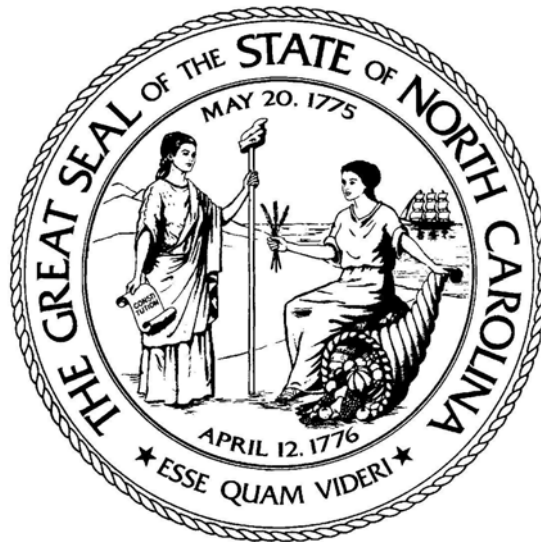


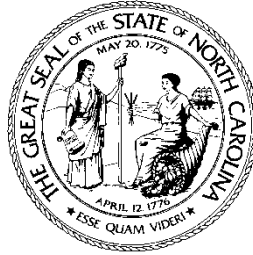
# House Appropriations Committee on Education

## Proposed Special Provisions for H.B. 97, 2015 Appropriations Act



**May 14, 2015**

GENERAL ASSEMBLY OF NORTH CAROLINA



SPECIAL PROVISIONS  
HOUSE APPROPRIATIONS, EDUCATION REPORT

MAY 14, 2015

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GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H3-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***FUNDS FOR CHILDREN WITH DISABILITIES***

2       **SECTION #.** The State Board of Education shall allocate additional funds for  
3 children with disabilities on the basis of three thousand nine hundred twenty-six dollars and  
4 ninety-seven cents (\$3,926.97) per child. Each local school administrative unit shall receive  
5 funds for the lesser of (i) all children who are identified as children with disabilities or (ii)  
6 twelve and one-half percent (12.5%) of its 2015-2016 allocated average daily membership in  
7 the local school administrative unit. The dollar amounts allocated under this section for  
8 children with disabilities shall also adjust in accordance with legislative salary increments,  
9 retirement rate adjustments, and health benefit adjustments for personnel who serve children  
10 with disabilities.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H4-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***FUNDS FOR ACADEMICALLY GIFTED CHILDREN***

2       **SECTION #.** The State Board of Education shall allocate additional funds for  
3 academically or intellectually gifted children on the basis of one thousand two hundred eighty  
4 dollars and seventy cents (\$1,280.70) per child for fiscal years 2015-2016 and 2016-2017. A  
5 local school administrative unit shall receive funds for a maximum of four percent (4%) of its  
6 2015-2016 allocated average daily membership, regardless of the number of children identified  
7 as academically or intellectually gifted in the unit. The dollar amounts allocated under this  
8 section for academically or intellectually gifted children shall also adjust in accordance with  
9 legislative salary increments, retirement rate adjustments, and health benefit adjustments for  
10 personnel who serve academically or intellectually gifted children.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H5-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 *USE OF SUPPLEMENTAL FUNDING IN LOW-WEALTH COUNTIES*

2 SECTION #.(a) Use of Funds for Supplemental Funding. – All funds received  
3 pursuant to this section shall be used only (i) to provide instructional positions, instructional  
4 support positions, teacher assistant positions, clerical positions, school computer technicians,  
5 instructional supplies and equipment, staff development, and textbooks and digital resources  
6 and (ii) for salary supplements for instructional personnel and instructional support personnel.  
7 Local boards of education are encouraged to use at least twenty-five percent (25%) of the funds  
8 received pursuant to this section to improve the academic performance of children who are  
9 performing at Level I or II on either reading or mathematics end-of-grade tests in grades three  
10 through eight.

11 SECTION #.(b) Definitions. – As used in this section, the following definitions  
12 apply:

- 13 (1) "Anticipated county property tax revenue availability" means the  
14 county-adjusted property tax base multiplied by the effective State average  
15 tax rate.
- 16 (2) "Anticipated total county revenue availability" means the sum of the  
17 following:  
18 a. Anticipated county property tax revenue availability.  
19 b. Local sales and use taxes received by the county that are levied under  
20 Chapter 1096 of the 1967 Session Laws or under Subchapter VIII of  
21 Chapter 105 of the General Statutes.  
22 c. Sales tax hold harmless reimbursement received by the county under  
23 G.S. 105-521.  
24 d. Fines and forfeitures deposited in the county school fund for the most  
25 recent year for which data are available.
- 26 (3) "Anticipated total county revenue availability per student" means the  
27 anticipated total county revenue availability for the county divided by the  
28 average daily membership of the county.
- 29 (4) "Anticipated State average revenue availability per student" means the sum  
30 of all anticipated total county revenue availability divided by the average  
31 daily membership for the State.
- 32 (5) "Average daily membership" means average daily membership as defined in  
33 the North Carolina Public Schools Allotment Policy Manual, adopted by the  
34 State Board of Education. If a county contains only part of a local school  
35 administrative unit, the average daily membership of that county includes all  
36 students who reside within the county and attend that local school  
37 administrative unit.
- 38 (6) "County-adjusted property tax base" shall be computed as follows:



- 1 a. Subtract the present-use value of agricultural land, horticultural land,  
2 and forestland in the county, as defined in G.S. 105-277.2, from the  
3 total assessed real property valuation of the county.
- 4 b. Adjust the resulting amount by multiplying by a weighted average of  
5 the three most recent annual sales assessment ratio studies.
- 6 c. Add to the resulting amount the following:
  - 7 1. Present-use value of agricultural land, horticultural land, and  
8 forestland, as defined in G.S. 105-277.2.
  - 9 2. Value of property of public service companies, determined in  
10 accordance with Article 23 of Chapter 105 of the General  
11 Statutes.
  - 12 3. Personal property value for the county.
- 13 (7) "County-adjusted property tax base per square mile" means the  
14 county-adjusted property tax base divided by the number of square miles of  
15 land area in the county.
- 16 (8) "County wealth as a percentage of State average wealth" shall be computed  
17 as follows:
  - 18 a. Compute the percentage that the county per capita income is of the  
19 State per capita income and weight the resulting percentage by a  
20 factor of five-tenths.
  - 21 b. Compute the percentage that the anticipated total county revenue  
22 availability per student is of the anticipated State average revenue  
23 availability per student and weight the resulting percentage by a  
24 factor of four-tenths.
  - 25 c. Compute the percentage that the county-adjusted property tax base  
26 per square mile is of the State-adjusted property tax base per square  
27 mile and weight the resulting percentage by a factor of one-tenth.
  - 28 d. Add the three weighted percentages to derive the county wealth as a  
29 percentage of the State average wealth.
- 30 (9) "Effective county tax rate" means the actual county tax rate multiplied by a  
31 weighted average of the three most recent annual sales assessment ratio  
32 studies.
- 33 (10) "Effective State average tax rate" means the average of effective county tax  
34 rates for all counties.
- 35 (11) "Local current expense funds" means the most recent county current expense  
36 appropriations to public schools, as reported by local boards of education in  
37 the audit report filed with the Secretary of the Local Government  
38 Commission pursuant to G.S. 115C-447.
- 39 (12) "Per capita income" means the average for the most recent three years for  
40 which data are available of the per capita income according to the most  
41 recent report of the United States Department of Commerce, Bureau of  
42 Economic Analysis, including any reported modifications for prior years as  
43 outlined in the most recent report.
- 44 (13) "Sales assessment ratio studies" means sales assessment ratio studies  
45 performed by the Department of Revenue under G.S. 105-289(h).
- 46 (14) "State average current expense appropriations per student" means the most  
47 recent State total of county current expense appropriations to public schools,  
48 as reported by local boards of education in the audit report filed with the  
49 Secretary of the Local Government Commission pursuant to G.S. 115C-447.

- 1 (15) "State average adjusted property tax base per square mile" means the sum of  
2 the county-adjusted property tax bases for all counties divided by the  
3 number of square miles of land area in the State.
- 4 (16) "Supplant" means to decrease local per student current expense  
5 appropriations from one fiscal year to the next fiscal year.
- 6 (17) "Weighted average of the three most recent annual sales assessment ratio  
7 studies" means the weighted average of the three most recent annual sales  
8 assessment ratio studies in the most recent years for which county current  
9 expense appropriations and adjusted property tax valuations are available. If  
10 real property in a county has been revalued one year prior to the most recent  
11 sales assessment ratio study, a weighted average of the two most recent sales  
12 assessment ratios shall be used. If property has been revalued the year of the  
13 most recent sales assessment ratio study, the sales assessment ratio for the  
14 year of revaluation shall be used.

15 **SECTION #.(c) Eligibility for Funds.** – Except as provided in subsection (g) of this  
16 section, the State Board of Education shall allocate these funds to local school administrative  
17 units located in whole or in part in counties in which the county wealth as a percentage of the  
18 State average wealth is less than one hundred percent (100%).

19 **SECTION #.(d) Allocation of Funds.** – Except as provided in subsection (f) of this  
20 section, the amount received per average daily membership for a county shall be the difference  
21 between the State average current expense appropriations per student and the current expense  
22 appropriations per student that the county could provide given the county's wealth and an  
23 average effort to fund public schools. (To derive the current expense appropriations per student  
24 that the county could be able to provide given the county's wealth and an average effort to fund  
25 public schools, multiply the county's wealth as a percentage of State average wealth by the  
26 State average current expense appropriations per student.) The funds for the local school  
27 administrative units located in whole or in part in the county shall be allocated to each local  
28 school administrative unit located in whole or in part in the county based on the average daily  
29 membership of the county's students in the school units. If the funds appropriated for  
30 supplemental funding are not adequate to fund the formula fully, each local school  
31 administrative unit shall receive a pro rata share of the funds appropriated for supplemental  
32 funding.

33 **SECTION #.(e) Formula for Distribution of Supplemental Funding Pursuant to**  
34 **This Section Only.** – The formula in this section is solely a basis for distribution of  
35 supplemental funding for low-wealth counties and is not intended to reflect any measure of the  
36 adequacy of the educational program or funding for public schools. The formula is also not  
37 intended to reflect any commitment by the General Assembly to appropriate any additional  
38 supplemental funds for low-wealth counties.

39 **SECTION #.(f) Minimum Effort Required.** – A county that (i) maintains an  
40 effective county tax rate that is at least one hundred percent (100%) of the effective State  
41 average tax rate in the most recent year for which data are available or (ii) maintains a county  
42 appropriation per student to the school local current expense fund of at least one hundred  
43 percent (100%) of the current expense appropriations per student to the school local current  
44 expense fund that the county could provide given the county's wealth and an average effort to  
45 fund public schools shall receive full funding under this section. A county that maintains a  
46 county appropriation per student to the school local current expense fund of less than one  
47 hundred percent (100%) of the current expense appropriations per student to the school local  
48 current expense fund that the county could provide given the county's wealth and an average  
49 effort to fund public schools shall receive funding under this section at the same percentage that  
50 the county's appropriation per student to the school local current expense fund is of the current

1 expense appropriations per student to the school local current expense fund that the county  
2 could provide given the county's wealth and an average effort to fund public schools.

3 **SECTION #.(g) Nonsupplant Requirement.** – A county in which a local school  
4 administrative unit receives funds under this section shall use the funds to supplement local  
5 current expense funds and shall not supplant local current expense funds. For the 2015-2017  
6 fiscal biennium, the State Board of Education shall not allocate funds under this section to a  
7 county found to have used these funds to supplant local per student current expense funds. The  
8 State Board of Education shall make a finding that a county has used these funds to supplant  
9 local current expense funds in the prior year, or the year for which the most recent data are  
10 available, if all of the following criteria apply:

- 11 (1) The current expense appropriation per student of the county for the current  
12 year is less than ninety-five percent (95%) of the average of local current  
13 expense appropriation per student for the three prior fiscal years.
- 14 (2) The county cannot show (i) that it has remedied the deficiency in funding or  
15 (ii) that extraordinary circumstances caused the county to supplant local  
16 current expense funds with funds allocated under this section.

17 The State Board of Education shall adopt rules to implement the requirements of  
18 this subsection.

19 **SECTION #.(h) Funds for EVAAS Data.** – Notwithstanding the requirements of  
20 subsection (a) of this section, local school administrative units may utilize funds allocated  
21 under this section to purchase services that allow for extraction of data from the Education  
22 Value-Added Assessment System (EVAAS).

23 **SECTION #.(i) Reports.** – For the 2015-2017 fiscal biennium, the State Board of  
24 Education shall report to the Fiscal Research Division prior to May 15 of each year if it  
25 determines that counties have supplanted funds.

26 **SECTION #.(j) Department of Revenue Reports.** – The Department of Revenue  
27 shall provide to the Department of Public Instruction a preliminary report for the current fiscal  
28 year of the assessed value of the property tax base for each county prior to March 1 of each  
29 year and a final report prior to May 1 of each year. The reports shall include for each county the  
30 annual sales assessment ratio and the taxable values of (i) total real property, (ii) the portion of  
31 total real property represented by the present-use value of agricultural land, horticultural land,  
32 and forestland, as defined in G.S. 105-277.2, (iii) property of public service companies  
33 determined in accordance with Article 23 of Chapter 105 of the General Statutes, and (iv)  
34 personal property.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H6-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 **SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING**

2 **SECTION #.(a)** Allotment Schedule for the 2015-2017 Fiscal Biennium. – Except  
3 as otherwise provided in subsection (d) of this section, each eligible county school  
4 administrative unit shall receive a dollar allotment according to the following schedule:

	Allotted ADM	Small County Allotment
5		
6	0-600	\$ 1,710,000
7	601-1,300	\$ 1,820,000
8	1,301-1,700	\$ 1,548,700
9	1,701-2,000	\$ 1,600,000
10	2,001-2,300	\$ 1,560,000
11	2,301-2,600	\$ 1,470,000
12	2,601-2,800	\$ 1,498,000
13	2,801-3,200	\$ 1,548,000

14 **SECTION #.(b)** Phase-Out Provision for the 2015-2016 Fiscal Year. – If a local  
15 school administrative unit becomes ineligible for funding under the schedule in subsection (a)  
16 of this section in the 2015-2016 fiscal year, funding for that unit shall be phased out over a  
17 five-year period. Funding for such local administrative units shall be reduced in equal  
18 increments in each of the five years after the local administrative unit becomes ineligible.  
19 Funding shall be eliminated in the fifth fiscal year after the local administrative unit becomes  
20 ineligible.

21 Allotments for eligible local school administrative units under this subsection shall  
22 not be reduced by more than twenty percent (20%) of the amount received in fiscal year  
23 2014-2015 in any fiscal year.

24 **SECTION #.(c)** Phase-Out Provision for the 2016-2017 Fiscal Year. – If a local  
25 school administrative unit becomes ineligible for funding under the schedule in subsection (a)  
26 of this section in the 2016-2017 fiscal year, funding for that unit shall be phased out over a  
27 five-year period. Funding for such local administrative units shall be reduced in equal  
28 increments in each of the five years after the local administrative unit becomes ineligible.  
29 Funding shall be eliminated in the fifth fiscal year after the local administrative unit becomes  
30 ineligible.

31 Allotments for eligible local school administrative units under this subsection shall  
32 not be reduced by more than twenty percent (20%) of the amount received in fiscal year  
33 2015-2016 in any fiscal year.

34 **SECTION #.(d)** Nonsupplant Requirement for the 2015-2017 Fiscal Biennium. –  
35 A county in which a local school administrative unit receives funds under this section shall use  
36 the funds to supplement local current expense funds and shall not supplant local current  
37 expense funds. For the 2015-2017 fiscal biennium, the State Board of Education shall not  
38 allocate funds under this section to a county found to have used these funds to supplant local  
39 per student current expense funds. The State Board of Education shall make a finding that a

1 county has used these funds to supplant local current expense funds in the prior year, or the  
2 year for which the most recent data are available, if all of the following criteria apply:

- 3 (1) The current expense appropriation per student of the county for the current  
4 year is less than ninety-five percent (95%) of the average of local current  
5 expense appropriation per student for the three prior fiscal years.
- 6 (2) The county cannot show (i) that it has remedied the deficiency in funding or  
7 (ii) that extraordinary circumstances caused the county to supplant local  
8 current expense funds with funds allocated under this section.

9 The State Board of Education shall adopt rules to implement the requirements of  
10 this subsection.

11 **SECTION #.(e) Reports.** – For the 2015-2017 fiscal biennium, the State Board of  
12 Education shall report to the Fiscal Research Division prior to May 15 of each fiscal year if it  
13 determines that counties have supplanted funds.

14 **SECTION #.(f) Use of Funds.** – Local boards of education are encouraged to use  
15 at least twenty percent (20%) of the funds they receive pursuant to this section to improve the  
16 academic performance of children who are performing at Level I or II on either reading or  
17 mathematics end-of-grade tests in grades three through eight.

18 Local school administrative units may also utilize funds allocated under this section  
19 to purchase services that allow for extraction of data from the Education Value-Added  
20 Assessment System (EVAAS).

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H7-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***DISADVANTAGED STUDENT SUPPLEMENTAL FUNDING (DSSF)***

2 **SECTION #.(a)** Funds appropriated for disadvantaged student supplemental  
3 funding shall be used, consistent with the policies and procedures adopted by the State Board of  
4 Education, only to do the following:

- 5 (1) Provide instructional positions or instructional support positions and/or  
6 professional development.
- 7 (2) Provide intensive in-school and/or after-school remediation.
- 8 (3) Purchase diagnostic software and progress-monitoring tools.
- 9 (4) Provide funds for teacher bonuses and supplements. The State Board of  
10 Education shall set a maximum percentage of the funds that may be used for  
11 this purpose.

12 The State Board of Education may require local school administrative units  
13 receiving funding under the Disadvantaged Student Supplemental Fund to purchase the  
14 Education Value-Added Assessment System (EVAAS) in order to provide in-depth analysis of  
15 student performance and help identify strategies for improving student achievement. This data  
16 shall be used exclusively for instructional and curriculum decisions made in the best interest of  
17 children and for professional development for their teachers and administrators.

18 **SECTION #.(b)** Funds appropriated to a local school administrative unit for  
19 disadvantaged student supplemental funding (DSSF) shall be allotted based on (i) the unit's  
20 eligible DSSF population and (ii) the difference between a teacher-to-student ratio of 1:21 and  
21 the following teacher-to-student ratios:

- 22 (1) For counties with wealth greater than ninety percent (90%) of the statewide  
23 average, a ratio of 1:19.9.
- 24 (2) For counties with wealth not less than eighty percent (80%) and not greater  
25 than ninety percent (90%) of the statewide average, a ratio of 1:19.4.
- 26 (3) For counties with wealth less than eighty percent (80%) of the statewide  
27 average, a ratio of 1:19.1.
- 28 (4) For local school administrative units receiving DSSF funds in fiscal year  
29 2005-2006, a ratio of 1:16. These local school administrative units shall  
30 receive no less than the DSSF amount allotted in fiscal year 2006-2007.

31 For the purpose of this subsection, wealth shall be calculated under the low-wealth  
32 supplemental formula as provided for in this act.

33 **SECTION #.(c)** If a local school administrative unit's wealth increases to a level  
34 that adversely affects the unit's disadvantaged student supplemental funding (DSSF) allotment  
35 ratio, the DSSF allotment for that unit shall be maintained at the prior year level for one  
36 additional fiscal year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H21-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 *LITIGATION RESERVE FUNDS*

2 SECTION #. The State Board of Education may expend up to five hundred  
3 thousand dollars (\$500,000) each year for the 2015-2016 and 2016-2017 fiscal years from  
4 unexpended funds for licensed employees' salaries to pay expenses related to litigation.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H8-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

- 1 ***UNIFORM EDUCATION REPORTING SYSTEM (UERS) FUNDS***
- 2       **SECTION #.** Funds appropriated for the Uniform Education Reporting System
- 3 (UERS) for the 2015-2017 fiscal biennium shall not revert at the end of each fiscal year but
- 4 shall remain available until expended.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H10-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 *COOPERATIVE INNOVATIVE HIGH SCHOOLS*

2 SECTION #. G.S. 115C-238.54 is amended by adding a new subsection to read:

3 "(j) Any State funds appropriated for cooperative innovative high schools shall not be  
4 adjusted to reflect legislative salary increments, retirement rate adjustments, and health benefit  
5 adjustments for school personnel, unless specifically provided for by the General Assembly."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H11-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 *FUNDS FOR EVAAS IN GRADES K-2*

2           **SECTION #.** The State Board of Education may use funds appropriated to the  
3 Department of Public Instruction under this act to implement the requirements of the Excellent  
4 Public Schools Act, established under Part 7A of S.L. 2012-142, as amended by Sections 2.1  
5 and 2.5 of S.L. 2012-145 and Section 9.4 of S.L. 2013-360, to provide access to the Education  
6 Value-Added Assessment System for kindergarten, first, and second grades.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H13-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 *NORTH CAROLINA VIRTUAL PUBLIC SCHOOL (NCVPS) REVENUES*

2 SECTION #. G.S. 66-58 reads as rewritten:

3 "§ 66-58. Sale of merchandise or services by governmental units.

