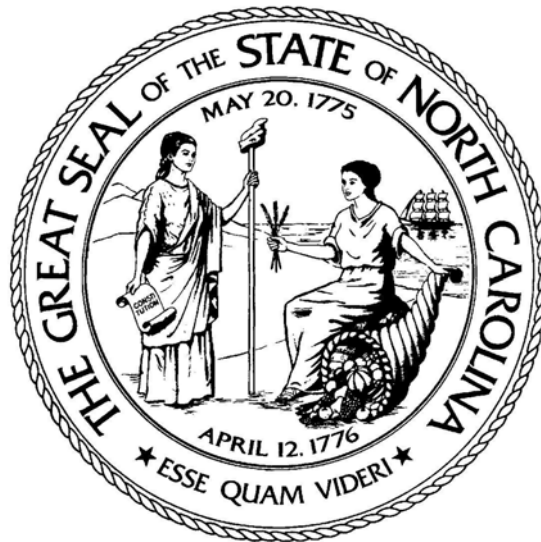


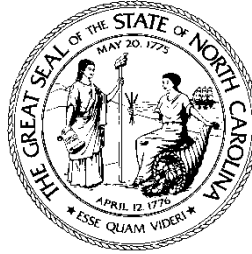
# **House Appropriations Committee on Education**

## **Proposed Special Provisions for H.B. 1030, 2016 Appropriations Act**



**May 12, 2016**

GENERAL ASSEMBLY OF NORTH CAROLINA



SPECIAL PROVISIONS  
HOUSE APPROPRIATIONS, EDUCATION REPORT

MAY 12, 2016

Report Last Updated: May 12, 2016 11:29 a.m.

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GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H6-P

Department of Public Instruction  
House Appropriations, Education

Requested by

***FUNDS FOR CHILDREN WITH DISABILITIES***

**SECTION #.** The State Board of Education shall allocate additional funds for children with disabilities on the basis of three thousand nine hundred eighty-five dollars and fifty-three cents (\$3,985.53) per child. Each local school administrative unit shall receive funds for the lesser of (i) all children who are identified as children with disabilities or (ii) twelve and one-half percent (12.5%) of its 2016-2017 allocated average daily membership in the local school administrative unit. The dollar amounts allocated under this section for children with disabilities shall also be adjusted in accordance with legislative salary increments, retirement rate adjustments, and health benefit adjustments for personnel who serve children with disabilities.

GENERAL ASSEMBLY OF NORTH CAROLINA

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SPECIAL PROVISION



2016-DPI-H7-P

Department of Public Instruction  
House Appropriations, Education

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***FUNDS FOR ACADEMICALLY GIFTED CHILDREN***

**SECTION #.** Section 8.2 of S.L. 2015-241 reads as rewritten:

**"SECTION 8.2.** The State Board of Education shall allocate additional funds for academically or intellectually gifted children on the basis of one thousand two hundred eighty dollars and seventy cents (\$1,280.70) per child for fiscal ~~years-year~~ 2015-2016 and one thousand two hundred ninety-five dollars and twenty-seven cents (\$1,295.27) per child for fiscal year 2016-2017. A local school administrative unit shall receive funds for a maximum of four percent (4%) of its 2015-2016 allocated average daily ~~membership, membership~~ for the 2015-2016 fiscal year and a maximum of four percent (4%) of its 2016-2017 allocated average daily membership for the 2016-2017 fiscal year, regardless of the number of children identified as academically or intellectually gifted in the unit. The dollar amounts allocated under this section for academically or intellectually gifted children shall also be adjusted in accordance with legislative salary increments, retirement rate adjustments, and health benefit adjustments for personnel who serve academically or intellectually gifted children."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

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SPECIAL PROVISION



2016-DPI-H13-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***LITIGATION RESERVE FUNDS***

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

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

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SPECIAL PROVISION



2016-DPI-H16-P

Department of Public Instruction  
House Appropriations, Education

Requested by

***SMALL COUNTY SUPPLEMENTAL FUNDS ELIGIBILITY***

SECTION #. Section 8.4 of S.L. 2015-241 reads as rewritten:

**"SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING**

...

"SECTION 8.4.(b) Phase-Out Provision for the 2015-2016 Fiscal Year. – If a local school administrative unit becomes ineligible for funding under the schedule in subsection (a) of this section in the 2015-2016 fiscal year, funding for that unit shall be phased out over a five-year period. Funding for such local school administrative units shall be reduced in equal increments in each of the five years after the unit becomes ineligible. Funding shall be eliminated in the fifth fiscal year after the local school administrative unit becomes ineligible.

Allotments for eligible local school administrative units under this subsection shall not be reduced by more than twenty percent (20%) of the amount received in fiscal year 2014-2015 in any fiscal year. A local school administrative unit shall not become ineligible for funding if either the higher of the first two months total projected average daily membership for the current year or the higher of the first two months total prior year average daily membership would otherwise have made the unit eligible for funds under the schedule in subsection (a) of this section.

"SECTION 8.4.(c) Phase-Out Provision for the 2016-2017 Fiscal Year. – If a local school administrative unit becomes ineligible for funding under the schedule in subsection (a) of this section in the 2016-2017 fiscal year, funding for that unit shall be phased out over a five-year period. Funding for such local school administrative units shall be reduced in equal increments in each of the five years after the unit becomes ineligible. Funding shall be eliminated in the fifth fiscal year after the local administrative unit becomes ineligible.

Allotments for eligible local school administrative units under this subsection shall not be reduced by more than twenty percent (20%) of the amount received in fiscal year 2015-2016 in any fiscal year. A local school administrative unit shall not become ineligible for funding if either the higher of the first two months total projected average daily membership for the current year or the higher of the first two months total prior year average daily membership would otherwise have made the unit eligible for funds under the schedule in subsection (a) of this section.

...."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

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SPECIAL PROVISION



2016-DPI-H5A-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***DRIVERS EDUCATION PROGRAM FUNDS***

2 **SECTION #.** Section 8.39(h) of S.L. 2015-241 reads as rewritten:

3 **"SECTION 8.39.(h)** Subsections (a), (b), and (c) of this section are effective July 1, 2016,  
4 and apply beginning with the 2016-2017 school year. ~~Subsections (a), (b), and (c) of this section~~  
5 ~~are repealed effective December 31, 2017.~~ The remainder of this section is effective when this act  
6 becomes law."



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

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SPECIAL PROVISION



2016-DPI-H9C-P

Department of Public Instruction  
House Appropriations, Education

Requested by

**LITERACY COACHES TO SUPPORT READ TO ACHIEVE IN LOW-PERFORMING  
ELEMENTARY SCHOOLS**

**SECTION #.(a)** G.S. 115C-83.6 is amended by adding the following new subsections to read:

"(d) To the extent State funds are allocated to a local school administrative unit for the placement of literacy coaches in elementary schools, those funds shall be used by local boards of education to employ literacy coaches who meet the requirements of subsection (d1) of this section to primarily assist teachers who teach kindergarten through third grade to further the purpose of this Part in ensuring that every student read at or above grade level by the end of third grade. To the extent practicable, literacy coaches may also assist teachers who teach fourth and fifth grade. A literacy coach shall assist teachers in the following ways: (i) provide a resource for professional development throughout an elementary school to build master teachers of reading schoolwide to improve student reading achievement, (ii) assist in the administration and analysis of formative, diagnostic and summative reading assessments, and (iii) provide differentiated reading instruction and intensive intervention based on student needs. The State Board shall allocate State funds for literacy coach positions for schools identified by the State Board as the lowest twenty percent (20%) of elementary schools. For a local school administrative unit with more than one school identified as eligible for State funds, the State Board may allocate funds for one literacy coach position to serve more than one school in the unit if the schools have less than five full-time teachers employed in each grade level. The State Board may use up to five percent (5%) of the State funds appropriated for the purposes under this subsection to provide professional development to literacy coaches.

(d1) The State Board shall adopt rules regarding the employment of a literacy coach supported by State funds under subsection (d) of this section, including any required training or professional development, qualifications, and the duties and responsibilities of the literacy coach. Local school administrative units shall not require a literacy coach to perform administrative functions of teachers and shall monitor the implementation and effectiveness of literacy coaches working in schools. The rules adopted by the State Board on the qualifications of literacy coaches shall include at least the following:

- (1) Literacy coaches shall have experience and expertise in the following:
  - a. Demonstrated success as a classroom teacher.
  - b. Knowledge of scientifically based reading practices.
  - c. Expertise in intensive reading instruction to meet the needs of individual students.
  - d. Ability to support teachers with the use of assessment data to inform instruction according to student needs.
  - e. Knowledge base in working with adult learners who are elementary school teachers.
  - f. Expertise in communication with outstanding presentation, interpersonal, and time management skills.

