual Report Cards – The requirement that the State Board of Education (SBE) must calculate achievement, growth, and performance scores or display school performance grades based on data from the 2020-2021 school year is waived. However, the SBE must explain that those scores and grades were not calculated and assigned because assessment data was heavily impacted by COVID-19. School report cards based on data from the 2020-2021 school year can only contain the minimum information required by the federal waiver granted by the United States Department of Education.

Low-Performing Schools – The SBE cannot identify low-performing schools, continually low-performing schools or low-performing local school administrative units for the 2021-2022 school year based on 2020-2021 data.

Public School Unit Calendars for the 2021-2022 School Year – A definition of remote instruction is created and means instruction delivered to students in a remote location outside of the school facility either synchronously or asynchronously. For the 2021-2022 school year, local school administrative units (LEAs) can use five days or 30 hours of remote instruction in the school calendar to address weather closures and other emergencies if the LEA submitted a remote instruction plan to the SBE. Remote instruction plans must contain specific information about a variety of issues including methods of tracking and reporting attendance. LEAs are not otherwise authorized to use remote instruction during the 2021-2022 school year, except on a temporary basis for individual schools and classrooms. The SBE must report annually to the Joint Legislative Education Oversight Committee (JLEOC) with copies of each governing board's remote instruction plan and a summary document with specific information, including the number of remote instruction days used by each public school unit.

Remote Instruction for COVID-19 Emergencies – Public school units can make day-to-day decisions about shifting individual schools or classrooms to temporary remote instruction for the 2021-2022 school year due to COVID-19 exposures that result in insufficient school personnel or required student quarantines. Public school units are required to notify the Department of Public Instruction (DPI) of these temporary shifts within 72 hours.

Planned Virtual Instruction – For the 2021-2022 school year only, public school units can offer virtual instruction to students with the consent of the students' parent or guardian in accordance with a virtual instruction plan submitted to DPI by October 1, 2021, that includes information such as estimated enrollment and the methods by which enrollment, daily attendance, course credit accrual, progress toward graduation, and course completion will be monitored for students receiving virtual instruction. Public school units cannot use virtual instruction after June 30, 2022, without express authorization from the General Assembly, except for schools that were assigned a school code to operate primarily through virtual instruction as of May 1, 2021.

Virtual Academies Study – The Superintendent of Public Instruction must establish a Working Group on Virtual Academies to make recommendations on the requirements for the virtual academy model to the JLEOC no later than March 15, 2022.

Principal Recruitment Supplement – Schools identified as eligible to receive principal recruitment supplements for the 2019-2020 and 2020-2021 school years will continue to be identified as eligible for 2021-2022.

Notification Requirement for Teacher Performance Data – When Education Value-Added Assessment System (EVAAS) data regarding a teacher's performance in the 2021-2022 school year is based on performance in the 2019-2020 and 2020-2021 school years, principals are directed to contextualize the reported data to clarify the years on which the data is based and the extent to which the data is based on students who were taught by another teacher.

Teacher Effectiveness Reporting Requirements – When EVAAS data for the 2021-2022 school year based on performance in the 2019-2020 and 2020-2021 school years is available, LEAs and the SBE must contextualize the reported data to clarify when the information reflects performance over multiple years and multiple teachers.

Temporarily Extend CPR Graduation Requirement Changes – Students graduating in Spring 2021 who met all other graduation requirements can graduate even if they were unable to complete CPR instruction due to COVID-19.

Teacher Licensure Requirements – Applicants for a continuing professional license have an extension until December 31, 2021, to complete the required examinations or coursework if they (i) have a license expiring June 30, 2021, and (ii) have not met the examination or coursework requirements by that date. In addition, individuals can receive a residency license if they have a bachelor's degree or an advanced degree (or both).

Clarify the Definition of Year-Round School – One of the year-round calendar options is modified to cover a plan that schedules students to attend four quarters of between 43 and 47 instructional days each school calendar year, with vacation periods for students of between 14 and 18 days separating each quarter. Additionally, a fourth year-round calendar option is created to cover a plan for a single-track instructional calendar that is identical to at least one track of a statutorily compliant multi-track instructional calendar in the same LEA.

Local Face Covering Policies – All public school units must adopt a policy for the 2021-2022 school year regarding the use of face coverings by employees and students and must review the policies at least once a month.

Temporarily Waive Certain Requirements Related to Driving Eligibility Certificates – A Driving Eligibility Certificate (DEC) must be issued without requiring the person to whom it is issued to be making progress toward obtaining a high school diploma or its equivalent. School authorities are also prohibited from notifying the Department of Motor Vehicles (DMV) of DEC ineligibility based on making progress grounds. This waiver expires on January 30, 2022.

Restore Certain Permits and Provisional Licenses Revoked Due to Certificate Ineligibility – DMV must restore a person's permit or provisional license that was revoked due to ineligibility for a DEC based on making progress grounds. This restoration requirement applies to revocations dated on or after March 1, 2020, and through the effective date of this section.

This act became effective August 30, 2021. (DC)

Various Education Changes

S.L. 2021-170 (SB 695) makes the following changes:

Principal License Exemptions –

- School administrator licenses issued by the State Board of Education (SBE) between 2010 and 2021 are deemed valid, regardless of the failure to meet certain licensure requirements.
- The SBE must waive the following licensure requirements for individuals who have completed at least one course as part of a master's degree program or a post-master's certificate designed for school administrators prior to August 31, 2022, provided that the individuals complete the program or certificate and meet all other licensure requirements:
 - Passing an exam adopted by the SBE.
 - Completing a year-long internship.
 - Having at least four years of classroom teaching experience and possessing at least a master's degree in Education Administration.
 - Achieving at least the second level of differentiation between classroom teachers.

Flexibility to Receive Annual Salary in 12 Monthly Installments through a Payroll Deduction Plan – Local school administrative units (LEAs) are required to fulfill requests by teachers and school employees to be paid in 12 monthly installments through a payroll deduction plan.

Change Report Date for Student Meal Debt Report – The SBE must report to the Joint Legislative Education Oversight Committee on unpaid meal charges in LEAs by October 15, 2023.

Cash Management Flexibility for Certain Public School Units – LEAs, charter schools, regional schools, and innovative schools (public school units) are allowed to make final disbursements to an ultimate payee no later than three business days after the date the public school unit draws on State funds from the State Treasurer. Additionally, these public school units are allowed to deposit State funds with the official depository designated by the governing body of the public school unit. This allows the public school units to deposit State funds in their local accounts, provided that those State funds are disbursed by the third business day after being withdrawn from the State Treasury.

This act became effective October 15, 2021. (SY)

School Psychologists Allotment

Section 7.6 of S.L. 2021-180 (SB 105) requires, beginning with the 2021-2022 school year, the State Board of Education (SBE) to create a funding allotment for school psychologist positions. The SBE can adopt rules for the allocation of school psychologist positions from this allotment, and those rules must meet the following minimum requirements:

- School psychologist positions must be allocated on the basis of average daily membership (ADM).
- Each local school administrative unit (LEA) receives sufficient funding for at least one school psychologist position.

School psychologist positions cannot be transferred out of this allotment except to convert to dollar equivalents for contracted services directly related to school psychology. Beginning with the 2022-2023 school year, local boards of education must employ at least one full-time, permanent school psychologist.

This section became effective July 1, 2021, and applies beginning with the 2021-2022 school year. (BG)

School Health Support Personnel Professional Entry Report

Section 7.7 of S.L. 2021-180 (SB 105) directs the State Board of Education (SBE) to study and report on the following to the Joint Legislative Education Oversight Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, and the Fiscal Research Division:

- Policies, practices, standards, and curriculum adopted or implemented, as appropriate, by the SBE, the Department of Public Instruction, educator preparation programs, and public school units for persons to receive training, licensure, and employment as school health support personnel in public school units.
- Barriers persons face when entering each school health support profession because of the established policies, practices, standards, and curriculum.
- Recommendations and any actions already taken to (i) reduce and eliminate the identified barriers and (ii) improve the number and quality of school health support personnel employed in public school units.

The term "school health support personnel" refers to school psychologists, school counselors, school nurses, and school social workers. The report is due May 15, 2022.

This section became effective July 1, 2021. (DC)

Department of Public Instruction Reorganization Authority

Section 7.8 of S.L. 2021-180 (SB 105) requires the Department of Public Instruction (DPI) to reclassify certain positions. It also authorizes DPI, after consultation with the Office of State Budget and Management and the Fiscal Research Division, to (i) reorganize DPI, realign fund structures, or both, when necessary to accommodate changes in allowable expenditures of indirect costs associated with the administration of federal grants and (ii) to implement other changes necessary to improve the efficiency of DPI, subject to certain limitations. DPI must report to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Education Oversight Committee, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, and the Fiscal Research Division on any reorganization, including any movement of positions and funds between fund codes on a recurring basis.

This section became effective July 1, 2021. (KM)

Report on K-12 Computer Science Data

Section 7.9 of S.L. 2021-180 (SB 105) directs the State Board of Education (SBE) to annually report by November 15 to the Joint Legislative Education Oversight Committee and various other entities on data related to computer science and computational thinking participation for all public school units, disaggregated by school, including:

- The number of teachers employed to teach computational thinking and computer science.
- The statewide and elective courses offered and the number of students enrolled in each of the courses.
- The number of students enrolled in computer science and computational thinking courses by grade level.
- The enrollment numbers broken down by the following subgroups:
 - Economically disadvantaged students.
 - Students from major racial and ethnic groups.
 - Gender.
 - Children with disabilities.

For each item, the report must include (i) statewide data for the current school year and the four previous years and (ii) data for the current school year for each public school unit, disaggregated by school. Public school units are required to submit the underlying information for the current school year to the SBE annually by September 15.

The SBE must submit its initial report no later than March 15, 2022. Public school units must submit their initial reports to the SBE no later than January 15, 2022.

This section became effective July 1, 2021. (SY)

Instructional Support Personnel Report

Section 7.10 of S.L. 2021-180 (SB 105) requires the Department of Public Instruction (DPI), in consultation with the Fiscal Research Division, to survey local school administrative units (LEAs) on the use of funds for instructional support personnel position categories in the 2020-2021 fiscal year and report the results of its survey to Joint Legislative Education Oversight Committee and other various committees of the General Assembly. DPI must incorporate the survey results into its annual expenditure report for the 2020-2021 fiscal year as required by law. The survey results must be organized on a statewide basis and by LEA for each instructional support personnel position category, including additional specified information, such as:

- For each position category, the following information:
 - Number of persons employed in that position category.
 - Total State and non-State funds and total full-time equivalent positions allocated for that position category.
 - Average salary for that position category.
 - Percentage of total funds and total full-time equivalent positions made up of federal, State, and local funds
 - Percentage of federal, State, and local funds and the number of full-time equivalent positions that were used for contracted services.
- Certain information on each allotment transfer that was used for contracted services.
- Any contracted services provided using funds provided for the school psychologist position category.

"Instructional support personnel position categories" refers to all positions identified by DPI as instructional support personnel, such as audiologists, Career and Technical Education services personnel, guidance counselors, nurses, psychologists, social workers, and others.

This section became effective July 1, 2021. (BG)

Schools That Lead Program

Section 7.11 of S.L. 2021-180 (SB 105) directs the Department of Public Instruction (DPI) to contract with Schools That Lead, Inc., to provide professional development to teachers and principals in up to 75 schools, beginning with the 2021-2022 school year and ending in the 2025-2026 school year. The selected schools must be charter schools or schools under the authority of a local school administrative unit with professional development services offered to teachers and principals in kindergarten through grade 12. The Superintendent of Public Instruction, in consultation with Schools That Lead, Inc., must determine which schools are eligible to participate in the Schools That Lead Program (Program). The Program must offer services to three cohorts of schools, as follows:

- High schools working to increase on-time graduation.
- Middle schools working to prepare students to succeed in high school by reducing the likelihood of retention in the ninth grade for multiple school years.
- Elementary schools working to reduce the number of students with early warning indicators of course failures, absences, and discipline.

DPI must use up to \$100,000 to contract with an independent research organization to measure the impacts of the Program on student outcomes, including, but not limited to: (i) on-time graduation in high school, (ii) ninth grade retention rates, and (iii) course failures, absences, and discipline in elementary school. The independent research organization must annually report its interim findings to DPI no later than June 30, starting in 2023, and submit a final report no later than June 30, 2027.

DPI, in consultation with Schools That Lead, Inc., must report on the impacts of the Program and must include an accounting of expenditures, school performance data, principal performance data, teacher performance data, and student outcome data. The report is due beginning October 1, 2023, and continues each year until October 1, 2027, to the Joint Legislative Education Oversight Committee and various other entities.

This section became effective July 1, 2021. (DC)

Permit Use of Special State Reserve Fund for Transportation/Establish Transportation Reserve Fund for Homeless and Foster Children

Section 7.12 of S.L. 2021-180 (SB 105) authorizes the use of the Special State Reserve Fund (SSRF) to cover extraordinary transportation costs for high-needs children with disabilities. Funds from the SSRF can be provided by the Department of Public Instruction (DPI) to local school administrative units (LEAs) and charter schools for this purpose through an application process that awards funds based on certain criteria.

A Transportation Reserve Fund for Homeless and Foster Children (TRF) is established to provide a grant program for extraordinary school transportation costs for homeless and foster children. Funds from the TRF can be provided by DPI to LEAs and charter schools for this purpose through an application process that awards funds based on certain criteria.