4 (a) Except as may be provided in this section, it shall be unlawful for any unit,  
5 department or agency of the State government, or any division or subdivision of the unit,  
6 department or agency, or any individual employee or employees of the unit, department or  
7 agency in his, or her, or their capacity as employee or employees thereof, to engage directly or  
8 indirectly in the sale of goods, wares or merchandise in competition with citizens of the State,  
9 or to engage in the operation of restaurants, cafeterias or other eating places in any building  
10 owned by or leased in the name of the State, or to maintain service establishments for the  
11 rendering of services to the public ordinarily and customarily rendered by private enterprises,  
12 or to provide transportation services, or to contract with any person, firm or corporation for the  
13 operation or rendering of the businesses or services on behalf of the unit, department or agency,  
14 or to purchase for or sell to any person, firm or corporation any article of merchandise in  
15 competition with private enterprise. The leasing or subleasing of space in any building owned,  
16 leased or operated by any unit, department or agency or division or subdivision thereof of the  
17 State for the purpose of operating or rendering of any of the businesses or services herein  
18 referred to is hereby prohibited.

19 (b) The provisions of subsection (a) of this section shall not apply to:

- 20 (1) Counties and municipalities.
- 21 (2) The Department of Health and Human Services or the Department of  
22 Agriculture and Consumer Services for the sale of serums, vaccines, and  
23 other like products.
- 24 (3) The Department of Administration, except that the agency shall not exceed  
25 the authority granted in the act creating the agency.
- 26 (4) The State hospitals for the mentally ill.
- 27 (5) The Department of Health and Human Services.
- 28 (6) The North Carolina School for the Blind at Raleigh.
- 29 (6a) The Division of Juvenile Justice of the Department of Public Safety.
- 30 (7) The North Carolina Schools for the Deaf.
- 31 (7a) The North Carolina Virtual Public School.

32 ...  
33 (c) The provisions of subsection (a) shall not prohibit:

- 34 ...
- 35 ~~(20) The sale by the State Board of Education of NCVPS courses to home~~
- 36 ~~schools, private schools, and out-of-state educational entities.~~

37 ...."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H14-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***NCVPS ALTERNATIVE FUNDING FORMULA***

2       **SECTION #.(a)** Notwithstanding Section 7.22(d) of S.L. 2011-145, as amended by  
3 Section 8.9 of S.L. 2013-360, the State Board of Education may adopt an alternative funding  
4 formula for the North Carolina Virtual Public School (NCVPS) for use by local school  
5 administrative units and charter schools. A local school administrative unit or charter school  
6 may elect to use the alternative funding formula in lieu of the funding formula adopted by the  
7 State Board pursuant to Section 7.22(d) of S.L. 2011-145, as amended by Section 8.9 of S.L.  
8 2013-360.

9       **SECTION #.(b)** If any local school administrative unit or charter school elects to  
10 adopt the alternative funding formula as provided under subsection (a) of this section, the  
11 superintendent of the local school administrative unit or the executive officer of the charter  
12 school, as applicable, shall submit a written statement confirming selection of the alternative  
13 funding formula to the North Carolina Virtual Public School administrative office no later than  
14 May 1 each year to be eligible to apply the alternative formula in the subsequent fiscal year.

15       **SECTION #.(c)** This section applies beginning with the 2016-2017 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H19-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 **COMPETENCY-BASED LEARNING AND ASSESSMENTS**

2 **SECTION #.(a)** It is the intent of the General Assembly to transition to a system of  
3 testing and assessments applicable for all elementary and secondary public school students that  
4 utilizes competency-based learning assessments to measure student performance and student  
5 growth, whenever practicable. The competency-based student assessment system should  
6 provide that (i) students advance upon mastery, (ii) competencies are broken down into explicit  
7 and measurable learning objectives, (iii) assessment is meaningful for students, (iv) students  
8 receive differentiated support based on their learning needs, and (v) learning outcomes  
9 emphasize competencies that include the application and creation of knowledge.

10 **SECTION #.(b)** In order to develop the use of competency-based assessments for  
11 all elementary and secondary public school students in North Carolina in accordance with  
12 subsection (a) of this section, the State Board of Education is encouraged to evaluate the  
13 feasibility of integrating competency-based assessments for use in local school administrative  
14 units and as part of the statewide testing system for measuring student performance and student  
15 growth. The State Board may examine competency-based student assessment systems utilized  
16 in other states, including potential benefits and obstacles to implementing similar systems in  
17 North Carolina, and the relationship between competency-based assessments and innovative  
18 teaching methods utilized in North Carolina schools, such as blended learning models and  
19 digital teaching tools.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H20-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 *NO DECREASE IN SALARY FOR ASSISTANT PRINCIPALS WHO BECOME*  
2 *PRINCIPALS*

3 SECTION #.(a) G.S. 115C-285(a) is amended by adding a new subdivision to  
4 read:

5 "(9) An assistant principal who becomes a principal without a break in service  
6 shall be paid, on a monthly basis, at least as much as he or she would earn as  
7 an assistant principal employed by that local school administrative unit."

8 SECTION #.(b) This section applies to all assistant principals who become  
9 employed as principals without a break in service on or after July 1, 2015.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H22-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***COLLABORATIVE PROCUREMENT***

2 **SECTION #.(a)** Section 7.6 of S.L. 2013-360, as amended by Section 91 of S.L.  
3 2014-115, is repealed.

4 **SECTION #.(b)** The Department of Public Instruction shall collaborate with the  
5 Friday Institute for Educational Innovation of North Carolina State University to implement  
6 public school cooperative purchasing agreements for the procurement of information  
7 technology (IT) goods and services to support public schools. For purposes of this section, the  
8 phrase "public school cooperative purchasing agreement" means an agreement implemented  
9 pursuant to this section and available for local school administrative units, regional schools,  
10 charter schools, or some combination thereof providing for collaborative or collective  
11 purchases of information technology goods and services in order to leverage economies of  
12 scale and to reduce costs.

13 **SECTION #.(c)** Each public school cooperative purchasing agreement shall be  
14 based on a defined statewide information technology need to support education in the public  
15 schools. Each public school cooperative purchasing agreement shall allow for equal access to  
16 technology tools and services and shall provide a standard competitive cost throughout North  
17 Carolina for each tool or service. Public school cooperative purchasing agreements shall follow  
18 State information technology procurement laws, rules, and procedures.

19 **SECTION #.(d)** By October 15, 2015, and annually thereafter, the Department of  
20 Public Instruction and the Friday Institute shall report on the establishment of the cooperative  
21 purchasing agreements, savings resulting from the establishment of the agreements, and any  
22 issues impacting the establishment of the agreements. The reports shall be made to the Joint  
23 Legislative Oversight Committee on Information Technology, the Joint Legislative Education  
24 Oversight Committee, and the Fiscal Research Division.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H24A

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 **CHARTER SCHOOL ACCELERATOR GRANT PROGRAM**

2 **SECTION #.(a)** Parents for Educational Freedom in North Carolina, Inc.  
3 (PEFNC), shall use up to one million dollars (\$1,000,000) for the 2015-2016 fiscal year and up  
4 to one million dollars (\$1,000,000) in the 2016-2017 fiscal year from funds made available to it  
5 under this act to provide grant funding to participants for the development of up to 10 charter  
6 schools located in counties with local school administrative units that currently have a grade  
7 level proficiency less than or equal to fifty percent (50%) on end-of-grade and end-of-course  
8 tests. State funds shall only be used to provide grants to participants in the pilot program and  
9 shall not be used by PEFNC for its overhead costs in administering the program.

10 **SECTION #.(b)** PEFNC shall require that grant recipients participating in the pilot  
11 program meet at least all of the following conditions:

- 12 (1) The recipient has been approved by the State Board of Education to operate  
13 a charter school.
- 14 (2) The charter school shall be located in a county with a local school  
15 administrative unit that currently has a grade level proficiency less than or  
16 equal to fifty percent (50%) on end-of-grade and end-of-course tests.
- 17 (3) The recipient charter school shall be subject to audit oversight by the State  
18 Auditor.

19 **SECTION #.(c)** PEFNC may provide grants of up to two hundred thousand dollars  
20 (\$200,000) to recipients for an initial planning year.

21 **SECTION #.(d)** By March 15, 2016, and annually thereafter, PEFNC shall submit  
22 to the Joint Legislative Education Oversight Committee a report on the progress of the pilot  
23 program, an accounting of expenditures, and the status of grant recipients.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H27-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 **TEACHER EDUCATION PREPARATION REDESIGN**

2 **SECTION #.(a)** The State Board of Education shall issue a request for proposals  
3 from approved teacher education programs at constituent institutions of The University of  
4 North Carolina to participate in a redesign of a teacher education program at a constituent  
5 institution. A constituent institution seeking to participate shall provide a detailed proposal of  
6 how the constituent institution will revise the program to ensure that graduates are prepared to  
7 be highly effective teachers immediately upon entering the classroom. The proposal shall  
8 include at least the following information:

- 9 (1) Detailed plans for vigorous recruitment strategies and stringent admissions  
10 criteria to ensure that only outstanding candidates with strong academic  
11 credentials are admitted to the teacher education program.  
12 (2) Proposed revisions to curriculum, including (i) examples of cooperation with  
13 other departments and colleges outside the teacher education program; (ii)  
14 coursework in candidates' major course of study that are successfully  
15 completed in the relevant college or university department rather than  
16 through the teacher education program; and (iii) close cooperation with local  
17 school administrative units and schools to ensure that teacher education  
18 students are effectively prepared in content area knowledge applicable to  
19 their future profession.  
20 (3) Redesign of clinical experiences to ensure that teacher education students  
21 have embedded classroom experiences spanning the course of one  
22 instructional year in a partner elementary or secondary school setting  
23 mentored by teachers who have been identified as highly effective on the  
24 North Carolina teacher evaluation rubric, that clinical coursework is  
25 reflective and connected to embedded classroom experiences, and that a  
26 nationally normed and valid pedagogy assessment is used to determine  
27 clinical practice performance.

28 **SECTION #.(b)** A constituent institution who submits a proposal under subsection  
29 (a) of this section must commit to (i) implementation of the redesign of the teacher education  
30 program beginning in the 2016-2017 academic year and (ii) beginning October 1 following the  
31 graduation of the first cohort to complete the redesigned program, reporting to the State Board  
32 of Education and the Joint Legislative Education Oversight Committee on outcomes of  
33 graduates of the redesigned program for five years after graduation. Graduate outcomes shall  
34 include, at a minimum, academic growth of the students for which the graduate serves as  
35 teacher of record and recruitment, retention, and evaluation ratings of each student cohort.

36 **SECTION #.(c)** The State Board of Education shall require proposals to be  
37 submitted no later than October 15, 2015. The State Board shall select one constituent  
38 institution of The University of North Carolina to award one hundred thousand dollars  
39 (\$100,000) in recurring funds for the 2015-2016 and 2016-2017 fiscal years no later than

1 December 15, 2015, for personnel and other costs associated with the redesign of the teacher  
2 education program in accordance with this section.

3           **SECTION #.(d)** The constituent institution selected by the State Board of  
4 Education for the award of funds under this section shall report to the State Board of Education  
5 and the Joint Legislative Education Oversight Committee on the redesign and implementation  
6 of the teacher education program by December 31, 2017.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H29-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***STATEWIDE MICROSOFT® OFFICE COOPERATIVE AGREEMENT***

2           **SECTION #.** The Department of Public Instruction shall enter into a statewide  
3 cooperative purchasing agreement to provide Microsoft® Office products to students, teachers,  
4 and other school personnel in the North Carolina public schools, including charter schools, at  
5 no cost to local school administrative units, charter schools, school personnel, and students.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H31-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***REVISE THE DESIGNATION OF THE TEXTBOOK FUNDING ALLOTMENT***

2           **SECTION #.(a)** Effective July 1, 2015, the existing Textbooks funding allotment  
3 in the State Public School Fund shall be designated as the Textbooks and Digital Resources  
4 funding allotment in the State Public School Fund.

5           **SECTION #.(b)** The State Board of Education shall adopt a policy to establish the  
6 purposes for which the funds within the new Textbooks and Digital Resources funding  
7 allotment may be used, which shall include the same purposes as were permitted under the  
8 Textbooks funding allotment as of June 30, 2015.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H32A-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 *BONUSES FOR INDUSTRY CERTIFICATIONS AND CREDENTIALS PROGRAM*

2 SECTION #.(a) G.S. 115C-156.2 reads as rewritten:

3 "**§ 115C-156.2. Industry certifications and credentials program.**

4 (a) It is the intent of the State to encourage students to enroll in and successfully  
5 complete rigorous coursework and credentialing processes in career and technical education to  
6 enable success in the workplace. To attain this goal, to the extent funds are made available for  
7 this purpose, students shall be supported to earn approved industry certifications and  
8 ~~ere~~credentials; credentials and teachers shall receive bonuses for each student who earns an  
9 approved industry certification or credential as follows:

10 (1) Students enrolled in public schools and in career and technical education  
11 courses shall be exempt from paying any fees for one administration of  
12 examinations leading to industry certifications and credentials pursuant to  
13 rules adopted by the State Board of Education.

14 (2) Each school year, at such time as agreed to by the Department of Commerce  
15 and the State Board of Education, the Department of Commerce shall  
16 provide the State Board of Education with a list of those occupations in high  
17 need of additional skilled employees. If the occupations identified in such  
18 list are not substantially the same as those occupations identified in the list  
19 from the prior year, reasonable notice of such changes shall be provided to  
20 local school administrative units.

21 (3) Local school administrative units shall consult with their local industries,  
22 employers, and workforce development boards to identify industry  
23 certification and credentials that the local school administrative unit may  
24 offer to best meet State and local workforce needs.

25 (4) Bonuses shall be awarded to teachers of students earning approved industry  
26 certifications or credentials, pursuant to rules adopted by the State Board of  
27 Education. No teacher shall be awarded a bonus pursuant to this subdivision  
28 that exceeds two thousand dollars (\$2,000) in any given school year. Direct  
29 instruction teacher bonuses shall be provided in the following amounts:

30 a. A bonus in the amount of twenty-five dollars (\$25.00) for each  
31 student taught by a teacher who provided instruction in a course that  
32 led to the attainment of an industry certification with a  
33 twenty-five-dollar (\$25.00) value ranking.

34 b. A bonus in the amount of fifty dollars (\$50.00) for each student  
35 taught by a teacher who provided instruction in a course that led to  
36 the attainment of an industry certification with a fifty-dollar (\$50.00)  
37 value ranking.

38 (5) The Department of Commerce, in consultation with the State Board of  
39 Education, shall rank each industry certification based on academic rigor and

1 employment value in accordance with this subdivision. Fifty percent (50%)  
2 of the ranking shall be based on academic rigor and the remaining fifty  
3 percent (50%) on employment value. Academic rigor and employment value  
4 shall be based on the following elements:

5 a. Academic rigor shall be based on the number of instructional hours,  
6 including work experience or internship hours, required to earn the  
7 industry certification or credential, with a bonus given for  
8 coursework that also provides community college credit.

9 b. Employment value shall be based on the entry wage, growth rate in  
10 employment for each occupational category, and average annual  
11 openings for the primary occupation linked with the industry  
12 certification or credential.

13 ~~(b) Beginning in 2014, the State Board of Education shall report to the Joint Legislative~~  
14 ~~Education Oversight Committee by September 15 of each year on the number of students in~~  
15 ~~career and technical education courses who earned (i) community college credit and (ii) related~~  
16 ~~industry certifications and credentials."~~

17 **SECTION #.(b)** This section applies beginning with the 2015-2016 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H33A-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 **ADVANCED PLACEMENT/INTERNATIONAL BACCALAUREATE TEACHER**  
2 **BONUSES**

3 **SECTION #.(a)** G.S. 115C-174.26 reads as rewritten:

4 **"§ 115C-174.26. Advanced courses.**

5 (a) It is the intent of the State to enhance accessibility and encourage students to enroll  
6 in and successfully complete more rigorous advanced courses to enable success in  
7 postsecondary education for all students. For the purposes of this section, an advanced course is  
8 an Advanced Placement or International Baccalaureate Diploma Programme course. To attain  
9 this goal, to the extent funds are made available for this purpose, the following shall be  
10 provided:

11 (1) ~~students~~ Students enrolled in public schools shall be exempt from paying  
12 any fees for administration of examinations for advanced courses and  
13 registration fees for advanced courses in which the student is enrolled  
14 regardless of the score the student achieves on an examination.

15 (2) Bonuses shall be awarded to teachers of advanced courses according to the  
16 following:

17 a. A bonus in the amount of fifty dollars (\$50.00) for each student  
18 taught by an advanced course teacher in each advanced course who  
19 receives the following score:

20 1. For Advanced Placement courses, a score of three or higher  
21 on the College Board Advanced Placement Examination.

22 2. For International Baccalaureate Diploma Programme courses,  
23 a score of four or higher on the International Baccalaureate  
24 course examination.

25 b. No teacher shall be awarded a bonus pursuant to this subdivision that  
26 exceeds two thousand dollars (\$2,000) in any given school year. The  
27 bonus awarded to a teacher pursuant to this subdivision shall be in  
28 addition to any regular wage or other bonus the teacher receives or is  
29 scheduled to receive.

30 ...

31 ~~(h) Beginning October 15 November 15, 2014, the State Board of Education shall~~  
32 ~~report annually to the Joint Legislative Education Oversight Committee on advanced courses in~~  
33 ~~North Carolina. The report shall include, at a minimum, the following information:~~

34 (1) ~~The North Carolina Advanced Placement Partnership's report to the~~  
35 ~~Department of Public Instruction as required by subsection (g) of this section~~  
36 ~~and the State Board's assessment of that report.~~

37 (2) ~~Number of students enrolled in advanced courses and participating in~~  
38 ~~advanced course examinations, including demographic information by~~  
39 ~~gender, race, and free and reduced-price lunch status.~~

- 1           (3)    ~~Student performance on advanced course examinations, including~~  
2           ~~information by course, local school administrative unit, and school.~~  
3           (4)    ~~Number of students participating in 10th grade PSAT/NMSQT testing.~~  
4           (5)    ~~Number of teachers attending summer institutes offered by the North~~  
5           ~~Carolina Advanced Placement Partnership.~~  
6           (6)    ~~Distribution of funding appropriated for advanced course testing fees and~~  
7           ~~professional development by local school administrative unit and school.~~  
8           (7)    ~~Status and efforts of the North Carolina Advanced Placement Partnership.~~  
9           (8)    ~~Other trends in advanced courses and examinations."~~  
10          **SECTION #.(b)** This section applies beginning with the 2015-2016 school year.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H15A-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 *READ TO ACHIEVE*

2 SECTION #.(a) G.S. 115C-83.3 reads as rewritten:

3 "§ 115C-83.3. Definitions.

4 The following definitions apply in this Part:

5 ...

6 (2) "Alternative assessment" means a valid and reliable standardized assessment  
7 of reading comprehension, approved by the State Board of Education, that is  
8 not the same test as the State-approved standardized test of reading  
9 comprehension administered to third grade students. The State Board of  
10 Education shall (i) provide several valid and reliable alternative assessments  
11 to local school administrative units upon request, (ii) approve valid and  
12 reliable alternative assessments submitted by local school administrative  
13 units, and (iii) establish achievement level ranges for each approved  
14 alternative assessment. The State Board of Education shall annually review  
15 all alternative assessments to ensure ongoing relevance, validity, and  
16 reliability. The State Board of Education shall complete the review and  
17 approval process as provided in this subdivision by September 15 of each  
18 year.

19 ...

20 (8) "Student reading portfolio" means a compilation of independently produced  
21 student work selected by the student's teacher, beginning during the first half  
22 of the school year, and signed by the teacher and principal, as an accurate  
23 picture of the student's reading ~~ability.~~ proficiency. The student reading  
24 portfolio shall include an organized collection of evidence of the student's  
25 ~~mastery of the State's reading standards that are assessed by the~~  
26 ~~State-approved standardized test of reading comprehension administered to~~  
27 ~~third grade students.~~ reading proficiency. A single piece of evidence may be  
28 used to show mastery of reading proficiency for up to two standards. For  
29 each ~~benchmark, reading standard,~~ there shall be three two examples of  
30 student ~~work—work,~~ gathered over the course of the school year,  
31 demonstrating mastery by a grade of seventy percent (70%) or above the  
32 student's reading proficiency. If a student correctly responds to eighty  
33 percent (80%) of the comprehension questions about one reading passage as  
34 used as an initial work sample, then that one work sample shall suffice to  
35 demonstrate student reading proficiency on the standards covered in that  
36 sample. A student reading portfolio shall only be compiled with students  
37 when it is determined that administration of a standardized test of reading  
38 comprehension would likely not yield positive findings of a student's reading  
39 proficiency.

1 ...."

2 **SECTION #.(b)** G.S. 115C-83.6 reads as rewritten:

3 **"§ 115C-83.6. Facilitating early grade reading proficiency.**

4 (a) Kindergarten, first, second, and third grade students shall be assessed with valid,  
5 reliable, formative, and diagnostic reading assessments made available to local school  
6 administrative units by the State Board of Education pursuant to G.S. 115C-174.11(a).  
7 Difficulty with reading development identified through administration of formative and  
8 diagnostic assessments shall be addressed with instructional supports and services. To the  
9 greatest extent possible, kindergarten through third grade reading assessments shall yield data  
10 that can be used with the Education Value-Added Assessment System (EVAAS), or a  
11 compatible and comparable system approved by the State Board of Education, to analyze  
12 student data to identify root causes for difficulty with reading development and to determine  
13 actions to address them.

14 (b) Formative and diagnostic assessments and resultant instructional supports and  
15 services shall address oral language, phonological and phonemic awareness, phonics,  
16 vocabulary, fluency, and comprehension using developmentally appropriate practices.

17 (c) Local school administrative units are encouraged to partner with community  
18 organizations, businesses, and other groups to provide volunteers, mentors, or tutors to assist  
19 with the provision of instructional supports and services that enhance reading development and  
20 proficiency.

21 (d) The teacher of record for a kindergarten, first, second, or third grade student shall  
22 not be prohibited from administering the assessments made available to local school  
23 administrative units in subsection (a) of this section to that student."