1           (2)    A minimum of a bachelor's degree in elementary education.  
2           (3)    Advanced coursework or professional development in reading."  
3           **SECTION #.(b)** G.S. 115C-105.25(b) is amended by adding a new subdivision to  
4 read:  
5           "(b)   Subject to the following limitations, local boards of education may transfer and may  
6 approve transfers of funds between funding allotment categories:  
7           ...  
8           (12)   Funds available for employing literacy coaches in elementary schools pursuant  
9               to G.S. 115C-83.6(d) shall not be transferred."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

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SPECIAL PROVISION



2016-DPI-H11-P

Department of Public Instruction  
House Appropriations, Education

Requested by

**TEACHER COMPENSATION MODELS AND ADVANCED TEACHING ROLES**

**SECTION #.(a)** Purpose. – The State Board of Education shall establish a three-year Pilot Program (Pilot) to develop advanced teaching roles and organizational models that link teacher performance and professional growth to salary increases in selected local school administrative units for classroom teachers. For the purposes of this section, a classroom teacher is a teacher who works in the classroom providing instruction at least seventy percent (70%) of the instructional day and who is not instructional support personnel. The purpose of the Pilot shall be to do the following:

- (1) To allow highly effective classroom teachers to teach an increased number of students by assuming accountability for additional students, by becoming a lead classroom teacher accountable for the student performance of all of the students taught by teachers on that lead classroom teacher's team, or by leading a larger effort in the school to implement new instructional models to improve school-wide performance.
- (2) Enable local school administrative units to provide salary supplements to classroom teachers in advanced teaching roles. Selection of an advanced teaching role classroom teacher and award of related salary supplements shall be made on the basis of demonstrated effectiveness and additional responsibilities.
- (3) Enable local school administrative units to create innovative compensation models that focus on classroom teacher professional growth and student outcomes.
- (4) Utilize local plans to establish organizational changes related to compensation in order to sustain evidenced-based teaching practices that have the capacity to be replicated throughout the State.

**SECTION #.(b)** Request for Proposals. – By September 15, 2016, the State Board of Education shall issue a Request for Proposal (RFP) for the Pilot. Local boards of education shall submit their proposals by October 15, 2016. The RFP shall require that proposals include the following information at a minimum:

- (1) Description of the program structure, including the process for teacher advancement based on performance, professional growth, or the specific teacher roles assumed by the teacher.
- (2) Descriptions of the advanced teaching roles, including minimum qualifications for the positions that must include at least one of the following:
  - a. Advanced certifications, such as National Board of Professional Teaching Standards Certification, or a masters degree in the area in which the classroom teacher is licensed and teaching.
  - b. A rating of at least accomplished on each of the Teacher Evaluation Standards 1-5 on the North Carolina Teacher Evaluation instrument or equivalent on an out-of-state evaluation system.

- c. Exceeding expected student growth based on three years of teacher evaluation data as calculated by the State Board of Education.
    - d. Equivalent demonstrated mastery of teaching skills as required by the new local compensation model.
  - (3) Job responsibilities that include at least one of the following:
    - a. Teaching an increased number of students and being accountable for their performance as teacher of record for those students.
    - b. Becoming a lead classroom teacher among a group of teachers and being the teacher of record for all students taught by that group of teachers.
    - c. Leading a school-wide effort to implement data-driven instructional models that include blended learning environments, utilizing digital learning and resources, and focusing on methods of improvement for school-wide performance issues.
    - d. Complete training that certifies the teacher as an in-house provider of professional development, function as an instructional content area coach, or other professional development area.
  - (4) Description of how the local school administrative unit will inform all employees and the public on the criteria and selection for the advanced teaching roles; the continued eligibility requirements for the advanced teaching roles; and how the individuals selected for the advanced teaching roles will be evaluated.
  - (5) Description of how the local school administrative unit will inform all employees and the public on the criteria for movement on the proposed new local compensation model.
  - (6) The process for the voluntary relinquishment of an advanced teaching role, including the associated additional duties. Voluntary relinquishment of the advanced teaching role shall not be considered a demotion under Part 3 or Part 3A of Article 22 of Chapter 115C of the General Statutes.
  - (7) Salary supplement information including the following:
    - a. The amount of the salary supplements that will be provided to those selected for the advanced teaching roles. The supplements may be up to thirty percent (30%) of the State teacher salary schedule.
    - b. A statement by the local school administrative unit that the salary supplements will be paid as a supplement to the classroom teacher's regular salary and not be included in the average salary calculation used for budgeting State allotments.
    - c. A statement by the local school administrative unit that if a classroom teacher in an advanced teaching role (i) fails to maintain the minimum criteria established for the position, (ii) is not successfully performing the additional duties associated with the advanced teaching role, or (iii) voluntarily relinquishes the advanced teaching role, the teacher shall only be paid the salary applicable to that individual on the State salary schedule and any other local supplements that would otherwise apply to the classroom teacher's compensation.
    - d. The amount of the salary supplements at all levels of the proposed new local school administrative unit compensation model in relation to the State salary schedule.
  - (8) The implementation plan, including the number of schools in the local school administrative unit that will have advanced teaching roles and any new proposed compensation model; the number of advanced teaching roles at each

1 of those schools; the number of students whose teacher of record will be a  
2 teacher in an advanced teaching role; and the number of teachers overall who  
3 would be eligible for the proposed new local school administrative unit  
4 compensation model.

- 5 (9) Plans for financial sustainability once the Pilot grant money is no longer  
6 available.

7 **SECTION #.(c)** Selection by State Board of Education. – By December 15, 2016, the  
8 State Board of Education shall review the proposals submitted by local boards of education and  
9 shall select up to 10 LEAs as follows:

- 10 (1) Up to five LEAs with an average daily membership (ADM) equal to or less  
11 than 4,000.  
12 (2) Up to three LEAs with an ADM of 4,001 to 20,000.  
13 (3) Up to two LEAs with an ADM of 20,001 or more.

14 **SECTION #.(d)** Pilot Implementation. – The selected local school administrative  
15 units shall implement their approved pilots beginning with the 2017-2018 school year and ending  
16 with the 2019-2020 school year. The local board of education for each selected pilot local school  
17 administrative unit shall provide any requested information and access to the independent research  
18 organization selected by the State Board of Education to evaluate the pilots.

19 **SECTION #.(e)** Use of Grant Funds. – Funds awarded to local school administrative  
20 units shall be used for any of the following:

- 21 (1) Salary supplements for advanced teaching roles.  
22 (2) Development of advanced teaching role plans.  
23 (3) Development of professional development courses.  
24 (4) Transition costs associated with designing and implementing advanced teaching  
25 role models in schools within the local school administrative unit. Transition  
26 costs may include employing staff members or contractors to assist with design  
27 and implementation of the pilot plan.  
28 (5) Development of the design and implementation of compensation plans that  
29 focus on teacher professional growth and student outcomes and the transition  
30 costs associated with designing and implementing new compensation plans,  
31 including employing staff members or contractors to assist with design and  
32 implementation of the pilot plan.

33 **SECTION #.(f)** Pilot Evaluation. – The State Board of Education shall contract with  
34 an independent research organization to evaluate how the advanced teaching roles and new  
35 compensation plan pilots have accomplished, at a minimum, the following:

- 36 (1) Improvement in the quality of classroom instruction and increases in  
37 school-wide growth.  
38 (2) An increase in the attractiveness of teaching.  
39 (3) Recognition, impact, and retention of high-quality classroom teachers.  
40 (4) Assistance to and retention of beginning classroom teachers.  
41 (5) Improvement in and expansion of use of technology and digital learning.

42 The independent research organization shall report annually beginning October 15,  
43 2017, until the conclusion of the pilot to the State Board of Education on all aspects of the  
44 implementation and evaluation of the pilot. The independent research organization shall also  
45 evaluate, as part of the annual report, the existing Project LIFT, Inc., program in the  
46 Charlotte-Mecklenburg Schools, and the proposed Project Advance in the Chapel Hill-Carrboro  
47 City Schools, if that project is implemented. The State Board of Education shall provide the  
48 annual report to the offices of the President Pro Tempore of the Senate and the Speaker of the  
49 House of Representatives, the Senate Appropriations/Base Budget Committee, the House  
50 Committee on Appropriations, the Senate Appropriations Committee on Education/Higher

1 Education, the House Appropriations Committee on Education, the Fiscal Research Division, and  
2 the Joint Legislative Education Oversight Committee.

3 **SECTION #.(g)** Of the funds appropriated to the Department of Public Instruction by  
4 this act for the 2016-2017 fiscal year to support teacher compensation models and advanced  
5 teaching roles, the Department may use up to two hundred thousand dollars (\$200,000) for the  
6 State Board of Education to contract with an independent research organization for the pilot  
7 evaluations. Funds appropriated to the Department of Public Instruction for the 2016-2017 fiscal  
8 year for the Pilot shall not revert at the end of the fiscal year but shall remain available until  
9 expended.

10 **SECTION #.(h)** It is the intent of the General Assembly to appropriate from the  
11 General Fund to the Department of Public Instruction for the 2017-2018 fiscal year the sum of  
12 nine million eight hundred thousand dollars (\$9,800,000) for the State Board of Education to  
13 select up to 10 local school administrative units to award funds for the pilot program in accordance  
14 with this section. Funds awarded to the local school administrative units shall be awarded in  
15 proportion to the current expenditure of the pilot local school administrative unit on teacher  
16 salaries.