DPI must report by March 15 annually on certain data points to the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Fiscal Research Division, and the Joint Legislative Education Oversight Committee on the use of funds appropriated to the TRF using data collected from the prior school year.

This section became effective July 1, 2021. (KM)

Eliminate Innovation Zone Grants

Section 7.13 of S.L. 2021-180 (SB 105) eliminates innovation zones connected to the Innovative School District.

This section became effective July 1, 2021. (KM)

Transition from the Innovative School District Model

Section 7.14 of S.L. 2021-180 (SB 105) requires the Superintendent of Public Instruction (Superintendent) to study reforms to provide effective intervention and assistance for low-performing schools and report on recommendations and suggested legislative changes to the Joint Legislative Education Oversight Committee no later than February 15, 2022.

The State Board of Education (SBE) is directed to not add schools to the Innovative School District during the 2021-2022 and 2022-2023 school years. The SBE must continue operation of the Southside-Ashpole Elementary School as an innovative school until a transition plan is executed to return the school to Robeson County Schools, but must transition the school no later than the completion of the 2022-2023 school year.

Effective June 30, 2023, the Innovative School District is repealed.

Portions of the section related to the Superintendent's study and selection of innovative schools became effective November 18, 2021. The remainder of the section is effective June 30, 2023. (KM)

Excellent Public Schools Act of 2021 Implementation Guide/Report

Section 7.15 of S.L. 2021-180 (SB 105) requires the Superintendent of Public Instruction (Superintendent) to establish a working group to develop an implementation guide for the Excellent Public Schools Act of 2021 (S.L. 2021-8). The Superintendent must collaborate with various education stakeholders to develop the guide to assist local school administrative units, educators, and administrators in establishing the essential elements for literacy based on the Science of Reading, effectively implementing the Excellent Public Schools Act of 2021, and creating the framework to ensure that students are successful and proficient readers. The implementation guide must include at least the following information:

- Roles and responsibilities of State agencies, local school administrative units, public schools, and educators.
- Implementation strategies of the components of literacy supports and interventions.
- Professional development and training available for educators.
- Initiatives related to the implementation of the Excellent Public Schools Act of 2021 at the State and local level.

No later than January 15, 2022, the Superintendent will report to the Joint Legislative Education Oversight Committee and various other entities on the working group and the development of the implementation guide. The report must include the proposed components of the implementation guide and the timeline of publishing the guide in preparation for the 2022-2023 school year.

This section became effective July 1, 2021. (SY)

Medicaid Reimbursement Contract for Residential Schools

Section 7.16 of S.L. 2021-180 (SB 105) requires the Department of Public Instruction (DPI) to contract with a third-party for administrative services necessary to receive maximum reimbursement for medically necessary health care services for which payment is available under the North Carolina Medicaid Program provided to eligible students attending any of the following schools:

- Governor Morehead School for the Blind
- Eastern North Carolina School for the Deaf
- North Carolina School for the Deaf

By March 15, 2022, DPI must report to the Joint Legislative Education Oversight Committee on the contracting process and the award of the contract, including the cost of the contract and the estimated recoupment of expenditures.

This section became effective July 1, 2021. (BG)

Full-Time Equivalency of Public School Students

Section 7.17 of S.L. 2021-180 (SB 105) requires the State Board of Education (SBE) to establish a formula for determining the full-time equivalency of a student enrolled in a public school unit for the purposes of providing State funds on a per pupil basis. The formula must include the amount of instructional time required for the school day for a full-time student. The SBE must

report on the formula to the Joint Legislative Education Oversight Committee (JLEOC) and various other entities by April 15, 2022.

By October 15 of each year, the Department of Public Instruction must report to the JLEOC and various other entities on the number of students and the full-time equivalency of those students by public school unit and grade level from the prior school year. The initial report must be submitted by January 15, 2023, for the data collected from the 2021-2022 school year. The data in the report must be disaggregated by enrollment in courses offered by the public school units and those offered through other dual enrollment and joint programs, including North Carolina Virtual Public School, institutions of higher education, and nonpublic schools.

This section became effective July 1, 2021. (DC)

School Safety Grants Program

Section 7.19 of S.L. 2021-180 (SB 105) provides funding for the School Safety Grant Program (Program) to improve safety in public school units by providing grants for services for students in crisis, school safety training, and safety equipment in schools through an application process administered by the Superintendent of Public Instruction (Superintendent) in accordance with certain criteria. The grants will be awarded in the following categories:

- **Students in Crisis Grants** - In consultation with the Department of Health and Human Services (DHHS), funds to contract with community partners to provide the following crisis services:
 - Crisis respite services for parents or guardians of an individual student to prevent more intensive or costly levels of care.
 - Training and expanded services for therapeutic foster care families and licensed child placement agencies that provide services to students who need support to manage their health, welfare, and safety and have cognitive or behavioral problems, developmental delays, or aggressive behavior.
 - Evidence-based therapy services aligned with targeted training for students and their parents or guardians.
 - Other crisis services, including peer-to-peer mentoring, likely to increase school safety.
- **Training to Increase School Safety Grants** – In consultation with DHHS, funds to contract with community partners to address school safety by providing training to help students develop healthy responses to trauma and stress. The training must be targeted and evidence-based and can include any of the following:
 - Counseling on Access to Lethal Means training for school mental health support personnel, local first responders, and teachers on the topics of suicide prevention and reducing access by students to lethal means.
 - Training for school mental health support personnel on comprehensive and evidence-based clinical treatments for students and their parents or guardians.
 - Training for students and school employees on community resilience models to improve understanding and responses to trauma and significant stress.
 - Training for school mental health support personnel on Modular Approach to Therapy for Children with Anxiety, Depression, Trauma, or Conduct problems.
 - Other training, including training on the facilitation of peer-to-peer mentoring, that is likely to increase school safety.
- **Safety Equipment Grants** – In consultation with DHHS, funds for the purchase of safety equipment for school buildings, including charter schools, and training associated with the use of that safety equipment.

By April 1 of each year funds are awarded, the Superintendent must report on the Program to the Joint Legislative Education Oversight Committee, the Joint Legislative Oversight Committee on Health and Human Services, the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Commission on Governmental Operations, the Senate

Appropriations/Base Budget Committee, the House Committee on Appropriations, and the Fiscal Research Division. The report must include the identity of each entity that received a grant, the amount of funding provided, the use of funds, and recommendations for the implementation of additional effective school safety measures.

This section became effective July 1, 2021. (KM)

TeachNC Recruitment Initiative

Section 7.20 of S.L. 2021-180 (SB 105) requires the Department of Public Instruction (DPI) to adopt the TeachNC recruitment initiative as a comprehensive web platform for future teachers to find information and connect with resources on the following:

- The teaching profession.
- Opportunities for educators in North Carolina.
- The process of obtaining an educator's license in the State.

DPI must report to the Joint Legislative Education Oversight Committee and various other entities by March 15, 2022, and annually thereafter, on the implementation of the platform, including integration of the technology with outside entities and data on user outcomes, including at least the following:

- The number of user accounts, visitors to the website, and web-initiated chats.
- The number of users seeking teacher licensure who applied to educator preparation programs (EPPs) after visiting the TeachNC web platform, and of those users, the number who successfully enrolled into EPPs and completed teacher licensure programs.
- The number of users who applied for employment in public schools after visiting the TeachNC web platform and the number of teachers who continue to teach in the public schools after finding employment by using TeachNC.

The first report submitted in 2022 must also include any recommendations by DPI on potential cost-sharing arrangements or public-private partnerships with outside entities for ongoing sustainability or continued growth of the recruitment initiative.

This section became effective July 1, 2021. (SY)

Feminine Hygiene Products Grant Program

Section 7.22 of S.L. 2021-180 (SB 105) requires the Department of Public Instruction (DPI) to establish the Feminine Hygiene Products Grant Program (Program) to provide grants of up to \$5,000 to public school units to provide feminine hygiene products for students in those units. Grants must be awarded on a first-come, first-served basis, and public school units cannot receive more than one grant.

By March 15, 2022, DPI must report to the Joint Legislative Education Oversight Committee and various other entities on the public school units receiving grants under the Program, the specific feminine hygiene products purchased with the grant funds, and the impact of the Program on student health and well-being.

This section became effective July 1, 2021. (BG)

Average Daily Membership/Hold Harmless

Section 7.23 of S.L. 2021-180 (SB 105) directs the State Board of Education (SBE), when making funding adjustments for the 2021-2022 fiscal year, to not reduce allocations to applicable public school units due to a discrepancy between their actual and anticipated average daily membership. Once the SBE makes the funding adjustments, it cannot reduce allotments for local school administrative units due to a discrepancy between actual and anticipated average daily membership. By January 15, 2022, the Department of Public Instruction must calculate and report

to the Joint Legislative Education Oversight Committee and various other entities the amounts that each funding allotment would have been reduced in the absence of hold harmless clauses in this section and Section 3.1 of S.L. 2020-97 for each applicable public school unit under the formula adopted by the SBE in accordance with Section 7.15(b) of S.L. 2007-323. The report must be based on data from the 2020-2021 and 2021-2022 fiscal years and must disaggregate the information on the basis of applicable public school unit, fiscal year, and allotment.

This section became effective July 1, 2021. (DC)

Special Education Due Process Hearings/Permit Immediate Judicial Review of Administrative Law Judge Decision

Section 7.25 of S.L. 2021-180 (SB 105), as amended by Section 2.2 of S.L. 2022-6 (HB 243), allows the parties involved in special education due process complaints to immediately seek judicial review of an administrative law judge's (ALJ) decision by removing the step where the decision first had to be appealed to the State Board of Education (SBE). Therefore, any party aggrieved by the ALJ's decision can institute an action in State or federal court within 30 days of the decision. Additionally, this section requires the SBE to enforce the final decision of the ALJ. Parties who properly appealed the ALJ's decision to the SBE prior to the effective date of this section were granted an extension to file in State or federal court.

Except for the extension of filing deadlines for pending cases, this section became effective November 18, 2021. The extension became effective March 17, 2022. (BG)

Powers and Duties of the Center for Safer Schools

Section 7.30 of S.L. 2021-180 (SB 105) establishes in statute the powers and duties of the Center for Safer Schools (Center), including the following:

- Serving as a resource and referral center for the State by conducting research, sponsoring workshops, and providing information regarding current school safety concerns.
- Providing training, resources, and professional development on topics related to school safety, including responsibilities and best practices for school resource officers, youth mental health, threat assessments, active shooter drills and scenarios incident de-escalation, reunification of schools and school districts after an incident.
- Providing information on certain topics, including bullying, suicide, opioid and substance abuse, critical incidents, trauma and victimization among students, and impacts of incidents on school climate and school safety.
- Maintaining and disseminating information to public schools on effective school safety initiatives in North Carolina and across the nation.
- Collecting, analyzing, and disseminating various North Carolina school safety data.
- Providing technical and instructional assistance to facilitate the development of partnerships between the public and private sectors to promote school safety in North Carolina.
- Recommending a system of accountability to the General Assembly to document school safety exercises and assisting law enforcement officers assigned to schools and their agencies in active shooter response drills and other pertinent school safety related training.
- Collaborating with the North Carolina Justice Academy, the North Carolina Criminal Justice Education and Training Standards Commission, and the North Carolina Sheriffs' Education and Training Standards Commission to establish and maintain updated training curricula for school resource officers.

- Coordinating grants for school resource officers in elementary and middle schools and ensuring that training requirements for school resource officers funded by those grants are met.
- Providing technical assistance to public school units in the development and implementation of initiatives promoting school safety.

The Center must coordinate, collaborate, and seek information from State and local government agencies as necessary to carry out its duties, and such agencies must provide information upon request to the Center. The Center must also receive guidance from the Task Force for Safer Schools.

Public school units must report certain information annually to the Center on school resource officers. The Center must compile that information and report annually by March 1 on the information at the statewide and local levels to the Joint Legislative Education Oversight Committee (JLEOC) and the State Board of Education.

The Center must enter into a memorandum of understanding (MOU) with the Department of Public Safety (DPS) to provide training, resources, and professional development on school safety in facilities owned by DPS. By January 15, 2022, and each October thereafter in which the MOU is executed, the Center, in conjunction with DPS, must report to the JLEOC, the Joint Legislative Oversight Committee on Justice and Public Safety, the Senate Appropriations/Base Budget Committee, the House Committee on Appropriations, and the Fiscal Research Division on the MOU.

This section became effective November 18, 2021. (KM)

Operating Balance Restrictions for School Nutrition Programs

Section 7.31 of S.L. 2021-180 (SB 105) prohibits public school units from assessing indirect costs to a school nutrition program unless the program has an operating balance of at least two months. The Department of Public Instruction (DPI) must calculate the operating balance of a school nutrition program of a public school unit that provides school nutrition services.

Public school units are also prohibited from assessing an unrestricted indirect costs rate of more than 8% to a school nutrition program.

By May 15, 2022, and every six months thereafter, DPI must report all of the following information to the Joint Legislative Education Oversight Committee and various other entities:

- The number of months of operating balance held by the school nutrition program for each public school unit.
- The amount and percentage of indirect costs charged to the school nutrition program by the public school unit, if any.

This section became effective July 1, 2021. (SY)

Revise Fast-Track Replication of High-Quality Charter Schools

Section 7.33 of S.L. 2021-180 (SB 105) modifies the criteria for a board of directors of a charter school to qualify for fast-track replication. If the board of directors operates the charter schools itself, then the majority of charter schools in the State governed by that board of directors must have student academic outcomes from the three prior school years that are equal to or greater than student academic outcomes in the local school administrative unit (LEA) in which each charter school is located. Additionally, the board of directors must provide three years of financially sound audits for each school it governs.