24 **SECTION #.(c)** G.S. 115C-83.7(b)(4) reads as rewritten:

25 "(4) Students who demonstrate, through a student reading portfolio, reading  
26 proficiency appropriate for third grade students. Student reading portfolio  
27 and review processes used by local school administrative units shall be  
28 approved by the State Board of Education. A local school administrative unit  
29 implementing the student reading portfolio process established by the State  
30 Board of Education shall limit the use of this portfolio process only to a  
31 student for whom it is appropriate as determined by the student's principal,  
32 after consulting with the teacher and the student's parents, and shall  
33 discontinue administration of the portfolio passages whenever a student is  
34 not demonstrating reading proficiency."

35 **SECTION #.(d)** G.S. 115C-83.8(a) reads as rewritten:

36 "(a) Parents or guardians of students not demonstrating reading proficiency shall be  
37 encouraged to enroll their student in a reading camp provided by the local school administrative  
38 unit. Parents or guardians of a student not demonstrating reading proficiency shall make the  
39 final decision regarding a student's reading camp attendance. If a parent or guardian does not  
40 enroll the student in a reading camp, the parent shall notify the school in which the student is  
41 enrolled of any alternative reading interventions or instructional supports that shall be provided  
42 to the student to achieve reading proficiency. Local school administrative units shall provide at  
43 least one opportunity for students not participating in a reading camp to demonstrate reading  
44 proficiency appropriate for third grade students on an alternative assessment or through a  
45 student reading portfolio process approved by the State Board of Education prior to retaining  
46 the student."

47 **SECTION #.(e)** G.S. 115C-83.9(d) reads as rewritten:

48 "(d) Teachers and principals shall provide opportunities, including, but not limited to,  
49 information sessions, to discuss with parents and guardians the notifications listed in this

1 section. Principals shall provide at least one information session within the first 30 days of  
2 school regarding the requirement for reading proficiency for third grade students."

3 **SECTION #.(f)** G.S. 115C-174.11 reads as rewritten:

4 "**§ 115C-174.11. Components of the testing program.**

5 (a) Assessment Instruments for Kindergarten, First, Second, and Third Grades. – The  
6 State Board of Education shall develop, adopt, and provide to the local school administrative  
7 units developmentally appropriate individualized assessment instruments consistent with the  
8 Basic Education Program and Part 1A of Article 8 of this Chapter for the kindergarten, first,  
9 second, and third grades. The State Board shall approve three valid, reliable, formative, and  
10 diagnostic reading assessment instruments for selection by local school administrative units in  
11 accordance with the following:

12 (1) Each approved assessment instrument shall provide initial assessments,  
13 interim formative assessments, and progress monitoring capabilities.

14 (2) In determining which instruments to approve for use by local school  
15 administrative units, the State Board shall also consider at least the following  
16 factors:

17 a. The time required to conduct formative and diagnostic assessments  
18 with the intention of minimizing the impact on instructional time.

19 b. The level of integration of assessment results with instructional  
20 support for teachers and students.

21 c. The timeliness in reporting assessment results to teachers and  
22 administrators.

23 d. The ability to provide timely assessment results to parents and  
24 guardians.

25 (3) In no case shall an assessment instrument be approved for use by local  
26 school administrative units if the cost of the assessment instrument,  
27 including related instructional content, materials, and resources for teachers  
28 and students, exceeds the funds appropriated for this purpose divided by the  
29 projected enrollment of students in kindergarten, first, second, and third  
30 grades.

31 (a1) Each local school administrative unit shall select one valid, reliable, formative, and  
32 diagnostic reading assessment from the three assessment instruments approved by the State  
33 Board under subsection (a) of this section. Local school administrative units shall use ~~these~~ the  
34 assessment instruments provided to them by the State Board for kindergarten, first, second, and  
35 third grade students to assess progress, diagnose difficulties, and inform instruction and  
36 remediation needs. Local school administrative units shall not use standardized tests for  
37 summative assessment of kindergarten, first, and second grade students except as required as a  
38 condition of receiving federal grants.

39 ...."

40 **SECTION #.(g)** Subsections (a) through (e) of this section apply beginning with  
41 the 2015-2016 school year. Subsection (f) of this section applies beginning with the 2016-2017  
42 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H2-P

Department of Public Instruction  
Appropriations Subcommittee on Education

Requested by: Representative

1 *TWELVE-MONTH PERSONNEL POSITIONS FOR VOCATIONAL AGRICULTURE*  
2 *TEACHERS*

3 SECTION #. G.S. 115C-302.1(b) reads as rewritten:

4 "(b) Salary Payments. – State-allotted teachers shall be paid for a term of 10 months.  
5 State-allotted months of employment for vocational education to local boards shall be used for  
6 the employment of teachers of vocational and technical education for a term of employment to  
7 be determined by the local boards of education. However, local boards shall not reduce the  
8 term of employment for any vocational agriculture teacher personnel position that was 12  
9 calendar months for the 1982-83 school year for any school year thereafter. In addition, local  
10 boards shall not reduce the term of employment for any vocational agriculture teacher  
11 personnel position that was 12 calendar months for the 2003-2004 school year for any school  
12 year thereafter. In addition, local boards shall not reduce the term of employment for any  
13 vocational agriculture teacher personnel position that was 12 calendar months for the  
14 2014-2015 school year for any school year thereafter.

15 Each local board of education shall establish a set date on which monthly salary payments  
16 to State-allotted teachers shall be made. This set pay date may differ from the end of the month  
17 of service. The daily rate of pay for teachers shall equal midway between one twenty-first and  
18 one twenty-second of the monthly rate of pay. Except for teachers employed in a year-round  
19 school or paid in accordance with a year-round calendar, or both, the initial pay date for  
20 teachers shall be no later than August 31 and shall include a full monthly payment. Subsequent  
21 pay dates shall be spaced no more than one month apart and shall include a full monthly  
22 payment.

23 Teachers may be prepaid on the monthly pay date for days not yet worked. A teacher who  
24 fails to attend scheduled workdays or who has not worked the number of days for which the  
25 teacher has been paid and who resigns, is dismissed, or whose contract is not renewed shall  
26 repay to the local board any salary payments received for days not yet worked. A teacher who  
27 has been prepaid and continues to be employed by a local board but fails to attend scheduled  
28 workdays may be subject to dismissal under G.S. 115C-325 or other appropriate discipline.

29 Any individual teacher who is not employed in a year-round school may be paid in 12  
30 monthly installments if the teacher so requests on or before the first day of the school year. The  
31 request shall be filed in the local school administrative unit which employs the teacher. The  
32 payment of the annual salary in 12 installments instead of 10 shall not increase or decrease the  
33 teacher's annual salary nor in any other way alter the contract made between the teacher and the  
34 local school administrative unit. Teachers employed for a period of less than 10 months shall  
35 not receive their salaries in 12 installments.

36 Notwithstanding this subsection, the term "daily rate of pay" for the purpose of  
37 G.S. 115C-12(8) or for any other law or policy governing pay or benefits based on the teacher  
38 salary schedule shall not exceed one twenty-second of a teacher's monthly rate of pay."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H36A-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***EDUCATION-BASED SUPPLEMENTS FOR CERTAIN TEACHERS***

2 **SECTION #.(a)** Section 8.22 of S.L. 2013-360, as amended by Section 8.3(a) of  
3 S.L. 2014-100, is repealed.

4 **SECTION #.(b)** Notwithstanding any other provision of law, only the following  
5 teachers and instructional support personnel shall be classified as "M" teachers or receive a  
6 salary supplement for academic preparation at the six-year degree level or at the doctoral  
7 degree level for the 2015-2016 school year and subsequent school years:

- 8 (1) Certified school nurses and instructional support personnel in positions for  
9 which a master's degree is required for licensure.
- 10 (2) Teachers and instructional support personnel who were paid on that salary  
11 schedule or received that salary supplement prior to the 2014-2015 school  
12 year.
- 13 (3) Teachers and instructional support personnel who (i) complete a degree at  
14 the master's, six-year, or doctoral degree level for which they completed at  
15 least one course prior to August 1, 2013, and (ii) would have qualified for  
16 the salary supplement pursuant to State Board of Education policy,  
17 TCP-A-006, as it was in effect on June 30, 2013.
- 18 (4) Teachers and instructional support personnel who do not qualify under  
19 subdivisions (1), (2), and (3) of this subsection but who spend at least  
20 seventy percent (70%) of their work time as follows:
  - 21 a. For teachers, in classroom instruction related to their graduate  
22 academic preparation in their field or subject area within their area of  
23 licensure. Most of the teachers' remaining time shall be spent in one  
24 or more of the following:
    - 25 1. Mentoring teachers.
    - 26 2. Performing demonstration lessons for teachers.
    - 27 3. Writing curricula.
    - 28 4. Developing and leading staff development programs for  
29 teachers.
  - 30 b. For instructional support personnel, performing work within the  
31 employee's area of graduate academic preparation.

32 **SECTION #.(c)** Beginning with the 2015-2016 fiscal year and subsequent fiscal  
33 years thereafter, for teachers who are classified as "M" teachers under subdivision (4) of  
34 subsection (b) of this section, determination of whether teachers and instructional support  
35 personnel shall be classified as "M" teachers or receive a salary supplement for academic  
36 preparation shall take place on an annual basis. Teachers and instructional support personnel  
37 may be removed from the classification as an "M" teacher or discontinue receiving salary  
38 supplements if they are not meeting the requirements of subdivision (4) of subsection (b) of this  
39 section in that year.

1                    **SECTION #.(d)** Unless an individual otherwise qualifies under subdivision (2) or  
2 (3) of subsection (b) of this section, teachers and instructional support personnel who earn an  
3 advanced degree in school administration shall not be classified as "M" teachers or receive a  
4 salary supplement for academic preparation unless they serve as an assistant principal or  
5 principal.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H34B

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 *NC ELEVATING EDUCATORS ACT/ADVANCED TEACHING ROLES*

2 SECTION #.(a) Purpose. – The State Board of Education shall establish a  
3 three-year pilot program to develop advanced teaching roles in selected local school  
4 administrative units to provide for, in addition to base salary and other applicable local  
5 supplements, advanced teaching supplements for classroom teachers based on a teacher's  
6 demonstrated effectiveness and additional responsibilities in advanced roles. The purpose of the  
7 program shall be to do at least the following:

- 8 (1) Establish advanced teaching roles for eligible classroom teachers. For the  
9 purposes of this section, a classroom teacher is a teacher who works in the  
10 classroom providing instruction at least seventy percent (70%) of the  
11 instructional day and who is not instructional support personnel.  
12 (2) Enable local school administrative units to provide salary supplements and  
13 other supports to classroom teachers in advanced teaching roles.  
14 (3) Evaluate local plans to establish and compensate teachers in advanced  
15 teaching roles to form the basis for public schools statewide to provide  
16 advanced teaching roles.

17 SECTION #.(b) Request for Proposal Requirements. – No later than September  
18 15, 2015, the State Board of Education shall develop a Request for Proposal (RFP) for local  
19 boards of education to participate in the pilot. Local boards of education shall submit proposals  
20 for consideration no later than January 1, 2016. The RFP shall require local boards of education  
21 to include in their proposals advanced teaching roles that meet, at a minimum, the following  
22 criteria:

- 23 (1) Advanced teaching roles eligibility and duties. -  
24 a. Create job classifications for which eligible classroom teachers may  
25 apply for advanced teaching roles that include minimum  
26 qualifications and specific job responsibilities.  
27 1. Minimum qualifications for advanced teaching roles shall  
28 include criteria demonstrating that the individual is a  
29 qualified classroom teacher as well as an effective  
30 collaborator with other staff members. Minimum  
31 qualifications shall include at least one of the following:  
32 a. Advanced certifications, such as National Board  
33 Certification or a master's degree in the area in which  
34 the teacher is licensed and teaching.  
35 b. A rating of at least accomplished on each of the  
36 Teacher Evaluation Standards 1-5 on the North  
37 Carolina Teacher Evaluation instrument.

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- c. Exceeding expected student growth based on three years of teacher evaluation data as calculated by the State Board of Education.
- 2. Job responsibilities for advanced teaching roles may include opportunities for leadership, advising, and mentoring, such as leading a collaborative teaching community, modeling planning and assessment strategies, serving as an advisor and mentor, helping develop other teachers, completing and sharing action research projects focused on solving a school or classroom level concern for learning, co-teaching across multiple classrooms with other teachers, or coaching other teachers in highly effective instruction through modeling, co-teaching, and reflection.
  - b. Provide information in a form readily accessible to both teachers and the public on the criteria and procedures for selection for advanced teaching roles.
  - c. Establish equally stringent eligibility requirements to remain in an advanced teaching role as those required to initially attain that role.
  - d. Establish a procedure for determining whether a teacher in an advanced teaching role is successfully performing the additional duties associated with that position.
  - e. Ensure that teachers in advanced teaching roles may opt out of the pilot by voluntarily relinquishing the associated additional duties. Voluntary relinquishment of duties associated with advanced teaching roles shall not be considered a demotion under Part 3 or Part 3A of Article 22 of Chapter 115C of the General Statutes.
- (2) Advanced teaching role supplements. -
  - a. Pay advanced teaching role salary supplements of up to thirty percent (30%) of the State teacher salary schedule.
  - b. Require that advanced teaching role salary supplements be paid as a supplement to the teacher's regular salary and not be included in the average salary calculation used for budgeting State allotments.
  - c. Require that teacher in an advanced teaching role who (i) fails to maintain the minimum criteria established for the position or (ii) is not successfully performing the additional duties associated with the advanced teaching role shall be paid only the salary applicable to him or her on the State salary schedule and any other local supplements that would otherwise apply to the teacher's compensation.
  - d. Require that a teacher who opts out of the advanced teaching role pilot shall be paid only the salary applicable to him or her on the State salary schedule and any other local supplements that would otherwise apply to the teacher's compensation.
- (3) System goals. - Develop measures for determining how the advanced teaching role plan shall do at least the following:
  - a. Improve the quality of classroom instruction and increase school-wide growth.
  - b. Increase the attractiveness of teaching.
  - c. Encourage the recognition, impact, and retention of high-quality teachers.
  - d. Assist and retain beginning teachers.



- 1 e. Improve and expand use of technology and digital learning.
- 2 (4) Implementation Requirements. – By the end of the 2016-2017 school year,  
3 demonstration of implementation of the advanced teaching role plan in at  
4 least five schools or twenty-five percent (25%) of the schools within the  
5 local school administrative unit, whichever is less. Implementation is  
6 defined as a minimum of seventy five percent (75%) of students enrolled in  
7 schools with the advanced teaching role plan having, as their teacher of  
8 record in at least English Language Arts, math, social studies, and science, a  
9 classroom teacher who:
- 10 a. Has an advanced certification, such as National Board Certification  
11 or a master's degree in the area in which the teacher is licensed and  
12 teaching.
- 13 b. Has a rating of at least accomplished on each of the Teacher  
14 Evaluation Standards 1-5 on the North Carolina Teacher Evaluation  
15 instrument.
- 16 c. Exceeds expected student growth based on three years of teacher  
17 evaluation data as calculated by the State Board of Education.

18 **SECTION #.(c) Selection of Pilot Units.** – By March 15, 2016, the State Board of  
19 Education shall review the proposals submitted by local boards of education in accordance with  
20 subsection (b) of this section and shall select up to 10 local school administrative units that  
21 meet criteria established by the State Board, including plans for incorporating digital tools in  
22 classroom instruction to expand learning opportunities and sharing of lessons as follows:

- 23 (1) Up to five local school administrative units with an average daily  
24 membership (ADM) equal to or less than 4,000.
- 25 (2) Up to three local school administrative units with an ADM of 4,001 to  
26 20,000.
- 27 (3) Up to two local school administrative units with an ADM of 20,001 or more.

28 **SECTION #.(d) Pilot Implementation.** – The selected local school administrative  
29 units shall implement their approved pilots beginning with the 2016-2017 school year and  
30 ending with the 2018-2019 school year. The local board of education for each selected pilot  
31 local school administrative unit shall provide any requested information and access to the  
32 independent research organization selected by the State Board of Education to evaluate the  
33 pilots.

34 **SECTION #.(e) Use of grant funds.** - Funds awarded to pilot local school  
35 administrative units shall be used for any of the following:

- 36 (1) Salary supplements for advanced teaching roles.
- 37 (2) Development of advanced teaching role plans.
- 38 (3) Transition costs associated with designing and implementing advanced  
39 teaching role models in schools within the local school administrative unit.  
40 Transition costs may include employing staff members or contractors to  
41 assist with design and implementation of the pilot plan.

42 **SECTION #.(f) Pilot Evaluation.** – The State Board of Education shall contract  
43 with an independent research organization to evaluate how the advanced teaching role pilots  
44 have accomplished, at a minimum, the following:

- 45 (1) Improvement in the quality of classroom instruction and increases in school-  
46 wide growth.
- 47 (2) An increase in the attractiveness of teaching.
- 48 (3) Recognition, impact, and retention of high quality teachers.
- 49 (4) Assistance to and retention of beginning teachers.
- 50 (5) Improvement in and expansion of use of technology and digital learning.

1           The independent research organization shall report annually beginning October 15,  
2 2016, until the conclusion of the pilot, to the State Board of Education on all aspects of the  
3 implementation and evaluation of the pilot. The independent research organization shall also  
4 evaluate, as part of the annual report, the existing Project LIFT, Inc. program in the Charlotte-  
5 Mecklenburg local school administrative unit and the proposed Project Advance in the Chapel  
6 Hill-Carrboro City Schools, if that project is implemented. The State Board of Education shall  
7 provide the annual report to the offices of the President Pro Tempore of the Senate and the  
8 Speaker of the House of Representatives, the Senate Appropriations/Base Budget Committee,  
9 the House Committee on Appropriations, the Senate Appropriations Committee on  
10 Education/Higher Education, the House Appropriations Subcommittee on Education, the Fiscal  
11 Research Division, and the Joint Legislative Education Oversight Committee.

12           **SECTION #.(g)** Of the funds appropriated to the Department of Public Instruction  
13 under this act for the 2015-2017 fiscal biennium to implement the requirements of this section,  
14 the Department may use up to two hundred thousand dollars (\$200,000) for each fiscal year for  
15 the State Board of Education to contract with an independent research organization for the pilot  
16 evaluations. For the 2016-2017 fiscal year, the Department shall use the sum of nine million  
17 eight hundred thousand dollars (\$9,800,000) for the State Board of Education to select up to  
18 five local school administrative units to award funds for the advanced teaching role pilot  
19 program in accordance with this section. Funds awarded to local school administrative units  
20 shall be awarded in proportion to the current expenditure of the pilot local school  
21 administrative unit on teacher salaries.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H40-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 **REPEAL UNNECESSARY STATE BOARD OF EDUCATION REPORTS**

2 **SECTION #.(a)** School Connectivity Initiative report. – Section 7.28(d) of S.L.  
3 2007-323 is repealed.

4 **SECTION #.(b)** Report on paperwork reduction. – G.S. 115C-12(19) reads as  
5 rewritten:

6 "(19) Duty to Identify Required Reports and to Eliminate Unnecessary Reports  
7 and Paperwork. – Prior to the beginning of each school year, the State Board  
8 of Education shall identify all reports that are required at the State level for  
9 the school year.

10 The State Board of Education shall adopt policies to ensure that local  
11 school administrative units are not required by the State Board of Education,  
12 the State Superintendent, or the Department of Public Instruction staff to (i)  
13 provide information that is already available on the student information  
14 management system or housed within the Department of Public Instruction;  
15 (ii) provide the same written information more than once during a school  
16 year unless the information has changed during the ensuing period; (iii)  
17 complete forms, for children with disabilities, that are not necessary to  
18 ensure compliance with the federal Individuals with Disabilities Education  
19 Act (IDEA); or (iv) provide information that is unnecessary to comply with  
20 State or federal law and not relevant to student outcomes and the efficient  
21 operation of the public schools. Notwithstanding the foregoing, the State  
22 Board may require information available on its student information  
23 management system or require the same information twice if the State Board  
24 can demonstrate a compelling need and can demonstrate there is not a more  
25 expeditious manner of getting the information.

26 The State Board shall permit schools and local school administrative  
27 units to submit all reports to the Department of Public Instruction  
28 electronically.

29 The State Board of Education, in collaboration with the education  
30 roundtables within the Department of Public Instruction, shall consolidate all  
31 plans that affect the school community, including school improvement plans.  
32 The consolidated plan shall be posted on each school's Web site for easy  
33 access by the public and by school personnel.

34 ~~The State Board shall report to the Joint Legislative Education Oversight~~  
35 ~~Committee by November 15 of each year on the reports identified that are~~  
36 ~~required at the State level, the evaluation and determination for continuing~~  
37 ~~individual reports, including the consideration of whether those reports~~  
38 ~~exceed what is required by State and federal law, and any reports that it has~~  
39 ~~consolidated or eliminated for the upcoming school year."~~

1           **SECTION #.(c)** Report on the ABC's. – G.S. 115C-12(25) reads as rewritten:

2           "(25) Duty to Report to Joint Legislative Education Oversight Committee. – Upon  
3           the request of the Joint Legislative Education Oversight Committee, the  
4           State Board shall examine and evaluate issues, programs, policies, and fiscal  
5           information, and shall make reports to that Committee. Furthermore,  
6           beginning ~~October 15, 1997,~~ October 15, 2015, and annually thereafter, the  
7           State Board shall submit reports to that Committee regarding ~~the continued~~  
8           ~~implementation of Chapter 716 of the 1995 Session Laws, 1996 Regular~~  
9           ~~Session. Each report shall include information regarding the composition~~  
10           ~~and activity of assistance teams, schools that received incentive awards,~~  
11           schools identified as low-performing, school improvement plans found to  
12           significantly improve student performance, personnel actions taken in  
13           low-performing schools, and recommendations for additional legislation to  
14           improve student performance and increase local flexibility."