17 **SECTION #.(i)** Flexibility for local school administrative units. – Notwithstanding  
18 G.S. 115C-301, local school administrative units receiving grants under this program may exceed  
19 the maximum class size requirements for kindergarten through third grade.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H18-P

Department of Public Instruction  
House Appropriations, Education

Requested by

**ADVANCED PLACEMENT/INTERNATIONAL BACCALAUREATE TEACHER BONUSES**

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

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

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

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

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

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

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

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

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

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

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SPECIAL PROVISION



2016-DPI-H19-P

Department of Public Instruction  
House Appropriations, Education

Requested by

**BONUSES FOR INDUSTRY CERTIFICATIONS AND CREDENTIALS PROGRAM**

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

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

- (1) Students enrolled in public schools and in career and technical education courses shall be exempt from paying any fees for one administration of examinations leading to industry certifications and credentials pursuant to rules adopted by the State Board of Education.
- (2) Each school year, at such time as agreed to by the Department of Commerce and the State Board of Education, the Department of Commerce shall provide the State Board of Education with a list of those occupations in high need of additional skilled employees. If the occupations identified in such list are not substantially the same as those occupations identified in the list from the prior year, reasonable notice of such changes shall be provided to local school administrative units.
- (3) Local school administrative units shall consult with their local industries, employers, and workforce development boards to identify industry certification and credentials that the local school administrative unit may offer to best meet State and local workforce needs.
- (4) Bonuses shall be awarded to teachers of students earning approved industry certifications or credentials, pursuant to rules adopted by the State Board of Education. No teacher shall be awarded a bonus pursuant to this subdivision that exceeds two thousand dollars (\$2,000) in any given school year. Direct instruction teacher bonuses shall be provided in the following amounts:
  - a. A bonus in the amount of twenty-five dollars (\$25.00) for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification with a twenty-five-dollar (\$25.00) value ranking.
  - b. A bonus in the amount of fifty dollars (\$50.00) for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification with a fifty-dollar (\$50.00) value ranking.
- (5) The Department of Commerce, in consultation with the State Board of Education, shall rank each industry certification based on academic rigor and employment value in accordance with this subdivision. Fifty percent (50%) of the ranking shall be based on academic rigor and the remaining fifty percent



1 (50%) on employment value. Academic rigor and employment value shall be  
2 based on the following elements:

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

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

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

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H20-P

Department of Public Instruction  
House Appropriations, Education

Requested by

***NBPTS SUPPLEMENT FOR ALL INSTRUCTIONAL COACHES***

**SECTION #.** G.S. 115C-296.2(b)(2)d. reads as rewritten:

"d. Spends at least seventy percent (70%) of his or her work time:

1. In classroom instruction, if the employee is employed as a teacher. Most of the teacher's remaining time shall be spent in one or more of the following: mentoring teachers, doing demonstration lessons for teachers, writing curricula, developing and leading staff development programs for teachers;
2. In work within the employee's area of certification or licensure, if the employee is employed in an area of NBPTS certification other than direct classroom instruction; or
3. As an instructional coach, as classified by the Department of Public Instruction, in a Title I school. ~~As used in this sub-sub-subdivision, a Title I school is a school identified under Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended.~~ Instruction."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

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SPECIAL PROVISION



2016-DPI-H22-P

Department of Public Instruction  
House Appropriations, Education

Requested by

***CERTAIN CIHS OPERATING WITHOUT ADDITIONAL FUNDS***

**SECTION #.** Beginning with the 2016-2017 school year and for subsequent school years thereafter, notwithstanding G.S. 115C-238.51A(c) and G.S. 115C-238.54, Cabarrus Early College of Technology, Johnston County Career and Technical Academy, Stanly County School of Engineering and Design, City of Medicine Cooperative Innovative High School, and Hillside New Tech Cooperative Innovative High School shall be permitted to operate in accordance with G.S. 115C-238.53 and G.S. 115C-238.54 as cooperative innovative high schools approved under G.S. 115C-238.51A(c) and shall be subject to the evaluation requirements of G.S. 115C-238.55.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H1-P

Department of Public Instruction  
House Appropriations, Education

Requested by

**REPORT FOR SCHOOLS FOR STUDENTS WITH VISUAL AND HEARING  
IMPAIRMENTS/FOREIGN EXCHANGE STUDENTS**

**SECTION #.(a)** Article 9C of Chapter 115C of the General Statutes is amended by adding a new section to read:

**"§ 115C-150.15. Local superintendent to report deaf and blind children.**

It shall be the duty of local superintendents to report by October 15 of each year the names and addresses of parents, guardians, or custodians of any hearing impaired or visually impaired children residing within their respective local school administrative units to the directors of the Governor Morehead School for the Blind, the Eastern North Carolina School for the Deaf, and the North Carolina School for the Deaf. The report shall include the type of disability of each child, including whether the hearing and visual impairments range from partial to total disability, and if the child has multiple disabilities with the visual or hearing impairment not identified as the primary disability of the student. The report shall also be made to the Department of Public Instruction."

**SECTION #.(b)** G.S. 115C-150.14 reads as rewritten:

**"§ 115C-150.14. Tuition and room and board.**

(a) Only children who are residents of North Carolina are entitled to free tuition and room and board at a school governed by this Article.

(b) A school governed by this Article may enroll a foreign exchange student and shall charge the student the full, unsubsidized per capita cost of providing education at the school for the period of the student's attendance. For the purposes of this section, a foreign exchange student is a student who is domiciled in a foreign country and has come to the United States on a valid, eligible student visa.

(c) Notwithstanding subsection (b) of this section, foreign exchange students who have obtained the status of nonimmigrants pursuant to the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(F) may only be enrolled in a school governed by this Article in grades nine through 12 for a maximum of 12 months at the school."

**SECTION #.(c)** This section applies beginning with the 2016-2017 school year. Local superintendents shall make the first report required under subsection (a) of this section no later than October 15, 2016.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H2B-P

Department of Public Instruction  
House Appropriations, Education

Requested by

**VIRTUAL CHARTER SCHOOL CHANGES**

**SECTION #.(a)** Section 8.35(c) of S.L. 2014-100 reads as rewritten:

**"SECTION 8.35.(c)** In addition to the operating requirements applicable to a virtual charter school participating in the pilot program pursuant to Part 6A of Article 16 of Chapter 115C of the General Statutes, the following requirements shall apply to a participating virtual charter school:

(1) The school shall maintain an administrative office within North Carolina. In addition, the school shall maintain at least one testing center or meeting place within each of the eight State Board of Education districts where the participating students reside, to allow educators and administrators from the school to meet students and parents. When utilizing the testing center or meeting place for test administration, the school is permitted to do the following:

- a. Administer tests to multiple grade levels at the same time and location.
- b. Contract with a test administrator who is not employed by the board of directors of the school and meets the following criteria:
  - 1. Holds a valid, North Carolina educator license.
  - 2. Passes a criminal history check as defined in G.S. 115C-332(a)(1) performed by the school.
  - 3. Is trained on test administration in accordance with the North Carolina Testing Program.

(2) If the school contracts with a third party for the provision of administrative staff, such staff fulfilling the equivalent positions of superintendent, principal, or business officer shall be residents of North Carolina.

(3) All teaching staff shall carry the appropriate State certification to instruct any course and shall receive professional development in virtual instruction pursuant to the school's application to the State Board of Education to participate in the pilot program within 30 days of the employee's date of hire. At least ~~ninety percent (90%)~~ eighty percent (80%) of the teaching staff shall reside within North Carolina.

(4) The school shall have a withdrawal rate below ~~twenty-five percent (25%)~~ thirty-five percent (35%) each school year. A student who meets any of the following criteria shall not be counted in measuring the school's withdrawal rate:

- a. A student enrolled in a school with the intent expressed prior to enrollment of only being enrolled for a finite period of time within the school year shall not be counted in the measured withdrawal rate year. The school shall keep a written record of a student's stated intent for finite enrollment.
- b. A student who is withdrawn from the school pursuant to subdivision (3) of subsection (b) of this section.

- 1                    c.     A student who is no longer qualified under the laws of this State for  
2                    admission to a public school in North Carolina, including due to the  
3                    student relocating to another state.  
4                    d.     A student who (i) withdraws from the school for a family, personal, or  
5                    medical reason and (ii) notifies the school of the reason for withdrawal.  
6                    The school shall keep a written record of a student's stated reason for  
7                    withdrawal under this subdivision.  
8                    e.     A student who withdraws from the school within the first 30 days  
9                    following the date of the student's enrollment.  
10                  (4a)    A count of school attendance shall be taken at least once during each semester  
11                    for funding purposes.  
12                  (5)    The school shall ensure that each student is assigned a learning coach. The  
13                    learning coach shall provide (i) daily support and supervision of students, (ii)  
14                    ensure student participation in online lessons, and (iii) coordinate teacher-led  
15                    instructional sessions and State assessments."  
16                  **SECTION #.(b)** This section applies beginning with the 2016-2017 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H3C-P

Department of Public Instruction  
House Appropriations, Education

Requested by

***NATIONALLY RECOGNIZED COLLEGE ENTRANCE EXAMS***

**SECTION #.(a)** G.S. 115C-174.11(c)(4) reads as rewritten:

"(4) To the extent funds are made available, the State Board of Education shall ~~plan for and require the administration of the ACT test for use a competitive bid process to adopt two or more nationally recognized college entrance exams to make available to local school administrative units to administer to all students in the eleventh grade unless the student has already taken a comparable test and scored at or above a level set by the State Board.~~Board in accordance with the following:

a. From the nationally recognized college entrance exams adopted by the State Board, each local board of education shall select one exam to be used in the local school administrative unit. Upon request by one or more local boards of education, the State Board shall enter into a contract for a statewide service or contracts for regional services to offer the nationally recognized college entrance exams in multiple local school administrative units. These contracts shall be let in accordance with the provisions of Article 3 of Chapter 143 of the General Statutes.

b. The State Board of Education shall require the administration of an alternate to the ~~ACT~~selected nationally recognized college entrance exam or an alternate to the ~~PLAN~~-precursor test to the ~~ACT~~ to a student who (i) exhibits severe and pervasive delays in all areas of conceptual, linguistic, and academic development and in adaptive behaviors, including communication, daily living skills, and self-care, (ii) is following the extended content standards of the Standard Course of Study as provided in G.S. 115C-81, or is following a course of study that, upon completing high school, may not lead to admission into a college-level course of study resulting in a college degree, and (iii) has a written parental request for an alternate assessment.

c. The State Board of Education shall ensure that parents of students enrolled in all public schools, including charter and regional schools, have the necessary information to make informed decisions regarding participation in the ~~ACT and the PLAN precursor test to the ACT.~~nationally recognized college entrance exams and precursor tests.

d. ~~Alternate assessment and ACT assessment results~~Nationally recognized college entrance exams and alternate assessment results of students with disabilities shall be included in school accountability reports, including charter and regional schools, provided by the State Board of Education."