If the board of directors agrees to contract with an education management organization or charter management organization, the board of directors must be able to demonstrate that the majority of the charter schools in this State managed by the organization have student academic outcomes from the three prior school years that are equal to or greater than student academic

outcomes in the LEA in which each charter school is located. Additionally, the organization must be able to provide three years of financially sound audits for each school it governs.

This section became effective November 18, 2021, and applies to applications for fast-track replication of charter schools submitted on or after that date. (BG)

Advanced Teaching Roles Changes

Section 7.38 of S.L. 2021-180 (SB 105) makes various changes to the Advanced Teaching Roles Program. The State Board of Education (SBE) must consider the following as a part of its review every five years of a local school administrative unit's (LEA) approved plan:

- The number of teachers in advanced teaching roles in the LEA and the number of students receiving instruction from those teachers.
- Growth and achievement scores for students.
- Retention of effective teachers.
- Results of the Teacher Working Conditions Survey.
- Ratings of teachers through the North Carolina Teacher Evaluation System.

LEAs are not eligible to receive funding for more than two terms (six years). LEAs that received an initial award of State funds can apply for a second term of up to three years. The LEA can apply at any time (i) after the initial award of State funds expires or (ii) within 90 days prior to the date the initial award of State funds is set to expire. When the SBE receives an application for renewal of State funds from an LEA, the SBE must:

- Review the LEA to ensure compliance with the approved plan and criteria established by the SBE.
- Grant or deny the application within 60 days of its receipt.

The SBE must review and adopt new or revised emergency rules on advanced teaching roles for use in the 2021-2022 school year by February 15, 2022. No later than February 15, 2022, the SBE must select the LEAs that will begin participation in the Advanced Teaching Roles Program starting in the 2022-2023 school year.

This section became effective November 18, 2021. (DC)

Changes to Educator Licensure Requirements

Section 7.57 of S.L. 2021-180 (SB 105) expands who is eligible to receive a lifetime license from the State Board of Education (SBE) to include administrators and student services personnel. The SBE must issue lifetime licenses to professional educators who are currently licensed and meet at least one of the following criteria:

- Completed 30 or more years of creditable service with the Teachers' and State Employees' Retirement System.
- Completed a combined total of 30 or more years of employment as a licensed teacher, administrator, or student services personnel in one or more public school units in North Carolina.

This section became effective November 18, 2021. (SY)

Student Digital Learning Access

Section 7.61 of S.L. 2021-180 (SB 105) requires the State Board of Education (SBE) to establish and maintain a publicly available digital learning dashboard that displays specified categories of information on student access to digital devices both in-school and out-of-school, as well as out-of-school internet connectivity. The dashboard must provide details such as the source of the digital devices, types of devices, and reasons for lack of devices or internet connectivity, where applicable. The information must be disaggregated by public school unit, school, and grade level.

Public school units must annually submit the required information by November 15 each year. By February 15 each year, the SBE must report to the Joint Legislative Education Oversight Committee (JLEOC) on statewide trends reflected in the dashboard, successes and continued challenges in ensuring all students have digital learning access both in and out of school, and recommendations on ways to continue to close the digital learning accessibility gap. For the 2021-2022 school year only, public school units must submit required information by January 15, 2022, and the SBE must submit its report based on this information by April 15, 2022.

Additionally, for the 2019-2020 and 2020-2021 school years, the Department of Public Instruction and the Department of Information Technology (Departments), in collaboration with the Friday Institute for Educational Innovation at North Carolina State University, must collect data from public school units at the most granular level possible for a statewide assessment of student internet and device access during the COVID-19 pandemic. In completing the assessment, the Departments must review the available data to identify the following:

- Scope of students who lack out-of-school internet access or devices at home.
- Reasons students lack such access.
- Methods students and schools used to address the lack of access during the 2019-2020 and 2020-2021 school years.

The Departments must use the assessment to make recommendations for policies to close the student digital access gap and for approaches to maintain current data on the student digital access gap. The Superintendent of Public Instruction (State Superintendent) must coordinate access to available data for the Departments and the reporting of the Departments' recommendations. By January 15, 2022, the State Superintendent must report to JLEOC on the assessment of the student digital access gap. By January 15, 2022, the SBE must combine the NC Digital Learning and Media Inventory with the new digital learning dashboard.

This section became effective November 18, 2021. (BG)

Water and Sewer Services to Charter Schools

Section 7.64 of S.L. 2021-180 (SB 105) directs local boards of education and charter schools to inquire, in writing, of the public water system, public sewer system, or public water and sewer system currently serving the site or closest to the site as to whether that public system has capacity to serve the proposed school facility. This inquiry must be made before any application for any development approval under Chapter 160D of the General Statutes. The public system must respond to the local board of education or charter school within a reasonable time, not to exceed 30 days, as to whether it has capacity to serve the proposed school facility. Unless the public system does not have capacity to serve the proposed school facility or is under a moratorium precluding expansion, the public system must reserve the necessary capacity for the proposed school facility for 24 months from the date of the written inquiry from the local board of education or charter school.

Any local board of education or charter school denied service by a public water system, public sewer system, or public water and sewer system between October 1, 2020, and the date this section becomes effective can seek reconsideration by the public water system, public sewer system, or public water and sewer system. During this time period for this situation, the public water system, public sewer system, or public water and sewer system has 15 days to respond as to whether it has capacity to serve the proposed school facility.

This section became effective November 18, 2021. (DC)

Revise Personal Leave Costs for Teachers

Section 7.67 of S.L. 2021-180 (SB 105) allows teachers using personal leave on days other than teacher workdays to receive full salary if a reason is provided for the absence. A teacher that

does not provide a reason for the personal leave absence on such days will receive full salary minus the full cost of hiring a substitute for that teacher, if a substitute is hired.

This section became effective November 18, 2021, and applies beginning with the 2021-2022 school year. (KM)

Permanent Charter School Transportation Grant Program

Section 7.69 of S.L. 2021-180 (SB 105) establishes the Charter School Transportation Grant Program (Program). The Program will award grant funds to charter schools meeting eligibility requirements to reimburse up to 65% of the eligible student transportation costs incurred by the school for transportation fuel, vehicle maintenance, contracted transportation services, and transportation personnel salaries. A charter school is eligible for the Program if at least 50% of the students enrolled reside in households with an income level not exceeding the amount required for a student to qualify for the federal free and reduced-price lunch program.

By August 1 of each year, the Department of Public Instruction (DPI) must establish the criteria and guidelines for the grant application process for the upcoming school year, including any documentation required to be submitted with the application. Each school year, DPI must accept applications (i) until December 31 for eligible costs incurred during the fall semester of the school year and (ii) until May 15 for eligible costs incurred during the spring semester of the school year. For charter schools selected for reimbursement of fall semester costs, DPI must award grant funds by February 15. For charter schools selected for reimbursement of spring semester costs, DPI must award grant funds by June 15. The total amount of each grant awarded under the Program must not exceed \$100,000 per charter school per school year.

No later than March 15 of each year in which funds are awarded under the Program, DPI must report to the Joint Legislative Education Oversight Committee and various other entities on the administration of the Program, including at least the following information:

- The number of charter schools that received grant funds.
- The amount of grant funds awarded to those charter schools.
- Whether implementing the Program has led to an increase in charter schools offering lunch.
- Whether implementing the Program has led to an increase in student lunch participation at charter schools offering lunch.
- Whether implementing the Program has increased or expanded the offering of student transportation by charter schools.
- The modes of student transportation offered by charter schools that received grant funds.

The following modifications to the Program timeline apply to the 2021-2022 school year:

- DPI must establish criteria and guidelines for the grant application process by January 15, 2022.
- DPI must accept applications until February 15, 2022, for costs incurred during the fall semester.
- DPI must award grant funds to the charter schools selected for reimbursement of fall semester costs by March 31, 2022.
- DPI must submit its first report by no later than April 15, 2022.

This section became effective July 1, 2021, and applies beginning with the 2021-2022 school year. (SY)

Student Transportation Support

Section 7.70 of S.L. 2021-180 (SB 105), as amended by section 2.7 of S.L. 2022-6 (HB 243) directs the Department of Public Instruction (DPI) to establish the 2021 Smart School Bus

Safety Pilot Program (Program) beginning with the 2021-2022 school year and ending on or before January 1, 2025. The Program is designed to improve the transportation of public school students through technology in response to the COVID-19 pandemic.

Participation – The following local school administrative units (LEAs) and charter schools are authorized to participate in the Program:

- Burke County Schools.
- Caldwell County Schools.
- Chatham County Schools.
- Clinton City Schools.
- Elizabeth City-Pasquotank Public Schools.
- Elkin City Schools.
- Gaston County Schools.
- Harnett County Schools.
- Hickory City Schools.
- Iredell-Statesville Schools.
- Johnston County Schools.
- Martin County Schools.
- New Hanover County Schools.
- Sampson County Schools.
- Surry County Schools.
- Transylvania County Schools.
- Union County Public Schools.
- Watauga County Schools.
- Wayne County Public Schools.
- Winston-Salem/Forsyth County Schools.
- Alpha Academy.
- Sallie B Howard School.
- Sugar Creek Charter.
- Thomas Jefferson Classical.

Option to leave – Any authorized LEA or charter school can elect to not participate in the Program. For each LEA or charter school that elects not to participate, DPI can authorize a replacement LEA or charter school with a similar population to participate in the Program.

Minimum Technology and Services – LEAs must identify and contract with qualifying vendors to provide technology and services for school buses. LEAs have discretion over the specific technology and services provided by qualifying vendors as long as the technology and services either improve communications and information or provide students on school buses with access to the internet over Wi-Fi.

Technology and services that improve communication and information must meet the following minimum requirements:

- Improve overall communications and reporting on school buses.
- Enable employee time tracking, student ridership tracking, and contact tracing in the event of a COVID-19 infection.
- Enable global positioning system (GPS) tracking of school buses.
- Enable turn-by-turn navigation along bus routes.
- Optimize time, expenditure, and safety of bus routes.
- Provide pre- and post-trip vehicle inspections that can be transmitted to DPI on a regular basis.
- Communicate ridership information to the student information management system.
- Permit parents or legal guardians to access applicable information.
- Conform to applicable guidance provided by the North Carolina Department of Health and Human Services (DHHS) for the transportation of students during the COVID-19 pandemic.

- Facilitate the receipt of Medicaid reimbursement for eligible student transportation services.

Technology and services that provide students with Wi-Fi on school buses must provide options for LEAs and charter schools to customize connectivity and must comply with all State and federal law.

Miscellaneous Requirements – The following requirements apply to each participating LEA and charter school:

- Every school bus designed for the transportation of children with disabilities must be outfitted with technology provided pursuant to the Program as long as the technology is appropriate for children with disabilities and can be provided in a cost-effective manner.
- At the conclusion of the Program, all hardware provided to an LEA or charter school becomes the property of that LEA or charter school.
- Participating LEAs and charter schools must make use of technology or services provided pursuant to the Program at least through the conclusion of the 2023-2024 school year.

Reports – By July 1, 2022, of each year the Program is in effect, DPI, in consultation with each participating LEA and charter school, must report at least all the following information to Joint Legislative Education Oversight Committee (JLEOC), any committee constituted by the House of Representatives or Senate to address school safety, and the Fiscal Research Division:

- An itemized breakdown of software infrastructure, hardware infrastructure, and equipment provided by qualifying vendors to participating LEAs and charter schools pursuant to the Program.
- A description of all services provided by qualifying vendors to participating LEAs and charter schools pursuant to the Program.
- A list of qualifying vendors contracting with participating LEAs and charter schools pursuant to the Program.
- The impact and effectiveness of the Program.
- All expenditures of State funds pursuant to the Program.

Medicaid Coverage – By May 1, 2022, the Department of Health and Human Services, Division of Health Benefits, and DPI must jointly submit a report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and JLEOC with a proposal for adding the Medicaid coverage for school-based transportation services described in the November 1, 2016, report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice entitled "Medicaid Coverage for School-Based Health Services" to the fullest extent allowed by federal Medicaid law and regulations. The proposal must include all of the following:

- A detailed description of the coverage to be added.
- A detailed description of the required documentation for reimbursement.
- An updated analysis of the fiscal impact both to DHHS and to all public school units of adding the coverage.
- The identification of any State appropriations needed to implement the coverage.
- A recommended time frame for implementing the coverage.
- Proposed language for any legislative changes needed to implement the coverage.

The Program became effective July 1, 2021, and the remainder of the section became effective November 18, 2021. (BG)

Life Changing Experiences School Program

Section 7.71 of S.L. 2021-180 (SB 105) requires the Department of Public Instruction (DPI) to use \$500,000 in nonrecurring funds for the 2021-2022 fiscal year to contract with the Children and Parent Resource Group, Inc., to design, implement, and evaluate the Life Changing Experiences School Program (Project) in the 2021-2022 school year. The Project must be operated and administered for students in grades six through 11 in at least the following local school

administrative units (LEAs): Cleveland County Schools, Greene County Schools, Lenoir County Public Schools, Lincoln County Schools, McDowell County Schools, Mitchell County Schools, and Pitt County Schools. DPI can select additional LEAs to participate in the Project if there are available funds.

The Children and Parent Resource Group, Inc., in consultation with DPI, must submit a report on the Project by March 1, 2022, to the Joint Legislative Education Oversight Committee and various other entities. The report must include an accounting of expenditures and student outcome data related to the operation of the Project.