15           **SECTION #.(d)** Notification of federal grant applications. – G.S. 115C-12(42) is  
16           repealed.

17           **SECTION #.(e)** Report on Founding Principles/Civic Literacy. –  
18           G.S. 115C-81(g)(6) is repealed.

19           **SECTION #.(f)** Report on State School Technology Plan. – G.S. 115C-102.6B(b)  
20           reads as rewritten:

21           "(b) The Board shall submit the plan to the State Chief Information Officer for approval  
22           of the technical components of the plan set out in G.S. 115C-102.6A(1) through (4). At least  
23           one-fourth of the members of any technical committee that reviews the plan for the State Chief  
24           Information Officer shall be people actively involved in primary or secondary education.

25           ~~The Board shall report annually by February 15 of each year to the Joint Legislative~~  
26           ~~Education Oversight Committee on the status of the State School Technology Plan."~~

27           **SECTION #.(g)** Evaluation of the School-Based Accountability System. –  
28           G.S. 115C-105.35(a) reads as rewritten:

29           "(a) The School-Based Management and Accountability Program shall (i) focus on  
30           student performance in the basics of reading, mathematics, and communications skills in  
31           elementary and middle schools, (ii) focus on student performance in courses required for  
32           graduation and on other measures required by the State Board in the high schools, and (iii) hold  
33           schools accountable for the educational growth of their students. To those ends, the State Board  
34           shall design and implement an accountability system that sets annual performance standards for  
35           each school in the State in order to measure the growth in performance of the students in each  
36           individual school. ~~During the 2004-2005 school year and at least every five years thereafter, the~~  
37           ~~State Board shall evaluate the accountability system and, if necessary, modify the testing~~  
38           ~~standards to assure the testing standards continue to reasonably reflect the level of performance~~  
39           ~~necessary to be successful at the next grade level or for more advanced study in the content~~  
40           ~~area.~~

41           ~~As part of this evaluation, the Board shall, where available, review the historical trend data~~  
42           ~~on student academic performance on State tests. To the extent that the historical trend data~~  
43           ~~suggest that the current standards for student performance may not be appropriate, the State~~  
44           ~~Board shall adjust the standards to assure that they continue to reflect the State's high~~  
45           ~~expectations for student performance."~~

46           **SECTION #.(h)** Reports by local school administrative units and charter schools  
47           on students with diabetes. – G.S. 115C-375.3 reads as rewritten:

48           "**§ 115C-375.3. Guidelines to support and assist students with diabetes.**

49           Local boards of education and boards of directors of charter schools shall ensure that the  
50           guidelines adopted by the State Board of Education under G.S. 115C-12(31) are implemented

1 in schools in which students with diabetes are enrolled. In particular, the boards shall require  
2 the implementation of the procedures set forth in those guidelines for the development and  
3 implementation of individual diabetes care plans. The boards also shall make available  
4 necessary information and staff development to teachers and school personnel in order to  
5 appropriately support and assist students with diabetes in accordance with their individual  
6 diabetes care plans. ~~Local boards of education and boards of directors of charter schools shall~~  
7 ~~report to the State Board of Education annually, on or before August 15, whether they have~~  
8 ~~students with diabetes enrolled and provide information showing compliance with the~~  
9 ~~guidelines adopted by the State Board of Education under G.S. 115C 12(31). These reports~~  
10 ~~shall be in compliance with the federal Family Educational Rights and Privacy Act, 20 U.S.C. §~~  
11 ~~1232g."~~

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H23-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 *SCHOOL SAFETY/STATEWIDE SCHOOL RISK AND RESPONSE MANAGEMENT*  
2 *SYSTEM*

3 SECTION #.(a) G.S. 115C-47(40) reads as rewritten:

4 "(40) ~~To adopt emergency response plans. — Local boards~~Adopt School Risk  
5 Management Plans. — Each local board of education shall, in coordination  
6 with local law enforcement and emergency management agencies, adopt  
7 emergency response plans a School Risk Management Plan (SRMP) relating  
8 to incidents of school violence-violence for each school in its jurisdiction. In  
9 constructing and maintaining these plans, local boards of education and local  
10 school administrative units shall utilize the School Risk and Response  
11 Management System (SRRMS) established pursuant to G.S. 115C-105.49A.  
12 These plans are not a public record as the term "public record" is defined  
13 under G.S. 132-1 and shall not be subject to inspection and examination  
14 under G.S. 132-6."

15 SECTION #.(b) G.S. 115C-105.49 reads as rewritten:

16 "§ 115C-105.49. School safety exercises.

17 (a) ~~At least every two years, once annually,~~each local school administrative unit is  
18 encouraged to shall require each school under its control to hold a full systemwide school  
19 safety and school lockdown exercise with the school-wide tabletop exercise and drill based on  
20 the procedures documented in its School Risk Management Plan (SRMP). The drill shall  
21 include a practice school lockdown due to an intruder on school grounds. Each school is  
22 encouraged to hold a tabletop exercise and drill for multiple hazards included in its SRMP.  
23 Schools are strongly encouraged to include local law enforcement agencies that are part of the  
24 local board of education's emergency response plan, and emergency management agencies in  
25 its tabletop exercises and drills. The purpose of the exercise-tabletop exercises and drills shall  
26 be to permit participants to (i) discuss simulated emergency situations in a low-stress  
27 environment, (ii) clarify their roles and responsibilities and the overall logistics of dealing with  
28 an emergency, and (iii) identify areas in which the emergency response plan-SRMP needs to be  
29 modified.

30 (b) ~~As part of a local board of education's emergency response plan, at least once a~~  
31 ~~year, each school is encouraged to hold a full schoolwide school safety and lockdown exercise~~  
32 ~~with local law enforcement agencies.~~For the purposes of this section, a tabletop exercise is an  
33 exercise involving key personnel conducting simulated scenarios related to emergency  
34 planning.

35 (c) For the purposes of this section, a drill is a school-wide practice exercise in which  
36 simulated scenarios related to emergency planning are conducted.

37 (d) The Department of Public Safety, Division of Emergency Management, and the  
38 Center for Safer Schools shall provide guidance and recommendations to local school

1 administrative units on the types of multiple hazards to plan and respond to, including intruders  
2 on school grounds."

3 **SECTION #.(c)** Article 8C of Chapter 115C of the General Statutes is amended by  
4 adding a new section to read:

5 **"§ 115C-105.49A. School Risk and Response Management System.**

6 (a) The Department of Public Safety, Division of Emergency Management, and the  
7 Center for Safer Schools shall construct and maintain a statewide School Risk and Response  
8 Management System (SRRMS). The system shall fully integrate and leverage existing data and  
9 applications that support school risk planning, exercises, monitoring, and emergency response  
10 via 911 dispatch.

11 (b) In constructing the SRRMS, the Division of Emergency Management and the  
12 Center for Safer Schools shall leverage the existing enterprise risk management database, the  
13 School Risk Management Planning tool managed by the Division. The Division shall also  
14 leverage the local school administrative unit schematic diagrams of school facilities. Where  
15 technically feasible, the system shall integrate any anonymous tip lines established pursuant to  
16 G.S. 115C-105.51 and any 911-initiated panic alarm systems authorized as part of an SRMP  
17 pursuant to G.S. 115C-47(40). The Division and Center for Safer Schools shall collaborate with  
18 the Department of Public Instruction and the North Carolina 911 Board in the design,  
19 implementation, and maintenance of the SRRMS.

20 (c) All data and information acquired and stored in the SRRMS as provided in  
21 subsections (a) and (b) of this section are not considered public records as the term "public  
22 record" is defined under G.S. 132-1 and shall not be subject to inspection and examination  
23 under G.S. 132-6."

24 **SECTION #.(d)** G.S. 115C-105.51 reads as rewritten:

25 **"§ 115C-105.51. Anonymous tip lines—lines and monitoring and response applications.**

26 (a) Each local school administrative unit is encouraged to develop and operate an  
27 anonymous tip line, in coordination with local law enforcement and social services agencies, to  
28 receive anonymous information on internal or external risks to the school population, school  
29 buildings—buildings, and school-related activities. The Department of Public Safety, in  
30 consultation with the Department of Public Instruction, may develop standards and guidelines  
31 for the development, operation, and staffing of tip lines.

32 (b) The Department of Public Instruction, in consultation with the Department of Public  
33 Safety, may develop standards and guidelines for the development, operation, and staffing of  
34 tip lines. The Department of Public Safety, Division of Emergency Management, and the Center  
35 for Safer Schools, in collaboration with the Department of Public Instruction, shall implement  
36 and maintain an anonymous safety tip line application for purposes of receiving anonymous  
37 student information on internal or external risks to the school population, school buildings, and  
38 school-related activities.

39 (c) The Department of Public Instruction may provide information to local school  
40 administrative units on federal, State, local, and private grants available for this purpose. The  
41 Department of Public Safety, Division of Emergency Management, and the Center for Safer  
42 Schools, in collaboration with the Department of Public Instruction and the North Carolina 911  
43 Board, shall implement and maintain a statewide panic alarm system for the purposes of  
44 launching real-time 911 messaging to public safety answering points of internal and external  
45 risks to the school population, school buildings, and school-related activities. The Department  
46 of Public Safety, in consultation with the Department of Public Instruction and the North  
47 Carolina 911 Board, may develop standards and guidelines for the operations and use of the  
48 panic alarm tool.

49 (d) The Department of Public Safety shall ensure that the anonymous safety tip line  
50 application is integrated with and supports the statewide School Risk and Response

1 Management System (SRRMS) as provided in G.S. 115C-105.49A. Where technically feasible  
2 and cost-efficient, the Department of Public Safety is encouraged to implement a single  
3 solution supporting both the anonymous safety tip line application and panic alarm system.

4 (e) All data and information acquired and stored by the anonymous safety tip line  
5 application are not considered public records as the term "public record" is defined under  
6 G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6.

7 (f) Notwithstanding subsection (e) of this section, the Division may collect the annual  
8 aggregate number and type of tips sent to the anonymous tip line. The collection of this  
9 aggregate data shall not have any identifying information on the reporter of the tip, including,  
10 but not limited to, the school where the incident was reported and the date the tip was  
11 reported."

12 **SECTION #.(e)** G.S. 115C-105.52 reads as rewritten:

13 **"§ 115C-105.52. School crisis kits.**

14 The Department of Public Instruction, in consultation with the Department of Public Safety  
15 through the North Carolina Center for Safer Schools, may develop and adopt policies on the  
16 placement of school crisis kits in schools and on the contents of those kits. The kits should  
17 include, at a minimum, basic first-aid supplies, communications devices, and other items  
18 recommended by the International Association of Chiefs of Police.

19 The principal of each school, in coordination with the law enforcement agencies that are  
20 part of the local board of education's ~~emergency response plan,~~ School Risk Management Plan,  
21 may place one or more crisis kits at appropriate locations in the school."

22 **SECTION #.(f)** G.S. 115C-105.53 reads as rewritten:

23 **"§ 115C-105.53. Schematic diagrams and emergency access to school buildings for local**  
24 **law enforcement agencies.**

25 (a) Each local school administrative unit shall provide the following to local law  
26 enforcement agencies: (i) schematic diagrams, including digital schematic diagrams, and (ii)  
27 either keys to the main entrance of all school buildings or emergency access to key storage  
28 devices such as KNOX® boxes for all school buildings. Local school administrative units shall  
29 provide updates of the schematic diagrams to local law enforcement agencies when substantial  
30 modifications such as new facilities or modifications to doors and windows are made to school  
31 buildings. Local school administrative units shall also be responsible for providing local law  
32 enforcement agencies with updated access to school ~~building key storage devices such as~~  
33 ~~KNOX® boxes when changes are made to these boxes or devices.~~ buildings when changes are  
34 made to the locks of the main entrances or to key storage devices such as KNOX® boxes.

35 (b) The Department of Public Instruction, in consultation with the Department of Public  
36 Safety, shall develop standards and guidelines for the preparation and content of schematic  
37 diagrams and necessary updates. Local school administrative units may use these standards and  
38 guidelines to assist in the preparation of their schematic diagrams.

39 (c) Schematic diagrams are not considered a public record as the term "public record" is  
40 defined under G.S. 132-1 and shall not be subject to inspection and examination under  
41 G.S. 132-6."

42 **SECTION #.(g)** G.S. 115C-105.54 reads as rewritten:

43 **"§ 115C-105.54. Schematic diagrams and emergency response information provided to**  
44 **Division of Emergency Management.**

45 (a) Each local school administrative unit shall provide the following to the Division of  
46 Emergency Management (Division) at the Department of Public Safety: (i) schematic diagrams,  
47 including digital schematic diagrams, and (ii) emergency response information requested by the  
48 Division for the School Risk Management Plan (SRMP) ~~and the School Emergency Response~~  
49 ~~Plan (SERP).~~ (SRMP). Local school administrative units shall also provide updated schematic  
50 diagrams and emergency response information to the Division when such updates are made.



1 The Division shall ensure that the diagrams and emergency response information are securely  
2 stored and distributed as provided in the SRMP ~~and SERP~~ to first responders, emergency  
3 personnel, and school personnel and approved by the Department of Public Instruction.

4 (b) The schematic diagrams and emergency response information are not considered a  
5 public record as the term "public record" is defined under G.S. 132-1 and shall not be subject to  
6 inspection and examination under G.S. 132-6."

7 **SECTION #.(h)** G.S. 115C-218.75 reads as rewritten:

8 **"§ 115C-218.75. General operating requirements.**

9 (a) Health and Safety Standards. – A charter school shall meet the same health and  
10 safety requirements required of a local school administrative unit. The Department of Public  
11 Instruction shall ensure that charter schools provide parents and guardians with information  
12 about meningococcal meningitis and influenza and their vaccines at the beginning of every  
13 school year. This information shall include the causes, symptoms, and how meningococcal  
14 meningitis and influenza are spread and the places where parents and guardians may obtain  
15 additional information and vaccinations for their children.

16 The Department of Public Instruction shall also ensure that charter schools provide parents  
17 and guardians with information about cervical cancer, cervical dysplasia, human  
18 papillomavirus, and the vaccines available to prevent these diseases. This information shall be  
19 provided at the beginning of the school year to parents of children entering grades five through  
20 12. This information shall include the causes and symptoms of these diseases, how they are  
21 transmitted, how they may be prevented by vaccination, including the benefits and possible  
22 side effects of vaccination, and the places where parents and guardians may obtain additional  
23 information and vaccinations for their children.

24 The Department of Public Instruction shall also ensure that charter schools provide students  
25 in grades seven through 12 with information annually on the preventable risks for preterm birth  
26 in subsequent pregnancies, including induced abortion, smoking, alcohol consumption, the use  
27 of illicit drugs, and inadequate prenatal care.

28 The Department of Public Instruction shall also ensure that charter schools provide students  
29 in grades nine through 12 with information annually on the manner in which a parent may  
30 lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

31 The Department of Public Instruction shall also ensure that the guidelines for individual  
32 diabetes care plans adopted by the State Board of Education under G.S. 115C-12(31) are  
33 implemented in charter schools in which students with diabetes are enrolled and that charter  
34 schools otherwise comply with the provisions of G.S. 115C-375.3.

35 The Department of Public Instruction shall ensure that charter schools comply with  
36 G.S. 115C-375.2A. The board of directors of a charter school shall provide the school with a  
37 supply of emergency epinephrine auto-injectors necessary to carry out the provisions of  
38 G.S. 115C-375.2A.

39 (b) ~~Emergency Response Plan.~~ School Risk Management Plan. – Each charter  
40 school, in coordination with local law enforcement ~~agencies, and emergency management~~  
41 ~~agencies,~~ is encouraged to adopt ~~an emergency response plan~~ a School Risk Management Plan  
42 (SRMP) relating to incidents of school violence. In constructing and maintaining these plans,  
43 charter schools may utilize the School Risk and Response Management System (SRRMS)  
44 established pursuant to G.S. 115C-105.49A. These plans are not considered a public record as  
45 the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and  
46 examination under G.S. 132-6.

47 Charter schools are encouraged to provide schematic diagrams and keys to the main  
48 entrance of school facilities to local law enforcement agencies, in addition to implementing the  
49 provisions in ~~G.S. 115C-105.49(b)~~ and G.S. 115C-105.52.

1 (c) Policy Against Bullying. – A charter school is encouraged to adopt a policy against  
2 bullying or harassing behavior, including cyber bullying, that is consistent with the provisions  
3 of Article 29C of this Chapter. If a charter school adopts a policy to prohibit bullying and  
4 harassing behavior, the charter school shall, at the beginning of each school year, provide the  
5 policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8).

6 (d) School Safety Exercises. – At least once a year, a charter school is encouraged to  
7 hold a full school-wide lockdown exercise with local law enforcement and emergency  
8 management agencies that are part of the charter school's SRMP.

9 (e) School Safety Information Provided to Division of Emergency Management. – A  
10 charter school is encouraged to provide the following: (i) schematic diagrams, including digital  
11 schematic diagrams, and (ii) emergency response information requested by the Division for the  
12 SRMP. The schematic diagrams and emergency response information are not considered public  
13 records as the term "public record" is defined under G.S. 132-1 and shall not be subject to  
14 inspection and examination under G.S. 132-6."

15 **SECTION #.(i) G.S. 115C-238.66 reads as rewritten:**

16 **"§ 115C-238.66. Board of directors; powers and duties.**

17 The board of directors shall have the following powers and duties:

18 (1) Academic program. –

19 a. The board of directors shall establish the standard course of study for  
20 the regional school. This course of study shall set forth the subjects  
21 to be taught in each grade and the texts and other educational  
22 materials on each subject to be used in each grade. The board of  
23 directors shall design its programs to meet at least the student  
24 performance standards adopted by the State Board of Education and  
25 the student performance standards contained in this Chapter.

26 b. The board of directors shall conduct student assessments required by  
27 the State Board of Education.

28 c. The board of directors shall provide the opportunity to earn or obtain  
29 credit toward degrees from a community college subject to Chapter  
30 115D of the General Statutes or a constituent institution of The  
31 University of North Carolina.

32 d. The board of directors shall adopt a school calendar consisting of a  
33 minimum of 185 days or 1,025 hours of instruction covering at least  
34 nine calendar months.

35 (2) Standards of performance and conduct. – The board of directors shall  
36 establish policies and standards for academic performance, attendance, and  
37 conduct for students of the regional school. The policies of the board of  
38 directors shall comply with Article 27 of this Chapter.

39 (3) School attendance. – Every parent, guardian, or other person in this State  
40 having charge or control of a child who is enrolled in the regional school and  
41 who is less than 16 years of age shall cause such child to attend school  
42 continuously for a period equal to the time that the regional school shall be  
43 in session. No person shall encourage, entice, or counsel any child to be  
44 unlawfully absent from the regional school. Any person who aids or abets a  
45 student's unlawful absence from the regional school shall, upon conviction,  
46 be guilty of a Class 1 misdemeanor. The principal shall be responsible for  
47 implementing such additional policies concerning compulsory attendance as  
48 shall be adopted by the board of directors, including regulations concerning  
49 lawful and unlawful absences, permissible excuses for temporary absences,  
50 maintenance of attendance records, and attendance counseling.

- 1 (4) Reporting. – The board of directors shall comply with the reporting  
2 requirements established by the State Board of Education in the Uniform  
3 Education Reporting System.
- 4 (5) Assessment results. – The board of directors shall provide data to the  
5 participating unit in which a student is domiciled on the performance of that  
6 student on any testing required by the State Board of Education.
- 7 (6) Education of children with disabilities. – The board of directors shall require  
8 compliance with laws and policies relating to the education of children with  
9 disabilities.
- 10 (7) Health and safety. – The board of directors shall require that the regional  
11 school meet the same health and safety standards required of a local school  
12 administrative unit.

13 The Department of Public Instruction shall ensure that regional schools  
14 comply with G.S. 115C-375.2A. The board of directors of a regional school  
15 shall provide the school with a supply of emergency epinephrine  
16 auto-injectors necessary to carry out the provisions of G.S. 115C-375.2A.

- 17 (7a) ~~Emergency Response Plan.~~ School Risk Management Plan. – Each  
18 regional school, in coordination with local law enforcement agencies, is  
19 encouraged to adopt ~~an emergency response plan~~ a School Risk  
20 Management Plan (SRMP) relating to incidents of school violence. In  
21 constructing and maintaining these plans, a regional school may utilize the  
22 School Risk and Response Management System (SRRMS) established  
23 pursuant to G.S. 115C-105.49A. These plans are not considered a public  
24 record as the term "public record" is defined under G.S. 132-1 and shall not  
25 be subject to inspection and examination under G.S. 132-6.
- 26 (7b) Schematic diagrams and school crisis kits. – Regional schools are  
27 encouraged to provide schematic diagrams and keys to the main entrance of  
28 school facilities to local law enforcement agencies, in addition to  
29 implementing the provisions in ~~G.S. 115C-105.49(b)~~ and G.S. 115C-105.52.
- 30 (7c) School safety exercises. – At least once a year, a regional school is  
31 encouraged to hold a full school-wide lockdown exercise with local law  
32 enforcement and emergency management agencies that are part of the  
33 regional school's SRMP.
- 34 (7d) Safety information provided to Division of Emergency Management. – A  
35 regional school is encouraged to provide the following: (i) schematic  
36 diagrams, including digital schematic diagrams, and (ii) emergency response  
37 information requested by the Division for the SRMP. The schematic  
38 diagrams and emergency response information are not considered public  
39 records as the term "public record" is defined under G.S. 132-1 and shall not  
40 be subject to inspection and examination under G.S. 132-6.
- 41 (8) Driving eligibility certificates. – The board of directors shall apply the rules  
42 and policies established by the State Board of Education for issuance of  
43 driving eligibility certificates.
- 44 (9) Purchasing and contracts. – The board of directors shall comply with the  
45 purchasing and contract statutes and regulations applicable to local school  
46 administrative units.
- 47 (10) Exemption from the Administrative Procedures Act. – The board of directors  
48 shall be exempt from Chapter 150B of the General Statutes, except final  
49 decisions of the board of directors in a contested case shall be subject to

1 judicial review in accordance with Article 4 of Chapter 150B of the General  
2 Statutes.