**SECTION #.(b)** G.S. 115C-174.22 reads as rewritten:

**"§ 115C-174.22. Tools for student learning.**

1 To the extent funds are made available for this purpose, and except as otherwise provided in  
2 G.S. 115C-174.11(c)(4), the State Board shall plan for and require the administration of diagnostic  
3 tests in the eighth and tenth grades that align to the ~~ACT test in order nationally recognized~~  
4 college entrance exams that are adopted through the competitive bid process and selected by local  
5 boards of education under G.S. 115C-174.11(c)(4). The results of the tests shall be used to help  
6 diagnose student learning and provide for students an indication of whether they are on track to be  
7 remediation-free at a community college or university."

8 **SECTION #.(c)** The State Board of Education shall solicit bids through a competitive  
9 bid process to adopt two or more nationally recognized college entrance exams and precursor  
10 tests, as required by G.S. 115C-174.11(c)(4), as amended by this section, and G.S. 115C-174.22,  
11 as amended by this section. The State Board of Education shall report on the results of the  
12 competitive bid process to the Joint Legislative Education Oversight Committee and the Fiscal  
13 Research Division no later than November 15, 2016.

14 **SECTION #.(d)** Subsections (a) and (b) of this section apply beginning with the  
15 2017-2018 school year.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H4-P

Department of Public Instruction  
House Appropriations, Education

Requested by

***SCHOOL BUSINESS SYSTEM MODERNIZATION***

**SECTION #.(a)** The State Board of Education shall collaborate with the Friday Institute for Educational Innovation at North Carolina State University (Friday Institute) to develop a plan to modernize the systems used by the Department of Public Instruction, Financial and Business Services Division, to manage and deliver funds and technical support services to local school administrative units and charter schools. This process shall include modernization of the Division's systems for student information management, financial and payroll information, and human resources information.

**SECTION #.(b)** By January 1, 2017, as a part of developing the plan, the Department of Public Instruction, in collaboration with the Friday Institute, shall issue a Request for Information to outside vendors and entities to determine the scope of work necessary, estimate the costs of modernization of the systems, and prepare a schedule for implementation.

**SECTION #.(c)** By April 30, 2017, the State Board of Education shall report to the Joint Legislative Education Oversight Committee on the plan developed in accordance with this section for modernization of the systems used by the Financial and Business Services Division.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H8-P

Department of Public Instruction  
House Appropriations, Education

Requested by

***INTERNATIONAL EXCHANGE TEACHER FUNDS***

**SECTION #.** G.S. 115C-105.25(b)(5a) reads as rewritten:

"(5a) Positions allocated for classroom teachers may be converted to dollar equivalents to contract for visiting international exchange ~~teachers~~teachers through a visiting international exchange teacher program approved by the State. These positions shall be converted at the statewide average salary for classroom teachers, including benefits. The converted funds shall be used only to provide visiting international exchange teachers a salary commensurate with the teacher's experience level, to provide any State-approved bonuses, and to cover the costs associated with bringing visiting international exchange teachers to the local school administrative unit through a State-approved visiting international exchange teacher program and supporting the visiting exchange teachers program, including cultural activities, background checks, medical coverage, and other program administration services in accordance with the federal regulations for the Exchange Visitor Program, 22 CFR Part 62."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H12-P

Department of Public Instruction  
House Appropriations, Education

Requested by

***K-12 CYBERSECURITY STUDY***

**SECTION #.** The Department of Public Instruction shall conduct a study on cybersecurity in North Carolina public schools, including charter schools. As part of the study, the Department may request local school administrative units and charter schools to submit a summary of their current policies and procedures on cybersecurity practices and procedures to protect student and employee personally identifiable data. By December 15, 2016, the Department shall report to the General Assembly in accordance with G.S. 120-29.5.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H14-P

Department of Public Instruction  
House Appropriations, Education

Requested by

***NORTH CAROLINA VIRTUAL PUBLIC SCHOOLS (NCVPS) REVENUES***

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

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

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

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

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

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

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

...."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H15-P

Department of Public Instruction  
House Appropriations, Education

Requested by

**MODIFY SCHOOL PERFORMANCE GRADES**

**SECTION #.** G.S. 115C-83.15(d) reads as rewritten:

"(d) Calculation of the School Performance Scores and Grades. – The State Board of Education shall use EVAAS to calculate the school performance score by adding the school achievement score, as provided in subsection (b) of this section, and the school growth score, as provided in subsection (c) of this section, earned by a school. The school achievement score shall account for ~~eighty percent (80%)~~, fifty percent (50%), and the school growth score shall account for ~~twenty percent (20%)~~ fifty percent (50%) of the total sum. If a school has met expected growth and inclusion of the school's growth score reduces the school's performance score and grade, a school may choose to use the school achievement score solely to calculate the performance score and grade. For all schools, the total school performance score shall be converted to a 100-point scale and used to determine a school performance grade based on the following scale:

- (1) A school performance score of at least ~~90~~85 is equivalent to an overall school performance grade of A.
- (2) A school performance score of at least ~~80~~70 is equivalent to an overall school performance grade of B.
- (3) A school performance score of at least ~~70~~55 is equivalent to an overall school performance grade of C.
- (4) A school performance score of at least ~~60~~40 is equivalent to an overall school performance grade of D.
- (5) A school performance score of less than ~~60~~40 points is equivalent to an overall school performance grade of F."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H17-P

Department of Public Instruction  
House Appropriations, Education

Requested by

**JOINT LEGISLATIVE STUDY ON CIHS**

**SECTION #.(a)** There is established the Joint Legislative Study Committee on Cooperative Innovative High Schools (Committee). The Committee shall consist of three members of the Senate appointed by the President Pro Tempore of the Senate and three members of the House of Representatives appointed by the Speaker of the House of Representatives. The President Pro Tempore and the Speaker of the House of Representatives shall each appoint a cochair of the Committee from among its membership. The Committee and the terms of the members shall expire when the Committee submits a final report to the General Assembly. Members shall serve at the pleasure of the appointing officer.

**SECTION #.(b)** The Committee shall study and make recommendations on the following issues:

- (1) Identifying the policy goals of the Cooperative Innovative High Schools program under Part 9 of Article 16 of Chapter 115C of the General Statutes and whether revisions are necessary for establishing policy goals.
- (2) Examining the current statutes to determine whether they support policy goals and, if not, whether revisions to the statutes are necessary to reflect those goals.
- (3) Identifying the current funding models for the Cooperative Innovative High Schools program and whether revisions are necessary to accomplish the policy goals and to ensure financial sustainability of the program.

**SECTION #.(c)** The Committee shall meet upon the call of its cochairs. A quorum of the Committee is a majority of its members. No action may be taken except by a majority vote at a meeting at which a quorum is present. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes. The Committee may contract for professional, clerical, or consultant services, as provided by G.S. 120-32.02. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1. The expenses of the Committee shall be considered expenses incurred for the joint operation of the General Assembly.

**SECTION #.(d)** The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the House of Representatives and the Director of Legislative Assistants of the Senate shall assign clerical support staff to the Committee.

**SECTION #.(e)** The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the Senate and the House of Representatives on or before December 31, 2016, by filing a copy of the report with the Office of the President Pro Tempore of the Senate, the Office of the Speaker of the House of Representatives, the Joint Legislative Education Oversight Committee, and the Legislative Library. The Committee shall terminate on December 31, 2016, or upon the filing of its final report, whichever occurs first.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H21A-P

Department of Public Instruction  
House Appropriations, Education

Requested by

***PILOT PROGRAM TO RAISE THE HIGH SCHOOL DROPOUT AGE FROM SIXTEEN TO EIGHTEEN***

**SECTION #.(a)** Notwithstanding any provisions in Part 1 of Article 26 of Chapter 115C of the General Statutes, G.S. 7B-1501(27), 115C-238.66(3), 116-235(b)(2), and 143B-805(20) to the contrary, the State Board of Education shall authorize the Hickory Public Schools, the Newton-Conover City Schools, and the Rutherford County Schools to establish and implement a five-year pilot program pursuant to this section to increase the high school dropout age from 16 years of age to the completion of the school year coinciding with the calendar year in which a student reaches 18 years of age, unless the student has previously graduated from high school. The pilot program may be implemented beginning with the 2016-2017 school year and shall end in the 2020-2021 school year.

**SECTION #.(b)** For the purposes of implementing the pilot program authorized by this section, a local school administrative unit that is participating in the pilot program shall have the authority to provide that, if the principal or the principal's designee determines that a student's parent, guardian, or custodian, or a student who is 18 years of age, has not made a good-faith effort to comply with the compulsory attendance requirements of the pilot program, the principal shall notify the district attorney and, if the student is less than 18 years of age, the director of social services of the county where the student resides. If the principal or the principal's designee determines that a parent, guardian, or custodian of a student less than 18 years of age has made a good-faith effort to comply with the law, the principal may file a complaint with the juvenile court counselor pursuant to Chapter 7B of the General Statutes that the student is habitually absent from school without a valid excuse. Upon receiving notification by the principal or the principal's designee, the director of social services shall determine whether to undertake an investigation under G.S. 7B-302.

**SECTION #.(c)** The local boards of education of the participating local school administrative units shall prescribe specific rules to address under what circumstances a student who is 18 years of age who is required to attend school as part of the pilot program shall be excused from attendance, including if the student has attained a high school equivalency certificate or a student has enlisted as a member of the Armed Forces.