This section became effective July 1, 2021. (DC)

Innovative Signature Career Academy Pilot

Section 7.72 of S.L. 2021-180 (SB 105) establishes a pilot program, the Innovative Signature Career Academy Program (Program), which can operate for up to six years, beginning with the 2021-2022 school year. The Program will be implemented in Guilford County Schools and will focus on hosting signature career academies at traditional high schools that specialize in defined areas of career and technical education (CTE). The Program will include certain key components, including school and community stakeholder input, partnerships with higher education institutions and business and industry entities, options for enrolling eighth grade students in career academies of their choice, reassignment of current CTE teachers to focus on an area of expertise for a signature career academy, and the creation of partnerships with higher education faculty and employees of industry and business to volunteer to serve as co-teachers in the specialized areas.

The Program will allow the Guilford Board of Education to contract with individuals who have education and training related to the specific skills and career pathways that are the focus of a signature career academy.

Beginning June 30 of the first school year of operation of the Program, and every June 30 thereafter for the duration of the Program operated as a pilot, Guilford County Schools must report to the Department of Public Instruction (DPI), including information on implementation and administration of the Program, use of additional State appropriations for the Program, data from the Program on student completion rates for career pathways, and recommendations for modification or expansion to other local school administrative units.

By August 15 following the first report by Guilford County Schools, and every August 15 thereafter for the duration of the Program's operation as a pilot, DPI must report to the Joint Legislative Education Oversight Committee on the information submitted by Guilford County Schools.

Before the end of the 2026-2027 school year, the Guilford County Board of Education can apply to the State Board of Education (SBE) for the Program to be included as an ongoing component of Guilford County Schools' CTE local plan submitted to the SBE. If approved, Guilford County Schools can maintain the flexibility provided in the Program pilot.

This section became effective July 1, 2021. (KM)

Clarify Reporting on Teacher Vacancies

Section 7.78 of S.L. 2021-180 (SB 105) clarifies the definition of "teacher vacancy" for the purposes of the annual State of the Teaching Profession Report (Report) submitted by the State Board of Education. A teacher vacancy includes a position that a local board of education is unable to fill with a teacher licensed in the subject area, including a position that meets any of the following criteria:

- Is not filled by a teacher who has one of the following licenses in the subject area of the position: continuing professional license, initial professional license, lifetime license, limited license, or residency license.

- Is not filled by a licensed teacher in a permanent assignment.
- Is filled by a substitute teacher or interim teacher.
- Is filled by a teacher with an emergency license or another permit or license not otherwise listed.

Additionally, the Report must include the number of teachers in each of the following categories, by subject area, aggregated to provide statewide information and information specific to each local school administrative unit and school: (i) continuing professional license, (ii) initial professional license, (iii) lifetime license, (iv) limited license, (v) residency license, and (vi) emergency license.

By December 15, 2021, the Department of Public Instruction must provide guidance to local school administrative units on positions considered vacant for the purposes of the Report. The guidance must include the following direction:

- A teaching position filled by a teacher with a lateral entry license is not considered vacant.
- A teaching position filled by a teacher who has been issued a permit to teach is considered vacant.

The Report for the 2021-2022 school year must be submitted by no later than January 15, 2022.

This section became effective November 18, 2021. (SY)

Gizella Abramson Holocaust Education Act

Section 7.84 of S.L. 2021-180 (SB 105) requires the State Board of Education (SBE) to integrate education on the Holocaust and genocide into the standard course of study for English, social studies, and other courses as appropriate. Additionally, the SBE is required to develop a curriculum for a Holocaust Studies elective that can be offered in middle schools and high schools.

The Department of Public Instruction (DPI) is required to ensure that curriculum content is provided to schools, and local boards of education are required to ensure that professional development is provided to teachers. The North Carolina Council on the Holocaust and the North Carolina Center for the Advancement of Teaching can work with DPI and local boards of education to provide the curriculum content and professional development.

The SBE and DPI must review resources and programs developed pursuant to the federal "Never Again Education Act" (P.L. 116-141) to inform its actions under this section.

This section became effective November 18, 2021, and applies beginning with the 2023-2024 school year. (BG)

Support Highly Qualified NC Teaching Graduates

Section 7A.2 of S.L. 2021-180 (SB 105) codifies a salary supplement for highly qualified teaching graduates. Highly qualified teaching graduates (graduates) are defined as those entering the teaching profession who graduated from an approved educator preparation program located in the State with (i) a grade point average of 3.75 or higher on a 4.0 scale (or equivalent) and (ii) a certain score on an edTPA assessment or an equivalent assessment used to determine clinical practice performance. Graduates are paid supplements equivalent to the salary of a teacher with (i) three years of experience when teaching at a low-performing school during the first three years of teaching, (ii) two years of experience while teaching in the areas of special education, science, technology, engineering, or mathematics during the first two years of teaching, and (iii) one year of experience during the first year of teaching in all other teaching assignments.

This section became effective July 1, 2021, and applies to graduates hired on or after that date. (KM)

Accountability and Fair Play in Athletics

S.L. 2021-184 (HB 91) creates new requirements for overseeing regulation of high school interscholastic athletics. These requirements include:

- The State Board of Education (SBE) must either enter into a memorandum of understanding (MOU) with a nonprofit to administer and enforce SBE requirements for high school athletics or require the Department of Public Instruction to administer high school athletics.
- The SBE must adopt rules in the following areas for public school unit (PSU) high school interscholastic athletic activities: student participation (including student health and safety), appeals, administering organizations, and reporting issues of concerns.
- The SBE can adopt rules in the following areas or can delegate the authority to adopt those rules to the administering organization: penalties, administration, gameplay, and fees.
- Beginning with the 2022-2023 school year, PSUs must conduct high school athletics in accordance with SBE rules as administered and enforced by the organization designated by the SBE. PSUs must also purchase catastrophic insurance for high school athletics through the Commissioner of Insurance.
- Beginning with the 2022-2023 school year, the Commissioner of Insurance must offer catastrophic insurance coverage for students or school personnel participating in interscholastic athletic activities to participating schools.
- Beginning July 1, 2022, conforming changes to align with the law will become effective. Except as otherwise provided, this act became effective November 23, 2021. (KM)

K-12 Scholarship Grants

Equity in Opportunity Act

Section 8A.3 of S.L. 2021-180 (SB 105), as amended by Section 2.5 of S.L. 2021-189 (HB 334), and Sections 2.13 and 2.14 of S.L. 2022-6 (HB 243), makes the following substantive changes to two scholarship grant programs for students in kindergarten through twelfth grade.

Opportunity Scholarships – Except as otherwise specified, the following changes will be effective for awards beginning with the 2022-2023 school year:

- For the 2021-2022 school year, an opportunity scholarship recipient can enroll part-time in a nonpublic school that provides only half-day programs for students with disabilities. Beginning with the 2022-2023 school year, an opportunity scholarship recipient can enroll part-time in any nonpublic school.
- For the 2021-2022 school year only, students who otherwise meet the income requirements for the scholarship grant will qualify if the student was enrolled in a public school or Department of Defense school in the fall of 2019.
- Students who otherwise meet the income requirements for the scholarship grant will qualify if the student:
 - Is at least four years old and is found by the principal, or equivalent, of the nonpublic school to meet the same requirements for admission as for a gifted and mature four-year-old admitted to a local school administrative unit.
 - Has a parent who has received an honorable discharge as an active duty member of the Armed Services within the 12 months prior to application.
 - Was (i) enrolled in a public school in the school year prior to the year in which the application is submitted and (ii) is enrolled in a nonpublic school in the spring semester immediately prior to the school year for which the scholarship grant is sought.

- The qualifying household income is raised to 175% of the amount to qualify for the federal free or reduced lunch program.
- Children in foster care will be determined to automatically meet the income requirements, with no consideration of the household income of the foster parent.
- Scholarship grant awards will be a percentage of the average State per pupil allocation in the prior fiscal year. For full-time students, it will be up to 90%, and for part-time students it will be up to 45%.
- The State Education Assistance Authority (SEAA) is authorized to contract with a nonprofit representing parents and families and meeting certain requirements for outreach and scholarship education, program promotion, and application assistance for parents and students.

Personal Education Savings Accounts – Except as otherwise specified, the following changes will be effective for awards beginning with the 2022-2023 school year:

- For the 2021-2022 school year, students receiving either a Special Education Scholarship for Children with Disabilities or a Personal Education Savings Account are eligible to enroll part-time in both public school and a nonpublic school with only half-day programs for students with disabilities. SEAA is also authorized to modify rules to allow for awards for qualifying students who had applied but had not yet been awarded scholarship funds for the 2021-2022 school year.
- The Special Education Scholarships for Children with Disabilities and Personal Education Savings Accounts are merged into a new program – the Personal Education Student Accounts for Children with Disabilities (PESA). For awards for the 2022-2023 school year, 2021-2022 recipients of both scholarship grant programs will receive priority in awards for applications made by March 1, 2022.
- A student will qualify for a PESA if the student has been identified as a student with a disability who is eligible to attend a NC public school (including qualifying 4-year-olds) and has not (i) yet received a high school diploma, (ii) enrolled full-time in postsecondary education, or (iii) been placed in a nonpublic school or facility by a public agency at public expense. Initial eligibility is determined by the local education agency using an eligibility determination form.
- In addition to the qualifications above, a student is eligible to receive a part-time PESA while attending a public school part-time and any nonpublic school part-time.
- A PESA will be awarded in the following amounts:
 - Students with certain disabilities (autism, hearing impairments, moderate or severe intellectual or developmental disabilities, multiple, permanent orthopedic impairments, and visual impairments) will be eligible for scholarship funds up to \$17,000. Part-time students will be eligible for up to \$8,500. Up to \$4,500 can be carried forward annually, with a maximum of \$30,000 in carryforward in the account.
 - All other eligible students will be eligible for scholarship funds of up to \$9,000. Part-time students will be eligible for up to \$4,500. No carryforwards are allowed.
- PESAs will be deposited into an account to be used by parents for tuition and qualifying education expenses in two installments, one for each semester. Parents must complete semester expense reports, including verification that the child received education at least 70 days of the semester.
- SEAA can directly disburse tuition to nonpublic schools that agree to meet the requirements for participation in the Opportunity Scholarship program. Tuition reimbursement can also be provided to parents for students attending a nonpublic school that does not meet the Opportunity Scholarship requirements or a public school other than the public school to which the student would have been assigned.

This section contains multiple effective dates for conforming changes as well as application dates as indicated above. The remainder of the section became effective July 1, 2021. (KM)

Higher Education

Educational Changes for Military-Connected Students

Part 2 of S.L. 2021-9 (HB 53) makes the following educational changes for military-connected students:

Access to In-State Tuition and Certain Need-Based Scholarships – Beginning with students admitted for the Fall 2021 semester, high school students who are eligible for in-state tuition at the time of application due to their status as dependents of military personnel can retain that status upon enrollment, even if the parent has been reassigned to another state incident to active military duty. Additionally, beginning with the award of scholarships for the 2021-2022 academic year, high school students who are eligible for the Need-Based Scholarship for Students Attending Private Institutions of Higher Education at the time of application due to their status as dependents of military personnel can retain that status upon enrollment, even if the parent has been reassigned to another state incident to active military duty.

This part of the act became effective on April 9, 2021. (BG)

In-State Tuition/Veterans/Federal Law Compliance

Section 2 of S.L. 2021-111 (HB 78) eliminates the requirement that to be eligible for in-State tuition after three years from discharge from military service, individuals must remain continuously enrolled in the institution of higher education. Therefore, covered veterans are eligible for in-State tuition beyond three years from discharge without having to be continuously enrolled.

This section became effective August 23, 2021. (SY)

Patriot Star Family Scholarship Program

Section 8.3 of S.L. 2021-180 (SB 105), as amended by Section 2.8(a) of S.L. 2022-6 (HB 243), establishes the Patriot Star Family Scholarship Program (Program). Of the funds appropriated for the 2021-2023 fiscal biennium to the Board of Governors of The University of North Carolina (BOG) for the Program, the BOG is required to make funds available to (i) the Patriot Foundation and (ii) the Marine Corps Scholarship Foundation to establish and administer scholarships under the Program.

The Patriot Foundation and Marine Corps Scholarship Foundation will use the funds to provide scholarships to attend eligible postsecondary institutions to (i) eligible children and eligible spouses of certain veterans, (ii) eligible children of certain currently serving members of the Armed Forces, and (iii) eligible disabled veterans.

The Patriot Foundation and the Marine Corps Scholarship Foundation must separately administer and award scholarships to eligible applicants in accordance with the Program requirements, including establishing criteria and procedures related to scholarship documentation completion, the amount of individual scholarships, the conditions for revoking a scholarship, and any other procedures deemed necessary to administer the Program.

If an eligible child or eligible spouse receives a scholarship or grant to attend an eligible postsecondary institution other than from the Program, the scholarship awarded by the Program must be reduced so that the sum of all grants and scholarships does not exceed the cost of attendance at the institution.

The Patriot Foundation and the Marine Corps Scholarship Foundation are required to submit separate reports by April 1 for each year that the foundation spends State funds for the

Program to the Joint Legislative Education Oversight Committee and various other entities on the activities related to the Program and the use of State funds.

