

2019-2020

**HOUSE
EDUCATION –
UNIVERSITIES**

MINUTES



North Carolina General Assembly

Education - Universities

2019-2020 Session

Chairs:

**Representative Fraley
Representative Hastings**

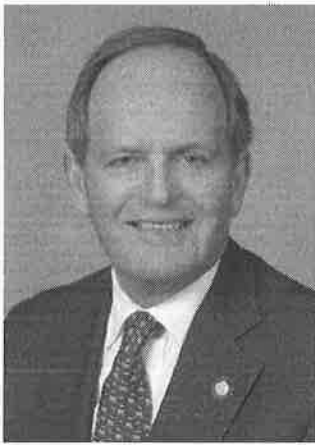
Committee Clerks:

**Jan Copeland
James Jenkins**

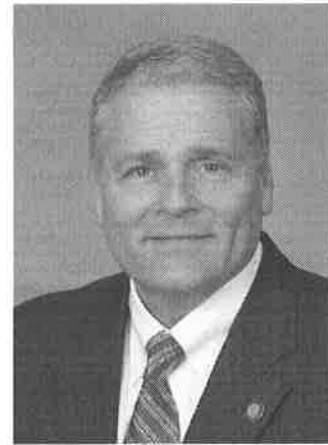
HOUSE COMMITTEE ON EDUCATION - UNIVERSITIES

2019-2020 SESSION

Clerks: Jan Copeland
James Jenkins



Rep. John Fraley, Chair



Rep. Kelly Hastings, Chair



**Rep. Ted Davis,
Vice-Chair**



Rep. Gale Adcock



**Rep. Kelly
Alexander**



Rep. Becky Carney



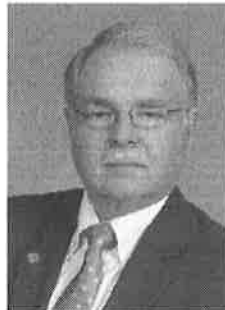
**Rep. Ashton
Clemmons**



Rep. Verla Insko



**Rep. Darren
Jackson**



**Rep. Donny
Lambeth**



Rep. Grier Martin



**Rep. Chuck
McGrady**



Rep. Marcia Morey



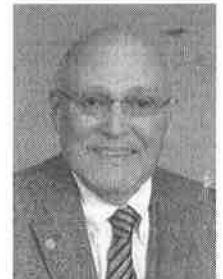
Rep. Greg Murphy



Rep. Larry Pittman



Rep. Rena Turner



Rep. Lee Zachary

HOUSE COMMITTEE ON EDUCATION – UNIVERSITIES
2019 LONG SESSION

<u>MEMBER</u>	<u>ASSISTANT</u>	<u>PHONE</u>	<u>OFFICE</u>
Rep. John Fraley	Jan Copeland	733-5741	637 LOB
Rep. Kelly Hastings	James Jenkins	715-2002	2208 LB
Rep. Ted Davis	Andrew Bowers	733-5786	417-B LOB
Rep. Gale Adcock	Suzanne Smith	733-5602	1213 LB
Rep. Kelly Alexander	Ann Raeford	733-5778	404 LOB
Rep. Becky Carney	Beth LeGrande	733-5827	1221 LB
Rep. Ashton Clemmons	Rianah Alexander	733-5781	1211 LB
Rep. Verla Insko	Young Bae	733-7208	503 LOB
Rep. Darren Jackson	Angela McMillan	733-5974	506 LOB
Rep. Donny Lambeth	Pan Briles	733-5747	303 LOB
Rep. Grier Martin	Chris Hailey	733-5773	1023 LB
Rep. Chuck McGrady	Kimberly Neptune	733-5956	304 LOB
Rep. Marcia Morey	Pamela Best	733-7663	1109 LB
Rep. Greg Murphy	Anne Harvey Smith	733-5757	307-B LOB
Rep. Larry Pittman	Tammy Pittman	715-2009	1010 LB
Rep. Rena Turner	Barbara Gaiser	733-5661	606 LOB
Rep. Lee Zachary	Martha Jenkins	715-8361	420 LOB
Rep. John Bell	Susan West Horne	715-3017	301-F LOB
Rep. Brenden Jones	Andrew Bailey	733-5821	1227 LB
Rep. David Lewis	Grace Rogers	715-3015	2301 LB
Rep. Sarah Stevens	Lisa Brown	715-1884	419 LOB

ATTENDANCE

House Committee on Education-Universities (2019 Long Session)

DATES	MARCH 5 3-19	4-2-19 4-16-19	6-18-19 6-25-19	7-23-19
Rep. John Fraley (Chair)	✓	✓	✓	✓
Rep. Kelly Hastings (Chair)	✓	✓	✓	✓
Rep. Ted Davis (Vice Chair)	✓	✓	✓	✓
Rep. Gale Adcock	✓		✓	✓
Rep. Kelly Alexander	✓			✓
Rep. Becky Carney	✓	✓	✓	✓
Rep. Ashton Clemmons	✓	✓	✓	✓
Rep. Verla Insko	✓	✓	✓	✓
Rep. Darren Jackson		✓		✓
Rep. Donny Lambeth	✓			✓
Rep. Grier Martin	✓	✓	✓	✓
Rep. Chuck McGrady	✓	✓	✓	✓
Rep. Marcia Morey	✓	✓	✓	✓
Rep. Greg Murphy	✓	✓	✓	✓
Rep. Larry Pittman	✓	✓	✓	✓
Rep. Rena Turner	✓	✓	✓	✓
Rep. Lee Zachary	✓	✓	✓	✓
Rep. David Lewis				
Rep. Sarah Stevens				
Rep. John Bell				
Rep. Brenden Jones				
James Jenkins	✓	✓	✓	✓
Jan Copeland	✓	✓	✓	✓

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Universities** will meet as follows:

DAY & DATE: Tuesday, March 5, 2019

TIME: 11:00 AM

LOCATION: 421 LOB

COMMENTS: Representative John A. Fraley will chair the standing committee

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
<u>HB 62</u>	In-State Tuition/Members Served on USS NC.	Representative Cleveland Representative Horn
<u>HB 107</u>	PED Oversight/EPP Changes.	Representative Horn Representative Farmer-Butterfield Representative Lucas
<u>HB 168</u>	College Advising Corps Expansion/Funds.	Representative Fraley Representative Carney Representative Lucas Representative Elmore

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 1:10 PM on
Wednesday, November 06, 2019.

____ Principal Clerk
____ Reading Clerk – House Chamber

James Jenkins (Committee Assistant)

House Committee on Education - Universities
Tuesday, March 5, 2019, 11:00 AM
421 Legislative Office Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
HB 62	In-State Tuition/Members Served on USS NC.	Representative Cleveland Representative Horn
HB 107	PED Oversight/EPP Changes.	Representative Horn Representative Farmer-Butterfield
HB 168	College Advising Corps Expansion/Funds.	Representative Lucas Representative Fraley Representative Carney Representative Lucas Representative Elmore

Presentations

Other Business

Adjournment

House Committee on Education - Universities
Tuesday, March 5, 2019 at 11:00 AM
Room 421 of the Legislative Office Building

MINUTES

The House Committee on Education - Universities met at 11:00 AM on March 5, 2019 in Room 421 of the Legislative Office Building. Representatives Adcock, Alexander, Carney, Clemmons, Davis, Fraley, Hastings, Insko, Lambeth, Martin, McGrady, Morey, Murphy, Pittman, R. Turner, and Zachary attended.

Representative John A. Fraley, Chair, presided.

Representative Fraley called the meeting to order @ 11:00 a.m. He introduced and thanked the Sgt. @ Arms (Bill Bass, Joe Cook and Will Crocker). Representative Fraley asked the committee to be at rest for 5 minutes until additional members arrived.

Representative Fraley introduced Representative Craig Horn to explain the PCS for H107.

HB 107 PED Oversight/EPP Changes. (Representatives Horn, Farmer-Butterfield, Lucas)

Representative Craig Horn explained the proposed committee substitute. Representative Horn stated the bill is a result of the PED Report 2018-06. The report is an extensive look at the effectiveness of Data Reporting Systems of Education Programs. H107 seeks to improve the effectiveness of Data Reporting Systems of Education Programs. The first portion of the bill shifts employment measures already in statute from one section to another (this is a technical correction). The bill also adds small group exceptions allowing for multi-year averaging when warranted instead of single year. The bill directs the State Board to report to the Joint Education Oversight Committee by November of 2019. In summary, the bill will improve the reporting system for efficient use of the data available making it user friendly. The Proposed Committee Substitute passed and was re-referred to House Education K-12.

Representative Kelly Hastings took over the chairmanship and introduced Representative John Fraley to explain the next bill. (HB168)

HB 168 College Advising Corps Expansion/Funds. (Representatives Fraley, Carney, Lucas, Elmore)

Representative John Fraley explained the bill. In North Carolina and elsewhere, two thirds of jobs will require some type of post-secondary degree or certificate. Only forty seven to forty eight percent of the working age population in North Carolina have a post-secondary education. In order to move toward a properly educated workforce we need to move kids to the community colleges and universities. One way to facilitate this is through the College Advising Corps. The College Advising Corps is involved in training and placing college advisors in high schools to assist students and parents in selecting the best community college or university and also to help with additional aid and scholarship. In 2016-2017 the College Advising Corps was in 52 counties, 59

school systems and 133 schools including 112 counselors. The return to the state is \$15 for every \$1 spent. HB 168 scales up the College Advising Corps into all 100 counties over the next 3 years. The cost is divided between the universities, the philanthropic community and the state (with each assuming 1/3). The College Advising Corps has been very effective in Tier 1 and Tier 2 counties where parents may not have post-secondary education. The bill passed with a favorable report with a serial referral to Appropriations Education.

Representative Fraley introduced Representative George Cleveland to explain the next bill. (HB62)

HB 62 In-State Tuition/Members Served on USS NC. (Representatives Cleveland, Horn)

Representative George Cleveland explained the bill; The PCS would provide for sailors of the USSNC who have served for longer than 180 days in-state tuition. The bill was displaced due to a necessary amendment for those who are not on active duty status. The bill will be amended in House Education Community Colleges and returned to House Education – Universities.

The meeting adjourned at 11:47 a.m.



Representative John A. Fraley, Chair
Presiding



Jan Copeland, Committee Clerk

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

EDUCATION - UNIVERSITIES COMMITTEE REPORT

**Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair**

FAVORABLE AND RE-REFERRED

HB 168 College Advising Corps Expansion/Funds.
Draft Number: None
Serial Referral: **APPROPRIATIONS, EDUCATION**
Recommended Referral: None
Long Title Amended: No
Floor Manager: Fraley

FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED

HB 107 PED Oversight/EPP Changes.
Draft Number: H107-PCS30117-BE-1
Serial Referral: **EDUCATION - K-12**
Recommended Referral: None
Long Title Amended: Yes
Floor Manager: Horn

TOTAL REPORTED: 2



* C M R 4 8 - V - 2 *

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

D

HOUSE BILL 62
PROPOSED COMMITTEE SUBSTITUTE H62-CSBN-3 [v.1]

03/01/2019 11:24:36 AM

Short Title: In-State Tuition/Members Served on USS NC.

(Public)

Sponsors:

Referred to:

February 14, 2019

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT SERVICE MEMBERS WHO SERVE ON THE USS NORTH
3 CAROLINA SSN 777 FOR A PERIOD OF 180 DAYS OR LONGER ARE ELIGIBLE FOR
4 IN-STATE TUITION.
5 The General Assembly of North Carolina enacts:
6 SECTION 1. Article 14 of Chapter 116 is amended by adding a new section to read:
7 "§ 116-143.3B. Tuition of Armed Forces personnel having served on the USS North
8 Carolina SSN 777.
9 (a) Any member of the United States Armed Forces who has served on the USS North
10 Carolina SSN 777 for a period of 180 days or more and qualifies for admission to an institution
11 of higher education as defined in G.S. 116-143.1(a)(3), but does not qualify as a resident for
12 tuition purposes under G.S. 116-143.1, shall be charged the in-State tuition rate and applicable
13 mandatory fees for enrollment.
14 (b) This section applies to members in a reserve or active duty status. The person applying
15 for the benefit of this section has the burden of proving entitlement to the benefit."
16 SECTION 2. This act is effective July 1, 2019, and applies beginning with the
17 2019-2020 academic year.



* H 6 2 - C S B N - 3 *



HOUSE BILL 62: In-State Tuition/Members Served on USS NC.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Education - Community Colleges. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 5, 2019
Introduced by:	Reps. Cleveland, Horn	Prepared by:	Samantha Yarborough
Analysis of:	PCS to First Edition H62-CSBN-3		Staff Attorney

OVERVIEW: *HB 62 would make any member of the United States Armed Forces that has served on the USS North Carolina SSN 777 for at least 180 days eligible to receive the in-State tuition rate.*

The PCS to HB 62 makes technical and organizational changes.

CURRENT LAW: G.S. 116-143.1 states that to qualify as a resident for tuition purposes, a person must have established legal residence (domicile) in North Carolina and maintained that legal residence for at least 12 months immediately prior to his or her classification as a resident for tuition purposes.

G.S. 116-143.3 allows Armed Forces personnel to be charged the in-State tuition rate without meeting the requirements of G.S. 116-143.1 if the person is living in the State incident to active military duty. In the event that the active duty member is reassigned outside of the State or retires, the member continues to be eligible for in-State tuition rate as long as the member is continuously enrolled. The member has the burden of proving entitlement to this benefit.

G.S. 116-143.3A waives the 12-month residency requirement of G.S. 116-143.1 for veterans living in North Carolina who are entitled to federal education benefits under 38 U.S.C. Chapter 30 or 38 U.S.C. Chapter 33 and enroll within three years of discharge or release from the Armed Forces.

BILL ANALYSIS: The PCS would create a new exception to the residency requirements of G.S. 116-143.1 for members of the United States Armed Forces that have served at least 180 days on the USS North Carolina SSN 777. This would apply to members in a reserve or active duty status. Any member applying for the benefit of this exception would have the burden of proving entitlement to the exception.

EFFECTIVE DATE: The PCS would become effective on July 1, 2019, and apply beginning with the 2019-2020 academic year.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
(919) 733-2578

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

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HOUSE BILL 62

Short Title: In-State Tuition/Members Served on USS NC. (Public)

Sponsors: Representatives Cleveland and Horn (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Education - Community Colleges, if favorable, Rules, Calendar, and Operations of the House

February 14, 2019

A BILL TO BE ENTITLED
AN ACT TO PROVIDE THAT SERVICE MEMBERS WHO SERVE ON THE USS NORTH
CAROLINA SSN 777 FOR A PERIOD OF 180 DAYS OR LONGER ARE ELIGIBLE FOR
IN-STATE TUITION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-143.1 is amended by adding a new subsection to read:
"(h2) Any member of the United States Armed Forces who is a nonresident and has served on the USS North Carolina SSN 777 for a period of 180 days or more shall be eligible to be charged the in-State tuition rate. This subsection applies to members in a reserve or active duty status."