3 (11) North Carolina School Report Cards. – A regional school shall ensure that  
4 the report card issued for it by the State Board of Education receives wide  
5 distribution to the local press or is otherwise provided to the public. A  
6 regional school shall ensure that the overall school performance score and  
7 grade earned by the regional school for the current and previous four school  
8 years is prominently displayed on the school Web site. If a regional school is  
9 awarded a grade of D or F, the regional school shall provide notice of the  
10 grade in writing to the parent or guardian of all students enrolled in that  
11 school.

12 (12) Policy against bullying. – A regional school is encouraged to adopt a policy  
13 against bullying or harassing behavior, including cyber-bullying, that is  
14 consistent with the provisions of Article 29C of this Chapter. If a regional  
15 school adopts a policy to prohibit bullying and harassing behavior, the  
16 regional school shall, at the beginning of each school year, provide the  
17 policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8)."

18 **SECTION #.(j)** G.S. 166A-19.12 is amended by adding a new subdivision to read:

19 "(22) Serving as the lead State agency for the implementation and maintenance of  
20 the statewide School Risk and Response Management System (SRRMS)  
21 under G.S. 115C-105.49A."

22 **SECTION #.(k)** By March 1, 2017, each local board of education shall adopt a  
23 School Risk Management Plan as required under G.S. 115C-47(40), as amended by subsection  
24 (a) of this section.

25 **SECTION #.(l)** Each charter school is encouraged to adopt a School Risk  
26 Management Plan as provided for under G.S. 115C-218.75, as amended by subsection (h) of  
27 this section, by March 1, 2017.

28 **SECTION #.(m)** Each regional school is encouraged to adopt a School Risk  
29 Management Plan as provided for under G.S. 115C-238.66, as amended by subsection (i) of  
30 this section, by March 1, 2017.

31 **SECTION #.(n)** By July 1, 2016, the Department of Public Safety shall implement  
32 an anonymous safety tip line application and a statewide panic alarm system as required under  
33 G.S. 115C-105.51, as amended by subsection (d) of this section.

34 **SECTION #.(o)** By December 1, 2015, the Department of Public Safety, Division  
35 of Emergency Management, and the Center for Safer Schools shall provide a report to the Joint  
36 Legislative Commission on Governmental Operations on (i) the status of the School Risk and  
37 Response Management System (SRRMS) implementation under G.S. 115C-105.49A, as  
38 enacted by this section, and (ii) the anticipated annual cost to operate and maintain the system.

39 **SECTION #.(p)** Except as otherwise provided for in this section, this section  
40 applies beginning with the 2015-2016 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H44-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***INVESTING IN INNOVATION GRANT***

2 **SECTION #.(a)** Section 8.25 of S.L. 2013-360, as amended by Section 8.27 of  
3 S.L. 2014-100, is repealed.

4 **SECTION #.(b)** The federal Investing in Innovation Fund Grant: Validating Early  
5 College Strategies for Traditional Comprehensive High Schools awarded to the North Carolina  
6 New Schools Project for 2012-2020 requires students to enroll in a community college course  
7 in the 10th grade. Notwithstanding any other provision of law, specified local school  
8 administrative units may offer one community college course to participating sophomore (10th  
9 grade) students. Participating local school administrative units are Alleghany, Beaufort, Bladen,  
10 Duplin, Hertford, Harnett, Jones, Madison, Martin, Richmond, Rutherford, Scotland, Surry,  
11 Warren, and Yancey County Schools.

12 **SECTION #.(c)** Grant funds shall be used to pay for all costs incurred by the local  
13 school administrative units and the community college partners to implement the grant,  
14 including community college FTE. Community colleges shall not earn budget FTE for student  
15 course enrollments supported with this grant.

16 **SECTION #.(d)** Research for the project shall address the effects of early college  
17 strategies in preparing students for college completion. The North Carolina New Schools  
18 Project shall report on the implementation of the grant to the State Board of Education, State  
19 Board of Community Colleges, Office of the Governor, and the Joint Legislative Education  
20 Oversight Committee no later than March 15, 2016, and annually thereafter until the end of the  
21 grant period.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H45-P

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***STUDY ON CHARTER SCHOOL CLOSURE FUNDS***

2       **SECTION #.(a)** The State Board of Education shall study and develop a proposed  
3 policy regarding circumstances in which a charter school, approved by the State Board pursuant  
4 to G.S. 115C-218.5, shall not be subject to the minimum value requirement of fifty thousand  
5 dollars (\$50,000) as required by G.S. 115C-218.100 for the purposes of ensuring payment of  
6 expenses related to closure proceedings. The State Board shall consider providing certain  
7 charter schools with a total or partial waiver of the requirement. In doing so, the State Board  
8 shall examine criteria for potentially eligible charter schools, such as the years of operation of  
9 the charter school, proven compliance with finance, governance, academic requirements of its  
10 charter, State law, and State Board policy requirements, as well as appropriate documentation  
11 to show the charter school's financial health and sustainability.

12       **SECTION #.(b)** By February 15, 2016, the State Board of Education shall report to  
13 the Joint Legislative Education Oversight Committee on the results of the study and a proposed  
14 policy as required by subsection (a) of this section, including any legislative recommendations.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H41

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***AFTER-SCHOOL QUALITY IMPROVEMENT COMPETITIVE GRANTS***

2 **SECTION #.(a)** Of the funds appropriated by this act for the At-Risk Student  
3 Services Alternative School Allotment for the 2015-2017 fiscal biennium, the State Board of  
4 Education shall use six million dollars (\$6,000,000) for the 2015-2016 fiscal year and six  
5 million dollars (\$6,000,000) for the 2016-2017 fiscal year for the After-School Quality  
6 Improvement Grant Program administered by the Department of Public Instruction. The  
7 Department may use these funds to provide a second-year grant to grant recipients approved  
8 under the After-School Quality Improvement Grant Program pursuant to Section 8.19 of S.L.  
9 2014-100. Of the funds appropriated for the program, the Department of Public Instruction may  
10 use up to two hundred thousand dollars (\$200,000) for each fiscal year to administer the  
11 program.

12 **SECTION #.(b)** The purpose of the After-School Quality Improvement Grant  
13 Program is to pilot after-school learning programs for at-risk students that raise standards for  
14 student academic outcomes by focusing on the following:

- 15 (1) Use of an evidence-based model with a proven track record of success.
- 16 (2) Inclusion of rigorous, quantitative performance measures to confirm their  
17 effectiveness during the grant cycle and at the end-of-grant cycle.
- 18 (3) Alignment with State performance measures, student academic goals, and  
19 the North Carolina Standard Course of Study.
- 20 (4) Prioritization in programs to integrate clear academic content, in particular,  
21 science, technology, engineering, and mathematics (STEM) learning  
22 opportunities or reading development and proficiency instruction.
- 23 (5) Emphasis on minimizing student class size when providing instruction.
- 24 (6) Expansion of student access to learning activities and academic support that  
25 strengthen student engagement and leverage community-based resources,  
26 which may include organizations that provide mentoring services and  
27 private-sector employer involvement.

28 **SECTION #.(c)** Grants may be provided for new or existing after-school learning  
29 programs for at-risk students operated by local school administrative units, charter schools,  
30 nonprofits, and nonprofits working in collaboration with local school administrative units.  
31 Participants are eligible to receive grants for up to two years in an amount of up to five hundred  
32 thousand dollars (\$500,000) each year. Programs should focus on serving at-risk students not  
33 performing at grade level as demonstrated by statewide assessments.

34 A grant participant shall provide certification to the Department of Public  
35 Instruction that the grants received under the program shall be matched on the basis of three  
36 dollars (\$3.00) in grant funds for every one dollar (\$1.00) in nongrant funds. Matching funds  
37 shall not include other State funds. Matching funds may include in-kind contributions.

38 **SECTION #.(d)** A nonprofit may act as its own fiscal agent for the purposes of this  
39 program. Grant recipients shall report to the Department of Public Instruction after the first

1 year of funding on the progress of the grant, including alignment with State academic  
2 standards, data collection for reporting student progress, the source and amount of matching  
3 funds, and other measures, before receiving funding for the next fiscal year. Grant recipients  
4 shall report after the second year of funding on key performance data, including statewide test  
5 results, attendance rates, and promotion rates, and financial sustainability of the after-school  
6 program.

7           **SECTION #.(e)** The Department of Public Instruction shall provide interim reports  
8 on the grant program to the Joint Legislative Education Oversight Committee by September 15,  
9 2016, with a final report on the program by September 15, 2017. The final report shall include  
10 the final results of the program and recommendations regarding effective after-school program  
11 models, standards, and performance measures based on student performance, leveraging of  
12 community-based resources to expand student access to learning activities and academic  
13 support, and the experience of the grant recipients.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-DPI-H47

Department of Public Instruction  
House Appropriations, Education

Requested by: Representative

1 ***DPI STUDY/IMPROVE OUTCOMES FOR STUDENTS WITH DISABILITIES***

2 **SECTION #.(a)** The Department of Public Instruction shall study and develop  
3 potential policy changes for improving the outcomes for elementary and secondary students  
4 with disabilities, including raising the graduation rates, providing more outcome-based goals,  
5 creating greater access to career-ready diplomas, increasing integration of accessible digital  
6 learning options, and providing earlier and improved transition services planning. The  
7 Department shall do at least the following toward achieving the goals set forth in this section:

- 8 (1) Examine current Individualized Education Program (IEP) requirements and  
9 develop reforms with greater focus on outcome-based goals for students with  
10 disabilities.  
11 (2) Solicit input and bring together stakeholders and other interested parties to  
12 develop policies on transition services plans for students with disabilities  
13 from elementary to middle school, middle to high school, and high school to  
14 postsecondary education and for employment opportunities and adult living  
15 options.  
16 (3) Solicit input and bring together stakeholders to create accessible ways for  
17 students with IEPs to access the Future Ready Core Course of Study in more  
18 significant numbers as a viable option to the Occupational Course of Study.  
19 (4) Examine model programs that may be employed by local school  
20 administrative units aimed at increasing the graduation rate and school  
21 performance of students with disabilities.

22 **SECTION #.(b)** The funds appropriated to the Department of Public Instruction  
23 for the 2015-2017 fiscal biennium to implement the requirements of this section shall be used  
24 to (i) implement methods for improving outcomes for children with disabilities developed in  
25 accordance with subsection (a) of this section and (ii) provide technical assistance to local  
26 school administrative units to establish model programs aimed at increasing the graduation rate  
27 and school performance of students with disabilities.

28 **SECTION #.(c)** By November 15, 2015, and annually thereafter, the Department of  
29 Public Instruction shall report to the Joint Legislative Education Oversight Committee on the  
30 progress of developing and implementing policy changes on (i) IEP reforms, (ii) transition  
31 planning policies, (iii) increased access to Future Ready Core Course of Study for students with  
32 disabilities, and (iv) model programs for use by local school administrative units to improve  
33 graduation rates and school performance of students with disabilities.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-NCCCS-H1-P

North Carolina Community College System  
House Appropriations, Education

Requested by: Representative

1 ***REORGANIZATION OF THE COMMUNITY COLLEGES SYSTEM OFFICE***

2           **SECTION #.(a)** Notwithstanding any other provision of law, and consistent with  
3 the authority established in G.S. 115D-3, the President of the North Carolina Community  
4 College System may reorganize the System Office in accordance with recommendations and  
5 plans submitted to and approved by the State Board of Community Colleges.

6           **SECTION #.(b)** This section expires June 30, 2017.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-NCCCS-H2A-P

North Carolina Community College System  
House Appropriations, Education

Requested by: Representative

1 **BASIC SKILLS PLUS**

2 SECTION #.(a) G.S. 115D-5(b) is amended by adding a new subdivision to read:

3 "(b) In order to make instruction as accessible as possible to all citizens, the teaching of  
4 curricular courses and of noncurricular extension courses at convenient locations away from  
5 institution campuses as well as on campuses is authorized and shall be encouraged. A pro rata  
6 portion of the established regular tuition rate charged a full-time student shall be charged a  
7 part-time student taking any curriculum course. In lieu of any tuition charge, the State Board of  
8 Community Colleges shall establish a uniform registration fee, or a schedule of uniform  
9 registration fees, to be charged students enrolling in extension courses for which instruction is  
10 financed primarily from State funds. The State Board of Community Colleges may provide by  
11 general and uniform regulations for waiver of tuition and registration fees for the following:

12 ...

13 (15) Courses providing employability skills, job-specific occupational or  
14 technical skills, or developmental education instruction to certain students  
15 who are concurrently enrolled in an eligible community college literacy  
16 course, in accordance with rules adopted by the State Board of Community  
17 Colleges.

18 ...

19 The State Board of Community Colleges shall not waive tuition and registration fees for  
20 other individuals."

21 SECTION #.(b) G.S. 115D-31(b1) reads as rewritten:

22 "(b1) A local community college may use all State funds allocated to it, except for  
23 Literacy funds and Customized Training funds, for any authorized purpose that is consistent  
24 with the college's Institutional Effectiveness Plan. The State Board of Community Colleges  
25 may authorize a local community college to use up to twenty percent (20%) of the State  
26 Literacy funds allocated to it to provide employability skills, job-specific occupational and  
27 technical skills, and developmental education instruction to students concurrently enrolled in an  
28 eligible community college literacy course.

29 Each local community college shall include in its Institutional Effectiveness Plan a section  
30 on how funding flexibility allows the college to meet the demands of the local community and  
31 to maintain a presence in all previously funded categorical programs."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-NCCCS-H4-P

North Carolina Community College System  
House Appropriations, Education

Requested by: Representative

1 ***EQUIPMENT FUNDING***

2       **SECTION #.** For the 2015-2017 fiscal biennium, community colleges may expend  
3 regular equipment allocations on equipment and on repairs, renovations, and new construction  
4 necessary to accommodate equipment. Colleges must match funds expended on new  
5 construction on an equal matching-fund basis in accordance with G.S.115D-31.  
6 Notwithstanding any other provision of law, community colleges are not required to match  
7 funds expended on repairs and renovations of existing facilities.

8       Colleges must have capital improvement projects approved by the State Board of  
9 Community Colleges and any required matching funds identified by June 30, 2017.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-NCCCS-H5-P

North Carolina Community College System  
House Appropriations, Education

Requested by: Representative

1 *EXPAND AGRICULTURAL AND TRANSPORTATION CLASSES TO FRESHMEN AND*  
2 *SOPHOMORES*

3 SECTION #. G.S. 115D-20(4)a. reads as rewritten:

4 "§ 115D-20. Powers and duties of trustees.

5 The trustees of each institution shall constitute the local administrative board of such  
6 institution, with such powers and duties as are provided in this Chapter and as are delegated to  
7 it by the State Board of Community Colleges. The powers and duties of trustees shall include  
8 the following:

- 9 ...
- 10 (4) To apply the standards and requirements for admission and graduation of  
11 students and other standards established by the State Board of Community  
12 Colleges. Notwithstanding any law or administrative rule to the contrary,  
13 local community colleges are permitted to offer the following programs:
- 14 a. Subject to the approval of the State Board of Community Colleges,  
15 local community colleges may collaborate with local school  
16 administrative units to offer courses through the following programs:
- 17 1. Cooperative innovative high school programs as provided by  
18 Part 9 of Article 16 of Chapter 115C of the General Statutes.
- 19 2. Academic transition pathways for qualified junior and senior  
20 high school students that lead to a career technical education  
21 certificate or diploma and academic transition pathways for  
22 qualified freshmen and sophomore high school students that  
23 lead to a career technical education certificate or diploma in  
24 (i) industrial and engineering technologies, (ii)  
25 agriculture and natural resources, or (iii) transportation  
26 technology.
- 27 3. College transfer certificates requiring the successful  
28 completion of thirty semester credit hours of transfer courses,  
29 including English and mathematics, for qualified junior and  
30 senior high school students."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-NCCCS-H6A-P

North Carolina Community College System  
House Appropriations, Education

Requested by: Representative

1 *COLLEGES EARN BUDGET FTE FOR CURRICULUM COURSES TAUGHT DURING*  
2 *THE SUMMER TERM*

3 **SECTION #.(a)** G.S. 115D-5(v) reads as rewritten:

4 "(v) Community colleges may teach ~~technical education, health care, developmental~~  
5 ~~education, and STEM-related curriculum~~ courses at any time during the year, including the  
6 summer term. Student membership hours from these courses shall be counted when computing  
7 full-time equivalent students (FTE) for use in budget funding formulas at the State level."

8 **SECTION #.(b)** The State Board of Community Colleges shall report to the Joint  
9 Legislative Education Oversight Committee by October 1, 2015, on FTE for the summer 2015  
10 term.

11 **SECTION #.(c)** This section is effective when it becomes law and applies  
12 beginning with the summer 2015 term.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-NCCCS-H8-P

North Carolina Community College System  
House Appropriations, Education

Requested by: Representative

1 **COMMUNITY COLLEGES PROGRAM COMPLIANCE REVIEW FUNCTION**

2 **SECTION #.(a)** Section 10.15(a) of S.L. 2013-360 is repealed.

3 **SECTION #.(b)** G.S. 115D-5(m) reads as rewritten:

4 "(m) The State Board of Community Colleges shall maintain an ~~education program~~  
5 ~~auditing-accountability~~ function that conducts ~~an annual-audit-periodic~~ reviews of each  
6 community college operating under the provisions of this Chapter. The purpose of the ~~annual~~  
7 ~~audit-compliance~~ review shall be to ensure that ~~college programs and related fiscal operations~~  
8 ~~comply with State law, State regulations, State Board policies, and System Office guidance.~~(i)  
9 data used to allocate State funds among community colleges is reported accurately to the  
10 System Office and (ii) community colleges are charging and waiving tuition and registration  
11 fees consistent with law. The State Board of Community Colleges shall require ~~auditors of~~  
12 ~~community college programs to the use of~~ a statistically valid sample size in performing  
13 ~~program-audits-compliance~~ reviews of community colleges. All ~~education program-audit~~  
14 ~~compliance review findings that are determined to be material~~ shall be forwarded to the college  
15 president, local college board of trustees, the State Board of Community Colleges, and the State  
16 Auditor. The State Board of Community Colleges shall adopt rules governing the frequency,  
17 scope, and standard of materiality for compliance reviews."

18 **SECTION #.(c)** Subsection (b) of this section applies to compliance reviews  
19 beginning with the 2015-2016 academic year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-NCCCS-H9

North Carolina Community College System  
House Appropriations, Education

Requested by: Representative

1 ***LIMIT ACTIVE DUTY SOLDIERS CC TUITION***

2 SECTION #. G.S. 116-143.3 is amended by adding a new subsection to read:

3 "(b3) Notwithstanding G.S. 115D-5(b), if the amount of the out-of-State tuition rate for a  
4 community college exceeds the amount of tuition assistance available from the federal  
5 government, as set forth in the U.S. Department of Defense Directive, 1322.08E, promulgated  
6 pursuant to 10 U.S.C. §§ 2005 and 2007, for active duty members of the Armed Forces, the  
7 amount by which the out-of-State tuition rate exceeds the amount of the federal tuition  
8 assistance available to the institution or active duty member of the Armed Forces shall be  
9 waived, provided the amount of the tuition waived shall not exceed ten percent (10%) of the  
10 out-of-State tuition amount and all of the following conditions are met:

- 11 (1) The active duty member of the Armed Forces was enrolled in a degree or  
12 other program at a community college and charged the in-State tuition rate at  
13 the time of deployment or reassignment.  
14 (2) The active duty member of the Armed Forces was not able to remain  
15 continuously enrolled in the degree or other program at the community  
16 college due to deployment or reassignment.  
17 (3) The active duty member of the Armed Forces reenrolls in the degree or other  
18 program at the community college in which the member was enrolled at the  
19 time the member was deployed or reassigned within 18 months of  
20 deployment or reassignment.  
21 (4) The active duty member of the Armed Forces does not otherwise qualify for  
22 the in-State tuition rate.

23 The amount of tuition charged to an active duty member of the Armed Forces eligible to  
24 receive this waiver shall not be lower than the in-State tuition rate."



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-NCCCS-H10-P

North Carolina Community College System  
House Appropriations, Education

Requested by: Representative

1 **COMMUNITY COLLEGE REMEDIATION PILOT PROJECT**

2 **SECTION #.(a)** A four-year remediation Pilot Project shall be established at South  
3 Piedmont Community College. The purpose of the Pilot Project is to implement a program that  
4 will (i) increase high school graduation rates and community college completion rates in Union  
5 and Anson Counties and (ii) serve as a model for the rest of the State.

6 **SECTION #.(b)** The Pilot Project shall consist of two components:

7 (1) Identification and remediation of high school students who do not meet  
8 community college entrance requirements. This component shall be  
9 implemented as follows:

10 a. South Piedmont Community College shall administer a college  
11 competency examination to a representative population of high  
12 school sophomores, juniors, and seniors in the Union County Public  
13 Schools, the Anson County Schools, or both.

14 b. Students who are determined by the examination to be deficient in  
15 mathematics, English, or reading skills shall have the opportunity to  
16 be enrolled during their junior or senior years in community college  
17 remediation courses in lieu of other high school graduation  
18 completion electives.

19 Participating students shall be included in the average daily  
20 membership of the local school administrative unit and the budget  
21 FTE of South Piedmont Community College. Participating students  
22 enrolled in remediation courses at South Piedmont Community  
23 College associated with this pilot shall not be charged tuition.