This section became effective July 1, 2021. (SY)

NC Patriot Star Family Recovery Scholarship Program

Section 8.19 of S.L. 2021-180 (SB 105), as amended by Section 2.8(b) of S.L. 2022-6 (HB 243), establishes the North Carolina Patriot Star Family Recovery Scholarship Program (Program). Of the funds appropriated from the State Fiscal Recovery Fund to the Board of Governors of The University of North Carolina (BOG) for the Program, the BOG is required to make funds available to (i) the Patriot Foundation and (ii) the Marine Corps Scholarship Foundation to establish and administer scholarships under the Program.

The Patriot Foundation and Marine Corps Scholarship Foundation will use the funds to provide scholarships to attend eligible postsecondary institutions to (i) eligible children and eligible spouses of certain veterans, (ii) eligible children of certain currently serving members of the Armed Forces, and (iii) eligible disabled veterans.

Any eligible child, eligible spouse, or eligible disabled veteran must meet the following additional criteria:

- Have a household income level of less than 350% of the federal poverty level, excluding veteran's disability compensation and related compensation benefits.
- Be attending or have been accepted to enroll in an eligible postsecondary institution.
- Have complied with the requirements of the Selective Service System, if applicable.

The Patriot Foundation and the Marine Corps Scholarship Foundation must separately administer and award scholarships to eligible applicants in accordance with the Program requirements, including establishing criteria and procedures related to scholarship documentation completion, the amount of individual scholarships, the conditions for revoking a scholarship, and any other procedures deemed necessary to administer the Program. Each foundation can contract with the State Education Assistance Authority for administrative assistance for the Program.

If an eligible child or eligible spouse receives a scholarship or grant to attend an eligible postsecondary institution other than from the Program, the scholarship awarded by the Program must be reduced so that the sum of all grants and scholarships does not exceed the cost of attendance at the institution.

The Patriot Foundation and the Marine Corps Scholarship Foundation are required to submit separate reports by April 1 for each year that the foundation spends federal funds for the Program to the Joint Legislative Education Oversight Committee and various other entities on the activities related to the Program and the use of funds, through the deadline established by federal law and guidelines.

This section became effective July 1, 2021. (SY)

Public Colleges and Universities Need-Based Financial Aid Consolidation

Section 8A.2 of S.L. 2021-180 (SB 105) consolidates need-based financial aid for community colleges and constituent institutions of The University of North Carolina (postsecondary institution) and creates the North Carolina Need-Based Scholarship Program for Public Colleges and Universities (Program).

Eligibility Requirements for Need-Based Financial Aid – To be eligible for need-based financial aid, a student must meet the following requirements:

- Qualify as a North Carolina resident for tuition purposes.
- Meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status at a postsecondary institution.

- Submit a Free Application for Federal Student Aid (FAFSA) and demonstrate need according to federal methodology in Title IV of the Higher Education Act of 1965, as amended.

In addition, in order to be eligible for a scholarship for the second and subsequent academic years, the student must meet achievement standards by maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled.

Semester Limitation on Eligibility for Need-Based Financial Aid –

- Constituent Institution Enrollment – A student matriculating at a constituent institution of The University of North Carolina cannot receive need-based financial aid under this Program for more than 10 full-time academic semesters, or its equivalent if enrolled part-time, unless the student is enrolled in a program officially designated by the Board of Governors of The University of North Carolina (BOG) as a five-year degree program. Enrollment in such a five-year degree program allows the student to receive the need-based financial aid for 12 full-time academic semesters or the equivalent if enrolled part time.
- Community College Enrollment – A student cannot receive need-based financial aid under this Program for more than six full-time academic semesters, or the equivalent if enrolled part-time, while matriculating at a community college.
- Hardship Exemption for Semester Limitation – A postsecondary institution can grant a waiver to a student to receive need-based financial aid under this Program for the equivalent of one additional full-time academic semester if the student demonstrates that any of the following have substantially disrupted or interrupted the student's pursuit of a degree, diploma, or certificate: (i) a military service obligation, (ii) serious medical debilitation, (iii) a short term or long term disability, or (iv) other extraordinary hardship.

Need-Based Financial Aid Amounts and Adjustments – Need-based financial aid awarded under this Program must be based upon a consolidated payment schedule established jointly by the President of The University of North Carolina and the President of the North Carolina Community College System, in consultation with the State Education Assistance Authority (SEAA). The payment schedule must clearly define award amounts by type of postsecondary institution and student financial need as defined by federal methodology. The SEAA must publish the payment schedule for the Program in an easily accessible and understandable format which remains in effect unless otherwise agreed to by the President of The University of North Carolina and the President of the North Carolina Community College System.

The SEAA has the authority to determine the actual amount of need-based financial aid disbursed to students in any given year based on the amount of funds available in the Scholarship Reserve Fund for Public Colleges and Universities. If the funds available are not sufficient to fully fund need-based financial aid set out in the payment schedule, the SEAA must consult with the President of The University of North Carolina and the President of the North Carolina Community College System and adjust the distribution of the funds as necessary.

SEAA Administration of Need-Based Financial Aid and Annual Reporting Requirements – The SEAA must administer the need-based financial aid for this Program under rules it adopts. The SEAA must conduct periodic evaluations of expenditures of the Program to determine if allocations are utilized to ensure access to postsecondary institutions and to meet the goals of respective programs. The SEAA can make recommendations of the redistribution of funds to the President of The University of North Carolina and the President of the North Carolina Community College System, who then can jointly authorize redistribution of funds for a particular fiscal year. The SEAA must report no later than December 1, 2024, and annually thereafter, to the Joint Legislative Education Oversight Committee with the following information for the previous academic year: (i) the dollar amount of awards disbursed; (ii) the number of eligible students receiving funds; and (iii) a breakdown of the postsecondary institutions that received the funds. Unexpended need-based financial aid funds will remain available for future awards.

Scholarship Reserve Fund for Public Colleges and Universities (Reserve Fund) –

A Reserve Fund is established as a reserve consisting of the following monies:

- Funds appropriated by the General Assembly for the Program from the Education Lottery Fund in the Current Operations Appropriations Act for a fiscal year for education related purposes.
- Funds appropriated by the General Assembly for the Program from the Escheat Fund in the Current Operations Appropriations Act for a fiscal year that is distributed annually on or before August 15 to the SEAA.
- Funds appropriated by the General Assembly for the Program from the General Fund in the Current Operations Appropriations Act for a fiscal year.
- All returned need-based financial aid funds from the Program.
- All interest earned on these funds.

The SEAA must create two reserves within the Reserve Fund as follows: (i) The University of North Carolina (UNC Reserve) and (ii) the North Carolina Community College System (CC Reserve) from monies in the Reserve Fund. The funds in the reserves must be used for need-based financial aid for the academic year that begins in the fiscal year following the fiscal year in which the allocations are made to the reserves. For the 2023-2024 fiscal year and for each subsequent fiscal year, the SEAA must allocate an amount equal to the amount from the prior fiscal year for the UNC Reserve and the CC Reserve to each reserve, respectively, unless otherwise agreed to by the President of The University of North Carolina and the President of the North Carolina Community College System.

The reserves established for the 2022-2023 fiscal year must consist of the following funds:

- UNC Reserve: (i) an amount equal to the amount appropriated to the BOG for The University of North Carolina Need Based Financial Aid Program for the 2021-2022 fiscal year and (ii) an amount equal to the proportionate share of the appropriation for the Education Lottery Scholarship Program based on awards of financial assistance to students enrolled in The University of North Carolina from the Education Lottery Scholarship Program for the 2017-2018, 2018-2019, and 2019-2020 fiscal years.
- CC Reserve: (i) an amount equal to the amount appropriated to the Community Colleges System Office for the North Carolina Community College Grant Program, except for funds set aside for the targeted assistance program pursuant to G.S. 115D-40.1, for the 2021-2022 fiscal year and (ii) an amount equal to the proportionate share of the appropriation for the Education Lottery Scholarship based on awards of financial assistance to students enrolled in North Carolina community colleges from the Education Lottery Scholarship Program for the 2017-2018, 2018-2019, and 2019-2020 fiscal years.

Monies in the Reserve Fund do not revert at the end of the fiscal year and remain available until expended. The SEAA can use up to one and one half percent (1.5%) of the funds available in the Reserve Fund each fiscal year for administrative costs related to the Program.

Report – By May 1, 2022, the President of The University of North Carolina and the President of the North Carolina Community College System must report to the Fiscal Research Division, the House Appropriations Education Committee, and the Senate Appropriations on Education/Higher Education Committee on the following regarding the consolidation of student financial assistance for constituent institutions of The University of North Carolina and the community colleges:

- The consolidated payment schedule for the need-based financial aid awards.
- Potential ways to include students with intellectual and developmental disabilities as eligible for need-based financial aid through the Program or other student financial assistance recommendations, including grants or other funding sources for students enrolled in Comprehensive Transition Programs.
- Any recommended legislative changes.

The Program becomes effective January 1, 2022, and applies to need-based financial aid awarded beginning with the 2023-2024 academic year. Repeals of existing need-based financial

aid programs become effective July 1, 2023. The remainder of this section became effective November 18, 2021. (DC)

Community Colleges

State Board of Community Colleges Elections Changes

Section 25.2 of S.L. 2021-90 (SB 126), as amended by Section 2 of S.L. 2021-133 (SB 421), makes the following changes to the State Board of Community Colleges:

- Adds the Commissioner of Labor or the Commissioner's designee to the Board, increasing the number of members from 21 to 22.
- Shortens the terms of office from 6 years to 4 years for all elected and appointed members.
- Requires each chamber of the General Assembly to elect from a slate of candidates and eliminates the requirement for a joint election date between the Senate and House.
- Clarifies that vacancies will be filled in the same manner as the election process, and that vacancy terms do not count toward the prohibition on serving more than two consecutive terms.
- Creates staggered terms in accord with the shorter-term lengths.

This section became effective July 22, 2021, and applies beginning with the election or appointment of members to the State Board of Community Colleges to terms beginning on July 1, 2021. (KM)

CC/In-State Tuition

Section 1 of S.L. 2021-133 (SB 421) authorizes in-state tuition rates at a community college for the school year immediately following a student's graduation from high school for an individual who meets all of the following:

- Is a United States citizen.
- Satisfied the qualifications for assignment to a public school in the State.
- Was enrolled in a North Carolina public school unit for the entire final school year before receiving a high school diploma.
- Was unable, due to lack of evidence, to establish residency for tuition purposes through the Residency Determination Service.

This section became effective September 2, 2021. (KM)

Community College Economic Impacts/Study/Grant for Targeted Programs

Section 6.1 of S.L. 2021-180 (SB 105) requires the Center for Applied Research (CFAR) at Central Piedmont Community College to partner with the Community Colleges System Office (System Office), the North Carolina Association of Community College Presidents, and the Belk Center for Community College Leadership and Research at North Carolina State University (Belk Center) to provide for studies of the overall regional economic impacts of community colleges in the State. CFAR must use \$750,000 of its allocated funds in addition to matching funds as described below to contract with Economic Modeling Specialists International (EMSI) to conduct the required studies.

The studies must include specific components, such as the following:

- Evaluation of labor dynamics with the State.

- Evaluation of the impact community colleges have on students and businesses within certain regions and the resulting return on investment for taxpayers.
- Analysis of high-demand programs in regional areas of the State, such as nursing, teacher education, and information technology.
- Evaluation of the return on investment and success of high-demand programs in improving career opportunities for students as well as their impact on the labor market.
- Identification of potential areas for increased investment or targeted support by the State and recommendations for future growth.

The John M. Belk Endowment will match one dollar for every one dollar in State funds made available to CFAR for the studies.

By April 15, 2022, CFAR, the System Office, the NC Association of Community College Presidents, and the Belk Center must report to Joint Legislative Education Oversight Committee and other various entities on the results of the studies and the recommendations from the studies on areas with the greatest economic impacts for the State that warrant further expansion and focus in order to increase the success of students and meet workforce and industry demands.

Based on the results and recommendations from CFAR's report, the State Board of Community Colleges (SBCC) must create a grant program for the 2022-2023 fiscal year for community colleges to apply for grant funds to expand and target efforts in specific program areas that are proven to have greater economic impacts in regions of the State. The SBCC must prioritize award of the grant funds based on the findings of the studies and the potential for those programs to have the greatest impact on a geographical region or region of economic development.

This section became effective July 1, 2021. (BG)

Community College Programs Serving IDD Students

Section 6.2 of S.L. 2021-180 (SB 105) directs the State Board of Community Colleges (SBCC) to establish a two-year pilot program (pilot program) at two community college campuses for training programs that provide for a micro-credential or other credential that leads to increased employment outcomes for individuals with intellectual and developmental disabilities (IDD).

The pilot program must offer training and educational components to improve employability skills and provide on-the-job training and apprenticeships with business and industry for individuals with IDD. The goal of the pilot program must be to inform community colleges and address cross-departmental supports within the individual community colleges on programs for individuals with IDD on at least the following:

- Establishing best practices for providing vocational training for individuals with IDD.
- Providing financial and benefits counseling.
- Developing strategies on integrating assistive technology.
- Maximizing access, with supports, to credential and degree programs, including micro-credentials that are established by the SBCC.
- Identifying methods to increase orientation and integration of individuals with IDD into the college community to the greatest extent possible.
- Developing a needs assessment, marketing, and evaluation to serve a broad array of individuals with developmental and other similar disabilities or learning challenges to assure adequate demand for new or existing programs.

The Community Colleges System Office (System Office) must add a time limited position for program support, provide professional development training for college advising staff to assist students with IDD for career pathway exploration and the identification of credentials leading to competitive employment, and explore funding sources to sustain programs for students with IDD.