SECTION 2. This act is effective July 1, 2019, and applies beginning with the 2019-2020 academic year.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

D

HOUSE BILL 107
PROPOSED COMMITTEE SUBSTITUTE H107-CSBE-1 [v.7]

03/04/2019 03:54:40 PM

Short Title: PED Oversight/EPP Changes.

(Public)

Sponsors:

Referred to:

February 20, 2019

A BILL TO BE ENTITLED
AN ACT TO MAKE CHANGES TO THE EDUCATOR PREPARATION PROGRAM
PERFORMANCE STANDARDS AND DATA REPORTING SYSTEM.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-269.35 reads as rewritten:

"§ 115C-269.35. Accountability for educator preparation programs.

(a) Performance Measures. – The State Board shall adopt rules necessary to establish standards of performance to govern the continuing accountability of all EPPs. At a minimum, the performance standards shall be based on the following information that is disaggregated with respect to race, sex, and ethnicity:

- (1) Performance based on the standards and criteria for annual evaluations of licensed employees.
- (2) Proficiency and growth of students taught by educators holding an initial professional license, to the extent practicable. When available, EVAAS data shall be used to measure student proficiency and growth.
- (3) Results from an educator satisfaction survey, developed by the State Board with stakeholder input, performed at the end of the educator's first year of teaching after receiving an initial professional license.
- (4) Quality of students entering the EPP, including the average grade point average and average score on preprofessional skills tests or college entrance exams that assess reading, writing, mathematics, and other competencies.
- (5) Employment of EPP completers, including the number of students employed as beginning teachers under initial professional licenses within the first year of completing the program, the number of students retained in the profession, and the perseverance of beginning educators in the profession, as determined on the basis of the number of beginning educators who maintain status as active members in the North Carolina Teachers' and State Employees' Retirement System at least three years after licensure.

(b) Annual Performance Reports. – The State Board shall require all recognized EPPs to submit annual performance reports. The performance reports shall provide the State Board with a focused review of the EPPs and the current authorization process in order to ensure that the programs produce graduates that are well prepared to teach. At a minimum, the annual report shall contain the following indicators:

- (1) Performance data from subsection (a) of this section.
- (2) Data related to the EPP's compliance with requirements for field supervision of students during their internship and residency experiences.



* H 1 0 7 - C S B E - 1 *

- 1 (3) The following information, disaggregated by race, sex, and ethnicity:
2 a. The number of students who apply.
3 b. The number of students admitted.
4 c. The number of students retained.
5 d. The number of students completing the program.
6 e. ~~The number of students employed as beginning teachers under initial~~
7 ~~professional licenses by not later than the first anniversary of~~
8 ~~completing the program.~~
9 f. The amount of time required by students employed as beginning
10 teachers under residency licenses to be issued initial professional
11 licenses.
12 g. ~~The number of students retained in the profession.~~
13 h. Any other information required by federal law.
14 (4) The ratio of field supervisors to students completing an internship or
15 residency.
16 (5) Graduation rates.
17 (6) Time-to-graduation rates.
18 (7) Average scores of graduates on professional, pedagogy, and content area
19 examinations for the purpose of licensure.
20 (8) Percentage of graduates receiving initial professional licenses.
21 (9) The extent to which the program prepares educators, including general
22 education teachers and special education teachers, to effectively teach the
23 following:
24 a. Students with disabilities.
25 b. Students of limited English proficiency.
26 (10) The activities offered by the program that are designed to prepare educators
27 to do the following:
28 a. Integrate technology effectively into curricula and instruction,
29 including activities consistent with the principles of universal design
30 for learning.
31 b. Use technology effectively to collect, manage, and analyze data to
32 improve teaching and learning for the purpose of increasing student
33 academic achievement.
34 (11) ~~The perseverance of beginning educators in the profession, as determined on~~
35 ~~the basis of the number of beginning educators who maintain status as active~~
36 ~~contributing members in the North Carolina State Employee Retirement~~
37 ~~System at least three years after licensure in comparison to similar programs.~~
38 (12) The results of surveys given to school principals that involve evaluation of the
39 program's effectiveness in preparing participants to succeed in the classroom,
40 based on experience with employed program participants.
41 (13) Any other information necessary to enable the State Board to assess the
42 effectiveness of the program on the basis of educator retention and success
43 criteria adopted by the State Board.
44 (c) Submission of Annual Performance Reports. – Performance reports shall be provided
45 annually to the following:
46 (1) The State Board.
47 (2) The board of trustees or board of directors of the entity submitting the report.
48 (d) Information Requests by EPPs. – The State Board of Education shall annually
49 provide, upon request, the data required to be included in an EPP's annual performance report
50 related to subdivisions ~~(1) and (2)~~ (1), (2), and (5) of subsection (a) of this section and subdivision
51 ~~(11) of subsection (b) of this section.~~ The State Board of Education shall provide this information

1 to an EPP as aggregate data and disaggregated by race, sex, and ethnicity. Notwithstanding
2 Article 21A of this Chapter, local school administrative units shall provide to the State Board of
3 Education for the purposes of these information requests any North Carolina Educator Evaluation
4 System effectiveness status assigned to teachers based on queries from the State Board. The State
5 Board of Education shall not report aggregated or disaggregated data to the EPP that reveals
6 confidential information in a teacher's personnel file, as defined by Article 21A of this Chapter,
7 such as making the effectiveness status personally identifiable to an individual teacher."

8 **SECTION 2.** G.S. 115C-269.45 is amended by adding a new subsection to read:

9 "(c1) Small Group Exception. – Notwithstanding the provisions of subsection (a) of this
10 section, the State Board of Education shall adopt a rule to establish a small group exception for
11 circumstances in which disaggregation of performance data with respect to race, sex, or ethnicity
12 is not possible due to the small number of program participants in a demographic group. The rule
13 shall include the number of students necessary to qualify for the exception and the alternative
14 method of performance assessment and assignment of sanctions. The rule may provide for
15 measuring performance of small student groups cumulatively over multiple years for EPP
16 accountability purposes."

17 **SECTION 3.(a)** The State Board of Education, in consultation with the Department
18 of Public Instruction and the Professional Educator Preparation and Standards Commission
19 (PEPSC), shall develop a formulaic, performance-based weighted model for the purposes of
20 comparing the annual report card information between each educator preparation program (EPP)
21 pursuant to G.S. 115C-269.50. The State Board, in consultation with the Department and PEPSC,
22 shall do at least the following in designing the weighted model:

- 23 (1) Identify and select measures from the annual performance reports required by
24 G.S. 115C-269.35(b), as amended by this act, to be used in the weighted
25 model.
- 26 (2) Assign weight to each measure, including making rounding decisions for
27 awarding points.
- 28 (3) Determine the number of years of data that will be used to calculate measures,
29 such as three or five years.
- 30 (4) Examine potential reasons for excluding EPPs from the reporting, including
31 if there are missing or too few data points for certain measures.
- 32 (5) Establish targets and minimum standards. To the extent practicable, EPPs
33 shall be measured against objective criteria rather than norm-referenced
34 criteria.
- 35 (6) Consider whether the weighted model should be used solely for public
36 accountability and to inform policymakers or if the weighted model may also
37 be used as a corrective or compliance tool.
- 38 (7) Examine how an information dashboard system could be used as part of the
39 reporting system, including any challenges related to integrating data from
40 both public and private EPPs in one information dashboard system.
- 41 (8) Examine whether additional information should be included in the weighted
42 model to most effectively achieve the following:
 - 43 a. Meet federal and State law requirements.
 - 44 b. Hold EPPs accountable for established standards.
 - 45 c. Assist EPPs in improving performance.
 - 46 d. Communicate EPP performance to policymakers and the public.
- 47 (9) Identify any necessary changes to State law that would enable a transition to
48 the new weighted model.

49 **SECTION 3.(b)** By February 15, 2020, the State Board, in consultation with the
50 Department and PEPSC, shall report to the Joint Legislative Education Oversight Committee on
51 (i) the development of the formulaic, performance-based weighted model for EPPs as required

1 by subsection (a) of this section; (ii) recommendations on the purposes and uses of the weighted
2 model; (iii) recommendations on the timeline for possible implementation of the weighted model;
3 and (iv) any legislative changes needed for implementation of the model.

4 **SECTION 4.** By October 1, 2019, the State Board of Education shall adopt the rule
5 required by G.S. 115C-269.45(c1), as enacted by this act. The State Board shall apply the rule
6 beginning with data collected from the 2018-2019 academic year for the purposes of the annual
7 report made available to the public by December 15, 2020, and annually thereafter, pursuant to
8 G.S. 115C-269.50.

9 **SECTION 5.** This act is effective when it becomes law. Section 1 of this act applies
10 to (i) educator preparation programs (EPP) authorized by the State Board of Education on or after
11 the date this act becomes law and (ii) reports submitted to the State Board and reviews by the
12 State Board of an EPP beginning with the 2019-2020 academic year.



HOUSE BILL 107: PED Oversight/EPP Changes.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Education - K-12. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 5, 2019
Introduced by:	Reps. Horn, Farmer-Butterfield, Lucas	Prepared by:	Brian Gwyn*
Analysis of:	PCS to First Edition H107-CSBE-1		Staff Attorney

OVERVIEW: *House Bill 107 would include employment of Educator Preparation Program (EPP) completers as a performance standard for EPPs, direct the State Board of Education (State Board) to adopt a rule creating a small group exception for the disaggregation of EPP performance data in certain circumstances, provide that a formulaic, performance-based weighted model is used for comparison of EPPs on the EPP annual report cards, and direct the State Board, in consultation with the Department of Public Instruction (DPI) and the Professional Educator Preparation and Standards Commission (PEPSC), to develop the weighted model and consider certain factors in its design.*

The PCS would remove the requirement that the State Board implement a formulaic, performance-based weighted model for EPP report cards. Instead, the State Board must develop a weighted model and report to the Joint Legislative Education Oversight Committee before implementing the model. Additionally, it would clarify that any weighted model developed by the State Board must measure EPPs against objective criteria rather than against each other, to the extent practicable.

CURRENT LAW: G.S. 115C-269.35(a) requires the State Board to establish standards of performance for EPPs. EPPs must meet these standards of performance in order to continue recommending candidates for licensure and avoid sanctions. Performance standards must at least include:

- Performance of EPP completers on annual teacher evaluations.
- Proficiency and growth of students taught by EPP completers.
- Results from an educator satisfaction survey.
- Quality of students entering the EPP.

G.S. 115C-269.35(b) requires EPPs to submit annual performance reports that include performance standard data, in addition to several other data indicators. Under G.S. 115C-269.50, the State Board must put together an annual report card for each EPP, which summarizes data from the annual performance reports.

BILL ANALYSIS: The PCS to House Bill 107 would do the following:

- Require that the State Board establish a standard of performance for EPPs based on the employment of EPP completers. The standard would include the following measures:

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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

House PCS 107

Page 2

- The number of students employed as beginning teachers under initial professional licenses within the first year of completing the program.
- The number of students retained in the profession.
- The perseverance of beginning educators in the profession, as determined on the basis of the number of beginning educators who maintain status as active contributing members in the North Carolina State Employee Retirement System at least three years after licensure in the annual report for EPPs.
- Direct the State Board to adopt a rule to establish a small group exception for circumstances in which disaggregation of performance data for the purposes of determining the accountability status of an EPP is not possible due to the small number of program participants in a demographic group.
- Direct the State Board, in consultation with DPI and PEPSC, to consider certain information and include specific factors in the development of the formulaic, performance-based weighted model. The State Board would report to the Joint Legislative Education Oversight Committee by February 15, 2020.

EFFECTIVE DATE: The act would be effective when it becomes law. The performance standard related to the employment of EPP completers would apply to (i) EPPs authorized by the State Board on or after the date the act becomes law and (ii) reports submitted to the State Board by an EPP and reviews by the State Board of an EPP beginning with the 2019-2020 academic year.

BACKGROUND: As introduced, HB 107 was recommended by the Joint Legislative Program Evaluation Oversight Committee. A report by the Program Evaluation Division (PED) can be found here: https://www.ncleg.net/PED/Reports/documents/EPP/EPP_Report.pdf

**Leslie Karkanawi, staff attorney in the Bill Drafting Division, substantially contributed to this summary.*

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 107*

Short Title: PED Oversight/EPP Changes. (Public)

Sponsors: Representatives Horn, Farmer-Butterfield, and Lucas (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Education - K-12, if favorable, Rules,
Calendar, and Operations of the House

February 20, 2019

A BILL TO BE ENTITLED
AN ACT TO MAKE CHANGES TO THE EDUCATOR PREPARATION PROGRAM
PERFORMANCE STANDARDS AND DATA REPORTING SYSTEM, AS
RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION
OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-269.35 reads as rewritten:

"§ 115C-269.35. Accountability for educator preparation programs.

(a) Performance Measures. – The State Board shall adopt rules necessary to establish standards of performance to govern the continuing accountability of all EPPs. At a minimum, the performance standards shall be based on the following information that is disaggregated with respect to race, sex, and ethnicity:

- (1) Performance based on the standards and criteria for annual evaluations of licensed employees.
- (2) Proficiency and growth of students taught by educators holding an initial professional license, to the extent practicable. When available, EVAAS data shall be used to measure student proficiency and growth.
- (3) Results from an educator satisfaction survey, developed by the State Board with stakeholder input, performed at the end of the educator's first year of teaching after receiving an initial professional license.
- (3a) Employment of EPP completers, including the number of students employed as beginning teachers under initial professional licenses within the first year of completing the program, the number of students retained in the profession, and the perseverance of beginning educators in the profession, as determined on the basis of the number of beginning educators who maintain status as active members in the North Carolina Teachers' and State Employees' Retirement System at least three years after licensure.
- (4) Quality of students entering the EPP, including the average grade point average and average score on preprofessional skills tests or college entrance exams that assess reading, writing, mathematics, and other competencies.