**SECTION #.(d)** For the purposes of implementing the pilot program authorized by this section, any (i) parent, guardian, or other person having charge or control of a student enrolled in a school located within a participating local school administrative unit and (ii) student who is 18 years of age enrolled in a school located within a participating local school administrative unit who violates the compulsory attendance provisions of the pilot program without a lawful exception recognized under Part 1 of Article 26 of Chapter 115C of the General Statutes or the provisions of this section shall be guilty of a Class 1 misdemeanor.

**SECTION #.(e)** If an affidavit is made by the student, parent of the student, or by any other person that any student who is required to attend school under the requirements of the pilot program is not able to attend school by reason of necessity to work or labor for the support of himself or herself or the support of the family, then the school social worker of the applicable

1 school located within the participating school administrative unit shall diligently inquire into the  
2 matter and bring it to the attention of an appropriate court, depending on the age of the student.  
3 The court shall proceed to find whether as a matter of fact the student is unable to attend the  
4 school or such parents, or persons standing in loco parentis, are unable to send the student to  
5 school for the term of compulsory attendance for the reasons given. If the court finds, after careful  
6 investigation, that the student or the parents have made or are making a bona fide effort to comply  
7 with the compulsory attendance law, and by reason of illness, lack of earning capacity, or any  
8 other cause which the court may deem valid and sufficient, the student is unable to attend school,  
9 then the court shall find and state what help is needed for the student or family to enable  
10 compliance with the attendance requirements under the pilot program.

11 **SECTION #.(f)** Each local school administrative unit may use any funds available to  
12 it to implement the pilot program in accordance with this section to (i) employ up to three  
13 additional teachers and (ii) fund additional student-related costs, such as transportation and  
14 technology costs, including additional computers, to serve a greater number of students as a result  
15 of the pilot program. Each local school administrative unit may also use any funds available to it  
16 to operate a night school program for students at risk of dropping out of high school. For Hickory  
17 Public Schools and Newton-Conover City Schools, to the extent possible, the local school  
18 administrative units shall partner with Catawba Valley Community College in administering the  
19 pilot program. For Rutherford County Schools, to the extent possible, the local school  
20 administrative unit shall partner with Isothermal Community College in administering the pilot  
21 program.

22 **SECTION #.(g)** The local school administrative units, in collaboration with the State  
23 Board of Education, shall report to the Joint Legislative Education Oversight Committee, the  
24 House Appropriations Subcommittee on Education, and the Senate Appropriations Committee on  
25 Education/Higher Education with an interim report on or before January 15, 2018, and a final  
26 report on or before January 15, 2021. The report shall include at least all of the following  
27 information:

- 28 (1) An analysis of the graduation rate in each local school administrative unit and  
29 the impact of the pilot program on the graduation rate.
- 30 (2) The teen crime statistics for Catawba County and for Rutherford County.
- 31 (3) The number of reported cases of violations of compulsory attendance laws in  
32 Catawba County and Rutherford County and the disposition of those cases.
- 33 (4) Implementation of enforcement mechanisms for violations of the compulsory  
34 attendance requirements of the pilot program, including the imposition of  
35 criminal penalties.
- 36 (5) The number of at-risk students served in any night programs established as part  
37 of the pilot program and student graduation and performance outcomes for  
38 those students.
- 39 (6) All relevant data to assist in determining the effectiveness of the program and  
40 specific legislative recommendations, including the continuation, modification,  
41 or expansion of the program statewide.

42 **SECTION #.(h)** The State Board of Education shall not authorize a pilot program  
43 under subsection (a) of this section in Catawba County except upon receipt of a copy of a joint  
44 resolution adopted by the boards of education for the Hickory Public Schools and the  
45 Newton-Conover City Schools setting forth a date to begin establishment and implementation of  
46 the pilot program. The State Board of Education shall not authorize a pilot program under  
47 subsection (a) of this section in Rutherford County except upon receipt of a copy of a resolution  
48 adopted by the board of education for the Rutherford County Schools setting forth a date to begin  
49 establishment and implementation of the pilot program.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-DPI-H24-P

Department of Public Instruction  
House Appropriations, Education

Requested by

**READING ASSESSMENTS/READ TO ACHIEVE**

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

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

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

(1) Each approved assessment instrument shall provide a minimum of four benchmark assessments, interim formative assessments, and progress monitoring capabilities.

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

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

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

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

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

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

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

...."

**SECTION #.(b)** This section applies beginning with the 2017-2018 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Drafting  
SPECIAL PROVISION



2016-DPI-H23

Department of Public Instruction  
House Appropriations, Education

Requested by

***DIGITAL LEARNING PLAN FUNDS***

**SECTION #.** The State Board of Education shall collaborate with the Friday Institute for Educational Innovation at North Carolina State University to continue the progress in implementing the Digital Learning Plan in North Carolina public schools by doing at least the following:

- (1) Coordinate the implementation of professional learning programs that support teachers and school administrators in transitioning to digital-age learning.
- (2) Manage statewide cooperative purchasing of content, including statewide shared resources for teachers to use for lesson planning and formative student assessments.
- (3) Develop infrastructure maintenance and support protocols.
- (4) Modify and update State policies to provide the support and flexibility necessary for local digital learning innovation.
- (5) Develop and maintain a continuous improvement process.
- (6) Create assessments for technological and pedagogic skills and identify best practices from those assessments.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-NCCCS-H2A-P

North Carolina Community College System  
House Appropriations, Education

Requested by

**UPDATE PERFORMANCE MEASURES**

SECTION #. G.S. 115D-31.3 reads as rewritten:

**"§ 115D-31.3. Institutional performance accountability.**

...

(e) Mandatory Performance Measures. – The State Board of Community Colleges shall evaluate each college on the following ~~eight~~ performance measures:

- (1) Progress of basic skills students.
- (2) ~~Attainment of adult high school equivalency diplomas by students.~~
- (3) Performance of students who transfer to a four-year institution.
- (3a) Success rate of students in credit-bearing English courses.
- (3b) Success rate of students in credit-bearing Math courses.
- (4) ~~Success of developmental students in subsequent college level English courses.~~
- (5) ~~Success of developmental students in subsequent college level math courses.~~
- (5a) Progress of first-year curriculum students.
- (6) Repealed by Session Laws 2012-142, s. 8.5, effective July 1, 2012.
- (7) Curriculum student retention and graduation.
- (8) Repealed by Session Laws 2012-142, s. 8.5, effective July 1, 2012.
- (9) Attainment of licensure and certifications by students.

The State Board may also evaluate each college on additional performance measures.

(f) Publication of Performance Ratings. – Each college shall publish its performance on the ~~eight~~ measures set out in subsection (e) of this section (i) annually in its electronic catalog or on the Internet and (ii) in its printed catalog each time the catalog is reprinted.

The Community Colleges System Office shall publish the performance of all colleges on all ~~eight~~ measures.

(g) Recognition of Successful Institutional Performance. – For the purpose of recognition of successful institutional performance, the State Board of Community Colleges shall evaluate each college on the ~~eight~~ performance measures set out in subsection (e) of this section. Subject to the availability of funds, the State Board may allocate funds among colleges based on the evaluation of each institution's performance, including at least the following components:

- (1) Program quality evaluated by determining a college's rate of student success on each measure as compared to a systemwide performance baseline and goal.
- (2) Program impact on student outcomes evaluated by the number of students succeeding on each measure.

...."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-NCCCS-H4-P

North Carolina Community College System  
House Appropriations, Education

Requested by

***CLARIFY USE OF CAREER COACH FUNDS***

**SECTION #.** Section 10.14(c) of S.L. 2015-241 reads as rewritten:

**"SECTION 10.14.(c)** The funds appropriated under this act to the Community Colleges System Office for the 2015-2017 fiscal biennium to match non-State funds to implement the NC Works Career Coach Program shall only be used for salary and benefits ~~for~~of career coaches and for direct operating costs related to supporting NC Works Career Coaches."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-UNC-H2A-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

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

**SECTION #.** Section 11.12(b) of S.L. 2015-241, Appropriations Act of 2015, reads as rewritten:

"**SECTION 11.12.(b)** ~~The~~ For the 2016-2017 fiscal year, the Board of Governors shall conduct a competitive process to select institutions of higher education that are Historically Black Colleges and Universities to participate in the internship program which links ~~60~~ a minimum of 95 students attending Historically Black Colleges and Universities with North Carolina-based companies. The Board of Governors shall determine the number of institutions that may participate in the program; however, at least two of the institutions shall be private institutions. Funds appropriated by this act for this internship program shall be allocated only to constituent institutions of The University of North Carolina that are designated as an HBCU and private colleges and universities located in North Carolina that are designated as an HBCU."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Bill Processing  
SPECIAL PROVISION



2016-UNC-H3

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

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

**SECTION #.(a)** Section 11.7(b) of S.L. 2015-241 reads as rewritten:

**"SECTION 11.7.(b)** The Board of Governors of The University of North Carolina and the State Board of Community Colleges shall jointly study and evaluate how a deferred admission program, to be known as the North Carolina Guaranteed Admission Program (NCGAP), for students identified as academically at risk and designed pursuant to subsection (c) of this section, would address the issues and help achieve the goals set out in subsection (a) of this section. In its study the Board of Governors and State Board of Community Colleges shall also consider the best procedure for implementing NCGAP and the fiscal impact it may have with respect to enrollment. The Board of Governors and State Board of Community Colleges shall evaluate other measures currently in place designed to improve completion rates and consider any potential overlap with NCGAP."