Beginning May 1, 2022, the System Office must report each fiscal year on the funds appropriated to the System Office for the implementation of the pilot program to the Joint Legislative Education Oversight Committee and various other entities. The report must include the results of the pilot program, the use of the time-limited position, professional development training for staff, and funding sources identified for individuals with IDD to build programs at community

colleges that support postsecondary trainings and certifications that enable individuals with IDD to engage in competitive, sustainable employment.

This section became effective July 1, 2021. (DC)

CC Joint Program Enrollment of Public School Students

Section 6.3 of S.L. 2021-180 (SB 105) requires, as part of the evaluation by the State Board of Community Colleges of students enrolled in the Career and College Promise Program (Program), an analysis of the cost of students participating in each of the three pathways within the Program: the cooperative innovative high schools, the College Transfer pathway, and the Career and Technical Education pathway. The analysis must include total enrollment funding, the number of budgeted full-time equivalent students, and the number of students enrolled in courses through each pathway. It must also include the cost and number of waivers of tuition and registration fees provided for students enrolled in courses through each pathway, and any additional costs of a student attending courses on campus if a student is not attending public school in a local school administrative unit for the majority of the student's instructional time.

In addition to submission to the Joint Legislative Education Oversight Committee, both the State Board of Education and the State Board of Community College must submit the evaluation of cooperative innovative high schools and the Program to the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, and the Fiscal Research Division of the General Assembly.

This section became effective July 1, 2021, and applies beginning with the 2021-2022 academic year. (KM)

CC Childcare Grant Program/Report

Section 6.4 of S.L. 2021-180 (SB 105) requires the Community Colleges System Office to report to the Joint Legislative Education Oversight Committee and various other entities on the administration of the North Carolina Community College Childcare Grant Program (Program) for the prior fiscal year by December 1 of each year, beginning with December 1, 2022. The report must include at least the following information by each community college:

- The number of applications received for grants from the Program.
- The amount of grant funds requested from the Program.
- The number of applications approved.
- The total amount of grant funds awarded.
- The range of the dollar amount of grant awards to individuals for child care expenses.
- The types of child care utilized by students with grant funds, including before-school and after-school services.

The Community Colleges System Office must submit an initial report on the administration of the Program on March 1, 2022.

This section became effective July 1, 2021. (SY)

Career Academies for At-Risk Students

Section 6.5 of S.L. 2021-180 (SB 105) establishes a two-year pilot program between Cape Fear Community College (CFCC), New Hanover County Schools, and Pender County Schools to meet the needs of underserved students in seventh through ninth grade through an opportunity for extended time on CFCC's campus in various career and technical education programs. The goals of the program include the following:

- Exposing students from underperforming schools and underserved populations to career training opportunities available at CFCC.
- Guiding students toward successful career outcomes.

- Providing support services to students, including academic tutoring, academic counseling, personal mentoring, and financial support through financial aid and scholarships.
- Increasing graduation and postsecondary outcomes for these students.

The program must consist of a summer career academy and the placement of time-limited career liaisons in certain middle schools in New Hanover County Schools and Pender County Schools to support at-risk students. The summer career academy must be offered to up to 300 students in seventh through ninth grade from the two local school administrative units (LEAs). Students will visit two career and technical education programs per day for five consecutive days for two consecutive weeks in different subject areas. The career academy program must include speakers and support for financial aid and scholarship opportunities and an introduction to the Career and College Promise Program.

By October 1, 2022, CFCC and the two LEAs must submit an initial report to the Joint Legislative Education Oversight Committee and other entities on the following:

- Results of the pilot program.
- Placement of the career liaisons in schools.
- Number of students who enrolled in Career and College Promise Program pathways following completion of the career academy program.
- Other relevant student outcome data for at-risk students.

A final report must be submitted by October 1, 2023.

This section became effective July 1, 2021. (BG)

NC Community College Short-Term Workforce Development Grants

Section 6.6 of S.L. 2021-180 (SB 105) establishes the North Carolina Community College Short-Term Workforce Development Grant Program (Program) to be administered by the State Board of Community Colleges (SBCC) which must adopt rules for the disbursement of the grants under the Program. In collaboration with the Department of Commerce, the SBCC must determine the eligible programs of study for the Program, according to the occupations that are in the highest demand in the State. The eligible programs of study must, however, include programs such as architecture and construction, health sciences, information technology, electrical line worker, and manufacturing programs and can include other programs to meet local workforce needs.

The SBCC must award grants in an amount of up to \$750.00 to students pursuing short-term, noncredit State and industry workforce credentials. The SBCC must establish criteria for initial and continuing eligibility for students and, at a minimum, must require that students qualify as North Carolina residents for tuition purposes. The SBCC must submit an initial report by April 1, 2022, and a final report by April 1, 2023, to the Joint Legislative Education Oversight Committee and various other entities with information for each academic year and by programs of study, the amount of grant funds disbursed and the number of eligible students receiving funds.

This section became effective July 1, 2021. (DC)

High-Cost Workforce Programs Start-Up Funds

Section 6.7 of S.L. 2021-180 (SB 105) requires the Community Colleges System Office (System Office) to establish the Fund for High Cost Workforce Programs (Fund) to assist community colleges starting new programs in high demand career fields that require significant start-up funds. Community colleges must apply to the System Office for start-up funds and demonstrate that the program will meet established criteria, as well as provide certain matching funds from non-State sources for awards. The System Office must submit an initial report to the Joint Legislative Education Oversight Committee by December 1, 2022, and an annual report thereafter in any years

that awards are made from the Fund. The report must include information on awards made, use of funds, and evaluation of the programs.

This section became effective July 1, 2021. (KM)

RISE Up Training and Credentialing Programs/CIHS

Section 6.8 of S.L. 2021-180 (SB 105) requires the Community Colleges System Office (System Office) to partner with the North Carolina Retail Merchants Association and the Retail Consumer Alliance Foundation to implement the RISE Up credentialing program (Program) for the 2021-2022 fiscal year to teach foundational skills to students attending cooperative innovative high schools (CIHS) for career success in the retail industry, customer service, and sales, including inventory management and profitability, as well as supply chain warehouse, inventory, and logistics.

The Program must be offered to students at CIHS through each partner community college with the opportunity for up to four different levels of the RISE Up credentials that include the following:

- Retail Industry Fundamentals.
- Customer Service and Sales.
- Operations and Profit.
- Supply Chain: Warehouse, Inventory, and Logistics.

The System Office, in collaboration with the North Carolina Retail Merchants Association and the Retail Consumer Alliance Foundation, must submit an initial report by October 1, 2022, and a final report by October 1, 2023, to the Joint Legislative Education Oversight Committee and various other entities on the results of implementing the Program at partner community colleges for students at CIHS, including the number of students who received credentials, by type of credential, and student outcomes related to the credentialing, such as subsequent internships or job placements.

This section became effective July 1, 2021. (SY)

Work-Based Learning/Central Piedmont CC

Section 6.9 of S.L. 2021-180 (SB 105) requires Central Piedmont Community College (CPCC) to cover the cost of tuition and accident and liability insurance for students enrolled in one- and two-credit work-based learning (WBL) courses. CPCC must develop and implement a plan to:

- Build WBL into short-term, one-year certificate programs.
- Provide opportunities for students to explore a pathway into WBL through the Career and College Promise Program to earn a certificate and create transitions as future enrolled community college students for additional certificates or degrees.

CPCC must convene a stakeholder group with representatives from community colleges across the State to generate a framework for the WBL programs that is replicable at other community colleges in a variety of employment areas aligned with local industry and business workforce needs.

CPCC must submit an initial report by June 1, 2022, and a final report by June 1, 2023, to Joint Legislative Education Oversight Committee and other various entities on the following:

- The number of students enrolled in work-based learning courses and the number of students earning certificates, by program of study.
- The incorporation of WBL into certificate programs and Career and College Promise pathways.
- The findings and recommendations of stakeholder group meetings regarding statewide implementation of WBL programs.
- The use of funds for outreach and marketing or other activities.

This section became effective July 1, 2021. (BG)

Expansion of Adult Learner Pilot Programs

Section 6.10 of S.L. 2021-180 (SB 105) requires the Community Colleges System Office (System Office) to allocate funds to expand five pilot programs at community colleges targeting adult learners to return to higher education to gain new skills, advance in the workplace, and complete a degree or credential. The pilot programs include the NC Reconnect program and other programs that focus on at least the following categories of adult learners:

- Students who are age 25 years or older.
- Students with varying education levels, including no high school diploma or equivalent or some community college credentials or postsecondary degree.
- Students who have started postsecondary programs but dropped out before completion in the last five years.
- Nontraditional students, including part time students, parents, or students with limited scheduling options due to work or other responsibilities.

The funds can be used to expand the pilot programs to other community college campuses and at the existing community college sites for marketing and outreach, as well as for enrollment of students into the programs, particularly for students who have dropped out of postsecondary degree or credential programs prior to completion. By March 1, 2023, the System Office must report to the Joint Legislative Education Oversight Committee and various other entities on the results of the expansion of the pilot programs, including the number of students enrolled into degree and credential programs, the number of students completing a degree or credentialing program, and legislative recommendations for further expansion and the estimated cost of the programs.

This section became effective July 1, 2021. (DC)

Marketing and Outreach for Career and Technical Education and Work-Based Learning Programs

Section 6.13 of S.L. 2021-180 (SB 105) requires the Community Colleges System Office (System Office) to establish a temporary program to expand outreach and advertising efforts to raise awareness for parents and students regarding the career and technical education programs and high-quality work based learning experiences offered in high demand fields and careers through partnerships with community colleges, businesses, and public school units throughout the State. The System Office must submit an initial report to the Joint Legislative Education Oversight Committee by April 1, 2022, and a final report by April 1, 2023, on activities related to outreach and marketing and any data related to student outcomes.

This section became effective July 1, 2021. (KM)

Expansion of Apprenticeship Programs for Small Businesses/High Demand Trades

Section 6.14 of S.L. 2021-180 (SB 105) requires the Community Colleges System Office (System Office) to establish a temporary program to expand apprenticeship opportunities for high school apprentices and non-high school apprentices between the ages of 16 and 25 by providing incentives for small businesses in high-demand fields and careers. The program must provide for small businesses to participate in apprenticeships to meet business needs, assist with financial challenges and employment demands in their local communities, and provide opportunities for apprenticeships that will lead to certifications, licensing, or an associate degree in a career field and full-time employment.

Funds for the grant program must be used to award grants to reimburse employers for the costs associated with new apprentices within a Registered Apprenticeship with ApprenticeshipNC

and for tuition, fees, and cost of books for curriculum programs and short-term workforce credentials. The System Office must administer the grant funds for applicants that are small business employers located in development tier one and development tier two areas as designated by the Department of Commerce for the 2020 calendar year. The funds must be allocated as follows:

- 40% of funds must be allocated for apprenticeship programs for apprentices enrolled in curriculum degree programs.
- 15% of the funds must be allocated for apprenticeship programs for high school apprentices.
- The remaining funds must be allocated for apprenticeship programs for apprentices pursuing short-term workforce credentials.

Recipients of grants can be reimbursed up to \$2,000 each fiscal year for program expenses. For apprentices enrolled in curriculum degree programs and short-term workforce courses, up to \$2,500 can be used each fiscal year to cover the cost of tuition, fees, and books for apprentices enrolled at community colleges.

Grant funds can also be used to cover the costs of the salary of apprentices if matching funds are made available by a grant recipient on the basis of \$1 in non-State funds for every \$1 in State funds. Apprentices participating in the grant program paid with matching State funds must be limited to an hourly rate of pay of \$15 an hour for non-high school students and \$14 an hour for high school students.

The System Office can contract for a new time-limited position to coordinate and oversee deliverables, daily operations of the grant program, financial management, monitoring and accountability of budget accuracy, and the validity of disbursements.

The System Office must submit an initial report by October 1, 2022, and a final report by December 1, 2024, to the Joint Legislative Education Oversight Committee and various other entities on the grant program and the use of funds for each type of apprentice, matching funds provided by grant recipients and salary data, and the amount of funds used for the time-limited position at the System Office.

This section became effective July 1, 2021. (SY)

Longleaf Commitment Community College Grant

Section 8A.5 of S.L. 2021-180 (SB 105) requires the State Education Assistance Authority (SEAA) to administer the Longleaf Commitment Grant Program (Program) to award grants of between \$700 and \$2,800 to eligible students graduating from high school at the end of the 2021-2022 school year to cover tuition and fees at a community college for up to two years. Students will be eligible if they meet the following requirements:

- Graduate from high school during the 2021-2022 school year or receive a high school equivalency diploma during the 2021-2022 school year.
- Qualify as a resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with the coordinated and centralized residency determination process administered by the SEAA.
- Complete the Free Application for Federal Student Aid (FAFSA) for the 2022-2023 academic year, and, if applicable, renew the FAFSA for the 2023-2024 academic year.
- Have an Expected Family Contribution (EFC) below \$15,000.
- Enroll in the Fall 2022 semester and maintain enrollment in at least six credit hours per semester in curriculum courses at a community college.

SEAA can adopt rules for the administration of the Program and use up to 1% of the appropriated funds for administrative costs. Additionally, the Community Colleges System Office must administer a matching grant program for community colleges to provide student support services.

SEAA must submit an initial report by September 1, 2023, and a final report by September 1, 2024, to the Joint Legislative Education Oversight Committee on the implementation of the program.