(b) Annual Performance Reports. – The State Board shall require all recognized EPPs to submit annual performance reports. The performance reports shall provide the State Board with a focused review of the EPPs and the current authorization process in order to ensure that the



1 programs produce graduates that are well prepared to teach. At a minimum, the annual report
2 shall contain the following indicators:

- 3 (1) Performance data from subsection (a) of this section.
- 4 (2) Data related to the EPP's compliance with requirements for field supervision
5 of students during their internship and residency experiences.
- 6 (3) The following information, disaggregated by race, sex, and ethnicity:
 - 7 a. The number of students who apply.
 - 8 b. The number of students admitted.
 - 9 c. The number of students retained.
 - 10 d. The number of students completing the program.
 - 11 e. ~~The number of students employed as beginning teachers under initial~~
12 ~~professional licenses by not later than the first anniversary of~~
13 ~~completing the program.~~
 - 14 f. The amount of time required by students employed as beginning
15 teachers under residency licenses to be issued initial professional
16 licenses.
 - 17 g. ~~The number of students retained in the profession.~~
 - 18 h. Any other information required by federal law.
- 19 (4) The ratio of field supervisors to students completing an internship or
20 residency.
- 21 (5) Graduation rates.
- 22 (6) Time-to-graduation rates.
- 23 (7) Average scores of graduates on professional, pedagogy, and content area
24 examinations for the purpose of licensure.
- 25 (8) Percentage of graduates receiving initial professional licenses.
- 26 (9) The extent to which the program prepares educators, including general
27 education teachers and special education teachers, to effectively teach the
28 following:
 - 29 a. Students with disabilities.
 - 30 b. Students of limited English proficiency.
- 31 (10) The activities offered by the program that are designed to prepare educators
32 to do the following:
 - 33 a. Integrate technology effectively into curricula and instruction,
34 including activities consistent with the principles of universal design
35 for learning.
 - 36 b. Use technology effectively to collect, manage, and analyze data to
37 improve teaching and learning for the purpose of increasing student
38 academic achievement.
- 39 (11) ~~The perseverance of beginning educators in the profession, as determined on~~
40 ~~the basis of the number of beginning educators who maintain status as active~~
41 ~~contributing members in the North Carolina State Employee Retirement~~
42 ~~System at least three years after licensure in comparison to similar programs.~~
- 43 (12) The results of surveys given to school principals that involve evaluation of the
44 program's effectiveness in preparing participants to succeed in the classroom,
45 based on experience with employed program participants.
- 46 (13) Any other information necessary to enable the State Board to assess the
47 effectiveness of the program on the basis of educator retention and success
48 criteria adopted by the State Board.

49 (c) Submission of Annual Performance Reports. – Performance reports shall be provided
50 annually to the following:

- 51 (1) The State Board.

(2) The board of trustees or board of directors of the entity submitting the report.

(d) Information Requests by EPPs. – The State Board of Education shall annually provide, upon request, the data required to be included in an EPP's annual performance report related to subdivisions ~~(1) and (2)–(1), (2), and (3a)~~ of subsection (a) of this section ~~and subdivision (11) of subsection (b) of this section~~. The State Board of Education shall provide this information to an EPP as aggregate data and disaggregated by race, sex, and ethnicity. Notwithstanding Article 21A of this Chapter, local school administrative units shall provide to the State Board of Education for the purposes of these information requests any North Carolina Educator Evaluation System effectiveness status assigned to teachers based on queries from the State Board. The State Board of Education shall not report aggregated or disaggregated data to the EPP that reveals confidential information in a teacher's personnel file, as defined by Article 21A of this Chapter, such as making the effectiveness status personally identifiable to an individual teacher."

SECTION 2. G.S. 115C-269.45 is amended by adding a new subsection to read:

"(c1) Small Group Exception. – Notwithstanding the provisions of subsection (a) of this section, the State Board of Education shall adopt a rule to establish a small group exception for circumstances in which disaggregation of performance data with respect to race, sex, or ethnicity is not possible due to the small number of program participants in a demographic group. The rule shall include the number of students necessary to qualify for the exception and the alternative method of performance assessment and assignment of sanctions. The rule may provide for measuring performance of small student groups cumulatively over multiple years for EPP accountability purposes."

SECTION 3. G.S. 115C-269.50 reads as rewritten:

"§ 115C-269.50. EPP report cards.

The State Board shall create an annual report card for each EPP that, at a minimum, summarizes the information collected in the annual performance reports, as set forth in G.S. 115C-269.35(b). The report cards shall provide user-friendly access to the public, and shall provide the ability to easily compare annual report card information between EPPs, including performance and other data reported by each EPP, as provided in ~~G.S. 115C-269.35(b).~~ G.S. 115C-269.35(b), through the use of a formulaic, performance-based weighted model adopted by the State Board. The State Board shall make the report cards available to the public through the State Board's Internet Web site on an annual basis beginning December 15, 2019, and shall submit the report to the Joint Legislative Education Oversight Committee annually by that date."

SECTION 4.(a) The State Board of Education, in consultation with the Department of Public Instruction and the Professional Educator Preparation and Standards Commission (PEPSC), shall develop a formulaic, performance-based weighted model for the purposes of comparing the annual report card information between each educator preparation program (EPP) pursuant to G.S. 115C-269.50, as amended by this act. The State Board, in consultation with the Department and PEPSC, shall do at least the following in designing the weighted model:

- (1) Identify what information should be included in the weighted model to most effectively achieve the following:
 - a. Meet federal and State law requirements.
 - b. Hold EPPs accountable for established standards.
 - c. Assist EPPs in improving performance.
 - d. Communicate EPP performance to policymakers and the public.
- (2) Identify and select measures for each performance domain specified in State law to be used in the weighted model.
- (3) Assign weight to each performance domain and the respective measures within each domain, including making rounding decisions for awarding points.

- (4) Determine the number of years of data that will be used to calculate measures, such as three or five years.
- (5) Examine potential reasons for excluding EPPs from the reporting, including if there are missing or too few data points for a certain number of measures in the domains.
- (6) Establish targets and minimum standards based on the ninetieth and tenth percentile or on other criteria.
- (7) Consider whether the weighted model shall be used solely for public accountability and to inform policymakers or if the weighted model may also be used as a corrective or compliance tool.
- (8) Identify any necessary changes to State law to enable transition to the new weighted model.
- (9) Examine how an information dashboard system could be used as part of the reporting system, including any challenges related to integrating data from both public and private EPPs in one information dashboard system.

SECTION 4.(b) By November 15, 2019, the State Board, in consultation with the Department and PEPSC, shall report to the Joint Legislative Education Oversight Committee on the development of the formulaic, performance-based weighted model for EPPs as required by subsection (a) of this section and any legislative recommendations regarding implementation of the model.

SECTION 5. By October 1, 2019, the State Board of Education shall adopt the rule required by G.S. 115C-269.45(c1), as enacted by this act. The State Board shall apply the rule beginning with data collected from the 2018-2019 academic year for the purposes of the annual report made available to the public by December 15, 2020, and annually thereafter, pursuant to G.S. 115C-269.50.

SECTION 6. Section 3 of this act becomes effective July 1, 2020, and applies beginning with data from the 2020-2021 academic year. The remainder of this act is effective when it becomes law. Section 1 of this act applies to (i) educator preparation programs (EPP) authorized by the State Board of Education on or after the date this act becomes law and (ii) reports submitted to the State Board and reviews by the State Board of an EPP beginning with the 2019-2020 academic year.



HOUSE BILL 168: College Advising Corps Expansion/Funds.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 5, 2019
Introduced by:	Reps. Fraley, Carney, Lucas, Elmore	Prepared by:	Kara McCraw
Analysis of:	First Edition		Committee Counsel

OVERVIEW: *HB 168 would provide recurring funding for the College Advising Corps to expand the program to provide college advisors to high schools in all 100 counties of the State.*

BILL ANALYSIS:

Funding: HB 168 would provide the following funding to the College Advising Corps (CAC), a nonprofit that provides college advising in public schools with a focus on increasing the number of underrepresented, low-income, or first-generation postsecondary degree or certificate students completing postsecondary education:

- 2019-2020: \$2,283,133 in recurring funding.
- 2020-2021: An additional \$366,667 in recurring funding, for a total recurring funding of \$2,550,000.
- 2021-2022: HB 168 expresses the intent to also appropriate an additional \$283,333 in recurring funding in 2021-2022, for a total recurring funding of \$2,833,333 for subsequent fiscal years.

Match Requirements: CAC would be required to match each \$1.00 in State funds with \$2.00 in non-State funds.

Use of Funds: CAC would be required to use the funds as follows:

- Expand its program to place college advisors in all 100 counties. In the first two years of expansion, CAC would be required to place advisors in Tier 1 and Tier 2 counties, and in the third year, expand to all counties by placing in Tier 3 counties.
- Select at least three additional postsecondary institutions as partners to increase the number of recent graduates working as near-peer college advisors to meet the needs of the expansion.
- Use funds to continue the mission of increasing access for public school students to postsecondary degree attainment, once the CAC has placed college advisors in all 100 counties.

Reporting: CAC would be required to report by June 1 annually of each year in which CAC spends State funds to the Joint Legislative Education Oversight Committee and Fiscal Research Division on the progress of expanding the placement of college advisors, data on effectiveness of the program in increasing access for students to postsecondary education, and use of State funds.

EFFECTIVE DATE: HB 168 would become effective July 1, 2019.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 168

Short Title: College Advising Corps Expansion/Funds. (Public)

Sponsors: Representatives Fraley, Carney, Lucas, and Elmore (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Appropriations, Education, if favorable,
Appropriations, if favorable, Rules, Calendar, and Operations of the House

February 26, 2019

A BILL TO BE ENTITLED
AN ACT TO APPROPRIATE FUNDS TO EXPAND THE COLLEGE ADVISING CORPS
PROGRAM TO ALL 100 COUNTIES IN THE STATE OVER A THREE-YEAR PERIOD.

Whereas, the College Advising Corps (CAC) trains and places college advisers in
high schools to assist students and parents in selecting the best community college or university
for their needs; and

Whereas, CAC specializes in obtaining institutional aid and scholarships for students,
helping those students attend a postsecondary institution with lower or no student education debt;
and

Whereas, during the 2016-2017 school year, CAC placed 112 counselors in North
Carolina covering 52 counties, 59 school systems, and 133 high schools; and

Whereas, during the 2016-2017 school year, students served by CAC in North
Carolina were awarded \$278 million in scholarship dollars and institutional aid offers; and

Whereas, students served by CAC accepted \$84 million of the \$278 million in
scholarship dollars and institutional aid offers; and

Whereas, of the \$84 million in scholarship dollars and institutional aid offers, \$60
million was accepted by students living in Tier 1 and Tier 2 counties; and

Whereas, the cost of \$5.6 million to train and employ counselors who generated \$84
million in scholarship dollars and institutional aid offers results in a return on investment of
\$15.00 for every \$1.00 spent; and

Whereas, CAC proposes to scale up the program over three years to reach all 100
North Carolina counties, 109 school systems, and 183 high schools with a cost equally shared
between the philanthropic community, postsecondary institutions, and the State; Now therefore,
The General Assembly of North Carolina enacts:

SECTION 1. Purpose of the College Advising Corps Program. – It is the intent of
the General Assembly to support an expansion of the placement of college advisers in North
Carolina public schools through the work of College Advising Corps (CAC) over a three-year
period. CAC is a college access nonprofit organization with the mission to increase the number
of underrepresented, low-income, or first-generation postsecondary degree or certificate students
entering and completing their postsecondary education at community colleges and universities.
In furthering this mission, CAC operates an innovative model of partnering with schools,
communities, families, and postsecondary institutions, including providing for a two-year service
opportunity to recent college graduates as near-peer college advisers working full-time in the
public schools, with an emphasis on engaging college advisers who have similar backgrounds to



the students the program seeks to serve. Near-peer college advisers perform various services for those students that are key components to the proven success of the program, including (i) attending postsecondary campus visits, fairs, and workshops with students, (ii) assisting with registering for college entrance exams, (iii) assisting with Free Application for Federal Student Aid (FAFSA) registrations and completions, (iv) identifying available scholarships, (v) assisting with postsecondary applications, and (vi) engaging with parents.

SECTION 2. Funds for the Expansion in the First Two Years. – Due to the effectiveness of the innovative model operated by CAC and the potential for significantly impacting the highest-need students as described in Section 1 of this act, the following funds are appropriated from the General Fund to the Board of Governors of The University of North Carolina to be provided each fiscal year of the 2019-2021 fiscal biennium to CAC for the purpose of expanding the placement of college advisers in accordance with the requirements of this act:

(1) For the 2019-2020 fiscal year, the sum of two million one hundred eighty-three thousand three hundred thirty-three dollars (\$2,183,333) in recurring funds.

(2) For the 2020-2021 fiscal year, an additional sum of three hundred sixty-six thousand six hundred sixty-seven dollars (\$366,667) in recurring funds for a net appropriation of two million five hundred fifty thousand dollars (\$2,550,000) in recurring funds.

SECTION 3. Funds for the Third Year of the Program. – It is the intent of the General Assembly to appropriate from the General Fund to the Board of Governors of The University of North Carolina an additional sum of two hundred eighty-three thousand three hundred thirty-three dollars (\$283,333) in recurring funds for a net appropriation of two million eight hundred thirty-three thousand three hundred thirty-three dollars (\$2,833,333) in recurring funds to be provided to CAC for the 2021-2022 fiscal year and subsequent fiscal years for the purpose of expanding the placement of college advisers to all 100 counties of the State in the third year of the expansion of the CAC program.

SECTION 4. Matching Funds. – Funds made available to CAC pursuant to this act shall be matched by CAC on the basis of two dollars (\$2.00) in non-State funds for every one dollar (\$1.00) in State funds. Availability of these matching funds shall not revert but shall continue to be available for the purposes set forth in this act.

SECTION 5. Use of Funds. – CAC shall focus the first two years of the expansion of its program using the funds provided to it under Section 2 of this act by placing college advisers in counties designated as Tier 1 and Tier 2. For the third year of the expansion, CAC shall use the funds provided to it to place college advisers in the remaining counties designated as Tier 3 in order to achieve placement of college advisers in all 100 counties of the State. In addition, CAC shall select at least three additional postsecondary institutions to partner with in order to increase the number of recent graduates working as near-peer college advisers to meet the needs of the program expansion. Once CAC has reached the goal of placement of college advisers in 100 counties, the funds provided to it in accordance with this act shall be used to continue the mission of the program to increase access for North Carolina public school students to postsecondary degree or certificate attainment at community colleges and universities.

SECTION 6. Reporting Requirements. – CAC shall submit a report by June 1 of each year in which CAC spends State funds made available pursuant to this act to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the progress of expanding the placement of college advisers, data on the effectiveness of the program in increasing access for students to postsecondary education, and the use of State funds.

SECTION 7. This act becomes effective July 1, 2019.