**SECTION #.(b)** Section 11.7(d) of S.L. 2015-241 reads as rewritten:

**"SECTION 11.7.(d)** The Board of Governors of The University of North Carolina and the State Board of Community Colleges shall report their initial finding and recommendations to the Joint Legislative Education Oversight Committee, the Fiscal Research Division, and the Office of State Budget and Management by March 1, ~~2016~~, 2016, and their finding and recommendations by January 1, 2017. The report shall include an analysis of the fiscal impact NCGAP may have with regard to enrollment at constituent institutions of The University of North Carolina and at community colleges, the number of students who may participate in NCGAP, and its effect on FTEs."

**SECTION #.(c)** Section 11.7(e) of S.L. 2015-241 reads as rewritten:

**"SECTION 11.7.(e)** Based on the analysis conducted by the Board of Governors and the State Board of Community Colleges pursuant to subsection (b) of this section and the recommendations made pursuant to subsection (d) of this section, each constituent institution shall design a deferred admission program as part of NCGAP for implementation at the institution. The institution shall design the program so that it may be implemented at the institution beginning with the ~~2016-2017~~2017-2018 fiscal year and applied to the institution's admission process for the ~~2017-2018~~2018-2019 academic year and each subsequent academic year."

**SECTION #.(d)** Section 11.7(g) of S.L. 2015-241 reads as rewritten:

**"SECTION 11.7.(g)** NCGAP shall be implemented at all constituent institutions and all community colleges beginning with the ~~2016-2017~~2017-2018 fiscal year and shall apply to admissions policies at each constituent institution and community college beginning with the ~~2017-2018~~2018-2019 academic year and each subsequent academic year."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-UNC-H4-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

***UNC PART-WAY HOME STRATEGY/REPORT***

**SECTION #.** Beginning September 1, 2017, and annually thereafter, the President of The University of North Carolina shall report to the Joint Legislative Education Oversight Committee regarding the expenditure of State funds used to recruit, retain, and graduate "part-way home" and other nontraditional students who have completed some college but have not earned a degree and to cover other costs of implementing the strategy to reenroll "part-way home" students. The report shall include line item expenditures, descriptions of program activities and accomplishments, and data on outcome measures used to assess program effectiveness.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-UNCSEAA-H1-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

**NC SCHOLARSHIP FOR TEACHER ADVANCEMENT AND RETENTION (NCSTAR)**

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

"Part 3. North Carolina Scholarship for Teacher Advancement and Retention Program.

**"§ 116-209.60. Definitions.**

The following definitions apply in this Part:

- (1) Commission. – The North Carolina Scholarship for Teacher Advancement and Retention Commission.
- (2) Director. – The Director of the North Carolina Scholarship for Teacher Advancement and Retention Program.
- (3) Fund. – The North Carolina Scholarship for Teacher Advancement and Retention Fund.
- (4) Program. – The North Carolina Scholarship for Teacher Advancement and Retention Program.
- (5) Scholarship loan. – A forgivable scholarship loan made under the Program.

**"§ 116-209.61. North Carolina Scholarship for Teacher Advancement and Retention Commission established; membership.**

(a) Commission Established. – There is established the North Carolina Scholarship for Teacher Advancement and Retention Commission. The Director of the North Carolina Scholarship for Teacher Advancement and Retention Program shall staff the Commission. The Authority shall be responsible for implementing scholarship loan agreements, monitoring, cancelling through service, collecting, and otherwise enforcing the agreements for the Program and scholarship loans established in accordance with this Part.

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

- (1) Two deans of approved schools of education at a postsecondary constituent institution of The University of North Carolina, appointed by the President of The University of North Carolina.
- (2) The North Carolina Teacher of the Year, ex officio.
- (3) A teacher who graduated from an approved teacher preparation program located in the State within three years of appointment to serve on the Commission, appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives.
- (4) The North Carolina Principal of the Year, ex officio.
- (5) A principal, appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate.
- (6) The North Carolina Superintendent of the Year, ex officio.
- (7) One member to represent business and industry appointed by the Governor.
- (8) One local school board member appointed by the chair of the State Board of Education.



(9) The chairperson of the Board of the State Education Assistance Authority, ex officio.

(10) The Director of the North Carolina Scholarship for Teacher Advancement and Retention Program, ex officio. The Director shall chair the Commission.

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

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

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

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

**"§ 116-209.62. North Carolina Scholarship for Teacher Advancement and Retention Program established; administration.**

(a) Program. – There is established the North Carolina Scholarship for Teacher Advancement and Retention Program to be administered by the General Administration of The University of North Carolina, in collaboration with the Authority and the Commission. The purpose of the Program is to recruit, prepare, and support North Carolina residents for preparation as highly effective teachers serving in hard-to-staff licensure areas and hard-to-staff public schools. The Program shall be used to provide a scholarship loan to individuals interested in preparing to teach in the public schools of the State in hard-to-staff licensure areas and hard-to-staff schools.

(b) Fund. – There is established the North Carolina Scholarship for Teacher Advancement and Retention Program Fund to be administered by the Authority, in collaboration with the General Administration of The University of North Carolina. All funds appropriated to, or otherwise received by, the Program for scholarships, all funds received as repayment of scholarship loans, and all interest earned on these funds shall be placed in the Fund. The purpose of the Fund is to provide financial assistance to qualified students for completion of teacher education and licensure programs to fill hard-to-staff licensure areas and hard-to-staff schools in the State.

(c) Uses of Monies in the Fund. – The monies in the Fund may be used only for scholarship loans granted under the Program, administrative costs associated with the Program, including recruitment and recovery of funds advanced under the Program, and extracurricular enhancement activities of the Program. The Authority may use up to two hundred thousand dollars (\$200,000) from the Fund in each fiscal year for its administrative costs, the salary of the Director of the Program, and expenses of the Commission. The Commission may use up to four hundred thousand dollars (\$400,000) each fiscal year for the extracurricular enhancement activities of the Program.

(d) Director. – The General Administration of The University of North Carolina shall appoint a Director of the Program. The Director shall chair and staff the Commission and shall be responsible for recruitment and coordination of the Program, including proactive, aggressive, and strategic recruitment of potential recipients, including targeting regions of the State with the highest teacher attrition rates and teacher recruitment challenges, active engagement with educators, business leaders, experts in human resources, elected officials, and other community leaders throughout the State, and attracting candidates in hard-to-staff licensure areas. The Authority shall provide office space and clerical support staff for the Program.

(e) Student Selection Criteria for Scholarship Loans. – The Commission shall determine selection criteria, methods of selection, and shall select recipients to receive scholarship loans. The

1 Commission shall adopt stringent standards for awarding these scholarship loans based on  
2 multiple measures to ensure that only the strongest applicants receive them, including, but not  
3 limited to, the following:

- 4 (1) Grade point averages.
- 5 (2) Performance on relevant career and college readiness assessments.
- 6 (3) Experience, accomplishments, and other criteria demonstrating qualities  
7 positively correlated with highly effective teachers, including excellent verbal  
8 and communication skills.
- 9 (4) Stated commitments to either serving in a hard-to-staff school or licensure in a  
10 hard-to-staff licensure area for a minimum of four years.

11 (f) Program Selection Criteria. – The Authority shall administer the Program in  
12 cooperation with postsecondary constituent institutions of The University of North Carolina with  
13 educator preparation programs selected by the Commission. The Commission shall adopt stringent  
14 standards for selection of only the most effective educator preparation programs, including, but  
15 not limited to, the following:

- 16 (1) Demonstrates high rates of educator effectiveness on value-added models and  
17 teacher evaluations, including using performance-based, subject-specific  
18 assessment and support systems, such as edTPA or other metric of evaluating  
19 candidate effectiveness that has predictive validity.
- 20 (2) Demonstrates measurable impact of prior graduates on student learning,  
21 including impact of graduates teaching in hard-to-staff schools and graduates  
22 teaching in hard-to-staff licensure areas.
- 23 (3) Provides curricular and co-curricular enhancements in leadership, the  
24 facilitation of learning for diverse learners, community engagement, classroom  
25 management, and reflection and assessment.
- 26 (4) Requires at least a minor concentration of study in the subject area that the  
27 candidate may teach.
- 28 (5) Provides early and frequent internship or practical experiences, including the  
29 opportunity for participants to perform practica in hard-to-staff schools.

30 (g) Awards of Scholarship Loans. – The Program shall provide scholarship loans to  
31 selected students to be used at selected institutions for completion of a program leading to teacher  
32 licensure as follows:

- 33 (1) North Carolina high school seniors. – Scholarship loans of up to eight thousand  
34 two hundred fifty dollars (\$8,250) per year for up to four years.
  - 35 (2) Community college students and private, nonprofit two-year college students  
36 applying for transfer to an educator preparation program at a constituent  
37 institution of The University of North Carolina. – Scholarship loans of up to  
38 eight thousand two hundred fifty dollars (\$8,250) per year for up to two years.
  - 39 (3) Individuals currently holding a bachelor's degree seeking preparation for  
40 teacher licensure. – Scholarship loans of up to eight thousand two hundred fifty  
41 dollars (\$8,250) per year for up to two years.
  - 42 (4) Students matriculating at constituent institutions of The University of North  
43 Carolina who are changing to enrollment in an educator preparation program. –  
44 Scholarship loans of up to eight thousand two hundred fifty dollars (\$8,250) per  
45 year for up to two years.
- 46 Scholarship loans may be used for tuition, fees, and the cost of books.