This section became effective July 1, 2021. (BG)

Universities

Bennett College Accredited./Private Need-Based

S.L. 2021-15 (SB 212) allows a student who attends a private institution of higher education to qualify for a need-based scholarship as long as the institution the student attends (i) is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) or (ii) was accredited by SACSCOC on January 1, 2021, and also, beginning January 1, 2021, was a member of the Transnational Association of Christian Colleges and Schools.

This act became effective April 27, 2021, and applies beginning with scholarships awarded for the 2021-2022 academic year. (DC)

UNC Law Enforcement Recruitment

S.L. 2021-20 (SB 390) allows full-time and part-time law enforcement officers for campuses of constituent institutions of The University of North Carolina to enroll in courses without paying tuition and fees. The Board of Governors of The University of North Carolina is required to determine the number of courses these individuals can enroll in without paying tuition and fees.

This act became effective May 7, 2021, and applies beginning with the 2021-2022 academic year. (KM)

UNC Legislative Priorities/HR/Reports

S.L. 2021-80 (HB 602) makes numerous changes to the laws concerning The University of North Carolina (UNC) and its constituent institutions as follows:

Exemption of Certain UNC Employees from Various Provisions of the North Carolina Human Resources Act (NCHRA) – Finance professionals, business office professionals, and auditor professionals of UNC are exempted from the NCHRA, except with regard to Article 6 ("Equal Employment and Compensation Opportunity; Assisting in Obtaining State Employment") and Article 7 ("The Privacy of State Employee Personnel Records").

Consolidation and Elimination of Certain Reports –

- **Primary Care Plans** – The primary care plan reporting requirements for Bowman Gray School of Medicine, Duke University School of Medicine, University of North Carolina at Chapel Hill School of Medicine, East Carolina University School of Medicine, and State-operated health professional schools are eliminated. The annual progress certification requirement remains in place with the deadline changing from November 15 to April 15, beginning April 2022.
- **Report on Fees** – UNC is exempted from reporting to the Office of State Budget and Management (OSBM) on fees. However, information on mandatory student fee revenue, student auxiliary revenue, and sales revenue must be included in the annual report on the actions and adjustments necessary to its budgetary policies, regulations, and standards resulting from the Current Operations Appropriations Act for the administration and operation of UNC and the distribution of State and federal funds to constituent institutions.

- Report on Research Collaborations on Military Behavioral Health – This report is repealed.
- Reports on Educator Preparation, Recruitment, and Effectiveness – UNC's role in the reporting requirements related to the following programs is eliminated:
 - School administrator supply and demand
 - The Future Teachers of North Carolina symposium
 - UNC-NCCCS 2+2 E-Learning Initiative
 Instead, the comprehensive annual report on teacher education efforts at UNC must cover educator preparation, including initiatives to improve educator quality, student success measures, and strategic research and related efforts.
- Consultation with Joint Legislative Commission on Governmental Operations (Gov Ops) Regarding Debt for Golf Courses and Transient Accommodation Facilities – UNC and its constituent institutions, the Centennial Campus of North Carolina State University, the Horace Williams Campus of the University of North Carolina at Chapel Hill, a Millennial Campus of a constituent institution, and any corporation or other legal entity created or directly controlled by and using land owned by UNC no longer have to consult with and provide information to Gov Ops before issuing debt or executing a contract for a golf course or for any transient accommodations facility, including a hotel or motel.
- Report on UNC System President's Strategic Initiative Reserve Funds for Special Projects – The UNC System Office cannot be required to submit an annual report to the Joint Legislative Education Oversight Committee (JLEOC) on the use of funds from The University of North Carolina President's Strategic Initiative Reserve. However, this information must be available upon request to the Fiscal Research Division of the General Assembly.
- UNC Enrollment Growth Projection Report – This report is repealed.
- Report on Defaults on Projects Without Performance Bonds – UNC is no longer required to report to Gov Ops on projects that are let without a performance or payment bond.
- Adoption of Rules for Reporting on Certain Contracts Under a Public-Private Partnership – The Board of Governors of The University of North Carolina (BOG) can adopt its own rules to implement the public-private partnership reporting requirements to the Department of Administration.

Codification of Reporting Requirements for Capital Projects – Reporting requirements for capital projects for each State agency are codified. Quarterly reports to OSBM must be made on the status of agency capital projects that meet the following criteria:

- They are capital improvements as defined by G.S. 143C-1-1.
- They are funded in whole or in part with State funds, including receipts, non-General Fund sources, or statutorily or constitutionally authorized indebtedness of any kind.
- They are not complete.
- They are authorized by the General Assembly for a total project cost of at least \$10 million.

By October 1 and April 1 of each year, the following reports are required to be submitted to the Joint Legislative Oversight Committee on Capital Improvements and the Fiscal Research Division: (i) the status of capital projects funded from the State Capital and Infrastructure Fund or other State funds and (ii) the status of agency capital projects funded from non-State funds. Additionally, the State Construction Office must annually submit to the Joint Legislative Oversight Committee on Capital Improvements and the Fiscal Research Division a report that includes (i) the status of the Facilities Condition Assessment Program and (ii) the status of plan review, approval, and permitting for each State capital improvement project and community college capital improvement project over which it exercises plan review, approval, and permitting authority.

Early Retirement Incentive Program – The BOG has temporary authority to implement an early retirement incentive program until December 31, 2022. Participants must meet certain

requirements and severance payments must be between one month and six months of an employee's annual base salary.

Human Resources Policy Flexibility and Reorganization of UNC System Employees – The President of UNC, and the chancellor of a constituent institution if authority is delegated by the President, can approve a reduction in force (RIF) for positions subject to the North Carolina Human Resources Act without further approval by any other State agency. This authority includes reorganization and payment of severance with non-State funds. The President or chancellor must annually submit to the Office of State Human Resources information on all approved RIFs, reorganizations, and severance payments. State funds used for a severance using this authority are still subject to any required preapproval by OSBM.

State Health Plan Premium Payments for Certain Employees Placed on Emergency Temporary Furloughs – The BOG can use non-State funds to provide State Health Plan premium payments for certain employees placed on emergency temporary furloughs for certain time periods.

This act became effective July 8, 2021. The section on capital project reporting applies to capital projects authorized before, on, or after that date. (DC)

Board of Trustees of the North Carolina School of Science and Mathematics

Section 18 of S.L. 2021-90 (SB 126) allows chief academic officers that serve ex officio on the Board of Trustees (Board) of the North Carolina School of Science and Mathematics to appoint designees to serve on the Board instead. It also clarifies that the office of ex officio members of the Board will not be declared vacant so long as the member or the member's designee complies with attendance requirements.

This section became effective July 22, 2021. (KM)

Firearm Disposal/UNC Campus Police

Section 1.1 of S.L. 2021-116 (HB 481) allows (i) all State entities operating under the three branches of government and (ii) campus police forces and law enforcement agencies of constituent institutions of The University of North Carolina to sell or dispose of surplus firearms to federally licensed firearm dealers.

This section became effective August 23, 2021. (BG)

Allow In-State Tuition/Athletic Scholarships

Section 8.7 of S.L. 2021-180 (SB 105) allows a Board of Trustees of a constituent institution of The University of North Carolina to let all persons who receive full scholarships, including scholarships for athletics, be considered residents of North Carolina for tuition purposes. The full scholarships must be granted from entities recognized by the institution and the individuals must attend the institution as undergraduate students.

This section became effective July 1, 2021, and applies beginning with the 2021-2022 academic year. (DC)

Codify NC Collaboratory

Section 8.8 of S.L. 2021-180 (SB 105), as amended by Section 2.16 of S.L. 2022-6 (HB 243), codifies the duties and powers of the North Carolina Collaboratory (Collaboratory) housed at the University of North Carolina at Chapel Hill. The purpose of the Collaboratory is to facilitate the dissemination of the policy and research expertise of The University of North Carolina and other

institutions of higher education within North Carolina for practical use by State and local governments. Powers and duties of the Collaboratory include:

- Conducting, managing, or participating in research and projects on natural resources management.
- Supporting research programs at institutions of higher education within the Collaboratory's areas of focus and expertise.
- Identifying, pursuing, and supporting research and development opportunities through technology research and development.
- Developing and disseminating relevant best practices to interested parties.
- Leading or participating in projects across the State.
- Making recommendations for policy, research, and funding to the General Assembly.
- Maintaining an online reporting portal, in partnership with the Office of State Fire Marshal, on the storage and deployment of Aqueous Film Forming Foams.
- Teaching and training students and faculty to engage in and administer neutral and unbiased research and advice on science policy.

The Collaboratory must meet certain requirements related to funding preference and receives certain exemptions to purchasing and contracting, surplus property, and capital improvement requirements for projects that must be (i) carried out expeditiously and (ii) are funded at least 50% by the Collaboratory. The Collaboratory, in coordination with constituent institutions, can allocate funds for capital improvements on constituent institution property necessary to carry out research and development projects funded at least in part by the Collaboratory. All units of State and local government are required to cooperate and assist the Collaboratory with its research program by providing reasonable access to infrastructure, personnel, and data.

The Collaboratory must report annually by December 1 to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, the Joint Legislative Oversight Committee on Health and Human Services, and the Joint Legislative Education Oversight Committee on its activities in the prior fiscal year and any legislative recommendations. For the 2021-2021 fiscal year, the Collaboratory must report by February 1, 2022.

This section became effective July 1, 2021. (KM)

AP Fees for NCSSM/UNCSA HS Students

Section 8.13 of S.L. 2021-180 (SB 105) exempts students enrolled in the North Carolina School of Science and Mathematics (NCSSM) and the high school academic program at the University of North Carolina School of the Arts (UNCSA) from paying any fees for registration and administration of examinations for Advanced Placement courses in which the student is enrolled, regardless of the score the student achieves on an examination, to the extent that funds are made available.

The University of North Carolina System Office (System Office) is required to report annually by December 15 to the Joint Legislative Education Oversight Committee and various other entities on Advanced Placement course information for NCSSM and UNCSA. The report must include, at a minimum, the following information from the prior fiscal year:

- Number of students enrolled in Advanced Placement courses and participating in Advanced Placement course examinations, including demographic information by gender and race.
- Student performance on Advanced Placement course examinations, including information by course and by school.
- Amount of State funds expended for fees for Advanced Placement courses by school.

Of the funds appropriated to the Board of Governors of The University of North Carolina for the 2021-2022 fiscal year for examination fees, NCSSM and UNCSA must reimburse students for all fees already paid by a student for the registration and administration of examinations for Advanced Placement courses in which the student has enrolled for the 2021-2022 school year,

regardless of the score the student achieves on the examination. The first report must be submitted by the System Office no later than December 15, 2022.

This section became effective July 1, 2021. (SY)

Changes to UNC Carryforward Authority

Section 8.15 of S.L. 2021-180 (SB 105) modifies the amount of funds that can be carried forward from the following budget codes from 5% to 2.5% of the General Fund appropriation for the relevant budget code:

- Each special responsibility constituent institution.
- The Area Health Education Centers of the University of North Carolina at Chapel Hill.
- University of North Carolina System Office Budget Code 16010.

The carryforward funds can only be used for one-time expenditures.

This section became effective July 1, 2021. (BG)

CTP Postsecondary Scholarship Program

Section 8.16 of S.L. 2021-180 (SB 105) creates the Comprehensive Transition Postsecondary Scholarship Program (CTPP) to administer the Comprehensive Transition Postsecondary Scholarships (scholarships). The CTPP will provide scholarships to full-time North Carolina students with intellectual disabilities enrolled in certificate accomplishment programs at constituent institutions of The University of North Carolina that are approved by the United States Department of Education as CTPPs under the Higher Education Opportunity Act of 2008. The University of North Carolina System Office must administer the CTPP, in consultation and collaboration with the constituent institutions. This section also establishes the Comprehensive Transition Postsecondary Scholarship Fund (CTPP Fund) to fund the awarded scholarships. All monies appropriated for the CTPP, all returned scholarship monies, and all interest earned on these funds will be placed in the CTPP Fund. Monies that are unexpended at the end of each fiscal year do not revert to the General Fund and remain available for the award of scholarships. In order to be eligible for a scholarship, a student must meet the following requirements:

- Qualify as a North Carolina resident for tuition purposes.
- Meet enrollment standards by being admitted, enrolled, and classified as a full-time student in the Integrative Community Studies CTPP at the constituent institution.
- Submit a Free Application for Federal Student Aid (FAFSA) and demonstrate need according to the federal methodology in Title IV of the Higher Education Act of 1965, as amended.

Subject to the availability of monies in the CTPP Fund, scholarships must be awarded to eligible students in an amount to cover the cost of attendance in the CTPP at the constituent institution. If an eligible student also receives a scholarship or other grant covering the cost of attendance, then the amount of this scholarship must be reduced by an appropriate amount determined by the constituent institution so that the total amount of scholarships and grants received by the student does not exceed the cost of attendance. The cost of attendance is determined by the constituent institution. In the event there are not sufficient monies available for scholarships for each eligible student to cover the cost of attendance, the constituent institution can adjust the distribution of the amount of scholarships as necessary in an academic year.

This section becomes effective beginning with the 2022-2023 academic year. (DC)

Kitty Hawk Public-Private Partnership Project for Digital Learning and Career Development in Response to the COVID-19 Pandemic

Section 8.24 of S.L. 2021-180 (SB 105) establishes Project Kitty Hawk as a public-private partnership to support digital learning and career development programs offered by constituent institutions of The University of North Carolina (UNC).