Pittman?
- How many people?
1 or 2 a year high
- Murphy

Committee Bill Action Sheet

Date: March 5, 2019

Committee: House Committee on Education - Universities

Chair: Rep. John Fraley

Bill #: H107

PCS: YES/NO ☒ Motion made PCS before the Committee

Amendments:

Serial referral to: House K-12 Education

Representative/Senator Horn explained the bill.

Floor Manager: Horn

Rep. Pittman motioned for:

 Favorable Report

☒ Favorable to PCS, unfavorable to original bill

 Favorable to new PCS with Amendments rolled in, unfavorable to original bill

 Adoption (Conference Report/House Resolution)

 Unfavorable Report (recommend not be passed) (Minority report YES/NO)

 No vote or Bill sponsor pulled bill from consideration

 Concur or NOT Concur (SCS on a House bill)

Vote: (Voice Vote/Show of hands (Division called)/Roll Call)

Speakers

Attached Handouts: YES/NO

Emily PED explained bill
Small group exception?

Committee Bill Action Sheet

Date: March 5, 2019

Committee: House Committee on Education - Universities

Chair: Rep. John Fraley

Bill #: H 168

PCS: YES/NO NO Motion made PCS before the Committee

Amendments:

Serial referral to: Appropriations Education

Representative/Senator Fraley explained the bill.

Floor Manager: Fraley

Rep. Alexander motioned for: Second Zachary

☒ Favorable Report

☐ Favorable to PCS, unfavorable to original bill

☐ Favorable to new PCS with Amendments rolled in, unfavorable to original bill

☐ Adoption (Conference Report/House Resolution)

☐ Unfavorable Report (recommend not be passed) (Minority report YES/NO)

☐ No vote or Bill sponsor pulled bill from consideration

☐ Concur or NOT Concur (SCS on a House bill)

Vote: (Voice Vote/Show of hands (Division called)/Roll Call)

Speakers

Attached Handouts: YES/NO

McGrady - salaries?
training + hiring?
budget approps?

Zachary
1- near peer
Turner - high school
counselor

Lambeth
CAC
funding?
John Bell
foundation

Alexander

Patman

Imato

References
to reporting



Our Mission

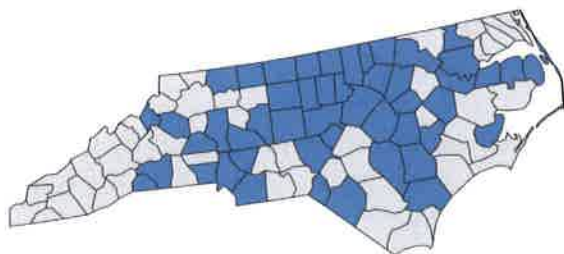
College Advising Corps (CAC) transforms individual lives, families, communities, and school systems. We believe that every student deserves the opportunity to enter and complete postsecondary education. We are committed to increasing the number of qualified low-income, first-generation, and underrepresented students who benefit from college.

Our Challenge

In today's economy, the right postsecondary education has become the single most important step that many young people can take to boost their economic mobility and transform their lives—and in fact, to increase civic engagement across our democracy. Yet extraordinary numbers of qualified low-income, first-generation, and underrepresented students are not getting college opportunities.

Our Approach

We place recent college graduates from our partner universities as full-time college advisers in underserved high schools. This results-oriented near-peer adviser approach is expanding economic opportunity for students of all backgrounds in urban and rural communities across the country—and preparing our advisers to lead and be agents of change far into the future.

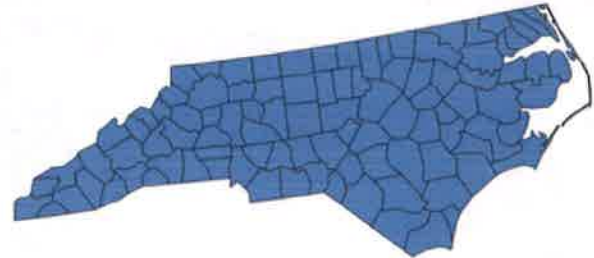


In the 2018-19 school year, 112 advisers are serving across the state, with the potential to reach over 26,000 seniors who are making critical decisions about their future plans. Since the first CAC program opened in North Carolina in 2007, our advisers have helped more than 60,000 students in the state enroll in college.

Our Goal in North Carolina

In the next three years, we intend to expand our impact and reach students in each of North Carolina's 100 counties. Through this larger presence, CAC will support schools, communities, and the state in dramatically expanding paths to postsecondary education for students from low-income, first-generation, and underrepresented backgrounds. We will achieve this goal by:

- Deepening our relationships with **existing university partners** as they support advisers already at work in 52 counties.
- Developing collaborations with **new university partners**, who will take our impactful advising model into 48 new counties.
- Advocating for and capitalizing thoughtfully and strategically upon investment from the **State of North Carolina** to support the work of advisers.



We believe that every student deserves the opportunity to enter and complete postsecondary education.

There is no single definition of success. Advisers work with students to design postsecondary pathways that align with their individual goals. Depending on the student, the pathway might include community college, a four-year degree, and/or a job training program.

Proven Impact

Helping Students Take Key Steps

In 2017-18, CAC Advisers in North Carolina:

- Led **81,117** one-on-one advising sessions
- Assisted with **55,516** college applications
- Ensured **14,552** FAFSA submissions
- Supported students in securing access to **\$216 million** in institutional aid and **\$43 million** in scholarships. On-par with national estimates, students ultimately accepted approximately 30% of this aid.

Delivering Outcomes



54% of the students served by CAC advisers in 2016-17 enrolled in a postsecondary program:

- **29%** of the students served by CAC advisers in 2016-17 enrolled in a **four-year** institution.
- **25%** of the students served by CAC advisers in 2016-17 enrolled in a **two-year** institution.

Making A Cost-Effective Investment¹

\$50,000

The average direct cost per CAC **adviser** in North Carolina

\$140

The average direct cost per CAC-assisted **student** in North Carolina

The lifetime gains 2017-18 CAC advisers are expected to generate for students:

\$280 million

— or **50x** the direct costs of the program

\$59 million

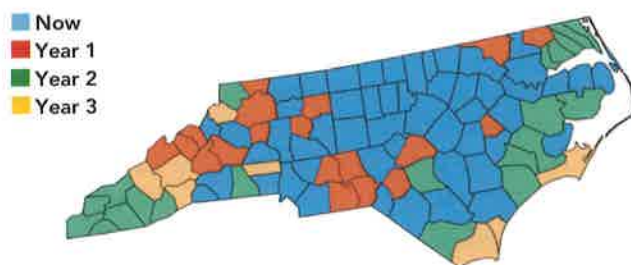
in increased tax revenue for the state of North Carolina

ROI: \$15 per \$1 spent

Students receive over \$78 million in financial aid, while the program costs are only \$5.6 million.

Expanding in North Carolina²

With support from the State of North Carolina, CAC will expand to the counties¹ not currently served by an adviser. This expansion will take place over three years with a focus on serving as early as possible counties with the greatest need.



Year 1

Place advisers in 19 Tier 1 and Tier 2 counties currently without them.

Year 2

Place advisers in the remaining 21 Tier 1 and Tier 2 counties without them.

Year 3

Place advisers in the eight Tier 3 counties without them.

Investing in Expansion³

With the partnership of the State of North Carolina, CAC will ensure that students, schools, and communities in every county of the state benefit from the value and impact of its advisers. The proposed funding model shares the costs for the advisers equally among three groups:

- Public and private university partners
- The State of North Carolina
- CAC national office

The CAC national office and public and private university partners secure their funding from a variety of sources, most notably generous philanthropic support. In particular, the John M. Belk Endowment is a strong partner in strengthening CAC in North Carolina and deepening the impact that advisers have on communities in the state.

During the first year of expansion, the funding commitment from the State of North Carolina would be \$2.2 million. The commitment would grow to \$2.6 million in the second year and \$2.8 million in the third year. As the program grows, the State of North Carolina's investment would remain steady at one-third of total program costs.

¹ For more information about the key facts in this section, please contact Jennifer Preston, Regional Director for North Carolina and Virginia at College Advising Corps, at jpreston@advisingcorps.org or (919) 869-8091.

² For more information about the expansion plan, please contact Jennifer Preston, Regional Director for North Carolina and Virginia at College Advising Corps, at jpreston@advisingcorps.org or (919) 869-8091.

³ The expansion plan is based on the 2018 county tier designations set by the North Carolina Department of Commerce. These designations can be found at: https://files.nc.gov/nccommerce/documents/files/2018-Development-Tier-Rankings_0.pdf

In Their Words

"I'm inspired every day at my school. Never did I think CAC would change the trajectory of my life and open my eyes to a field of work that would excite me daily and give me purpose. I took this job because I wanted to have an impact in the lives of students. When I think of my students, I think of their resilience. My students never needed a savior. They needed someone to believe in their power and potential. All I did was show them the light that shines so brilliantly through them."

-Kiyah McDermid, University of North Carolina at Chapel Hill



"College Advising Corps is a natural fit for Duke University. We are committed to sharing our educational and human resources to deepen and strengthen our relationships across the state. As Advisers, our graduates bring their knowledge and commitment to high schools around central North Carolina, expanding Duke's commitment to postsecondary attainment for the next generation of diverse leaders."

-Eric Mlyn, Ph.D., Executive Director of DukeEngage and Assistant Vice Provost for Civic Engagement, Duke University

"My college adviser was definitely someone trustworthy and someone I could rely on throughout my transition to college. Because of her, I was able to open doors to new opportunities and choose the right school for me. I believe that every high school student should have the opportunity to experience help from a college adviser because they are always very supportive and will do anything they can to help a student find the right path for them."

-Yaritza Villalobos Aguilera, Heide Trask High School graduate, first-year student at UNC-Charlotte

"Modern schools are dynamic places with more responsibilities than ever before. School counselors especially are pulled in many directions that can keep them from being able to put the focus on the college admission process needed from many of their students. Having a member of the College Advising Corps available to our students who can solely focus on that process as a supplement to what our school counselors are already doing is so valuable to our school. Additionally, in a community like ours where a large portion of the students planning for college are first generation, the extra attention is especially needed as many parents have not experienced the college admission process."

-Kevin Plue, Ed.D., Principal, Forest Hills High School, Union County Public Schools

Extending the Impact

CAC's impact is not limited to the students reached by each adviser.

- Before joining CAC, only 37% of advisers in North Carolina indicated interest in pursuing a career in education. After joining CAC, 64% of advisers in North Carolina intend to work in the field of education.
- In 2018-19, 14 of CAC's 112 advisers in North Carolina were themselves supported by a CAC adviser while in high school.
- In partnership with a research team and advisers, CAC is building an understanding of the steps that schools in North Carolina can take to create a positive culture around postsecondary opportunity. These lessons will lead to the development of concrete resources to be shared across all high schools in the state.
- A Summer 2018 survey of CAC alumni from programs in North Carolina revealed that over 60% of these advisers still call North Carolina home.

VISITOR REGISTRATION SHEET

House Committee on Education-Universities

March 5, 2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Sallie James	Governor's office
ANDREW STOBBERG	NCDPI
Kim Evans	NCDPI
JULIE KOWAL	UNC SYSTEM OFFICE
Ala Gannados	EdUK.
Bruce M. McDuff	NCSBA
Whitney Christensen	Ward & Smith, PA.
Betty Doss RR	UNC Charlotte
Jon Nett	NCI CH
Paula Hader	State Board

VISITOR REGISTRATION SHEET

House Committee on Education-Universities

March 5, 2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Elizabeth Yelverton	NCASA
M. H. Li	Citizen
Amy Ruth	UNC Chapel Hill
Drew Metz	UNC System office
April Neumann	mwc
Leah Sutton	Best NC
Amy Fulk	30 PR
Thompson Forbes	Nurse of the Day / ECU
Wendy Murphy	Nurse of the Day

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Universities** will meet as follows:

DAY & DATE: Tuesday, March 19, 2019
TIME: 11:00 AM
LOCATION: 421 LOB
COMMENTS: Representative Hastings presiding.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
<u>HB 62</u>	In-State Tuition/Members Served on USS NC.	Representative Cleveland Representative Horn

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 12:01 PM on Friday, March 15, 2019.

____ Principal Clerk
____ Reading Clerk – House Chamber

James Jenkins (Committee Assistant)

House Committee on Education - Universities
Tuesday, March 19, 2019, 11:00 AM
421 Legislative Office Building

CHAIR'S AGENDA

Welcome and Opening Remarks

Introduction of Pages

Mary Watkins

Taylor Fulk

Introduction of Sergeant-At-Arms

Bill Bass

Joe Crook

Will Crocker

Bills

BILL NO.	SHORT TITLE	SPONSOR
HB 62	In-State Tuition/Members Served on USS NC.	Representative Cleveland Representative Horn

Committee Substitute with serial referral to Education – Community Colleges

Adjournment

House Committee on Education - Universities
Tuesday, March 19, 2019 at 11:00 AM
Room 421 of the Legislative Office Building

MINUTES

The House Committee on Education - Universities met at 11:00 AM on March 19, 2019 in Room 421 of the Legislative Office Building. Representatives Carney, Clemmons, Davis, Hastings, Pittman, R. Turner, and Zachary attended.

Representative Hastings presided.

The following bills were considered:

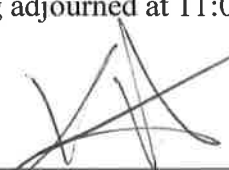
HB 62 In-State Tuition/Members Served on USS NC. (Representatives Cleveland, Horn)

Representative Hastings recognized Representative Cleveland to speak to the bill. The Proposed Committee Substitute allows any individual who served on the USS North Carolina for more than 180 days to receive in-state tuition for universities and community colleges.

Representative Pittman spoke to support the bill, and was then recognized to make a motion for a favorable report to the Proposed Committee Substitute, unfavorable to the original, with serial referrals to Education – Community Colleges, and if favorable, to the Committee on Rules.

A voice vote was held and the Proposed Committee Substitute passed with a favorable report.

The meeting adjourned at 11:05.



Representative Kelly Hastings - Presiding Chair



James Jenkins, Committee Clerk

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

EDUCATION - UNIVERSITIES COMMITTEE REPORT

**Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair**

FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED

HB 62

In-State Tuition/Members Served on USS NC.

Draft Number: H62-PCS10209-BN-3

**Serial Referral: EDUCATION - COMMUNITY
COLLEGES**

Recommended Referral: None

Long Title Amended: No

Floor Manager: Cleveland

TOTAL REPORTED: 1



* C M R 1 1 6 - V - 2 *

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

D

HOUSE BILL 62
PROPOSED COMMITTEE SUBSTITUTE H62-CSBN-3 [v.3]

03/13/2019 04:28:04 PM

Short Title: In-State Tuition/Members Served on USS NC.