24 c. Students successfully completing community college remediation  
25 courses may continue their education under the Career and College  
26 Promise program.

27 d. South Piedmont Community College shall report to the Joint  
28 Legislative Education Oversight Committee (i) on the  
29 implementation of this component of the Pilot Project by February  
30 15, 2016, and (ii) on its impact on the college readiness of  
31 participating students annually by September 15, 2016, through  
32 September 15, 2020.

33 e. No State funds shall be used to develop and administer the college  
34 competency examination or to determine the impact of the Pilot  
35 Project on college readiness.

36 f. During the Pilot Project, students electing to participate in this  
37 program shall not be calculated in the local school administrative  
38 unit's graduation or dropout rates or in the South Piedmont  
39 Community College performance funding metrics. These students

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- shall be regarded as transfer students from the local school administrative unit to South Piedmont Community College.
- (2) Authorization for high school students who are at high risk of dropping out of school to complete high school at South Piedmont Community College. This component shall be implemented as follows:
- a. South Piedmont Community College and the each participating local school administrative unit shall sign a memorandum of understanding for a recovery program for students at high risk of dropping out of school to complete high school in an alternative setting. Under this memorandum of understanding, students with no serious disciplinary experience who are at high risk of dropping out of school may, with the consent of the local school administrative unit and South Piedmont Community College, earn a high school diploma at South Piedmont Community College.
  - b. The participating students and their parents shall sign a contract with the high school and college agreeing to the terms and conditions of the program.
  - c. South Piedmont Community College shall generate budget FTE for these students.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-NCCCS-H11

North Carolina Community College System  
House Appropriations, Education

Requested by: Representative

1 **COMMUNITY COLLEGE INNOVATIVE PILOT PROGRAM**

2       **SECTION #.(a)** The State Board of Community Colleges shall establish the  
3 Community College Innovative Pilot Program for participating community colleges to establish  
4 new, innovative workforce development programs in development tier one and tier two  
5 counties as defined in G.S. 143B-437.08. The purpose of the pilot program is to expand the  
6 options available to community colleges in establishing new programs targeting the workforce  
7 development needs of economically distressed areas of the State by providing (i) initial funding  
8 for planning and start-up operational costs for new programs and (ii) the opportunity for  
9 community colleges to build student enrollment to create tuition-supported programs and  
10 increased job attainment for students. Implementation of the pilot program shall begin with the  
11 2016-2017 academic year, continue for a period of three academic years, ending with the  
12 2018-2019 academic year.

13       **SECTION #.(b)** The State Board of Community Colleges, in collaboration with the  
14 Department of Commerce, shall develop criteria for approval of an application submitted by a  
15 community college serving a development tier one or tier two county to participate in the pilot  
16 program in accordance with the provisions of this section. Depending on the pool of applicants,  
17 the State Board shall select community college programs for participation in the pilot program  
18 that represent the geographic diversity of North Carolina's resident population. A community  
19 college seeking to participate in the pilot program shall submit to the State Board a completed  
20 Curriculum Program Application for a New-to-the-System Program Title.

21       **SECTION #.(c)** The State Board of Community Colleges shall report to the Joint  
22 Legislative Education Oversight Committee by September 1, 2019, on the implementation and  
23 administration of the pilot program, including at least the following information:

- 24       (1) The use of funds by community colleges participating in the pilot program,  
25 including:
- 26           a. Start-up costs to establish new programs.
  - 27           b. Costs associated with student instruction, including faculty salaries,  
28           instructional supplies, and related instructional equipment.
  - 29           c. Financial assistance for students, including assistance with tuition,  
30           registration fees, books, and certification costs.
- 31       (2) Evaluation of the success of the community college programs, including:
- 32           a. Student enrollment numbers.
  - 33           b. Student outcomes, including job attainment and placement data and  
34           completion of any certification, diploma, or associate degree  
35           programs.
  - 36           c. Number and type of programs that were fully supported by student  
37           tuition by the completion of the pilot program.

1 (3) Any recommendations on the expansion of the pilot program statewide and  
2 potential modifications to the State funding method for community colleges  
3 related to providing funds for new programs.

4 **SECTION #.(d)** Of the funds appropriated under this act to the Community  
5 Colleges System Office for the 2015-2017 fiscal biennium to implement the requirements of  
6 this section, the System Office shall use the sum of two million dollars (\$2,000,000) for the  
7 2015-2016 fiscal year and the sum of two million dollars (\$2,000,000) for the 2016-2017 fiscal  
8 year to award funds to community colleges participating in the pilot program. The System  
9 Office may use up to one hundred thousand dollars (\$100,000) of those funds each fiscal year  
10 for administration and evaluation of the pilot program.  
11

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-NCCCS-H12

North Carolina Community College System  
House Appropriations, Education

Requested by: Representative

1 *STUDY COMMUNITY COLLEGE FACULTY SALARIES*

2           **SECTION #.** The Joint Legislative Education Oversight Committee shall study the  
3 adequacy of community college faculty salaries for recruiting and retaining qualified faculty  
4 members. In the course of the study, the Committee shall consider (i) instructional areas and  
5 geographical areas for which it is difficult to recruit and retain qualified faculty members, (ii)  
6 labor market conditions, including opportunities in the private sector and in four-year  
7 institutions of higher education for the individuals with identical qualifications, (iii) the need to  
8 increase salaries to appropriately staff certain instructional areas, especially in Tier 1A and 1B  
9 courses, and (iv) other relevant factors. The Committee shall report its findings to the 2015  
10 General Assembly upon the convening of the 2016 Regular Session.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H12

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 ***USE OF ESCHEAT FUNDS FOR NEED-BASED FINANCIAL AID PROGRAMS***

2       **SECTION #.(a)** The funds appropriated by this act from the Escheat Fund for the  
3 2015-2017 fiscal biennium shall be allocated by the State Education Assistance Authority  
4 (SEAA) for need-based student financial aid in accordance with G.S. 116B-7. If the interest  
5 income generated from the Escheat Fund is less than the amounts referenced in this section, the  
6 difference may be taken from the Escheat Fund principal to reach the appropriations referenced  
7 in this section; however, under no circumstances shall the Escheat Fund principal be reduced  
8 below the sum required in G.S. 116B-6(f). If any funds appropriated from the Escheat Fund by  
9 this act remain uncommitted for need-based financial aid as of the end of a fiscal year, the  
10 funds shall be returned to the Escheat Fund, but only to the extent the funds exceed the amount  
11 of the Escheat Fund income for that fiscal year.

12       **SECTION #.(b)** The State Education Assistance Authority shall perform all of the  
13 administrative functions necessary to implement this program of financial aid. The SEAA shall  
14 conduct periodic evaluations of expenditures of the scholarship programs to determine if  
15 allocations are utilized to ensure access to institutions of higher learning and to meet the goals  
16 of the respective programs. SEAA may make recommendations for redistribution of funds to  
17 The University of North Carolina, Department of Administration, and the President of the  
18 Community College System regarding their respective scholarship programs, who then may  
19 authorize redistribution of unutilized funds for a particular fiscal year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H8-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 *AMEND REGULATION OF UNC INSTITUTIONAL TRUST FUNDS AND FUNDS OF*  
2 *UNC HEALTH CARE SYSTEM*

3 **SECTION #.** G.S. 116-36.1(h) reads as rewritten:

4 "(h) The Board may authorize, through the President, that the chancellors may deposit or  
5 invest each institution's available trust fund cash balances in interest-bearing accounts and other  
6 investments as may be authorized by the Board in the exercise of its sound discretion, without  
7 regard to any statute or rule of law relating to the investment of funds by fiduciaries. The  
8 amount of funds on deposit in an official depository shall be fully secured by deposit insurance,  
9 surety bonds, or investment securities of such nature, in such amounts, and in such manner as is  
10 prescribed by the Board of Governors for the security of public deposits generally."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H9-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 *IN-STATE TUITION FOR CERTAIN VETERANS AND OTHER INDIVIDUALS*  
2 *ENTITLED TO FEDERAL EDUCATIONAL BENEFITS*

3 SECTION #.(a) Article 14 of Chapter 116 of the General Statutes is amended by  
4 adding a new section to read:

5 **"§ 116-143.3A. Waiver of 12-month residency requirement for certain veterans and other**  
6 **individuals entitled to federal education benefits under 38 U.S.C. Chapter 30 or**  
7 **38 U.S.C. Chapter 33.**

8 (a) Definitions. – The following definitions apply in this section:

9 (1) Abode. – Has the same meaning as G.S. 116-143.3(a)(1).

10 (2) Armed Forces. – Has the same meaning as G.S. 116-143.3(a)(2).

11 (3) Veteran. – A person who served active duty for not less than 90 days in the  
12 Armed Forces, the Commissioned Corps of the U.S. Public Health Service,  
13 or the National Oceanic and Atmospheric Administration and who was  
14 discharged or released from such service under conditions other than  
15 dishonorable.

16 (b) Waiver of 12-Month Residency Requirement for Veteran. – Any veteran who  
17 qualifies for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3)  
18 is eligible to be charged the in-State tuition rate and applicable mandatory fees for enrollment  
19 without satisfying the 12-month residency requirement under G.S. 116-143.1, provided the  
20 veteran meets all of the following criteria:

21 (1) The veteran applies for admission to the institution of higher education and  
22 enrolls within three years of the veteran's discharge or release from the  
23 Armed Forces, the Commissioned Corps of the U.S. Public Health Service,  
24 or the National Oceanic and Atmospheric Administration.

25 (2) The veteran qualifies for and uses educational benefits pursuant to 38 U.S.C.  
26 Chapter 30 (Montgomery G.I. Bill Active Duty Education Assistance  
27 Program) or 38 U.S.C. Chapter 33 (Post-9/11 Educational Assistance), as  
28 administered by the U.S. Department of Veterans Affairs.

29 (3) The veteran's abode is North Carolina.

30 (4) The veteran provides the institution of higher education at which the veteran  
31 intends to enroll a letter of intent to establish residence in North Carolina.

32 (c) Eligibility of Other Individuals Entitled to Federal Educational Benefits Under 38  
33 U.S.C. Chapter 30 or 38 U.S.C. Chapter 33. – Any person who is entitled to federal educational  
34 benefits under 38 U.S.C. Chapter 30 or 38 U.S.C. Chapter 33 is also eligible to be charged the  
35 in-State tuition rate and applicable mandatory fees for enrollment without satisfying the  
36 12-month residency requirement under G.S. 116-143.1 if the person meets all of the following  
37 criteria:

38 (1) The person qualifies for admission to the institution of higher education as  
39 defined in G.S. 116-143.1(a)(3) and enrolls in the institution of higher



1 education within three years of the veteran's discharge or release from the  
2 Armed Forces, the Commissioned Corps of the U.S. Public Health Service,  
3 or the National Oceanic and Atmospheric Administration.

4 (2) The person is the recipient of federal educational benefits pursuant to 38  
5 U.S.C. Chapter 30 (Montgomery G.I. Bill Active Duty Education Assistance  
6 Program) or 38 U.S.C. Chapter 33 (Post-9/11 Educational Assistance), as  
7 administered by the U.S. Department of Veterans Affairs.

8 (3) The person's abode is North Carolina.

9 (4) The person provides the institution of higher education at which the person  
10 intends to enroll a letter of intent to establish residence in North Carolina.

11 (d) Eligibility While Continuously Enrolled at the Same Institution of Higher  
12 Education. – After enrollment in an institution of higher education, any veteran entitled to  
13 federal educational benefits under 38 U.S.C. Chapter 30 or 38 U.S.C. Chapter 33 and any other  
14 individual entitled to federal educational benefits under 38 U.S.C. Chapter 30 or 38 U.S.C.  
15 Chapter 33 who is eligible for in-State tuition under this section shall continue to be eligible for  
16 the in-State tuition rate so long as the covered individual remains continuously enrolled (other  
17 than during regularly scheduled breaks between courses, quarters, terms, or semesters) at that  
18 institution of higher education."

19 **SECTION #.(b)** G.S. 116-143.8 is repealed.

20 **SECTION #.(c)** This section becomes effective July 1, 2015, and applies to  
21 qualifying veterans and other individuals entitled to federal educational benefits under 38  
22 U.S.C. Chapter 30 or 38 U.S.C. Chapter 33 who are enrolled or who enroll in institutions of  
23 higher education for any academic quarter, term, or semester that begins on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H10-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 **UNC MANAGEMENT FLEXIBILITY REDUCTION**

2 **SECTION #.(a)** The management flexibility reduction for The University of North  
3 Carolina shall not be allocated by the Board of Governors to the constituent institutions and  
4 affiliated entities using an across-the-board method but shall be done in a manner that  
5 recognizes the importance of the academic missions and differences among The University of  
6 North Carolina entities.

7 Before taking reductions in instructional budgets, the Board of Governors and the  
8 campuses of the constituent institutions shall consider all of the following:

- 9 (1) Reducing State funding for centers and institutes, speaker series, and other  
10 nonacademic activities.
- 11 (2) Faculty workload adjustments.
- 12 (3) Restructuring of research activities.
- 13 (4) Implementing cost saving span of control measures.
- 14 (5) Reducing the number of senior and middle management positions.
- 15 (6) Eliminating low-performing, redundant, or low-enrollment programs.
- 16 (7) Using alternative funding sources.
- 17 (8) Protecting direct classroom services.

18 The Board of Governors and the campuses of the constituent institutions also shall  
19 review the institutional trust funds and the special funds held by or on behalf of The University  
20 of North Carolina and its constituent institutions to determine whether there are monies  
21 available in those funds that can be used to assist with operating costs. In addition, the  
22 campuses of the constituent institutions also shall require their faculty to have a teaching  
23 workload equal to the national average in their Carnegie classification.

24 **SECTION #.(b)** In allocating the management flexibility reduction, no reduction in  
25 State funds shall be allocated in either fiscal year of the 2015-2017 biennium to any of the  
26 following:

- 27 (1) UNC Need-Based Financial Aid.
- 28 (2) North Carolina Need-Based Scholarship.
- 29 (3) Elizabeth City State University.
- 30 (4) Fayetteville State University.
- 31 (5) NC School of Science and Mathematics.
- 32 (6) University of North Carolina at Asheville.
- 33 (7) University of North Carolina School of the Arts.

34 **SECTION #.(c)** The University of North Carolina shall report on the  
35 implementation of the management flexibility reduction in subsection (a) of this section to the  
36 Office of State Budget and Management and the Fiscal Research Division no later than April 1,  
37 2016. This report shall identify both of the following by campus:

- 38 (1) The total number of positions eliminated by type (faculty/nonfaculty).

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- (2) The low-performing, redundant, and low-enrollment programs that were eliminated.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H14-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 *UNC TO FUND NORTH CAROLINA RESEARCH CAMPUS*

2       **SECTION #.** Of the funds appropriated in this act to the Board of Governors of  
3 The University of North Carolina, the Board of Governors shall use twenty-nine million dollars  
4 (\$29,000,000) for the 2015-2016 fiscal year and twenty-nine million dollars (\$29,000,000) for  
5 the 2016-2017 fiscal year to support UNC-related activities at the North Carolina Research  
6 Campus at Kannapolis.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H18-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 ***LIMIT USE OF STATE FUNDS FOR UNC ADVANCEMENT PROGRAMS***

2       **SECTION #.** For the 2015-2016 fiscal year and subsequent fiscal years, a  
3 constituent institution as defined in G.S. 116-2 shall not expend more than one million dollars  
4 (\$1,000,000) of State funds annually on advancement programs. Constituent institutions shall  
5 take reasonable actions to increase the reliance of advancement programs on funds generated  
6 from fund-raising activities.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H11-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 **NC GUARANTEED ADMISSION PROGRAM (NCGAP)**

2       **SECTION #.(a)** The General Assembly finds that the six-year graduation rate for  
3 students pursuing a baccalaureate degree from any constituent institution of The University of  
4 North Carolina is too low. The General Assembly further finds that it is important to design and  
5 implement a program for the purpose of achieving the following goals: to assist more students  
6 to obtain a baccalaureate degree within a shorter time period; to provide students with a college  
7 education at significantly lower costs for both the student and the State; to help decrease the  
8 amount of debt resulting from loans that a student may owe upon graduation; to provide a  
9 student with an interim degree that may increase a student's job opportunities if the student  
10 chooses not to continue postsecondary education; and to provide easier access to academic  
11 counseling that will assist a student in selecting coursework that reflects the student's  
12 educational and career goals and helps the student succeed academically.

13       **SECTION #.(b)** To address the issues and goals set out in subsection (a) of this  
14 section, the Board of Governors of The University of North Carolina shall establish a deferred  
15 admission program for students identified as academically at risk to be known as the North  
16 Carolina Guaranteed Admission Program (NCGAP). Under NCGAP, each constituent  
17 institution shall analyze its current six-year graduation rate, determine what factors lead to  
18 academic success and failure within those campuses, and report those findings to the Board of  
19 Governors of The University of North Carolina no later than January 30, 2016.

20       Based on the results of the analysis conducted pursuant to this subsection, the  
21 constituent institution shall develop a deferred admission program that requires a student who  
22 satisfies the admission criteria of the constituent institution but whose academic credentials are  
23 not as competitive as other students admitted to the institution to enroll in a community college  
24 in this State and earn an associate degree prior to enrolling as a student at the constituent  
25 institution. A student who earns an associate degree from a community college in this State  
26 within three years from the date of the deferred acceptance is guaranteed admission at that  
27 constituent institution to complete the requirements for a baccalaureate degree. A constituent  
28 institution shall hold in reserve an enrollment slot in the appropriate future academic year for  
29 any student who accepts a deferred admission. A constituent institution shall also reduce its  
30 enrollment for each academic year by the number of deferred admissions granted for that  
31 academic year.

32       The Board of Governors of The University of North Carolina shall ensure that a  
33 minimum of 1,305 budget FTEs are deferred admissions and are encouraged to increase the  
34 number of deferred admissions as appropriate.

35       **SECTION #.(c)** The State Board of Community Colleges, in consultation with the  
36 Board of Governors of The University of North Carolina, shall adopt rules to ensure that a  
37 student participating in NCGAP is provided counseling and assistance in selecting coursework  
38 that reflects the student's educational and career goals and that provides a smooth transition  
39 from the community college to the constituent institution.

1           **SECTION #.(d)** The State Board of Community Colleges shall allocate a portion  
2 of the nonrecurring funds appropriated to the NCGAP Reserve by this act for the 2016-2017  
3 fiscal year to assist community colleges with students who are participating in NCGAP.

4           **SECTION #.(e)** The Board of Governors of The University of North Carolina shall  
5 study and report to the Joint Legislative Education Oversight Committee by March 1, 2016, on  
6 methods to improve the collection of data regarding completion and outcomes of students who  
7 enroll as undergraduates. The report shall include (i) methods of measuring completion by  
8 student, year, and type of entry and (ii) methods of measuring success by student, year, and  
9 type of entry.

10          **SECTION #.(f)** NCGAP shall be implemented for the 2016-2017 academic year  
11 and shall continue for each subsequent academic year.

12          **SECTION #.(g)** This section does not apply to the North Carolina School of  
13 Science and Mathematics.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H20-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 *APPALACHIAN STATE UNIVERSITY TEACHER RECRUITMENT PROGRAM/FRIDAY*  
2 *INSTITUTE EVALUATION OF TEACHER RECRUITMENT AND PREPARATION*  
3 *PROGRAMS*

4 **SECTION #.(a)** Of the funds appropriated by this act to the Board of Governors of  
5 The University of North Carolina, the sum of ninety-one thousand dollars (\$91,000) for the  
6 2015-2016 fiscal year and the sum of ninety-one thousand dollars (\$91,000) for the 2016-2017  
7 fiscal year shall be allocated to the College of Education at Appalachian State University.  
8 These funds shall be used for a personnel position to implement a pilot program to recruit  
9 undergraduate students to the College of Education and to provide counseling and advising  
10 services to those students once enrolled.

11 **SECTION #.(b)** Of the funds appropriated by this act to the Board of Governors of  
12 The University of North Carolina, the sum of two hundred thirty-five thousand dollars  
13 (\$235,000) for the 2015-2016 fiscal year and the sum of four hundred seventy thousand dollars  
14 (\$470,000) for the 2016-2017 fiscal year shall be allocated to the Friday Institute for  
15 Educational Innovation at North Carolina State University to be used to conduct a three-year  
16 evaluation of six teacher recruitment and training programs in North Carolina that meet the  
17 following criteria:

- 18 (1) One university program that focuses on recruiting high school high achievers  
19 into a four-year teacher preparation program, such as the Maynard  
20 Scholarship at East Carolina University.
- 21 (2) One university program that focuses on recruiting undergraduate students  
22 into teacher preparation programs, such as the Teacher Education Marketing  
23 Pilot at Appalachian State University.
- 24 (3) One university program that focuses on providing fifth-year students an  
25 opportunity to earn a Masters of Arts in Teaching in a shortened time frame,  
26 such as the MAT Program at Meredith College.
- 27 (4) One university program that focuses on connecting community college  
28 students to university teacher preparation programs in connection with the  
29 Comprehensive Articulation Agreement and related 2+2 initiatives, such as  
30 the 2+2 Online Program in Agricultural Education at North Carolina  
31 Agricultural and Technical State University.
- 32 (5) The Regional Alternative Licensing Centers that are focused on improving  
33 the quality and effectiveness of the workforce to lateral entry process.
- 34 (6) One innovative statewide university program focused on improving the  
35 recruitment of educators, such as NC INSPIRE at the University of North  
36 Carolina at Charlotte.