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

- 1           (1)   Hard-to-staff licensure areas. – The number of available positions in a licensure  
2           area relative to the number of current and anticipated teachers in that area of  
3           licensure.  
4           (2)   Hard-to-staff school. – Annual teacher turnover rates, number and percentage of  
5           teaching positions unfilled for more than half of the school year, number and  
6           percentage of teachers with entry professional educator licenses intended for  
7           teachers with three or less years of teaching experience, percentage of students  
8           at school failing to meet expected growth, percentage of students at school  
9           scoring below grade level on standardized assessments, and school performance  
10          grade on the annual school report card.

11          The Commission shall make the list readily available to applicants. A student awarded a  
12          scholarship loan who enrolls in a program leading to a hard-to-staff licensure area shall continue  
13          to receive the scholarship and be permitted to fulfill the requirements of the scholarship loan even  
14          if that licensure area does not remain on the list following the student's year of enrollment. A  
15          student awarded a scholarship loan who, upon graduation, is employed by a local board of  
16          education to teach in a hard-to-staff school shall be permitted to fulfill the requirements of the  
17          scholarship loan, even if that school does not remain on the list following the student's year of  
18          initial employment.

19          (i)   Administration of Scholarship Loan Awards. – Upon the naming of recipients of the  
20          scholarship loans by the Commission, the Commission shall transfer to the Authority its decisions.  
21          The Authority, in coordination with the Director, shall perform all of the administrative functions  
22          necessary to implement this Part, which functions shall include rule making, dissemination of  
23          information, disbursement, receipt, liaison with participating constituent institutions,  
24          determination of the acceptability of service repayment agreements, and all other functions  
25          necessary for the execution, payment, and enforcement of promissory notes required under this  
26          Part.

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

- 30           (1)   Loans awarded from the Fund, including the following:  
31           a.    Demographic information regarding recipients.  
32           b.    Number of recipients by constituent institution and program.  
33           c.    Information on number of recipients by anticipated program licensure  
34           area.  
35           (2)   Placement and repayment rates, including the following:  
36           a.    Number of graduates who have been employed in a hard-to-staff school  
37           and number of graduates who have been employed in a hard-to-staff  
38           area within two years of program completion.  
39           b.    Number of graduates who have begun loan repayment and their years of  
40           service, if any, prior to beginning loan repayment and information on  
41           the number of graduates repaying a loan under the designation of hard-  
42           to-staff school or hard-to-staff licensure area.  
43           c.    Number of graduates who have fulfilled service requirements through  
44           employment in a hard-to-staff school and number of graduates who  
45           have fulfilled service requirements through employment in a  
46           hard-to-staff licensure area.  
47           d.    Number of graduates employed in a hard-to-staff school or hard-to-staff  
48           licensure area who have received an overall rating of at least  
49           accomplished and have met expected growth on applicable standards of  
50           the teacher evaluation instrument.

1 e. Aggregate information on student growth and proficiency in courses  
2 taught by graduates who have fulfilled service requirements through  
3 employment in a hard-to-staff school and in a hard-to-staff licensure  
4 area.

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

6 a. Turnover rate for scholarship loan graduates.

7 b. Aggregate information on student growth and proficiency in courses  
8 taught by scholarship loan graduates.

9 c. Fulfillment rate of scholarship loan graduates.

10 **"§ 116-209.63. Terms of loans; receipt and disbursement of funds.**

11 (a) Notes. – All scholarship loans shall be evidenced by notes made payable to the  
12 Authority that bear interest at a rate not to exceed ten percent (10%) per year as set by the  
13 Authority and beginning 90 days after completion of the program leading to teacher licensure, or  
14 90 days after termination of the scholarship loan, whichever is earlier. The scholarship loan may  
15 be terminated upon the recipient's withdrawal from school or by the recipient's failure to meet the  
16 standards set by the Commission.

17 (b) Forgiveness. – The Authority shall forgive the loan and any interest accrued on the  
18 loan if, within seven years after graduation from a program leading to teacher licensure, exclusive  
19 of any authorized deferment for extenuating circumstances, the recipient serves for four years as a  
20 teacher at a North Carolina public school identified as hard-to-staff or at a North Carolina public  
21 school in an identified hard-to-staff area of licensure, as provided in G.S. 116-209.61(h). The  
22 Authority shall also forgive the loan if it finds that it is impossible for the recipient to work for  
23 four years, within seven years after completion of the program leading to teacher licensure at a  
24 North Carolina public school because of the death or permanent disability of the recipient. If the  
25 recipient repays the scholarship loan by cash payments, all indebtedness shall be repaid within  
26 eight years after completion of the program leading to teacher licensure supported by the  
27 scholarship loan. If the recipient completes a program leading to teacher licensure, payment of  
28 principal and interest shall begin no later than 27 months after the completion of the program.  
29 Should a recipient present extenuating circumstances, the Authority may extend the period to  
30 repay the loan in cash to no more than a total of 12 years."

31 **SECTION #.(b)** Notwithstanding the requirements established in G.S. 116-209.61, as  
32 enacted by this section, initial appointments to the Commission shall be made no later than August  
33 15, 2016. Initial appointment to the Commission shall expire July 1, 2018.

34 **SECTION #.(c)** The Commission shall establish initial selection criteria for recipients  
35 and constituent institutions of The University of North Carolina no later than November 15, 2016,  
36 and shall make available applications to prospective students no later than December 31, 2016.

37 **SECTION #.(d)** The State Board of Education shall establish criteria and identify  
38 hard-to-staff areas of licensure and hard-to-staff schools by local school administrative unit and  
39 provide that information to the Commission and Authority no later than November 1, 2016.

40 **SECTION #.(e)** The Commission shall select recipients and award the initial  
41 scholarship loans for the 2017-2018 school year no later than April 1, 2017.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-UNCSEAA-H2-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

**MODIFICATIONS TO THE SPECIAL EDUCATION SCHOLARSHIP GRANT PROGRAM  
FOR CHILDREN WITH DISABILITIES**

**SECTION #.(a)** G.S. 115C-112.5(2) reads as rewritten:

"(2) Eligible student. – A child under the age of 22 who resides in North Carolina and meets all of the following criteria:

- a. Is a child with a disability.
- b. Is eligible to attend a North Carolina public school pursuant to G.S. 115C-366.
- c. Has not been placed in a nonpublic school or facility by a public agency at public expense.
- d. Has not been enrolled in a postsecondary institution as a full-time student taking at least 12 hours of academic credit.
- e. Has not received a high school diploma.
- f. Meets at least one of the following requirements:
  1. Was enrolled in a North Carolina public school or a Department of Defense Elementary and Secondary School, established pursuant to 10 U.S.C. § 2164 and located in North Carolina, during the previous semester.
  2. Received special education or related services through the North Carolina public schools as a preschool child with a disability during the previous semester.
  3. Was approved for a scholarship for the previous semester.
  4. Is a child who is identified as a child with a disability prior to the end of the year of initial enrollment in kindergarten or first grade. An award by the Authority based on eligibility under this sub-sub-subdivision shall be conditional. If documentation is not provided to the Authority that the child is a child with a disability prior to the end of the year of initial enrollment, (i) no reimbursement shall be awarded and (ii) the child shall not qualify the following year as an eligible student under sub-sub-subdivision 3. of this section.
  5. Is a child whose parent or legal guardian is on full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. § 12301, et seq., and 10 U.S.C. § 12401, et seq.
  6. Is a child who has been domiciled in the State for at least six months."

**SECTION #.(b)** G.S. 115C-112.6 reads as rewritten:

**"§ 115C-112.6. Scholarships.**

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

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

14 (a2) Priority of Awards. – The Authority shall award scholarships according to the  
15 following criteria for applications received by June 15 each year:

16 (1) First priority shall be given to eligible students who received a scholarship  
17 during the previous semester.

18 (2) After scholarships have been awarded under subdivision (1) of this subsection,  
19 scholarships shall be awarded to students who meet any of the criteria listed in  
20 G.S. 115C-112.5(2)f.1., 2., 4., and 5.

21 (3) After scholarships have been awarded under subdivision (2) of this subsection,  
22 scholarships shall be awarded to students who meet the criteria found in  
23 G.S. 115C-112.5(2)f.6.

24 Scholarships shall be awarded to eligible students in each subdivision of this subsection in the  
25 order in which the applications are received.

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

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

37 "(1) ~~Scholarship Tuition endorsement for tuition and reimbursement. — The~~  
38 ~~Authority shall remit, at least two times each school year, scholarship funds~~  
39 ~~awarded to eligible students for endorsement by at least one of the student's~~  
40 ~~parents or guardians for tuition to attend (i) a North Carolina public school~~  
41 ~~other than the public school to which that student has been assigned as provided~~  
42 ~~in G.S. 115C 366 or (ii) a nonpublic school that meets the requirements of Part~~  
43 ~~1 or Part 2 of Article 39 of this Chapter as identified by the Department of~~  
44 ~~Administration, Division of Nonpublic Education. The Authority shall disburse~~  
45 scholarship funds awarded to eligible students for tuition at a nonpublic school  
46 based upon the method selected by the nonpublic school. A nonpublic school  
47 may elect to participate in the scholarship endorsement for tuition option or the  
48 reimbursement for tuition option as set forth in this subdivision. Scholarship  
49 funds shall not be provided for tuition for home schooled students. If the  
50 student is attending a nonpublic school, the school must be deemed eligible by  
51 the Division of Nonpublic Education, pursuant to G.S. 115C 562.4, and the

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

11 a. Scholarship endorsement for tuition. – The Authority shall remit, at  
12 least two times each school year, scholarship funds awarded to eligible  
13 students for endorsement by at least one of the student's parents or  
14 guardians for tuition to attend a nonpublic school that meets the  
15 requirements of Part 1 or Part 2 of Article 39 of this Chapter as  
16 identified by the Department of Administration, Division of Nonpublic  
17 Education, is deemed eligible by the Division, and is subject to the  
18 requirements of G.S. 115C-562.5. The parent or guardian shall  
19 restrictively endorse the scholarship funds awarded to the eligible  
20 student to the school for deposit into the account of the school. The  
21 parent or guardian shall not designate any entity or individual associated  
22 with the school as the parent's attorney-in-fact to endorse the  
23 scholarship funds but shall endorse the scholarship funds in person at  
24 the site of the school. A parent's or guardian's failure to comply with this  
25 section shall result in forfeiture of the scholarship funds. A scholarship  
26 forfeited for failure to comply with this section shall be returned to the  
27 Authority to be awarded to another student.