(Public)

Sponsors:

Referred to:

February 14, 2019

- 1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT SERVICE MEMBERS WHO SERVE ON THE USS NORTH
3 CAROLINA SSN 777 FOR A PERIOD OF 180 DAYS OR LONGER ARE ELIGIBLE FOR
4 IN-STATE TUITION.
5 The General Assembly of North Carolina enacts:
6 **SECTION 1.** Article 14 of Chapter 116 is amended by adding a new section to read:
7 **"§ 116-143.3B. Tuition of Armed Forces personnel having served on the USS North**
8 **Carolina SSN 777.**
9 (a) Any member of the United States Armed Forces who has served on the USS North
10 Carolina SSN 777 for a period of 180 days or more and qualifies for admission to an institution
11 of higher education as defined in G.S. 116-143.1(a)(3), but does not qualify as a resident for
12 tuition purposes under G.S. 116-143.1, shall be charged the in-State tuition rate and applicable
13 mandatory fees for enrollment.
14 (b) The person applying for the benefit of this section has the burden of proving
15 entitlement to the benefit."
16 **SECTION 2.** This act is effective July 1, 2019, and applies beginning with the
17 2019-2020 academic year.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

D

HOUSE BILL 62
PROPOSED COMMITTEE SUBSTITUTE H62-CSBN-3 [v.3]

03/13/2019 04:28:04 PM

Short Title: In-State Tuition/Members Served on USS NC.

(Public)

Sponsors:

Referred to:

February 14, 2019

A BILL TO BE ENTITLED
AN ACT TO PROVIDE THAT SERVICE MEMBERS WHO SERVE ON THE USS NORTH
CAROLINA SSN 777 FOR A PERIOD OF 180 DAYS OR LONGER ARE ELIGIBLE FOR
IN-STATE TUITION.

The General Assembly of North Carolina enacts:

SECTION 1. Article 14 of Chapter 116 is amended by adding a new section to read:
**"§ 116-143.3B. Tuition of Armed Forces personnel having served on the USS North
Carolina SSN 777.**

(a) Any member of the United States Armed Forces who has served on the USS North
Carolina SSN 777 for a period of 180 days or more and qualifies for admission to an institution
of higher education as defined in G.S. 116-143.1(a)(3), but does not qualify as a resident for
tuition purposes under G.S. 116-143.1, shall be charged the in-State tuition rate and applicable
mandatory fees for enrollment.

(b) The person applying for the benefit of this section has the burden of proving
entitlement to the benefit."

SECTION 2. This act is effective July 1, 2019, and applies beginning with the
2019-2020 academic year.



* H 6 2 - C S B N - 3 *



HOUSE BILL 62: In-State Tuition/Members Served on USS NC.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Education - Community Colleges. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 19, 2019
Introduced by:	Reps. Cleveland, Horn	Prepared by:	Samantha Yarborough
Analysis of:	PCS to First Edition H62-CSBN-3		Staff Attorney

OVERVIEW: *HB 62 would make any member of the United States Armed Forces that has served on the USS North Carolina SSN 777 for at least 180 days eligible to receive the in-State tuition rate.*

The PCS to HB 62 would authorize qualifying members to receive in-state tuition even after discharge or release from the Armed Forces, as well as make technical and organizational changes.

CURRENT LAW: G.S. 116-143.1 states that to qualify as a resident for tuition purposes, a person must have established legal residence (domicile) in North Carolina and maintained that legal residence for at least 12 months immediately prior to his or her classification as a resident for tuition purposes.

G.S. 116-143.3 allows Armed Forces personnel to be charged the in-State tuition rate without meeting the requirements of G.S. 116-143.1 if the person is living in the State incident to active military duty. In the event that the active duty member is reassigned outside of the State or retires, the member continues to be eligible for in-State tuition rate as long as the member is continuously enrolled. The member has the burden of proving entitlement to this benefit.

G.S. 116-143.3A waives the 12-month residency requirement of G.S. 116-143.1 for veterans living in North Carolina who are entitled to federal education benefits under 38 U.S.C. Chapter 30 or 38 U.S.C. Chapter 33 and enroll within three years of discharge or release from the Armed Forces.

BILL ANALYSIS: The PCS would create a new exception to the residency requirements of G.S. 116-143.1 for members of the United States Armed Forces that have served at least 180 days on the USS North Carolina SSN 777. Any member applying for the benefit of this exception would have the burden of proving entitlement to the exception.

EFFECTIVE DATE: The PCS would become effective on July 1, 2019, and apply beginning with the 2019-2020 academic year.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

1

HOUSE BILL 62

Short Title: In-State Tuition/Members Served on USS NC. (Public)

Sponsors: Representatives Cleveland and Horn (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Education - Community Colleges, if favorable, Rules, Calendar, and Operations of the House

February 14, 2019

A BILL TO BE ENTITLED
AN ACT TO PROVIDE THAT SERVICE MEMBERS WHO SERVE ON THE USS NORTH
CAROLINA SSN 777 FOR A PERIOD OF 180 DAYS OR LONGER ARE ELIGIBLE FOR
IN-STATE TUITION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-143.1 is amended by adding a new subsection to read:
"(h2) Any member of the United States Armed Forces who is a nonresident and has served on the USS North Carolina SSN 777 for a period of 180 days or more shall be eligible to be charged the in-State tuition rate. This subsection applies to members in a reserve or active duty status."

SECTION 2. This act is effective July 1, 2019, and applies beginning with the 2019-2020 academic year.



VISITOR REGISTRATION SHEET

House Committee on Education- Universities

Name of Committee

421 LOB

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

April Neumann

MWC

TRAVIS LAIN

WAL

Martez Hill

JMH.U Consulting

Left Bank

nuwa

Claudia S. Noemke

• governors office

Amy Tuttle

UNO-Chart (17/1)

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

Name of Committee

421 LOB

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Sam West

NCICH

Yusef Canli

NCS EAA

Drew Moritz

UNC System

Updated #1: We will be meeting @ 11:30 a.m.

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Universities** will meet as follows:

DAY & DATE: Tuesday, April 2, 2019
TIME: Special time (11:30 a.m.)
LOCATION: 421 LOB
COMMENTS: Rep. John A. Fraley presiding

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
<u>HB 351</u>	Catherine's Law.	Representative White Representative Hardister Representative Arp Representative Potts
<u>HB 443</u>	Need-Based Scholar. Funds/Military Dependents.	Representative Sauls

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 1:16 PM on Tuesday, November 05, 2019.

____ Principal Clerk
____ Reading Clerk – House Chamber

James Jenkins (Committee Assistant)

**House Committee on Education - Universities
Tuesday, April 2, 2019, Special time (11:30 a.m.)
421 Legislative Office Building**

AGENDA

Welcome and Opening Remarks: Chairman Fraley

Introduction of Pages: Chairman Fraley

Bills

BILL NO.	SHORT TITLE
HB 351	Catherine's Law.

SPONSOR

Representative White
Representative Hardister
Representative Arp
Representative Potts
Representative Sauls

HB 443	Need-Based Scholar. Funds/Military Dependents.
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Other Business

Adjournment

House Committee on Education - Universities
Tuesday, April 2, 2019 at Special time (11:30 a.m.)
Room 421 of the Legislative Office Building

MINUTES

The House Committee on Education - Universities met at a special time (11:30 a.m.) on April 2, 2019 in Room 421 of the Legislative Office Building. Representatives Carney, Clemmons, Fraley, Hastings, Insko, McGrady, Morey, Murphy, Pittman, R. Turner, and Zachary attended.

Representative John A. Fraley, Chair, presided.

Representative Fraley introduced the pages and the Sgt. @ Arms.

The following bills were considered:

HB 351 Catherine's Law. (Representatives White, Hardister, Arp, Potts) Representative Donna White explained the bill. H351 passed with a favorable report. The following questions were asked of the bill sponsor: Representative Murphy complimented the bill sponsor and asked how the money would be disbursed. He also asked if there is any money currently appropriated and being used. Representative Rena Turner asked why this bill was limited to only universities and if there were plans to bring Catherine's law to community colleges and generally expand beyond universities. She also asked if the money included living expenses.

HB 443 Need-Based Scholar. Funds/Military Dependents. (Representative Sauls) Representative Sauls explained the bill. H443 passed with a favorable report. No questions were asked by the committee.

The meeting adjourned at 11:51 a.m.


Representative John A. Fraley, Chair
Presiding


Jan Copeland, Committee Clerk

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

EDUCATION - UNIVERSITIES COMMITTEE REPORT

**Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair**

FAVORABLE AND RE-REFERRED

HB 351

Catherine's Law.

Draft Number: None

Serial Referral: APPROPRIATIONS, EDUCATION

Recommended Referral: None

Long Title Amended: No

Floor Manager: White

HB 443

Need-Based Scholar. Funds/Military Dependents.

Draft Number: None

Serial Referral: APPROPRIATIONS, EDUCATION

Recommended Referral: None

Long Title Amended: No

Floor Manager: Sauls

TOTAL REPORTED: 2



* C M R 1 9 2 - V - 1 *



HOUSE BILL 351: Catherine's Law.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 2, 2019
Introduced by:	Reps. White, Hardister, Arp, Potts	Prepared by:	Brian Gwyn
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: House Bill 351 would appropriate funds to The University of North Carolina for the purpose of addressing funding equity for approved Comprehensive Transition Programs (CTPs). *system*

CURRENT LAW: A Comprehensive Transition Program (CTP) is a higher education program designed to prepare students with intellectual and developmental disabilities for employment. Currently, full-time students who are enrolled in a two-year (four semester) or four-year (eight semester) certificate of accomplishment program approved as a CTP by the U.S. Department of Education at a constituent institution of The University of North Carolina are not categorized as enrolled students for the purpose of receiving full-time equivalent (FTE) funding from the State.

BILL ANALYSIS: House Bill 351 would appropriate up to \$2 million in additional recurring funds for the 2019-2020 fiscal year to support courses for resident full-time students who are enrolled in a four semester or eight semester certificate of accomplishment program approved by the United States Department of Education as a CTP.

If the cost of providing FTE for CTPs in the same manner as curriculum programs exceeds the appropriation, the funds can be allocated to constituent institutions on a pro rata basis according to the number of students enrolled in a CTP at each constituent institution.

EFFECTIVE DATE: The act would be effective July 1, 2019.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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



HOUSE BILL 443: Need-Based Scholar. Funds/Military Dependents.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 2, 2019
Introduced by:	Rep. Sauls	Prepared by:	Samantha Yarborough Staff Attorney
Analysis of:	First Edition		

OVERVIEW: House Bill 443 would make nonresident dependents of active duty service members and veterans eligible for need-based scholarships for students attending private institutions of higher education.

CURRENT LAW: Article 34 of Chapter 116 of the General Statutes creates a need-based scholarship (Scholarship) for students attending private institutions of higher education administered by the State Education Assistance Authority (SEAA). G.S. 116-281 sets the eligibility requirements to receive a Scholarship. In order to be eligible, a student must be seeking a degree, diploma, or certificate at an eligible private postsecondary institution (Institution) and meet all of the following: (i) have an expected family contribution less than an amount set annually by SEAA; (ii) meet other eligibility requirements for a federal Pell Grant, and (iii) meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status at an Institution.

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

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

To maintain eligibility, the student must make satisfactory academic progress in accordance with the standards and practices used by the Institution for federal Title IV programs.

BILL ANALYSIS: Section 1 would expand the eligibility criteria in G.S. 116-281(3). In addition to (i) qualifying as a resident for tuition purposes, (ii) being a veteran whose abode is in North Carolina, and (iii) being an active duty member of the Armed Forces abiding in the State, a student could be any of the following to meet the requirement of G.S. 116-281(3):

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

Section 2 would appropriate \$1,500,000 for the 2020-2021 fiscal year for SEAA to support need-based scholarships for dependents of active duty service members and veterans attending Institutions.

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

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

1

HOUSE BILL 351

Short Title: Catherine's Law. (Public)

Sponsors: Representatives White, Hardister, Arp, and Potts (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Appropriations, Education, if favorable,
Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 14, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR UNIVERSITY OF NORTH CAROLINA
3 ENROLLMENT FUNDING FOR THE PURPOSE OF ADDRESSING FUNDING EQUITY
4 FOR APPROVED COMPREHENSIVE TRANSITION PROGRAMS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** This act shall be known as "Catherine's Law" and may be cited by that
7 name.

8 **SECTION 2.** There is appropriated from the General Fund to the reserve account in
9 the Office of State Budget and Management for enrollment adjustments for The University of
10 North Carolina the sum of up to two million dollars (\$2,000,000) in additional recurring funds
11 for the 2019-2020 fiscal year to support courses for resident full-time students who are enrolled
12 in a four semester or eight semester certificate accomplishment program approved by the United
13 States Department of Education as a Comprehensive Transition Program (CTP). A CTP is a
14 higher education program designed to prepare students with intellectual and developmental
15 disabilities for employment. These funds shall be used to eliminate the full-time equivalent (FTE)
16 determination disparity between CTPs and curriculum programs.

17 **SECTION 3.** If the cost of providing FTE for CTPs in the same manner as
18 curriculum programs exceeds the funds appropriated pursuant to this act, the funds may be
19 allocated to constituent institutions on a pro rata basis according to the number of students
20 enrolled in a CTP at each constituent institution.

21 **SECTION 4.** This act becomes effective July 1, 2019.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

1

HOUSE BILL 443

Short Title: Need-Based Scholar. Funds/Military Dependents.

(Public)

Sponsors: Representative Sauls.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Appropriations, Education, if favorable,
Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 26, 2019

A BILL TO BE ENTITLED

AN ACT TO MAKE NONRESIDENT DEPENDENTS OF ACTIVE DUTY SERVICE
MEMBERS AND VETERANS ELIGIBLE FOR NEED-BASED SCHOLARSHIPS FOR
STUDENTS ATTENDING PRIVATE INSTITUTIONS OF HIGHER EDUCATION AND
TO APPROPRIATE FUNDS TO THE NORTH CAROLINA STATE EDUCATION
ASSISTANCE AUTHORITY TO SUPPORT THOSE SCHOLARSHIPS.

The General Assembly of North Carolina enacts:

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

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

- a. Qualify as a legal resident of North Carolina and as a resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with definitions of residency that may from time to time be adopted by the Board of Governors of The University of North Carolina.
- b. Be a veteran provided the veteran's abode is in North Carolina and the veteran provides the eligible private postsecondary institution a letter of intent to establish residency in North Carolina.
- c. Be an active duty member of the Armed Forces provided the member of the Armed Forces is abiding in this State incident to active military duty in this State.
- d. Be the dependent relative of a veteran who is abiding in North Carolina while sharing an abode with the veteran and the dependent relative provides the eligible private postsecondary institution a letter of intent to establish residency in North Carolina.
- e. Be the dependent relative of an active duty member of the Armed Forces who is abiding in North Carolina incident to active military duty while sharing an abode with the active duty member."