37 Each evaluation shall be contingent upon the continued operation of each program  
38 being evaluated.



1           **SECTION #.(c)** Over the course of the three-year evaluation described in  
2 subsection (b) of this section, the Friday Institute shall, at a minimum, measure the following  
3 outcomes at each of the selected programs:

- 4           (1) Number of applicants and participants and progress toward one hundred  
5           percent (100%) participant capacity.
- 6           (2) Applicant and participant diversity, including information about  
7           demographics and geographic location.
- 8           (3) Where applicable, indicators of participant quality, including participants'  
9           grade point averages and initial leadership qualities and the quality of  
10           participants' colleges and universities.
- 11           (4) Cost per program and per participant.
- 12           (5) Participant assessment of program quality, including information gathered  
13           from participants via surveys, focus groups, or interviews.
- 14           (6) Independent, rubric-based observer assessment of program quality.
- 15           (7) Program completion rates.
- 16           (8) Hiring locations for program completers.
- 17           (9) Changes in program participation rates and cohort size across time.
- 18           (10) Changes in applicant and participant diversity, including information about  
19           demographics and geographic locations.
- 20           (11) Where applicable, changes in participant quality across time, including  
21           changes in cohort grade point averages, the quality of participants' colleges  
22           and universities, and direct and indirect measurements of leadership growth.
- 23           (12) Changes in costs across time, including the costs per program and the costs  
24           per participant over time.

25           Where practical, the Friday Institute shall consult with the State Board of Education  
26 and the Board of Governors on the design and implementation of the evaluations.

27           **SECTION #.(d)** Beginning December 1, 2016, and annually thereafter until  
28 submission of a final report on December 1, 2018, the Friday Institute shall report to the Joint  
29 Legislative Education Oversight Committee on the status of the evaluation process for each of  
30 the selected programs conducted pursuant to subsections (b) and (c) of this section, including  
31 any outcome data that can be reliably measured at the time of the report. If, upon the  
32 submission of the final report, the Friday Institute finds further outcomes could be determined,  
33 the Friday Institute may request a six-month, no-cost extension to submit a revised version of  
34 the final report.

35           **SECTION #.(e)** The funds allocated pursuant to subsection (b) of this section for  
36 the 2015-2017 fiscal biennium shall not revert but shall remain available for expenditures  
37 pursuant to subsections (b), (c), and (d) of this section through the 2017-2018 fiscal year. Any  
38 unexpended, unencumbered balance of these funds shall revert at the end of the 2017-2018  
39 fiscal year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H22

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 **TRANSFORMING PRINCIPAL PREPARATION**

2 **SECTION #.(a)** Purpose. – The purpose of this section is to establish a competitive  
3 grant program for eligible entities to elevate educators in North Carolina public schools by  
4 transforming the preparation of principals across the State. The State Education Assistance  
5 Authority (Authority) shall administer this grant program through a cooperative agreement with  
6 a private, nonprofit corporation to provide funds for the preparation and support of highly  
7 effective future school principals in North Carolina.

8 **SECTION #.(b)** Definitions. – For the purposes of this section, the following  
9 definitions apply:

- 10 (1) Eligible entity. – A for-profit or nonprofit organization or an institution of  
11 higher education that has an evidence-based plan for preparing school  
12 leaders who implement school leadership practices linked to increased  
13 student achievement.
- 14 (2) High-need school. – A public school, including a charter school, that meets  
15 one or more of the following criteria:  
16 a. Is a school identified under Part A of Title I of the Elementary and  
17 Secondary Education Act of 1965, as amended.  
18 b. Is a persistently low-achieving school, as identified by the  
19 Department of Public Instruction for purposes of federal  
20 accountability.  
21 c. A middle school containing any of grades five through eight that  
22 feeds into a high school with less than a sixty percent (60%)  
23 four-year cohort graduation rate.  
24 d. A high school with less than a sixty percent (60%) four-year cohort  
25 graduation rate.
- 26 (3) Principal. – The highest administrative official in a public school building  
27 with primary responsibility for the instructional leadership, talent  
28 management, and organizational development of the school.
- 29 (4) School leader. – An individual employed in a school leadership role,  
30 including principal or assistant principal roles.
- 31 (5) Student achievement. – At the whole school level, after three years of  
32 leading a school, consistent and methodologically sound measures of:  
33 a. Student academic achievement.  
34 b. Aggregated individual student academic growth.  
35 c. Additional outcomes, such as high school graduation rates, the  
36 percentage of students taking advanced-level coursework, or the  
37 percentage of students who obtain a career-related credential through  
38 a national business certification exam.

1           **SECTION #.(c)** Program Authorized. – The Authority shall award grants to  
2 eligible entities to support programs that develop well-prepared school leaders in accordance  
3 with the provisions of this section. The Authority shall establish any necessary rules to  
4 administer the grant program.

5           **SECTION #.(d)** Contract With a Nonprofit for Administration. – By September 1,  
6 2015, the Authority shall issue a Request for Proposal (RFP) for a private, nonprofit  
7 corporation to contract with the Authority for the administration of the program, including  
8 making recommendations to the Authority for the award of grants, as authorized by this  
9 section. The nonprofit corporation applying to the Authority shall meet at least the following  
10 requirements:

- 11           (1) The nonprofit corporation shall be a nonprofit corporation organized  
12 pursuant to Chapter 55A of the General Statutes and shall comply at all  
13 times with the provisions of section 501(c)(3) of the Internal Revenue Code.
- 14           (2) The nonprofit corporation shall employ sufficient staff who have  
15 demonstrated a capacity for the development and implementation of grant  
16 selection criteria and a selection process to promote innovative school leader  
17 education programs, including:
  - 18           a. Focus on school leader talent.
  - 19           b. Expertise supporting judgments about grant renewal based on  
20 achievement of or substantial school leader progress toward  
21 measurable results in student achievement.
  - 22           c. Expectation of creating positive experiences working with the  
23 educational community in North Carolina to establish the foundation  
24 for successfully administering the programs set forth in this section.
- 25           (3) The nonprofit corporation shall comply with the limitations on lobbying set  
26 forth in section 501(c)(3) of the Internal Revenue Code.
- 27           (4) No State officer or employee may serve on the board of the nonprofit  
28 corporation.
- 29           (5) The board of the nonprofit corporation shall meet at least quarterly at the call  
30 of its chair.

31           **SECTION #.(e)** Report on Selection of the Nonprofit. – The Authority shall select  
32 a nonprofit corporation to enter into a contract with to administer the program by January 1,  
33 2016. The Authority shall report to the Joint Legislative Education Oversight Committee on the  
34 selection of the nonprofit corporation by January 15, 2016.

35           **SECTION #.(f)** Application Requirements. – The nonprofit corporation entering  
36 into a contract with the Authority under subsection (d) of this section shall issue an initial RFP  
37 with guidelines and criteria for the grants no later than March 1, 2016. An eligible entity that  
38 seeks a grant under the program authorized by this section shall submit to the nonprofit  
39 corporation an application at such time, in such manner, and accompanied by such information  
40 as the nonprofit may require. An applicant shall include at least the following information in its  
41 response to the RFP for consideration by the nonprofit corporation:

- 42           (1) The extent to which the entity has a demonstrated record of preparing school  
43 leaders who implement school leadership practices linked to increased  
44 student achievement.
- 45           (2) The extent to which the entity has a rigorous school leader preparation  
46 program design that includes the following research-based programmatic  
47 elements:
  - 48           a. A proactive, aggressive, and intentional recruitment strategy.
  - 49           b. Rigorous selection criteria based on competencies that are predictive  
50 of success as a school leader, including, but not limited to, evidence

1 of significant positive effect on student learning growth in the  
2 classroom, at the school-level, and the local school administrative  
3 unit-level, professional recommendations, evidence of problem  
4 solving and critical thinking skills, achievement drive, and leadership  
5 of adults.

- 6 c. Alignment to high-quality national standards for school leadership  
7 development.
- 8 d. Rigorous coursework that effectively links theory with practice  
9 through the use of field experiences and problem-based learning.
- 10 e. Full-time clinical practice of at least five months in duration in an  
11 authentic setting, including substantial leadership responsibilities  
12 where candidates are evaluated on leadership skills and effect on  
13 student outcomes as part of program completion.
- 14 f. Multiple opportunities for school leader candidates to be observed  
15 and coached by program faculty and staff.
- 16 g. Clear expectations for and firm commitment from school leaders  
17 who will oversee the clinical practice of candidates.
- 18 h. Evaluation of school leader candidates during and at the end of the  
19 clinical practice based on the North Carolina School Executive  
20 Evaluation Rubric.
- 21 i. A process for continuous review and program improvement based on  
22 feedback from partnering local school administrative units and data  
23 from program completers, including student achievement data.
- 24 j. Established relationship and feedback loop with affiliated local  
25 school administrative units that is used to inform and improve  
26 programmatic elements from year to year based on units' needs.

27 **SECTION #.(g) Priorities.** – The nonprofit corporation shall evaluate the  
28 applicants for grants by giving priority to an eligible entity with a record of preparing principals  
29 demonstrating the following:

- 30 (1) Improvement in student achievement.
- 31 (2) Placement as school leaders in eligible schools.
- 32 (3) A proposed focus on and, if applicable, a record of serving high-need  
33 schools, high-need local school administrative units, or both.
- 34 (4) A detailed plan and commitment to share lessons learned and to improve the  
35 capacity of other entities in reaching similar outcomes.

36 **SECTION #.(h) Uses of Funds.** – By June 1, 2016, the nonprofit corporation shall  
37 recommend to the Authority the recipients of grants under the program. Each eligible entity  
38 that receives grant funds shall use those funds to carry out the following:

- 39 (1) Recruiting and selecting, based on a rigorous evaluation of the competencies  
40 of the school leader candidates participating in the program and their  
41 potential and desire to become effective school leaders.
- 42 (2) Operating a school leader preparation program by doing the following:
  - 43 a. Utilizing a research-based content and curriculum, including  
44 embedded participant assessments to evaluate candidates before  
45 program completion, that prepares candidates to do the following:
    - 46 1. Provide instructional leadership, such as developing teachers'  
47 instructional practices and analyzing classroom and  
48 school-wide data to support teachers.
    - 49 2. Manage talent, such as developing a high-performing team.

- 1 3. Build a positive school culture, such as building a strong  
2 school culture focused on high academic achievement for all  
3 students, including gifted and talented students, students with  
4 disabilities, and English learners, maintaining active  
5 engagement with family and community members, and  
6 ensuring student safety.
- 7 4. Develop organizational practices, such as aligning staff,  
8 budget, and time to the instructional priorities of the school.
- 9 b. Providing opportunities for sustained and high-quality job-embedded  
10 practice in an authentic setting where candidates are responsible for  
11 moving the practice and performance of a subset of teachers or for  
12 school-wide performance as principal-in-planning or interim school  
13 leaders.
- 14 (3) Collecting data on program implementation and program completer  
15 outcomes for continuous program improvement.

16 **SECTION #.(i) Duration of Grants.** – The nonprofit corporation shall also  
17 recommend to the Authority the duration and renewal of grants to eligible entities according to  
18 the following:

- 19 (1) The duration of grants shall be as follows:
  - 20 a. Grants shall be no more than five years in duration.
  - 21 b. The nonprofit corporation may recommend renewal of a grant based  
22 on performance, including allowing the grantee to scale up or  
23 replicate the successful program as provided in subdivision (2) of this  
24 subsection.
- 25 (2) In evaluating performance for purposes of grant renewal and making  
26 recommendations to the Authority, the nonprofit corporation shall consider:
  - 27 a. For all grantees, the primary consideration in renewing grants shall  
28 be the extent to which program participants improved student  
29 achievement in eligible schools.
  - 30 b. Other criteria from data received in the annual report in subsection (j)  
31 of this section may include the following:
    - 32 1. The percentage of program completers who are placed as  
33 school leaders in this State within three years of receiving a  
34 grant.
    - 35 2. The percentage of program completers who are rated  
36 proficient or above on the North Carolina School Executive  
37 Evaluation Rubric.

38 **SECTION #.(j) Reporting Requirements for Grant Recipients.** – Recipients of  
39 grants under the program shall submit an annual report to the nonprofit corporation contracting  
40 with the Authority, beginning in the third year of the grant, with any information requested by  
41 the nonprofit corporation. Whenever practicable and within a reasonable amount of time, grant  
42 recipients shall also make all materials developed as part of the program and with grant funds  
43 publically available to contribute to the broader sharing of promising practices. Materials shall  
44 not include personally identifiable information regarding individuals involved or associated  
45 with the program, including, without limitation, applicants, participants, supervisors,  
46 evaluators, faculty, and staff, without their prior written consent. The nonprofit corporation  
47 shall work with recipients and local school administrative units, as needed, to enable the  
48 collection, analysis, and evaluation of at least the following relevant data, within necessary  
49 privacy constraints:

- 50 (1) Student achievement in eligible schools.

1 (2) The percentage of program completers who are placed as school leaders  
2 within three years in the State.

3 (3) The percentage of program completers rated proficient or above on school  
4 leader evaluation and support systems.

5 **SECTION #.(k)** Licensure Process. – By June 1, 2016, the State Board of  
6 Education shall adopt a policy to provide for a specific licensure process applicable to school  
7 administrators who provide documentation to the State Board of successful completion of a  
8 principal preparation program selected for a competitive grant in accordance with this section.

9 **SECTION #.(l)** Evaluation and Revision of Program. – The nonprofit corporation  
10 administering the program shall provide the State Board of Education with the data collected in  
11 accordance with subsection (j) of this section on an annual basis. By September 15, 2021, the  
12 State Board of Education, in coordination with the Board of Governors of the University of  
13 North Carolina, shall revise, as necessary, the licensure requirements for school administrators  
14 and the standards for approval of school administrator preparation programs after evaluating  
15 the data collected from the grant recipients, including the criteria used in selecting grant  
16 recipients and the outcomes of program completers. The State Board of Education shall report  
17 to the Joint Legislative Education Oversight Committee by November 15, 2021, on any  
18 changes made to the licensure requirements for school administrators and the standards for  
19 approval of school administrator preparation programs in accordance with this section.

20 **SECTION #.(m)** Of the funds appropriated each fiscal year for this program the  
21 sum of five hundred thousand dollars (\$500,000) shall be allocated to the State Education  
22 Assistance Authority to contract with the nonprofit corporation selected pursuant to subsection  
23 (e) of this section to establish and administer the program. The State Education Assistance  
24 Authority may use up to five percent of those funds each fiscal year for administrative costs.

25 **SECTION #.(n)** Of the funds appropriated each fiscal year for this program the  
26 sum of nine million dollars (\$9,000,000) shall be allocated to the State Education Assistance  
27 Authority to award grants to selected recipients.

28 **SECTION #.(o)** This section is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H23

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 **TEACHER RECRUITMENT AND SCHOLARSHIPS**

2 SECTION #.(a) Article 23 of Chapter 116 of the General Statutes is amended by  
3 adding a new Part to read:

4 "Part 3. North Carolina Competitive Teaching Scholarship Loan Program.

5 "**§ 116-209.60. Definitions.**

6 The following definitions apply in this Part:

- 7 (1) Commission. – The North Carolina Competitive Teaching Scholarship Loan  
8 Commission.  
9 (2) Director. – The Director of the North Carolina Competitive Teaching  
10 Scholarship Loan Program.  
11 (3) Fund. – The North Carolina Competitive Teaching Scholarship Loan Fund.  
12 (4) Program. – The North Carolina Competitive Teaching Scholarship Loan  
13 Program.  
14 (5) Scholarship loan. – A forgivable scholarship loan made under the Program.

15 "**§ 116-209.61. North Carolina Competitive Teaching Scholarship Loan Commission**  
16 **established; membership.**

17 (a) Commission Established. – There is established the North Carolina Competitive  
18 Teaching Scholarship Loan Commission. The Director of the North Carolina Competitive  
19 Teaching Scholarship Loan Program shall staff the Commission. The Authority shall be  
20 responsible for implementing scholarship loan agreements, monitoring, cancelling through  
21 service, collecting, and otherwise enforcing the agreements for the Program scholarship loans  
22 established in accordance with this Part.

23 (b) Membership. – The Commission shall consist of 11 members appointed or shall  
24 serve ex officio as follows:

- 25 (1) One dean of an approved school of education at a postsecondary constituent  
26 institution of The University of North Carolina, appointed by the President  
27 of The University of North Carolina.  
28 (2) One dean of an approved school of education at a private postsecondary  
29 institution operating in the State, appointed by the President of the North  
30 Carolina Independent Colleges and Universities, Inc.  
31 (3) The North Carolina Teacher of the Year, ex officio.  
32 (4) A teacher who graduated from an approved teacher preparation program  
33 located in the State within three years of appointment to serve on the  
34 Commission, appointed by the General Assembly upon the recommendation  
35 of the Speaker of the House of Representatives.  
36 (5) The North Carolina Principal of the Year, ex officio.  
37 (6) A principal, appointed by the General Assembly upon the recommendation  
38 of the President Pro Tempore of the Senate.  
39 (7) The North Carolina Superintendent of the Year, ex officio.

- 1           (8)    One member to represent business and industry appointed by the Governor.  
2           (9)    One local school board member appointed by the chair of the State Board of  
3           Education.  
4           (10) The chairperson of the Board of the State Education Assistance Authority,  
5           ex officio.  
6           (11) The Director of the North Carolina Competitive Teaching Scholarship Loan  
7           Program, ex officio. The Director shall chair the Commission.

8       (c)    Terms of Office. – Appointments to the Commission shall be for two-year terms,  
9       expiring on July 1 in odd-numbered years. Members serving ex officio, other than the  
10       chairperson of the Board of the State Education Assistance Authority and Director of the North  
11       Carolina Competitive Teaching Scholarship Loan Program, who have otherwise completed  
12       their term of service, shall continue to serve on the Commission until July 1, annually.

13       (d)    Vacancies. – Except as otherwise provided, if a vacancy occurs in the membership,  
14       the appointing authority shall appoint another person to serve for the balance of the unexpired  
15       term.

16       (e)    Expenses. – Commission members shall receive per diem, subsistence, and travel  
17       allowances in accordance with G.S. 138-5 or G.S. 138-6, as appropriate.

18       (f)    Meetings. – The Commission shall meet regularly, at times and places deemed  
19       necessary by the chair.

20       **"§ 116-209.62. North Carolina Competitive Teaching Scholarship Loan Program**  
21       **established; administration.**

22       (a)    Program. – There is established the North Carolina Competitive Teaching  
23       Scholarship Loan Program to be administered by the Authority in collaboration with the  
24       Commission. The purpose of the Program is to recruit, prepare, and support North Carolina  
25       residents for preparation as highly effective teachers serving in hard-to-staff licensure areas and  
26       hard-to-staff schools. The Program shall be used to provide a scholarship loan to individuals  
27       interested in preparing to teach in the public schools of the State in hard-to-staff licensure areas  
28       and hard-to-staff schools.

29       (b)    Fund. – There is established the North Carolina Competitive Teaching Scholarship  
30       Loan Program Fund to be administered by the Authority. The purpose of the Fund is to provide  
31       financial assistance to qualified students for completion of teacher education and licensure  
32       programs to fill hard-to-staff licensure areas and hard-to-staff schools in the State. All funds  
33       appropriated to or otherwise received by the Authority to provide loans through the Program,  
34       all funds received as repayment of loans, and all interest earned on these funds shall be placed  
35       in the Fund. The Fund shall be used only for loans made pursuant to this section and for  
36       administrative costs of the Authority.

37       (c)    Director. – The board of directors of the Authority shall appoint a Director of the  
38       Program. The Director shall chair and staff the Commission and shall be responsible for  
39       recruitment and coordination of the Program, including proactive, aggressive, and strategic  
40       recruitment of potential recipients, active engagement with educators, business leaders, experts  
41       in human resources, elected officials, and other community leaders throughout the State, and  
42       attracting candidates in hard-to-staff licensure areas. The Authority shall provide office space  
43       and clerical support staff for the Program.

44       (d)    Student Selection Criteria. – The Commission shall determine selection criteria,  
45       methods of selection, and shall select recipients to receive scholarship loans. The Commission  
46       shall adopt stringent standards for awarding these scholarship loans based on multiple measures  
47       to ensure that only the strongest applicants receive them, including, but not limited to, the  
48       following:

- 49           (1)    Grade point averages.  
50           (2)    Performance on relevant career and college readiness assessments.



1           (3) Experience, accomplishments, and other criteria demonstrating qualities  
2                     positively correlated with highly effective teachers.

3           (4) Stated commitments to either serving in a hard-to-staff school or licensure in  
4                     a hard-to-staff licensure area for a minimum of four years.

5           (e) Program Selection Criteria. – The Authority shall administer the program in  
6 cooperation with selected institutions of higher education with educator preparation programs  
7 selected by the Commission, including North Carolina community colleges, postsecondary  
8 constituent institutions of The University of North Carolina, and private postsecondary  
9 institutions operating in the State. The Commission shall adopt stringent standards for selection  
10 of only the most effective educator preparation programs, including, but not limited to, the  
11 following:

12           (1) Measures of program quality based on objective criteria developed by third  
13                     parties.

14           (2) Measurable impact of prior graduates on student learning, including impact  
15                     of graduates teaching in hard-to-staff schools and graduates teaching in  
16                     hard-to-staff licensure areas.

17           (3) Demonstration of appropriate program accreditation and program approval  
18                     by the State Board of Education.

19           (4) Measurable success of the program's clinical component based on student  
20                     outcomes on a nationally normed and valid pedagogy assessment to  
21                     determine clinical practice performance.

22           (f) Awards. – The Program shall provide scholarship loans to selected students to be  
23 used at selected institutions for completion of a program leading to teacher licensure as follows:

24           (1) North Carolina high school seniors. – Scholarship loans of up to eight  
25                     thousand five hundred dollars (\$8,500) per year for up to four years.