28 b. Reimbursement for tuition. – The parent or guardian of an eligible  
29 student who enrolls in a school that is (i) a North Carolina public school  
30 other than the public school to which that student has been assigned as  
31 provided in G.S. 115C-366 or (ii) a nonpublic school that meets the  
32 requirements of Part 1 or Part 2 of Article 39 of this Chapter as  
33 identified by the Department of Administration, Division of Nonpublic  
34 Education, is deemed eligible by the Division, and is not subject to  
35 G.S. 115C-562.5, shall pay tuition directly to the school. The Authority  
36 shall reimburse the parent or guardian no sooner than the midpoint of  
37 each semester. A parent or guardian may receive reimbursement for  
38 tuition if the parent or guardian provides documentation that the student  
39 was enrolled in a school under this sub-subdivision.

40 (2) Scholarship reimbursements for costs. – Scholarship reimbursement for costs  
41 incurred shall be provided as follows:

42 a. Preapproval process. – Prior to the start of each school semester, the  
43 parent of an eligible student may submit documentation of the special  
44 education, related services, or educational technology the parent  
45 anticipates incurring costs on in that semester for preapproval by the  
46 Authority.

47 b. Reimbursement submissions. – Following the conclusion of each school  
48 semester, the parent of an eligible student shall submit to the Authority  
49 any receipts or other documentation approved by the Authority to  
50 demonstrate the costs incurred during the semester. In addition, parents  
51 shall provide documentation of the following to seek reimbursement:

1. Special education reimbursement. – Parents may only receive reimbursement for special education if the parent provides documentation that the student received special education for no less than 75 days of the semester for which the parent seeks reimbursement. Special education reimbursement shall not be provided for special education instruction provided to a home schooled student by a member of the household of a home school, as defined in G.S. 115C-563(a).
  2. Related services reimbursement. – Parents may only receive reimbursement for related services if the parent provides documentation that the student also received special education for no less than 75 days of the semester for which the parent seeks reimbursement for the related services. Related services reimbursement shall not be provided for related services provided to a home schooled student by a member of the household of a home school, as defined in G.S. 115C-563(a).
  3. Educational technology reimbursement. – Parents may only receive reimbursement for educational technology if the parent provides documentation that the student used the educational technology for no less than 75 days of the semester for which the parent seeks reimbursement.
- c. Scholarship award. – The Authority shall award a scholarship in the amount of costs demonstrated by the parent up to the maximum amount. If the costs incurred by the parent do not meet the maximum ~~amount,~~amount for the fall semester, the Authority shall use the remainder of those funds for the award of scholarships to eligible students for the following ~~semester,~~spring semester. The Authority shall award scholarships to the parents of eligible students at least semiannually.
- d. Carryforward of funds for reimbursements. – Any unexpended scholarship funds at the end of each fiscal year shall revert to the General Fund, except that the Authority may carry forward for the next fiscal year an amount necessary to ensure that any outstanding, allowable reimbursements can be disbursed in accordance with this section. Any funds carried forward for the purpose of meeting anticipated reimbursement obligations from the prior fiscal year that are not expended shall not be used to award additional scholarships to eligible students but shall revert to the General Fund at the end of the that fiscal year.

...."

**SECTION #.(c)** G.S. 115C-112.8(b) reads as rewritten:

"(b) The annual report shall include all of the following information:

- (1) Total number, age, and grade level of eligible students receiving scholarships.
- (2) Total amount of scholarship funding awarded.
- (3) Nonpublic schools in which scholarship recipients are enrolled and the number of scholarship students at that school.
- (4) The type of special education or related services for which scholarships were awarded.
- (5) Total number of applicants by eligibility type, as listed in G.S. 115C-112.5(2)f., and the total number of scholarships awarded by priority type, as listed in G.S. 115C-112.6(a2)."



1           **SECTION #.(d)** Notwithstanding G.S. 115C-112.5(2)f.1., for the 2016-2017 school  
2 year only, a child shall be deemed to have met the eligibility requirement of enrollment in a North  
3 Carolina public school during the previous semester under G.S. 115C-112.5(2)f.1. if (i) the child's  
4 parent or guardian submitted an application and was eligible to receive a scholarship grant under  
5 Part 1H of Article 9 of Chapter 115C of the General Statutes for the 2015-2016 school year and  
6 was enrolled in a public school for at least 75 days during the spring semester of the 2014-2015  
7 school year or (ii) the child was enrolled for at least 75 days during the spring semester of the  
8 2015-2016 school year.

9           **SECTION #.(e)** Except as otherwise provided in this section, this section applies  
10 beginning with the 2016-2017 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-UNCSEAA-H3-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

**MODIFICATIONS TO THE OPPORTUNITY SCHOLARSHIP PROGRAM**

**SECTION #.(a)** G.S. 115C-562.1(3) reads as rewritten:

"(3) Eligible students. – A student residing in North Carolina who has not yet received a high school diploma and who meets all of the following requirements:

a. Meets one of the following criteria:

1. Was a full-time student (i) assigned to and attending a public school pursuant to G.S. 115C-366 or (ii) enrolled in a Department of Defense Elementary and Secondary School, established pursuant to 10 U.S.C. § 2164 and located in North Carolina, during the previous semester.
2. Received a scholarship grant during the previous school year.
3. Is entering either kindergarten or the first grade.
4. Is a child in foster care as defined in G.S. 131D-10.2(9).
5. Is a child whose adoption decree was entered not more than one year prior to submission of the scholarship grant application.
6. Is a child whose parent or legal guardian is on full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. § 12301, et seq., and 10 U.S.C. § 12401, et seq.

a1. Has not enrolled in a postsecondary institution in a matriculated status eligible for enrollment for 12 hours of academic credit.

b. Resides in a household with an income level not in excess of one hundred thirty-three percent (133%) of the amount required for the student to qualify for the federal free or reduced-price lunch program."

**SECTION #.(b)** G.S. 115C-562.2(a)(2) reads as rewritten:

"(2) After scholarship grants have been awarded to prior recipients as provided in subdivision (1) of this subsection, scholarships shall be awarded with remaining funds as follows:

- a. At least fifty percent (50%) of the remaining funds shall be used to award scholarship grants to eligible students residing in households with an income level not in excess of the amount required for the student to qualify for the federal free or reduced-price lunch program.
- b. No more than thirty-five percent (35%) of the remaining funds shall be used to award scholarship grants to eligible students entering ~~either kindergarten or first grade~~ kindergarten.
- c. Any remaining funds shall be used to award scholarship grants to all other eligible students."

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

# GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed  
SPECIAL PROVISION



2016-UNCSEAA-H4-P

## State Education Assistance Authority House Appropriations, Education

### Requested by

#### **TRANSFORMING PRINCIPAL PREPARATION/CLARIFY RFP GRANTS**

**SECTION #.** Subsection 11.9(f) of S.L. 2015-241 reads as rewritten:

**"SECTION 11.9.(f)** Application Requirements. – The nonprofit corporation entering into a contract with the Authority under subsection (d) of this section shall issue an initial RFP with guidelines and criteria for the grants no later than March 1, 2016. The nonprofit corporation may issue additional RFPs for grant applicants as it may deem necessary, subject to available funds. An eligible entity that seeks a grant under the program authorized by this section shall submit to the nonprofit corporation an application at such time, in such manner, and accompanied by such information as the nonprofit may require. An applicant shall include at least the following information in its response to the RFP for consideration by the nonprofit corporation:

- (1) The extent to which the entity has a demonstrated record of preparing school leaders who implement school leadership practices linked to increased student achievement.
- (2) The extent to which the entity has a rigorous school leader preparation program design that includes the following research-based programmatic elements:
  - a. A proactive, aggressive, and intentional recruitment strategy.
  - b. Rigorous selection criteria based on competencies that are predictive of success as a school leader, including, but not limited to, evidence of significant positive effect on student learning growth in the classroom, at the school-level, and the local school administrative unit-level, professional recommendations, evidence of problem solving and critical thinking skills, achievement drive, and leadership of adults.
  - c. Alignment to high-quality national standards for school leadership development.
  - d. Rigorous coursework that effectively links theory with practice through the use of field experiences and problem-based learning.
  - e. Full-time clinical practice of at least five months in duration in an authentic setting, including substantial leadership responsibilities where candidates are evaluated on leadership skills and effect on student outcomes as part of program completion.
  - f. Multiple opportunities for school leader candidates to be observed and coached by program faculty and staff.
  - g. Clear expectations for and firm commitment from school leaders who will oversee the clinical practice of candidates.
  - h. Evaluation of school leader candidates during and at the end of the clinical practice based on the North Carolina School Executive Evaluation Rubric.
  - i. A process for continuous review and program improvement based on feedback from partnering local school administrative units and data from program completers, including student achievement data.

- 1 j. Established relationship and feedback loop with affiliated local school  
2 administrative units that is used to inform and improve programmatic  
3 elements from year to year based on units' needs."