SECTION 2. There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of one million five hundred thousand dollars (\$1,500,000) for the 2020-2021 fiscal year to be allocated to the State Education Assistance Authority to be used to support need-based scholarships for dependents of active duty service members and veterans attending private institutions of higher education.

SECTION 3. This act becomes effective July 1, 2019. Section 1 of this act applies beginning with the award of scholarships for the 2020-2021 academic year.



VISITOR REGISTRATION SHEET

House Committee on Education- Universities

4-02-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Henry M Lancaster	LCA
Harold Morris	NCICU
Tom West	NCICU
Bruce Canis	NCSEAA
April Neumann	MWC
Derek Whittenburg	DW Foundation For Education
Mike Leighs	NCDHHS
Angela Pitt	NCDHHS
Sue Ann Ford	NMS

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

4-02-2019

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Tim Minto

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NCHS

Drew Moretz

UNC System

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15a Pluff

CINC Greensboro

Andrew Cagle

UNCG

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Universities** will meet as follows:

DAY & DATE: Tuesday, April 16, 2019
TIME: 11:00 AM
LOCATION: 421 LOB
COMMENTS: Rep. Hastings presiding.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
<u>HB 371</u>	Planning Funds/ECU Brody School of Medicine.	Representative Murphy Representative Humphrey Representative K. Smith Representative Bell Representative Hurley
<u>HB 438</u>	Campus Police/Private IHE/CC Waiver.	
<u>HB 475</u>	NC Patriot Star Family Scholarship/Funds.	Representative Arp Representative Moore Representative Bell Representative Lewis Representative Conrad Representative Lambeth Representative Montgomery Representative Terry Representative Fraley
<u>HB 494</u>	Stevens Center Funds/UNC School of the Arts.	
<u>HB 664</u>	myFutureNC/Postsecondary Attainment Goal.	
<u>HB 665</u>	NC Completes College/Competitive Workforce.	Representative Fraley
<u>HB 668</u>	Various Higher Education Changes.	Representative Fraley

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 1:17 PM on Tuesday, November 05, 2019.

___ Principal Clerk
___ Reading Clerk – House Chamber

James Jenkins (Committee Assistant)

House Committee on Education - Universities
Tuesday, April 16, 2019, 11:00 AM
421 Legislative Office Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
HB 494	Stevens Center Funds/UNC School of the Arts.	Representative Conrad Representative Lambeth Representative Montgomery Representative Terry
HB 371	Planning Funds/ECU Brody School of Medicine.	Representative Murphy Representative Humphrey Representative K. Smith Representative Bell
HB 438	Campus Police/Private IHE/CC Waiver.	Representative Hurley
HB 475	NC Patriot Star Family Scholarship/Funds.	Representative Arp Representative Moore Representative Bell Representative Lewis
HB 664	myFutureNC/Postsecondary Attainment Goal.	Representative Fraley
HB 665	NC Completes College/Competitive Workforce.	Representative Fraley
HB 668	Various Higher Education Changes.	Representative Fraley

Presentations

Other Business

Adjournment

House Committee on Education - Universities
Tuesday, April 16, 2019 at 11:00 AM
Room 421 of the Legislative Office Building

MINUTES

The House Committee on Education - Universities met at 11:00 AM on April 16, 2019 in Room 421 of the Legislative Office Building. Representatives Adcock, Carney, Clemmons, Davis, Fraley, Hastings, Insko, Jackson, Martin, Morey, Pittman, and Zachary attended.

Representative Kelly E. Hastings, Chair, presided.

The following bills were considered:

HB 371 Planning Funds/ECU Brody School of Medicine. (Representatives Murphy, Humphrey, K. Smith, Bell)

Representative Murphy explained the bill. Representative Pittman asked a question about the purpose of the funds, which was answered that the funds would go toward planning costs related construction for the Brody School of Medicine. Representative Zachary motioned for a favorable report to the PCS, unfavorable to the original, and with a serial referral to the Committee on Appropriations – Education. The motion passed by voice vote.

HB 438 Campus Police/Private IHE/CC Waiver. (Representative Hurley)

Representative Hurley explained the bill. Representative Turner asked about the per-student cost associated with the bill, which would be \$450.00 per officer. Representative Clemmons motioned for a favorable report with a serial referral to the Committee on Appropriations – Education, and the motion passed with a voice vote.

HB 475 NC Patriot Star Family Scholarship/Funds. (Representatives Arp, Moore, Bell, Lewis)

Chairman Hastings motioned that the PCS to the bill be before the committee and had no objection. Representative Arp explained the bill. Representative Carney asked about the funding amount, which was clarified to be \$500,000 per year over two years. Representative Martin asked about the difference in the bill language about “residency” as opposed to “stationed.” Drupti Chauhan from Legislative Analysis explained that a recipient stationed in North Carolina would be eligible for the scholarship without legal North Carolina residency. Representative Jackson asked a question about organizational overhead, to which Rep. Arp responded that the management of the scholarships would be comprised mostly of volunteers with low overhead costs of around 3%. Representative Martin asked a question about exclusion of North Carolina National Guard members who resided in neighboring states. Representative Pittman made a clarifying comment. Representative Arp consulted with staff and answered that the sponsors worked with the foundation to make the scholarships as inclusive as possible, but there were questions about eligibility for out-of-state residents serving in the North Carolina National Guard being eligible.

Representative Davis motioned that the PCS receive a favorable report, unfavorable to the original, with a serial referral to the Committee on Appropriations – Education. The motion carried.

HB 494 Stevens Center Funds/UNC School of the Arts. (Representatives Conrad, Lambeth, Montgomery, Terry)

Representative Conrad explained the bill. Representative Turner motioned for a favorable report to the bill with a serial referral to the Committee on Appropriations – Education. The motion passed by voice vote.

HB 664 myFutureNC/Postsecondary Attainment Goal. (Representative Fraley)

Chairman Hastings moved that the PCS for the bill be before the Committee, and there was no objection. Chairman Fraley presented the bill. Representative Insko offered an amendment (amendment #1, attached) adding the North Carolina Department of Health and Human Services to work with the task force to create an inventory of existing educational programs and how to achieve postsecondary attainment goals. The amendment was adopted. Representative Pittman asked a question about the inclusion of an attainment goal, to which Chairman Fraley responded that an increasing number of jobs will require postsecondary education or certification in the future. Representative Insko motioned for a favorable report to the PCS, unfavorable to the original, with a serial referral to the Rules Committee. The motion carried.

HB 665 NC Completes College/Competitive Workforce. (Representative Fraley)

Chairman Fraley explained the bill. Representative Zachary motioned for a favorable report with a serial referral to the Committee on Education – Community Colleges, and the motion carried.

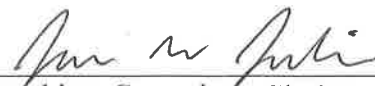
HB 668 Various Higher Education Changes. (Representative Fraley)

Chairman Fraley explained the bill. Representative Clemmons asked a question about the diversity requirement in the teaching fellows program. Representative Turner motioned for a favorable report with a serial referral to the Committee on Education – Community Colleges. The motion carried.

The meeting adjourned at 11:50 AM.



Representative Kelly E. Hastings, Chair
Presiding



James Jenkins, Committee Clerk

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

EDUCATION - UNIVERSITIES COMMITTEE REPORT

Representative John A. Fraley, Co-Chair

Representative Kelly E. Hastings, Co-Chair

FAVORABLE AND RE-REFERRED

HB 438	Campus Police/Private IHE/CC Waiver. Draft Number: None Serial Referral: APPROPRIATIONS, EDUCATION Recommended Referral: None Long Title Amended: No Floor Manager: Hurley
HB 665	NC Completes College/Competitive Workforce. Draft Number: None Serial Referral: EDUCATION - COMMUNITY COLLEGES Recommended Referral: None Long Title Amended: No Floor Manager: Fraley
HB 668	Various Higher Education Changes. Draft Number: None Serial Referral: EDUCATION - COMMUNITY COLLEGES Recommended Referral: None Long Title Amended: No Floor Manager: Fraley

FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED

HB 475	NC Patriot Star Family Scholarship/Funds. Draft Number: H475-PCS30384-RQ-5 Serial Referral: APPROPRIATIONS, EDUCATION Recommended Referral: None Long Title Amended: No Floor Manager: Arp
HB 664	myFutureNC/Postsecondary Attainment Goal. Draft Number: H664-PCS10516-RQ-6 Serial Referral: RULES, CALENDAR, AND OPERATIONS OF THE HOUSE Recommended Referral: None Long Title Amended: No Floor Manager: Fraley



COM SUB REPORTED WITHOUT PREJUDICE, UNFAVORABLE ORIGINAL BILL AND RE-REFERRED

HB 371

Planning Funds/ECU Brody School of Medicine.

Draft Number: H371-PCS10515-RQ-7

Serial Referral: APPROPRIATIONS, EDUCATION

Recommended Referral: None

Long Title Amended: No

Floor Manager: Murphy

REPORTED WITHOUT PREJUDICE AND RE-REFERRED

HB 494

Stevens Center Funds/UNC School of the Arts.

Draft Number: None

Serial Referral: APPROPRIATIONS, EDUCATION

Recommended Referral: None

Long Title Amended: No

Floor Manager: Conrad

TOTAL REPORTED: 7



* C M R 2 8 0 - V - 3 *



HOUSE BILL 438: Campus Police/Private IHE/CC Waiver.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Rep. Hurley	Prepared by:	Samantha Yarborough
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *House Bill 438 would allow the State Board of Community Colleges (State Board) to waive tuition and registration fees for courses for the training needs of campus police agencies of private institutions of higher education and would appropriate funds to cover the cost of the waiver.*

CURRENT LAW: G.S. 115D-5(b) identifies individuals and entities that can receive tuition and registration fee waivers for community college courses. The State Board cannot waive tuition or registration fees for individuals or entities not listed in statute. G.S. 115D-5(b)(2) identifies entities that can have tuition and registration fees waived for courses requested by the entities that support their training needs and are on a specialized course list approved by the State Board of Community Colleges. These entities include:

- Volunteer fire departments.
- Municipal, county, or State fire departments.
- Volunteer EMS or rescue and lifesaving departments.
- Municipal, county, or State EMS or rescue and lifesaving departments.
- Law enforcement, fire, EMS or rescue and lifesaving entities serving a lake authority that was created by a county board of commissioners prior to July 1, 2012.
- Radio Emergency Associated Communications teams (REACT) under contract to a county as an emergency response agency.
- Municipal, county, or State law enforcement agencies.
- The Division of Adult Correction and Juvenile Justice of the Department of Public Safety for the training of full-time custodial employees and employees of the Division required to be certified under Chapter 17C of the General Statutes and the rules of the Criminal Justice and Training Standards Commission.
- The Eastern Band of Cherokee Indians law enforcement, fire, EMS, or rescue and lifesaving tribal government departments or programs.

BILL ANALYSIS: House Bill 438 would add to the list of entities in G.S. 115D-5(b)(2) the campus police agencies of private institutions of higher education certified by the Attorney General pursuant to Chapter 74G of the General Statutes. The bill would also appropriate \$110,000 in recurring funds to the Community College System Office, beginning with the 2020-2021 fiscal year, to support the waiver of tuition and fees for these police agencies.

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

Karen Cochrane-Brown
Director



H 4 3 8 - S M B N - 6 0 E 1 - V - 1

Legislative Analysis
Division
919-733-2578

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

1

HOUSE BILL 438

Short Title: Campus Police/Private IHE/CC Waiver.

(Public)

Sponsors: Representative Hurley.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Community Colleges, if favorable, Education - Universities, if favorable, Appropriations, Education, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 25, 2019

A BILL TO BE ENTITLED

AN ACT TO ADD A WAIVER OF TUITION AND REGISTRATION FEES FOR
COMMUNITY COLLEGE COURSES FOR THE TRAINING NEEDS OF CAMPUS
POLICE AGENCIES OF PRIVATE INSTITUTIONS OF HIGHER EDUCATION AND TO
APPROPRIATE FUNDS TO COVER THE COST OF THE WAIVER.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115D-5(b) reads as rewritten:

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

- (1) Persons not enrolled in elementary or secondary schools taking courses leading to a high school diploma or equivalent certificate.
- (2) Courses requested by the following entities that support the organizations' training needs and are on a specialized course list approved by the State Board of Community Colleges:
 - a. Volunteer fire departments.
 - b. Municipal, county, or State fire departments.
 - c. Volunteer EMS or rescue and lifesaving departments.
 - d. Municipal, county, or State EMS or rescue and lifesaving departments.
 - d1. Law enforcement, fire, EMS or rescue and lifesaving entities serving a lake authority that was created by a county board of commissioners prior to July 1, 2012.
 - e. Radio Emergency Associated Communications Teams (REACT) under contract to a county as an emergency response agency.
 - f. Municipal, county, or State law enforcement agencies.



- 1 fl. Campus police agencies of private institutions of higher education
2 certified by the Attorney General pursuant to Chapter 74G of the
3 General Statutes.
4 g. The Division of Adult Correction and Juvenile Justice of the
5 Department of Public Safety for the training of full-time custodial
6 employees and employees of the Division required to be certified
7 under Article 1 of Chapter 17C of the General Statutes and the rules
8 of the Criminal Justice and Training Standards Commission.
9 h. Repealed by Session Laws 2017-186, s. 2(hhhhh), effective December
10 1, 2017.
11 i. The Eastern Band of Cherokee Indians law enforcement, fire, EMS or
12 rescue and lifesaving tribal government departments or programs.
13 j. The Criminal Justice Standards Division of the Department of Justice
14 for the training of criminal justice professionals, as defined in
15 G.S. 17C-20(6), who are required to be certified under (i) Article 1 of
16 Chapter 17C of the General Statutes and the rules of the North
17 Carolina Criminal Justice Education and Training Standards
18 Commission or (ii) Chapter 17E of the General Statutes and the rules
19 of the North Carolina Sheriffs' Education and Training Standards
20 Commission. The waivers provided for in this sub-subdivision apply
21 to participants and recent graduates of the North Carolina Criminal
22 Justice Fellows Program to obtain certifications for eligible criminal
23 justice professions as defined in G.S. 17C-20(6).