26           (2) Community college students applying for transfer to an educator preparation  
27                     program at an institution of higher education. – Scholarship loans of up to  
28                     eight thousand five hundred dollars (\$8,500) per year for up to two years.

29           (3) Individuals currently holding a bachelor's degree seeking preparation for  
30                     teacher licensure. – Scholarship loans of up to eight thousand five hundred  
31                     dollars (\$8,500) per year for up to two years.

32                     Scholarship loans may be used for tuition, fees, and the cost of books.

33           (g) Identification of Hard-to-Staff Licensure Areas and Hard-to-Staff Schools. – The  
34 State Board of Education shall annually identify and provide to the Commission and the  
35 Authority a list of hard-to-staff areas of licensure and a list of hard-to-staff schools by local  
36 school administrative unit using, at a minimum, the following criteria to identify those lists:

37           (1) Hard-to-staff licensure areas. – The number of available positions in a  
38                     licensure area relative to the number of current and anticipated teachers in  
39                     that area of licensure.

40           (2) Hard-to-staff school. – Annual teacher turnover rates, number and  
41                     percentage of teaching positions unfilled for more than half of the school  
42                     year, number and percentage of teachers with entry professional educator  
43                     licenses intended for teachers with two or less years of teaching experience,  
44                     percentage of students at school failing to meet expected growth, percentage  
45                     of students at school scoring below grade level on standardized assessments,  
46                     and school performance grade on the annual school report card.

47           The Commission shall make the list readily available to applicants. A student awarded a  
48 scholarship loan who enrolls in a program leading to a hard-to-staff licensure area shall  
49 continue to receive the scholarship and be permitted to fulfill the requirements of the  
50 scholarship loan even if that licensure area does not remain on the list following the student's

1 year of enrollment. A student awarded a scholarship loan who, upon graduation, is employed  
2 by a local board of education to teach in a hard-to-staff school shall be permitted to fulfill the  
3 requirements of the scholarship loan even if that school does not remain on the list following  
4 the student's year of initial employment.

5 (h) Upon the naming of recipients of the scholarship loans by the Commission, the  
6 Commission shall transfer to the Authority its decisions. The Authority, in coordination with  
7 the Director, shall perform all of the administrative functions necessary to implement this Part,  
8 which functions shall include rule making, dissemination of information, disbursement, receipt,  
9 liaison with participating educational institutions, determination of the acceptability of service  
10 repayment agreements, and all other functions necessary for the execution, payment, and  
11 enforcement of promissory notes required under this Part.

12 (i) Annual Report. – The Commission, in coordination with the Authority, shall report  
13 no later than January 1, 2017, and annually thereafter, to the Joint Legislative Education  
14 Oversight Committee regarding the following:

15 (1) Loans awarded from the Fund, including the following:

- 16 a. Demographic information regarding recipients.
- 17 b. Number of recipients by institution of higher education and program.
- 18 c. Information on number of recipients by anticipated program  
19 licensure area.

20 (2) Placement and repayment rates, including the following:

- 21 a. Number of graduates who have been employed in a hard-to-staff  
22 school and number of graduates who have been employed in a  
23 hard-to-staff area within two years of program completion.
- 24 b. Number of graduates who have begun loan repayment, including  
25 years of service, if any, prior to beginning loan repayment, including  
26 information as to whether the person was designated as hard-to-staff  
27 area or hard-to-staff subject loan.
- 28 c. Number of graduates who have fulfilled service requirements  
29 through employment in a hard-to-staff school and number of  
30 graduates who have fulfilled service requirements through  
31 employment in a hard-to-staff area.
- 32 d. Number of graduates employed in a hard-to-staff school or  
33 hard-to-staff area who have received an overall rating of at least  
34 accomplished and of meeting expected growth on applicable  
35 standards of the teacher evaluation instrument.
- 36 e. Aggregate information on student growth and proficiency in courses  
37 taught by graduates who have fulfilled service requirements through  
38 employment in a hard-to-staff school and in a hard-to-staff area.

39 (3) Selected school outcomes, by program, including the following:

- 40 a. Turnover rate for scholarship loan graduates.
- 41 b. Aggregate information on student growth and proficiency in courses  
42 taught by scholarship loan graduates.
- 43 c. Fulfillment rate of scholarship loan graduates.

44 **§ 116-209.63. Terms of loans; receipt and disbursement of funds.**

45 (a) Notes. – All scholarship loans shall be evidenced by notes made payable to the  
46 Authority that bear interest at a rate not to exceed ten percent (10%) per year as set by the  
47 Authority and beginning 90 days after completion of the program leading to teacher licensure,  
48 or 90 days after termination of the scholarship loan, whichever is earlier. The scholarship loan  
49 may be terminated upon the recipient's withdrawal from school or by the recipient's failure to  
50 meet the standards set by the Commission.

1       **(b) Forgiveness.** – The Authority shall forgive the loan and any interest accrued on the  
2 loan if, within seven years after graduation from a program leading to teacher licensure,  
3 exclusive of any authorized deferment for extenuating circumstances, the recipient serves for  
4 four years as a teacher at a North Carolina public school identified as hard to staff or at a North  
5 Carolina public school in an identified hard-to-staff area of licensure, as provided in  
6 G.S. 116-209.61(d). The Authority shall also forgive the loan if it finds that it is impossible for  
7 the recipient to work for four years, within seven years after completion of the program leading  
8 to teacher licensure at a North Carolina public school because of the death or permanent  
9 disability of the recipient. If the recipient repays the scholarship loan by cash payments, all  
10 indebtedness shall be repaid within eight years after completion of the program leading to  
11 teacher licensure supported by the scholarship loan. If the recipient completes a program  
12 leading to teacher licensure, payment of principal and interest shall begin no later than 27  
13 months after the completion of the program. Should a recipient present extenuating  
14 circumstances, the Authority may extend the period to repay the loan in cash to no more than a  
15 total of 12 years.

16       **(c) Purposes of Fund.** – All funds appropriated to, or otherwise received by, the  
17 Program for scholarships, all funds received as repayment of scholarship loans, and all interest  
18 earned on these funds shall be placed in the Fund. The Fund may be used only for scholarship  
19 loans granted under the Program and administrative costs associated with the Program,  
20 including recruitment and recovery of funds advanced under the Program. The Authority may  
21 use up to two hundred thousand dollars (\$200,000) from the Fund in each fiscal year for its  
22 administrative costs, the salary of the Director of the Program, and expenses of the  
23 Commission."

24       **SECTION #.(b)** Notwithstanding the requirements established in G.S. 116-209.61,  
25 as enacted by this section, initial appointments to the Commission shall be made no later than  
26 August 15, 2015. Initial appointment to the Commission shall expire July 1, 2017.

27       **SECTION #.(c)** The Commission shall establish initial selection criteria for  
28 recipients and institutions of higher education no later than November 15, 2015, and shall make  
29 available applications to prospective students no later than December 31, 2015.

30       **SECTION #.(d)** The State Board of Education shall establish criteria and identify  
31 hard-to-staff areas of licensure and hard-to-staff schools by local school administrative unit and  
32 provide that information to the Commission and Authority no later than November 1, 2015.

33       **SECTION #.(e)** The Commission shall select recipients and award the initial  
34 scholarship loans for the 2016-2017 school year no later than April 1, 2016.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H15A-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 *SPECIAL EDUCATION SCHOLARSHIP CHANGES AND REEVALUATION FUNDS*

2 SECTION #.(a) G.S. 115C-112.6 reads as rewritten:

3 "§ 115C-112.6. Scholarships.

4 (a) Scholarship Applications. – The Authority shall make available no later than May 1  
5 annually applications to eligible students for the award of scholarships. Information about  
6 scholarships and the application process shall be made available on the Authority's Web site.  
7 The Authority shall give priority in awarding scholarships to eligible students who received a  
8 scholarship during the previous semester. Except as otherwise provided by the Authority for  
9 prior scholarship recipients, scholarships shall be awarded to eligible students in the order in  
10 which the applications are received.

11 (a1) Web Site Availability. – Information about scholarships and the application process  
12 shall be made available on the Authority's Web site. The Authority shall also include  
13 information on the Web site notifying parents that federal regulations adopted under IDEA  
14 provide that no parentally placed private school child with a disability has an individual right to  
15 receive some or all of the special education and related services that the child would receive if  
16 enrolled in a public school.

17 (b) Scholarship Awards. – Scholarships awarded to eligible students shall be for  
18 amounts of not more than ~~three~~four thousand dollars (~~\$3,000~~)(\$4,000) per semester per eligible  
19 student. Eligible students awarded scholarships may not be enrolled in a public school to which  
20 that student has been assigned as provided in G.S. 115C-366. Scholarships shall be awarded  
21 only for tuition and for the reimbursement of tuition, special education, related services, and  
22 educational technology, as provided in subsection (b1) of this section. The Authority shall  
23 notify parents in writing of their eligibility to receive scholarships for costs that will be incurred  
24 during the spring semester of the following year by December 1 and for costs incurred during  
25 the fall semester of that year by July 1.

26 (b1) Disbursement of Scholarship Funds. – The Authority shall disburse scholarship  
27 funds for tuition and for the reimbursement of costs incurred by the parent of an eligible student  
28 as follows:

- 29 (1) Scholarship endorsement for tuition. – The Authority shall remit, at least two  
30 times each school year, scholarship funds awarded to eligible students for  
31 endorsement by at least one of the student's parents or guardians for tuition  
32 to attend (i) a North Carolina public school other than the public school to  
33 which that student has been assigned as provided in G.S. 115C-366 or (ii) a  
34 nonpublic school that meets the requirements of Part 1 or Part 2 of Article 39  
35 of this Chapter as identified by the Department of Administration, Division  
36 of Nonpublic Education. Scholarship funds shall not be provided for tuition  
37 for home schooled students. If the student is attending a nonpublic school,  
38 the school must be deemed eligible by the Division of Nonpublic Education,  
39 pursuant to G.S. 115C-562.4, and the school shall be subject to the

1 requirements of G.S. 115C-562.5. The parent or guardian shall restrictively  
2 endorse the scholarship funds awarded to the eligible student to the school  
3 for deposit into the account of the school. The parent or guardian shall not  
4 designate any entity or individual associated with the school as the parent's  
5 attorney-in-fact to endorse the scholarship funds but shall endorse the  
6 scholarship funds in person at the site of the school. A parent's or guardian's  
7 failure to comply with this section shall result in forfeiture of the scholarship  
8 funds. A scholarship forfeited for failure to comply with this section shall be  
9 returned to the Authority to be awarded to another student.

10 (2) Scholarship Reimbursements.—reimbursements for costs. — Scholarship  
11 reimbursement for costs incurred shall be provided as follows:

12 ~~(1)~~a. Preapproval process. – Prior to the start of each school semester, the  
13 parent of an eligible student may submit documentation of the  
14 ~~tuition,~~ special education, related services, or educational technology  
15 the parent anticipates incurring costs on in that semester for  
16 preapproval by the Authority.

17 ~~(2)~~b. Reimbursement submissions. – Following the conclusion of each  
18 school semester, the parent of an eligible student shall submit to the  
19 Authority any receipts or other documentation approved by the  
20 Authority to demonstrate the costs incurred during the semester. In  
21 addition, parents shall provide documentation of the following to  
22 seek reimbursement:

23 a. ~~Tuition reimbursement.—Parents may only receive~~  
24 ~~reimbursement for tuition if the parent provides~~  
25 ~~documentation that the student was enrolled in nonpublic~~  
26 ~~school or public school for which payment of tuition is~~  
27 ~~required for no less than 75 days of the semester for which~~  
28 ~~the parent seeks reimbursement. Tuition reimbursement shall~~  
29 ~~not be provided for home schooled students.~~

30 ~~b.1.~~ Special education reimbursement. – Parents may only receive  
31 reimbursement for special education if the parent provides  
32 documentation that the student received special education for  
33 no less than 75 days of the semester for which the parent  
34 seeks reimbursement. Special education reimbursement shall  
35 not be provided for special education instruction provided to  
36 a home schooled student by a member of the household of a  
37 home school, as defined in G.S. 115C-563(a).

38 ~~e.2.~~ Related services reimbursement. – Parents may only receive  
39 reimbursement for related services if the parent provides  
40 documentation that the student also received special  
41 education for no less than 75 days of the semester for which  
42 the parent seeks reimbursement for the related services.  
43 Related services reimbursement shall not be provided for  
44 related services provided to a home schooled student by a  
45 member of the household of a home school, as defined in  
46 G.S. 115C-563(a).

47 ~~d.3.~~ Educational technology reimbursement. – Parents may only  
48 receive reimbursement for educational technology if the  
49 parent provides documentation that the student used the

1 educational technology for no less than 75 days of the  
2 semester for which the parent seeks reimbursement.

3 (3)c. Scholarship award. – The Authority shall award a scholarship in the  
4 amount of costs demonstrated by the parent up to the maximum  
5 amount. If the costs incurred by the parent do not meet the maximum  
6 amount, the Authority shall use the remainder of those funds for the  
7 award of scholarships to eligible students for the following semester.  
8 The Authority shall award scholarships to the parents of eligible  
9 students at least semiannually.

10 (c) Student Reevaluation. – After an eligible student's initial receipt of a scholarship,  
11 the Authority shall ensure that the student is reevaluated at least every three years by the local  
12 educational agency in order to verify that the student continues to be a child with a disability.

13 (d) Rule Making. – The Authority shall establish rules and regulations for the  
14 administration and awarding of scholarships. The Authority shall adopt rules providing for pro  
15 rata return of funds if a student withdraws prior to the end of the semester from a school to  
16 which scholarship funds have been remitted. The Authority shall annually develop a list of  
17 educational technology for which scholarships may be used and shall provide scholarship  
18 recipients with information about the list.

19 (e) Public Records Exception. – Scholarship applications and personally identifiable  
20 information related to eligible students receiving scholarships shall not be a public record under  
21 Chapter 132 of the General Statutes. For the purposes of this section, personally identifiable  
22 information means any information directly related to a student or members of a student's  
23 household, including the name, birthdate, address, Social Security number, telephone number,  
24 e-mail address, financial information, or any other information or identification number that  
25 would provide information about a specific student or members of a specific student's  
26 household."

27 **SECTION #.(b)** G.S. 115C-112.9 reads as rewritten:

28 "**§ 115C-112.9. Duties of State Board of Education agencies.**

29 (a) The State Board, as part of its duty to monitor all local educational agencies to  
30 determine compliance with this Article and IDEA as provided in G.S. 115C-107.4, shall ensure  
31 that local educational agencies do the following:

32 (1) Conduct evaluations requested by a child's parent or guardian of suspected  
33 children with disabilities, as defined in G.S. 115C-107.3, in a timely manner  
34 as required by IDEA.

35 (2) Provide reevaluations to identified children with disabilities receiving  
36 scholarships as provided in Part 1H of this Article at the request of the parent  
37 or guardian to ensure compliance with G.S. 115C-112.6(c).

38 (b) The Authority shall analyze, in conjunction with the Department of Public  
39 Instruction, past trends in scholarship data on an annual basis to ensure that the amount of  
40 funds transferred each fiscal year by the Authority to the Department for reevaluations by local  
41 school administrative units of eligible students under G.S. 115C-112.6(c) are sufficient and  
42 based on actual annual cost requirements."

43 **SECTION #.(c)** The Authority shall adopt rules within 60 days of the date this act  
44 becomes law providing for pro rata return of funds if a student withdraws prior to the end of the  
45 semester from a school to which scholarship funds have been remitted.

46 **SECTION #.(d)** This section applies to scholarships awarded for the 2015-2016  
47 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H25-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 *INTERNSHIPS AND CAREER-BASED OPPORTUNITIES FOR STUDENTS*  
2 *ATTENDING HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU)*

3 **SECTION #. (a)** The internship program created pursuant to S.L. 2014-100 to  
4 provide internships and career-based opportunities for students attending Historically Black  
5 Colleges and Universities may be offered to four or more HBCUs in the discretion of the Board  
6 of Governors of The University of North Carolina. Further, there is no requirement that  
7 Elizabeth City State University be a permanent participant in the internship program. The  
8 internship program shall be administered as provided by subsection (b) of this section.

9 **SECTION #.(b)** The Board of Governors shall conduct a competitive process to  
10 select institutions of higher education that are Historically Black Colleges and Universities to  
11 participate in the internship program which links 60 students attending Historically Black  
12 Colleges and Universities with North Carolina-based companies. The Board of Governors shall  
13 determine the number of institutions that may participate in the program; however, at least two  
14 of the institutions shall be private institutions. Funds appropriated by this act for this internship  
15 program shall be allocated only to constituent institutions of The University of North Carolina  
16 that are designated as an HBCU and private colleges and universities located in North Carolina  
17 that are designated as an HBCU.

18 **SECTION #.(c)** Of the funds appropriated by this act for the support of the  
19 internship program, The University of North Carolina may use up to five percent (5%) for costs  
20 associated with administering this program.

21 **SECTION #.(d)** This section applies to the 2015-2016 fiscal year and each  
22 subsequent fiscal year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H13-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 ***ELIZABETH CITY STATE UNIVERSITY BUDGET STABILIZATION FUNDS REPORT***  
2       **SECTION #.** No later than October 1, 2015, and quarterly thereafter, the president  
3 of The University of North Carolina shall report to the Office of State Budget and Management  
4 and the Fiscal Research Division of the General Assembly on the status of budget stabilization  
5 funds appropriated to Elizabeth City State University by this act for the purpose of enhancing  
6 technology related to enrollment and recruitment of students, campus access and safety, and  
7 human resources management. The reports shall provide detailed descriptions of the scope of  
8 work that has been completed to date, anticipated activities for the next quarter, and a plan with  
9 time line to complete the full scope of work. The reports shall also include evidence of  
10 improved services and outcomes achieved from improvements implemented using these funds.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H19-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 ***UNC ENROLLMENT GROWTH REPORT***

2 SECTION #. G.S. 116-30.7 reads as rewritten:

3 "§ 116-30.7. **Biennial projection of enrollment growth for The University of North**  
4 **Carolina.**

5 By ~~October~~ December 15 of each even-numbered year, the General Administration of The  
6 University of North Carolina shall provide to the Joint Education Legislative Oversight  
7 Committee and to the Office of State Budget and Management a projection of the total student  
8 enrollment in The University of North Carolina that is anticipated for the next biennium. The  
9 enrollment projection shall be divided into the following categories and shall include the  
10 projected growth for each year of the biennium in each category at each of the constituent  
11 institutions: undergraduate students, graduate students (students earning master's and doctoral  
12 degrees), first professional students, and any other categories deemed appropriate by General  
13 Administration. The projection shall also distinguish between on-campus and distance  
14 education students. The projections shall be considered by the Director of the Budget when  
15 determining the amount the Director proposes to appropriate to The University of North  
16 Carolina in the Recommended State Budget submitted pursuant to G.S. 143C-3-5(b)."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H26-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 *NEED-BASED SCHOLARSHIPS FOR STUDENTS ATTENDING ONLINE PRIVATE*  
2 *SCHOOLS OF HIGHER EDUCATION*

3 SECTION #.(a) G.S. 116-280(3) reads as rewritten:

4 "§ 116-280. Definitions.

5 The following definitions apply to this Article:

6 ...

7 (3) Eligible private postsecondary institution. – A school that is any of the  
8 following:

9 a. A nonprofit postsecondary educational institution with a main  
10 permanent campus located in this State that is not owned or operated  
11 by the State of North Carolina or by an agency or political  
12 subdivision of the State or by any combination thereof that satisfies  
13 all of the following:

14 1. Is accredited by the Southern Association of Colleges and  
15 Schools under the standards of the College Delegate  
16 Assembly of the Association or by the New England  
17 Association of Schools and Colleges through its Commission  
18 on Institutions of Higher Education.

19 2. Awards a postsecondary degree as defined in G.S. 116-15.

20 b. A postsecondary institution owned or operated by a hospital  
21 authority as defined in G.S. 131E-16(14) or school of nursing  
22 affiliated with a nonprofit postsecondary educational institution as  
23 defined in sub-subdivision a. of this subsection.

24 c. A nonprofit postsecondary online educational institution that is not  
25 owned or operated by the State of North Carolina or by an agency or  
26 political subdivision of the State or by any combination thereof that  
27 satisfies all of the following:

28 1. Is accredited by the Northwest Commission on Colleges and  
29 Universities through its Commission on Institutions of Higher  
30 Education.

31 2. Awards a postsecondary degree as defined in G.S. 116-15.

32 3. Satisfies the competencies for online educational institutions  
33 established by executive order of the Governor."

34 SECTION #.(b) G.S. 147-12(a) is amended by adding a new subdivision to read:

35 "(15) To establish competencies and any other standards necessary to ensure that  
36 all programs conducted by nonprofit postsecondary online educational  
37 institutions shall be of high quality and relevant to student needs."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT  
SPECIAL PROVISION



2015-UNC-H27-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by: Representative

1 ***EARLY COLLEGE GRADUATES/UNC ADMISSION POLICY***

2           **SECTION #.(a)** The Board of Governors of The University of North Carolina shall  
3 adopt a policy to require each constituent institution to offer to any student who graduated from  
4 a cooperative innovative high school program with an associate degree and who applies for  
5 admission to the constituent institution the option of being considered for admission as a  
6 freshman or as a transfer student. The constituent institution shall also provide written  
7 information to the student regarding the consequences that accompany each option and any  
8 other relevant information that may be helpful to the student when considering which option to  
9 select.

10           **SECTION #.(b)** Beginning November 1, 2016, the Board of Governors shall report  
11 annually to the Joint Legislative Education Oversight Committee regarding the number of  
12 students who graduated from a cooperative innovative high school program with an associate  
13 degree and which option was chosen by those students when applying for admission to a  
14 constituent institution.

15           **SECTION #.(c)** This section applies to the 2016-2017 academic year and each  
16 subsequent academic year.