Governance Structure - Project Kitty Hawk must be conducted by a nonprofit corporation which must include in its corporate bylaws that the organization will be governed by a board of directors consisting of nine voting members, as follows:

- The President of The University of North Carolina
- The Chair of the Board of Governors of The University of North Carolina (BOG).
- Seven members appointed by the BOG, in consultation with the President of The University of North Carolina, as follows:
 - Three members who are chancellors or chief academic officers of constituent institutions of The University of North Carolina.
 - Four members who have experience in business management, higher education, or both.

Reporting - Beginning March 1, 2022, and annually thereafter:

- The nonprofit corporation board of directors must report to the General Assembly on its activities, corporate performance, and any other relevant matters pertaining to its corporate mission.
- The University of North Carolina System Office must report to the Joint Legislative Education Oversight Committee and various other entities regarding Project Kitty Hawk and the progress made toward reaching the State digital learning attainment goals. The report must include information on the development and implementation of online degree programs in collaboration with constituent institutions, including the following:
 - Participation by constituent institutions.
 - Student demographics for course enrollment.
 - Tuition receipts and fees for online courses.
 - Completion of student degree programs through digital courses by institution.

Other Funding Provisions - Digital learning student credit hours provided with the support of Project Kitty Hawk will not be included in enrollment change funding requests. Monies received as tuition for digital learning programs provided with the support of Project Kitty Hawk are considered "trust funds" for the purposes of the regulation of institutional trust funds under G.S. 116-36.1.

This section became effective July 1, 2021. (BG)

NC Promise/Add Fayetteville State

Section 8.25 of S.L. 2021-180 (SB 105) adds Fayetteville State University to the list of constituent institutions who are a part of the NC Promise Tuition Plan, which sets the rate of tuition for students who are North Carolina residents at \$500 per academic semester and at \$2,500 per academic semester for nonresident students.

This section became effective July 1, 2021, and applies beginning with the 2022-2023 academic year. (DC)

Tuition Grants for NCSSM/UNCSA Graduates

Section 8A.1 of S.L. 2021-180 (SB 105) provides tuition grants for high school graduates of the North Carolina School of Science and Mathematics (NCSSM) and the University of North Carolina School of the Arts (UNCSA) to attend a constituent institution of The University of North Carolina (UNC). A graduate who meets the following conditions is eligible for a tuition grant:

- Is a North Carolina resident for tuition purposes.

- Enrolls as a full-time student in a constituent institution of UNC in the next academic year after graduation.

Students who receive initial tuition grants as a cohort of a high school graduating class of NCSSM or UNCSA are also eligible to apply for tuition grants for subsequent academic years for up to a total of four academic years. A student must be continuously enrolled in a constituent institution of UNC after the award of the initial tuition grant to be eligible for tuition grants in subsequent academic years. The State Education Assistance Authority (SEAA) has the discretion to waive this requirement if the student is able to demonstrate that any of the following have substantially disrupted or interrupted the student's pursuit of a degree: (i) a military service obligation, (ii) serious medical debilitation, (iii) a short term or long term disability, or (iv) other extraordinary hardship.

The SEAA must administer the tuition grants pursuant to guidelines and procedures that it establishes consistent with its practices for administering State funded financial aid. The guidelines and procedures must include an application process and schedule, notification and disbursement procedures, standards for reporting, and standards for return of tuition grants when a student withdraws. No grant can be approved until the SEAA receives proper certification from the appropriate constituent institution that the student applying for the grant is an eligible student. Upon receipt of the certification, the SEAA must remit the tuition grant to the constituent institution on behalf, and to the credit, of the student. If a student on whose behalf a tuition grant has been paid is not enrolled and carrying a minimum academic load as of the tenth classroom day following the beginning of the school term for which the tuition grant was paid, the constituent institution must refund the full amount of the tuition grant.

The amount of the grant awarded to a student must cover the tuition cost at the constituent institution in which the student is enrolled. No tuition grant can exceed the cost of attendance at a constituent institution at which the student is enrolled. If a student who is eligible for a tuition grant also receives a scholarship or other grant covering the cost of attendance at the constituent institution for which the tuition grant is awarded, then the amount of the tuition grant must be reduced by an appropriate amount determined by the SEAA so that the total amount of scholarships and grants received by the student does not exceed the cost of attendance for the institution. The cost of attendance is to be determined by the SEAA for each constituent institution. If there are not sufficient funds to provide each eligible student with a full tuition grant, then each eligible student must be given a pro rata share of funds available for the academic year covered by the appropriation in the preceding fiscal year.

This section became effective July 1, 2021, and applies beginning with graduates of NCSSM and UNCSA from the 2020-2021 school year. (DC)

SEAA Governance Structure Modifications/Budget Code Changes

Section 8A.4 of S.L. 2021-180 (SB 105) adjusts the structure of the State Education Assistance Authority (SEAA) and administratively houses the SEAA within The University of North Carolina System Office (System Office) for organizational, staffing, and budgetary purposes. The SEAA will exercise its statutory powers independently from the System Office and the Board of Governors of The University of North Carolina (BOG).

The membership of the SEAA board of directors is adjusted to reflect the following:

- The BOG appoints three members: (i) one who has expertise in secondary or higher education, (ii) one who is a chief financial officer or chief administrative officer from a nonpublic school enrolling students who receive K-12 scholarship funds, and (iii) one who has expertise in finance.
- The Governor appoints four members: (i) one who has expertise in finance, (ii) one who has expertise in secondary or higher education, (iii) one who is a member of the

public with an interest in higher education, and (iv) one who is a chief financial officer from a private college or university, as recommended by the North Carolina Independent Colleges and Universities, Inc.

- The chief financial officer of The University of North Carolina.
- The chief financial officer of the North Carolina Community College System.

Additionally, an executive director is to be appointed by the President of The University of North Carolina to be the SEAA's principal executive officer. The executive director is responsible to the President and acts as secretary to the board of directors.

To reflect the adjustment in the structure of the SEAA, various budget codes must be changed and will be reflected in the base budget for the 2023-2025 fiscal biennium.

The budget code changes became effective July 1, 2021. The remainder of this section became effective November 18, 2021. (SY)

Washington Center Internship Scholarship Program

Section 8A.8 of S.L. 2021-180 (SB 105) establishes the Washington Center Internship Scholarship Program (Program). The State Education Assistance Authority (SEAA) must award scholarship grants to students who are residents of North Carolina and are enrolled in their second year or higher in a constituent institution of The University of North Carolina to attend a semester or summer term internship at The Washington Center for Internships and Academic Seminars (Washington Center) located in Washington, D.C. The SEAA must administer the Program pursuant to guidelines and procedures that it establishes consistent with its practices for administering State funded financial aid. The guidelines and procedures must include an application process and schedule, notification and disbursement procedures, standards for reporting, and standards for return of funds when a student withdraws from the Program. A student who meets the eligibility criteria of the Washington Center to attend a semester or summer term internship program can apply for a grant to cover costs related to the internship program in an amount of up to \$7,000. The SEAA must award grants to students in the order in which applications are received. If an eligible student also receives a scholarship or other grant covering the cost of attendance for the Program, then the amount of the State grant must be reduced by an appropriate amount determined by the SEAA so that the sum of all grants and scholarship aid covering the cost of attendance does not exceed the cost of attendance, including program fees, housing, and incidental costs. The SEAA must establish the cost of attendance in accordance with information provided to the SEAA by the Washington Center.

A student participating in the Program must do the following:

- Intern four days a week with a nonprofit corporation, private company, federal agency, or a member of the United States Congress.
- Take an academic class taught by the Washington Center's faculty.
- Participate in career readiness training programs.
- Be responsible for a final portfolio project outlining work completed during the program.

Any funds that are unencumbered for the Program at the end of each fiscal year do not revert to the General Fund but remain available for the Program. By March 1, 2023, the SEAA, in consultation with the Washington Center, must report to the Joint Legislative Education Oversight Committee and various other entities on the implementation of the Program, including the number of participating students and the award amount for each semester or summer term by constituent institution.

This section became effective July 1, 2021, and applies beginning with the award of scholarship grants for the 2022 spring academic semester. (DC)

Clarify Tuition Rates for Kitty Hawk Public-Private Partnership Project

Section 2.11 of S.L. 2022-6 (HB 243) clarifies that the tuition rate for the NC Promise Tuition Plan does not apply to tuition charged for digital learning credit hours provided with the support of a nonprofit corporation established by The University of North Carolina System Office, such as Project Kitty Hawk.

This section became effective March 17, 2022. (BG)

Studies

Referrals to Departments, Agencies, Etc.

Recommendation for Students with Disabilities Funding

Section 7.44 of S.L. 2021-180 (SB 105) directs the Department of Public Instruction (DPI) to contract with an independent research organization (IRO) to make recommendations on how to categorize the allocation of funding for students with disabilities and how to set funding levels for each category recommended. The IRO must be located in the State and have not been previously contracted with for such research. The IRO must expand on the findings of certain existing reports and must examine the following:

- For each school system, the percentage of students with disabilities and the funding provided per student with disabilities.
- The potential benefit of allocating funding for students with disabilities based on severity of disability type, as compared to allocating funding based on service level required.
- How other states provide funding for students with disabilities, with particular emphasis on states that differentiate funding by student need.
- How to determine appropriate funding levels for each funding category recommended.
- Recommendations for how schools can utilize available Medicaid reimbursements.

The IRO must submit recommendations and findings to the State Board of Education and DPI by February 15, 2022. DPI must submit a final report on the recommendations and findings, including proposed legislation for implementation, to the Joint Legislative Education Oversight Committee, the General Assembly, the Senate Appropriations Committee on Education/Higher Education, and the House Appropriations Committee on Education by March 15, 2022.

This section became effective July 1, 2021. (KM)

Dual Enrollment/Opportunity Study

Section 7.85 of S.L. 2021-180 (SB 105), as amended by section 2.6 of S.L. 2022-6 (HB 243) directs the State Board of Education (SBE) to partner with a third party entity to conduct a study examining the factors that impact all students' ability to complete high school courses leading to college credit, an associate degree, or a career ready credential. The study must specifically consider opportunity, resources, fees, and personnel. In addition, the study must examine all dual enrollment courses offered as part of the Career and College Promise Program that satisfy basic high school graduation requirements to ensure that the content and skills taught in those courses are aligned to the content and skills outlined in the Standard Course of Study for the requisite courses that meet graduation requirements. The study must identify if dual enrollment courses are or are not aligned with the Standard Course of Study and, if not aligned, what content or skills are not aligned. The SBE must report on the findings of this study to the Joint Legislative Education Oversight Committee and various other entities by July 15, 2022.

This section became effective July 1, 2021. (DC)

Report on Science of Reading EPP Coursework Implementation

Section 8.4 of S.L. 2021-180 (SB 105), as amended by section 2.9 of S.L. 2022-6, requires the Board of Governors of The University of North Carolina (BOG) to contract with an outside consultant to evaluate the progress toward implementing the changes in requirements for approval or renewal of approval of educator preparation programs (EPPs) for training of the following:

- Elementary education teachers in coursework in the Science of Reading.
- Elementary and special education general curriculum teachers in early literacy intervention strategies and practices that are aligned with the Science of Reading.

The consultant must determine, on the basis of information provided by various entities, at least the following:

- A baseline of the current coursework in literacy training and intervention strategies and practices at EPPs.
- The plan for implementation of the requirements at approved EPPs and any recommendations for implementation by the State Board of Education, the State Superintendent, and the Professional Educator Preparation and Standards Commission.
- The timeline for EPPs to incorporate the training into their programs by the anticipated academic semesters.
- Any EPPs that have already incorporated training into their programs and their best practices to share with other programs.

The BOG must submit an interim report by June 30, 2022, and a final report by January 15, 2023, to the Joint Legislative Education Oversight Committee and other various entities on the progress of implementation of required changes and the results of the overall evaluation from the outside consultant.

This section became effective July 1, 2021. (BG)

UNC System Educational Career Alignment

Section 8.17 of S.L. 2021-180 (SB 105) requires the Board of Governors of The University of North Carolina (BOG) to contract with an independent research organization (IRO) to conduct an evaluation of its current programs at each constituent institution of The University of North Carolina related to its operational costs, student outcomes, and return on investment (ROI) of each program. The evaluation must include an analysis of at least the following information by constituent institution and undergraduate and graduate degree programs:

- The number of students in each program.
- The number of faculty and other staff employed for each program.
- The related costs to operate each program.
- A detailed correlation between degree of study and directly related career roles and associated expected starting compensation, as well as expected career earnings for students upon completion of those programs.
- A detailed ROI for each program.
- ROI for State funding expenditures.
- ROI for student funding expenditures.

By November 18, 2023, the BOG must report to the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Joint Legislative Education Oversight Committee, and the Fiscal Research Division of the General Assembly on the results of the evaluation.

This section became effective July 1, 2021. (KM)

Board of Governors and President of The University of North Carolina Study Establishing New Health Sciences Program at UNC Pembroke

Section 2.7 of S.L. 2021-189 (HB 334) directs the Board of Governors of The University of North Carolina (BOG) and the President of The University of North Carolina (President) to complete a study of the feasibility and advisability of establishing new academic programs and schools in the area of health sciences at the University of North Carolina at Pembroke (UNC Pembroke), including a school of optometry. The study must consider the costs and financial benefits of establishing these programs and can consider the findings and recommendations submitted by the BOG to the General Assembly by March 1, 2018, pursuant to subsection (a) of Section 10.14 of S.L. 2017-57. In addition, the BOG and the President can consult with the Board of Trustees of UNC Pembroke. This study must be completed no later than the date the new health sciences building at UNC Pembroke opens for classes.

This section became effective July 1, 2021. (DC)