24 "

25 **SECTION 2.** There is appropriated from the General Fund to the Community
26 Colleges System Office the sum of one hundred ten thousand dollars (\$110,000) in recurring
27 funds for the 2020-2021 fiscal year to support the waiver of tuition and fees for community
28 college courses for campus police agencies in accordance with G.S. 115D-5(b)(2)f1., as enacted
29 by this act.

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



HOUSE BILL 494: Stevens Center Funds/UNC School of the Arts.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Reps. Conrad, Lambeth, Montgomery, Terry	Prepared by:	Drupti Chauhan
Analysis of:	First Edition		Committee Counsel

OVERVIEW: House Bill 494 would appropriate \$42,200,000 to the University of North Carolina School of the Arts (UNC School of the Arts) for the planning, repair, and renovations of the Stevens Center, which is owned and operated by the UNC School of the Arts.

BILL ANALYSIS: House Bill 494 would appropriate \$42,200,000 from the General Fund to the Board of Governors of The University of North Carolina in nonrecurring funds for the 2019-2020 fiscal year. The funds would be allocated to the UNC School of the Arts for the planning, repair, and renovations of the Stevens Center which is owned and operated by the UNC School of the Arts. The funds are to be used to make upgrades to plumbing, mechanical, electrical, life safety systems, theater sound, lighting, and state equipment for the existing 77,500 square foot building which is the Stevens Center.

The allocated funds would not revert to the General Fund at the end of the 2019-2020 fiscal year and would remain available until June 30, 2023 for the purposes set out in the act.

BACKGROUND LAW: G.S. 143C-3-3(b) provides that The University of North Carolina cannot make a capital funds request that proposes to construct a new facility, expand the building area of an existing facility, or rehabilitate an existing facility to accommodate new or expanded uses unless advanced planning through schematic design of the project has been completed with funds other than General Fund appropriations.

EFFECTIVE DATE: The bill becomes effective July 1, 2019.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

H

1

HOUSE BILL 494

Short Title: Stevens Center Funds/UNC School of the Arts. (Public)

Sponsors: Representatives Conrad, Lambeth, Montgomery, and Terry (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Appropriations, Education, if favorable,
Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 28, 2019

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE REPAIRS AND RENOVATION OF THE
STEVENS CENTER OWNED AND OPERATED BY THE UNIVERSITY OF NORTH
CAROLINA SCHOOL OF THE ARTS.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding G.S. 143C-3-3(b), there is appropriated from the General Fund to The Board of Governors of The University of North Carolina the sum of forty-two million two hundred thousand dollars (\$42,200,000) in nonrecurring funds for the 2019-2020 fiscal year to be allocated to the University of North Carolina School of the Arts (UNC School of the Arts) for the planning, repair, and renovations of the Stevens Center owned and operated by the UNC School of the Arts. The funds shall be used to make significant upgrades to plumbing, mechanical, electrical, and life safety systems, as well as upgrades to theater sound, lighting, and stage equipment, for the existing 77,500 square foot building housing the Stevens Center. The repairs and renovations of the Stevens Center shall support the largest and most important teaching and training facility for the UNC School of the Arts, which is critical to the academic mission of the school. The goals of the renovation shall be to (i) preserve and enhance opportunities to use the Stevens Center as a classroom, (ii) improve the experience of patrons of the Stevens Center, (iii) renovate the stage house to allow for a higher rate of venue turnover, and (iv) improve the back of the house and rehearsal space to enhance the stage and house experience.

SECTION 2. The funds allocated to the UNC School of the Arts pursuant to Section 1 of this act shall not revert to the General Fund at the end of the 2019-2020 fiscal year but shall remain available until June 30, 2023, for the purposes set forth in this act.

SECTION 3. This act becomes effective July 1, 2019.





HOUSE BILL 475: NC Patriot Star Family Scholarship/Funds.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Reps. Arp, Moore, Bell, Lewis	Prepared by:	Drupti Chauhan
Analysis of:	PCS to First Edition H475-CSRQ-5		Committee Counsel

OVERVIEW: House Bill 475 creates the North Carolina Patriot Star Family Scholarship Program to provide scholarships to eligible children and spouses of certain veterans and current members of the Armed Forces to attend postsecondary institutions.

The Proposed Committee Substitute makes technical changes to the bill and adds a citation to allow the bill to be placed on the calendar for 2nd reading before the Current Operations Appropriations Act.

BILL ANALYSIS: The Proposed Committee Substitute (PCS) for HB 475 creates the North Carolina Patriot Star Family Scholarship Program (Program) to provide scholarships to eligible children and spouses of certain veterans and current members of the Armed Forces to attend postsecondary institutions. The PCS appropriates \$500,000 in recurring funds for the 2019-2020 fiscal year to the Board of Governors of The University of North Carolina to then be provided as a grant to the Patriot Foundation for the purpose of establishing the Program.

The Patriot Foundation is responsible for oversight of the Program and ensuring compliance. The Patriot Foundation must also: establish criteria and procedures related to scholarship documentation completion, the amount of individual scholarships, permissible use of scholarship funds, the period of eligibility for award of a scholarship, the conditions for revocation of a scholarship, and any other procedures needed for the administration of the Program.

A scholarship award cannot exceed the cost of attendance at the eligible postsecondary institution and if an eligible individual receives another scholarship or other grant covering the cost of attendance at an eligible postsecondary institution, then the amount of the scholarship awarded through the Program must be reduced so that the sum of all monies received does not exceed the cost of attendance for the postsecondary institution.

The Patriot Foundation must submit an annual report by April 1 of each year in which the Patriot Foundation spends State funds made available through this act to the Joint Legislative Education Oversight Committee and the Fiscal Research Division.

An eligible child is defined as a person who meets all of the following:

- Is attending or has been accepted to enroll in an eligible postsecondary institution.
- Is a legal resident of the State when scholarship documentation is completed. If the child is a dependent of the parent, the child's residency may be established in the State if the parent is an active duty service member permanently stationed in the State at the time of documentation completion.
- Has complied with the requirements of the Selective Service System if applicable.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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House PCS 475

Page 2

- Has a parent who is a veteran or a currently serving member of the Armed Forces and the parent meets the following:
 - Meets 1 of the following residency requirements:
 - Is a resident of the State at the time of the scholarship documentation completion.
 - Was a resident of the State at the time of entrance into service in the Armed Forces.
 - Was permanently stationed in the State at the time of his or her death.
 - Is an active duty service member permanently stationed in the State at the time of the scholarship documentation completion.
 - Meets 1 of the following service requirements:
 - Was a member of the Armed Forces who was killed in action or in the line of duty, or died of wounds or other causes not due to the person's willful misconduct during a period of war or national emergency.
 - Was a member of the Armed Forces who died of service-connected injuries, wounds, illness, or other causes incurred or aggravated while a member of the Armed Forces during a period of war or national emergency.
 - Is a veteran of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war or national emergency and is receiving compensation for a wartime service-connected disability of at least 50% as rated by the US Department of Veterans Affairs.
 - Is a current member of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war or national emergency.

An eligible spouse is defined as a person who meets all of the following:

- Is attending or has been accepted to enroll in an eligible postsecondary institution.
- Is a legal resident of the State when scholarship documentation is completed.
- Has complied with the requirements of the Selective Service System, if applicable.
- Whose spouse was a member of the Armed Forces who was killed in action or the line of duty, or died of wounds or other causes not due to the service member's willful misconduct during a period of war or national emergency.

An eligible postsecondary institution is any of the following:

- A constituent institution of The University of North Carolina.
- A community college in the North Carolina Community College System.
- A private educational institution that is an institution that is located in the State, is not for profit, and whose curriculum is primarily directed toward the awarding of associate, baccalaureate or graduate degrees.
- An accredited private vocational institution.

BACKGROUND LAW: G.S. 143C-5-2 provides that each chamber of the General Assembly must pass its version of the Current Appropriations Act on 3rd reading before placing any other appropriations bills on the calendar for 2nd reading unless certain exceptions apply such as appropriations bills responding to emergencies or making adjustments to the current year's budget.

EFFECTIVE DATE: The bill becomes July 1, 2019.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

D

HOUSE BILL 475
PROPOSED COMMITTEE SUBSTITUTE H475-CSRQ-5 [v.1]

04/12/2019 03:12:41 PM

Short Title: NC Patriot Star Family Scholarship/Funds.

(Public)

Sponsors:

Referred to:

March 28, 2019

A BILL TO BE ENTITLED

AN ACT TO ENACT THE NORTH CAROLINA PATRIOT STAR FAMILY SCHOLARSHIP ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Establishment of the Scholarship Program. – Notwithstanding G.S. 143C-5-2, there is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of five hundred thousand dollars (\$500,000) in recurring funds for the 2019-2020 fiscal year to be provided as a grant to the Patriot Foundation for the purpose of establishing the North Carolina Patriot Star Family Scholarship Program (Program). The Program shall provide scholarships to eligible children and eligible spouses of certain veterans and currently serving members of the Armed Forces to attend eligible postsecondary institutions in accordance with the requirements of this act.

SECTION 2. Definitions. – For the purposes of this act, the following definitions apply:

- (1) Armed Forces. – A component of the United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including their reserve components.
- (2) Eligible child or eligible children. – Any person (i) who is attending or has been accepted to enroll in an eligible postsecondary institution, (ii) who is a legal resident of North Carolina when scholarship documentation is completed, provided that if a child is claimed as a dependent by the child's parent, residency may be established based on a parent meeting sub-sub-subdivision 4. of sub-subdivision a. of this subdivision, (iii) has complied with the requirements of the Selective Service System, if applicable, and (iv) whose parent is a veteran or a currently serving member of the Armed Forces that meets the following:
 - a. Meets one of the following residency conditions:
 1. Is a resident of North Carolina at the time of scholarship documentation completion.
 2. Was a resident of North Carolina at the time of entrance into service in the Armed Forces.
 3. Was permanently stationed in North Carolina at the time of his or her death.
 4. Is an active duty service member permanently stationed in North Carolina at the time of documentation completion.
 - b. Meets one of the following service conditions:



1. Was a member of the Armed Forces who was killed in action or in the line of duty, or died of wounds or other causes not due to the service member's willful misconduct during a period of war or national emergency.
 2. Was a member of the Armed Forces who died of service-connected injuries, wounds, illness, or other causes incurred or aggravated while a member of the Armed Forces during a period of war or national emergency. Standard documentation of the parent's death, wounds, injury, or illness must be supplied by a scholarship recipient at the time of scholarship request.
 3. Is a veteran of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war or national emergency and is receiving compensation for a wartime service-connected disability of at least fifty percent (50%) as rated by the U.S. Department of Veterans Affairs.
 4. Is a current member of the Armed Forces who incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war or national emergency. The parent's traumatic wounds, injury, or major illness must be documented by the U.S. Department of Defense.
- (3) Eligible spouse. – Any person (i) who is attending or has been accepted to enroll in an eligible postsecondary institution, (ii) who is a legal resident of North Carolina when scholarship documentation is completed, (iii) has complied with the requirements of the Selective Service System, if applicable, and (iv) whose spouse was a member of the Armed Forces who was killed in action or the line of duty, or died of wounds or other causes not due to the service member's willful misconduct during a period of war or national emergency.
- (4) Eligible postsecondary institution. – A school that is any of the following:
- a. A constituent institution of The University of North Carolina.
 - b. A community college under the jurisdiction of the State Board of Community Colleges.
 - c. A private educational institution as defined in G.S. 143B-1224.
 - d. An accredited, private vocational institution.
- (5) Veteran. – An individual who has served and is no longer serving in the Armed Forces of the United States. For the purposes of this act, the veteran must have separated from the Armed Forces under honorable conditions or whose death or disability of at least fifty percent (50%) or more was incurred as a direct result of service in the line of duty.

SECTION 3. Administration; Awards. – Within the funds made available by this act, the Patriot Foundation shall administer the North Carolina Patriot Star Family Scholarship Program and award scholarships to eligible children and eligible spouses in accordance with this act. In administering the Program, the Patriot Foundation shall be responsible for program oversight ensuring compliance with the provisions of this act.

The Patriot Foundation shall, at a minimum, establish criteria and procedures related to scholarship documentation completion, the amount of individual scholarships, the permissible uses of scholarship funds, the period of eligibility for award of a scholarship, the conditions for a revocation of a scholarship, and any other procedures it deems necessary for administration of

1 the Program. A scholarship awarded to an eligible child or eligible spouse shall not exceed the
2 cost of attendance at the eligible postsecondary institution.

3 If an eligible child or eligible spouse receives a scholarship or other grant covering
4 the cost of attendance at an eligible postsecondary institution for which the scholarship is
5 awarded, then the amount of a scholarship awarded under this act shall be reduced so that the
6 sum of all grants and scholarships covering the cost of attendance received by the eligible child
7 or eligible spouse does not exceed the cost of attendance for the institution. For the purposes of
8 this section, cost of attendance shall be deemed to include monies for tuition, fees, books,
9 supplies, and equipment required for study at an eligible postsecondary institution, as well as
10 room and board as long as the scholarship recipient is enrolled as at least a half-time student at
11 the institution. Off-campus housing costs for room and board are also included to the extent the
12 eligible postsecondary institution includes it in its cost of attendance.

13 **SECTION 4.** Reporting. – The Patriot Foundation shall submit a report by April 1
14 of each year in which the Patriot Foundation spends State funds made available pursuant to this
15 act to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on
16 the activities described by this act and the use of the State funds.

17 **SECTION 5.** This act becomes effective July 1, 2019.



HOUSE BILL 664: myFutureNC/Postsecondary Attainment Goal.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Rep. Fraley	Prepared by:	Drupti Chauhan
Analysis of:	PCS to First Edition H664-CSRQ-6		Committee Counsel

OVERVIEW: House Bill 664 would establish a postsecondary educational attainment goal for the State and would create a Joint Legislative Task Force on Postsecondary Attainment (Task Force).

The Proposed Committee Substitute (PCS) would: (i) clarify that the Task Force members would elect a chair and vice chair; (ii) provide that the first meeting would be called by either the President Pro Tempore of the Senate or the Speaker of the House of Representatives; (iii) require the final report be submitted by December 31, 2020; and (iv) provide that the Task Force would terminate on December 31, 2020, or upon the filing of the final report, whichever comes first.

BILL ANALYSIS: The PCS for House Bill 664 would establish a postsecondary educational attainment goal for the State in order to ensure that the State remains economically competitive now and into the future. The State is to make significant efforts to increase access to learning so that by 2030, at least 2,000,000 residents between the ages of 25 and 44 will have completed a high-quality credential or postsecondary degree.

Beginning September 1, 2020, and annually thereafter, the myFutureNC Commission must report to the General Assembly on the progress of the State reaching the postsecondary attainment goal and the activities of the Commission to further the State towards the goal.

The PCS also creates the Task Force which would have 9 members: 3 members of the Senate appointed by the President Pro Tempore; 3 members of the House of Representatives appointed by the Speaker of the House of Representatives; and 3 public members appointed by the Governor. The members of the Task Force must elect a chair and vice chair from among its membership. The first meeting of the Task Force may be called by either the President Pro Tempore of the Senate or the Speaker of the House of Representatives with subsequent meetings at the call of the chair of the Task Force.

The Task Force must create an inventory of existing education programs and policies to assess the effectiveness of those programs and policies in order to facilitate the progress of the State in reaching its postsecondary educational attainment goal. This study must be done in consultation with the Department of Public Instruction, the Community Colleges System Office, The University of North Carolina System Office, and the North Carolina Independent Colleges and Universities. Also as a part of the study, the Task Force must consider the work and recommendations of the myFutureNC Commission and the Postsecondary Education Credentials Commission, as well as any other issues the Task Force considers relevant.

The Task Force must submit an interim report by March 1, 2020, and a final report by December 31, 2020, to the Joint Legislative Education Oversight Committee. The Task Force terminates on December 31, 2020, or upon the filing of its final report, whichever comes first.

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

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

D

HOUSE BILL 664
PROPOSED COMMITTEE SUBSTITUTE H664-CSRQ-6 [v.2]

04/15/2019 04:50:28 PM

Short Title: myFutureNC/Postsecondary Attainment Goal.

(Public)

Sponsors:

Referred to:

April 10, 2019

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH AN EDUCATIONAL ATTAINMENT GOAL FOR THE STATE.

Whereas, the State of North Carolina is one of nine states in the country that does not have a shared postsecondary attainment goal and has less than half the 25- to 44-year-old workforce with a postsecondary degree or certificate; and

Whereas, the myFutureNC Commission, a statewide group of business, education, and government leaders, recently studied North Carolina's evolving workforce needs and the alignment between future demands and trends in educational attainment; and

Whereas, based on that study, the myFutureNC Commission developed an educational attainment goal that will ensure North Carolina remains economically competitive now and into the future; and

Whereas, to make progress towards that goal, the North Carolina higher education community must improve student outcomes, reduce the time to graduation, and create opportunities that meet the needs of today's students; and

Whereas, increasing on-time graduation rates at institutions of higher education and expanding access to high-quality workforce training places more graduates into the workforce more quickly, reduces student debt, and increases the supply of skilled workers in North Carolina, making the State more attractive to businesses to start, expand, or relocate; Now, therefore, The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 116C-1 through G.S. 116C-5 are designated as Article 1 of Chapter 116C of the General Statutes, which is entitled "Education Cabinet."

SECTION 1.(b) Chapter 116C of the General Statutes is amended by adding a new Article to read:

"Article 2.

"North Carolina Postsecondary Attainment Goal.

"§ 116C-10. North Carolina postsecondary attainment goal.

(a) Findings. – The General Assembly finds it necessary to set a goal for postsecondary attainment for North Carolina residents to ensure that the State remains economically competitive now and into the future.

(b) Postsecondary Attainment Goal. – The State shall make significant efforts to increase access to learning and improve the education of more North Carolinians so that, by the year 2030, at least 2,000,000 residents between the ages of 25 and 44 will have completed a high-quality credential or postsecondary degree.

(c) Rights Not Created. – The attainment goal established in this section is not to the exclusion of any other goals and does not confer a right or create a claim for any person."



* H 6 6 4 - C S R Q - 6 *

1 **SECTION 1.(c)** Beginning September 1, 2020, and every September 1 thereafter,
2 the myFutureNC Commission, which is a statewide commission focusing on postsecondary
3 educational attainment in North Carolina, shall report to the General Assembly, as provided by
4 G.S. 120-29.5, on the progress of the State reaching the postsecondary attainment goal set forth
5 in G.S. 116C-10, as enacted by this act, and activities by the Commission to further North
6 Carolina towards the postsecondary attainment goal.

7 **SECTION 2.(a)** There is created the Joint Legislative Task Force on Postsecondary
8 Attainment (Task Force).

9 **SECTION 2.(b)** The Task Force shall consist of three members of the Senate
10 appointed by the President Pro Tempore of the Senate, three members of the House of
11 Representatives appointed by the Speaker of the House of Representatives, and three public
12 members appointed by the Governor. These appointments shall be made no later than September
13 1, 2019. The members of the Task Force shall elect a chair and a vice chair from among its
14 membership.

15 **SECTION 2.(c)** In consultation with the Department of Public Instruction, the
16 Community Colleges System Office, The University of North Carolina System Office, and the
17 North Carolina Independent Colleges and Universities, the Task Force shall create an inventory
18 of existing education programs and policies to assess the effectiveness of those programs and
19 policies in order to determine how to facilitate the progress of the State in reaching the
20 postsecondary attainment goal set forth in G.S. 116C-10. As a part of this study, the Task Force
21 shall consider the work and recommendations of the myFutureNC Commission and the
22 Postsecondary Education Credentials Commission and any other issues the Task Force considers
23 relevant.

24 **SECTION 2.(d)** Either the President Pro Tempore of the Senate or the Speaker of
25 the House of Representatives may call the first meeting of the Task Force. Subsequent meetings
26 of the Task Force shall be upon the call of its chair. A quorum of the Task Force is a majority of
27 its members. No action may be taken except by a majority vote at a meeting at which a quorum
28 is present. The Task Force, while in the discharge of its official duties, may exercise all powers
29 provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Task Force may
30 contract for professional, clerical, or consultant services, as provided by G.S. 120-32.02. If the
31 Task Force hires a consultant, the consultant shall not be a State employee or a person currently
32 under contract with the State to provide services. Members of the Task Force shall receive per
33 diem, subsistence, and travel allowance as provided in G.S. 120-3.1. The expenses of the Task
34 Force shall be considered expenses incurred for the joint operation of the General Assembly.

35 **SECTION 2.(e)** The Legislative Services Officer shall assign professional and
36 clerical staff to assist the Task Force in its work. The Director of Legislative Assistants of the
37 House of Representatives and the Director of Legislative Assistants of the Senate shall assign
38 clerical support to the Task Force.

39 **SECTION 2.(f)** Meetings of the Task Force shall begin no later than October 1,
40 2019. The Task Force shall submit an interim report by March 1, 2020, and a final report by
41 December 31, 2020, on the results of its study, including proposed legislation, to the Joint
42 Legislative Education Oversight Committee. The Task Force shall terminate on December 31,
43 2020, or upon the filing of its final report, whichever comes first.

44 **SECTION 3.** This act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

1

HOUSE BILL 664

Short Title: myFutureNC/Postsecondary Attainment Goal.

(Public)

Sponsors: Representative Fraley.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Rules, Calendar, and Operations of the House

April 10, 2019

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH AN EDUCATIONAL ATTAINMENT GOAL FOR THE STATE.

Whereas, the State of North Carolina is one of nine states in the country that does not have a shared postsecondary attainment goal and has less than half the 25- to 44-year-old workforce with a postsecondary degree or certificate; and

Whereas, the myFutureNC Commission, a statewide group of business, education, and government leaders, recently studied North Carolina's evolving workforce needs and the alignment between future demands and trends in educational attainment; and

Whereas, based on that study, the myFutureNC Commission developed an educational attainment goal that will ensure North Carolina remains economically competitive now and into the future; and

Whereas, to make progress towards that goal, the North Carolina higher education community must improve student outcomes, reduce the time to graduation, and create opportunities that meet the needs of today's students; and

Whereas, increasing on-time graduation rates at institutions of higher education and expanding access to high-quality workforce training places more graduates into the workforce more quickly, reduces student debt, and increases the supply of skilled workers in North Carolina, making the State more attractive to businesses to start, expand, or relocate; Now, therefore, The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 116C-1 through G.S. 116C-5 are designated as Article 1 of Chapter 116C of the General Statutes, which is entitled "Education Cabinet."

SECTION 1.(b) Chapter 116C of the General Statutes is amended by adding a new Article to read:

"Article 2.

"North Carolina Postsecondary Attainment Goal.

"§ 116C-10. North Carolina postsecondary attainment goal.

(a) Findings. – The General Assembly finds it necessary to set a goal for postsecondary attainment for North Carolina residents to ensure that the State remains economically competitive now and into the future.

(b) Postsecondary Attainment Goal. – The State shall make significant efforts to increase access to learning and improve the education of more North Carolinians so that, by the year 2030, at least 2,000,000 residents between the ages of 25 and 44 will have completed a high-quality credential or postsecondary degree.



1 (c) Rights Not Created. – The attainment goal established in this section is not to the
2 exclusion of any other goals and does not confer a right or create a claim for any person."

3 **SECTION 1.(c)** Beginning September 1, 2020, and every September 1 thereafter,
4 the myFutureNC Commission, which is a statewide commission focusing on postsecondary
5 educational attainment in North Carolina, shall report to the General Assembly, as provided by
6 G.S. 120-29.5, on the progress of the State reaching the postsecondary attainment goal set forth
7 in G.S. 116C-10, as enacted by this act, and activities by the Commission to further North
8 Carolina towards the postsecondary attainment goal.

9 **SECTION 2.(a)** There is created the Joint Legislative Task Force on Postsecondary
10 Attainment (Task Force).

11 **SECTION 2.(b)** The Task Force shall consist of three members of the Senate
12 appointed by the President Pro Tempore of the Senate, three members of the House of
13 Representatives appointed by the Speaker of the House of Representatives, and three public
14 members appointed by the Governor. These appointments shall be made no later than September
15 1, 2019. The members of the Task Force shall elect a chair and a cochair from among its
16 membership.

17 **SECTION 2.(c)** In consultation with the Department of Public Instruction, the
18 Community Colleges System Office, The University of North Carolina System Office, and the
19 North Carolina Independent Colleges and Universities, the Task Force shall create an inventory
20 of existing education programs and policies to assess the effectiveness of those programs and
21 policies in order to determine how to facilitate the progress of the State in reaching the
22 postsecondary attainment goal set forth in G.S. 116C-10. As a part of this study, the Task Force
23 shall consider the work and recommendations of the myFutureNC Commission and the
24 Postsecondary Education Credentials Commission and any other issues the Task Force considers
25 relevant.

26 **SECTION 2.(d)** The Task Force shall meet upon the call of its chair. A quorum of
27 the Task Force is a majority of its members. No action may be taken except by a majority vote
28 at a meeting at which a quorum is present. The Task Force, while in the discharge of its official
29 duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through
30 G.S. 120-19.4. The Task Force may contract for professional, clerical, or consultant services, as
31 provided by G.S. 120-32.02. If the Task Force hires a consultant, the consultant shall not be a
32 State employee or a person currently under contract with the State to provide services. Members
33 of the Task Force shall receive per diem, subsistence, and travel allowance as provided in
34 G.S. 120-3.1. The expenses of the Task Force shall be considered expenses incurred for the joint
35 operation of the General Assembly.

36 **SECTION 2.(e)** The Legislative Services Officer shall assign professional and
37 clerical staff to assist the Task Force in its work. The Director of Legislative Assistants of the
38 House of Representatives and the Director of Legislative Assistants of the Senate shall assign
39 clerical support to the Task Force.

40 **SECTION 2.(f)** Meetings of the Task Force shall begin no later than October 1,
41 2019. The Task Force shall submit an interim report by March 1, 2020, and a final report by
42 January 1, 2021, on the results of its study, including proposed legislation, to the Joint Legislative
43 Education Oversight Committee. The Task Force shall terminate on March 1, 2021, or upon the
44 filing of its final report, whichever comes first.

45 **SECTION 3.** This act is effective when it becomes law.

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

(Please type or use ballpoint pen)

EDITION No. PCS-H664-CSRO-6

H. B. No. 664

DATE April 16, 2019

S. B. No. _____

Amendment No. 1

(to be filled in by
Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.) Insko
Sen.)

1 moves to amend the bill on page 2, line 16

2 () WHICH CHANGES THE TITLE

3 by striking the word "and" on that line;

4
5 and on page 2, line 17, by rewriting that line to read:

6
7 "North Carolina Independent Colleges and Universities,
8 and the Department of Health and Human Services,
9 the Task Force shall create an inventory".

10

11

12

13

14

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19

SIGNED [Signature]

ADOPTED ✓ FAILED _____ TABLED _____

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

3-0521-1124 229
PCC HEN-220-2
PCC

April 10, 2019

1

Task

1

2

starting the word "and" as that line;

and so today, line 1, by revising that line to read:

North Carolina Independent College and University
and the Department of Health and Human Services
The Task Force shall continue reviewing

Walter



HOUSE BILL 665: NC Completes College/Competitive Workforce.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Education - Community Colleges. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Rep. Fraley	Prepared by:	Samantha Yarborough
Analysis of:	First Edition		Staff Attorney

OVERVIEW: House Bill 665 would do the following: (i) establish the summer course scholarship program; (ii) establish the transfer credit scholarship program; (iii) appropriate funds to the Transfer Advisory Committee and the Military Credit Advisory Council; (iv) appropriate funds to The University of North Carolina for increasing summer enrollment and for the adoption of high-quality open educational resources materials; (v) appropriate funds to the Community College System Office for eliminating full-time equivalent (FTE) determination disparity, the development of an online registration system for continuing education courses, and the operation of various campuses; and (vi) make adjustments to the matching requirement for the receipt of funds for a NC Career Coach.

BILL ANALYSIS:

Section 1.1 would appropriate an additional \$43,578,223 in recurring funds for enrollment adjustments for The University of North Carolina (UNC) for the 2019-2020 fiscal year to increase graduation rates and reduce time to degree by expanding the number of and enrollment in on-campus undergraduate summer course offered at constituent institutions. For subsequent fiscal years, the annual enrollment growth request from UNC would be required to reflect incremental changes in the actual credit hours completed in the fall, spring, and summer terms.

Section 1.2 would create the NC College Competes Scholarship (Scholarship). To be eligible for a Scholarship, a student would have to be enrolled in a constituent institution of UNC or a community college. The State Education Assistance Authority (SEAA) would be required to give priority in the award of Scholarships to students with financial need and who can use summer courses to earn 30 credits in the academic year or accelerate their path to a degree. The Board of Governors and the President of UNC would establish guidance for SEAA for awarding Scholarships to students enrolled in the constituent institutions, and the State Board of Community Colleges and the President of the Community College System would establish guidance for SEAA for awarding Scholarships to students enrolled in community colleges.

This section would also appropriate \$10,000,000 in recurring funds for the 2019-2020 school year to allocate to SEAA for providing Scholarships.

Section 2.1 would create the transfer credit scholarship program (Program). Students would be eligible for a scholarship under the Program if they: (i) receive an eligible college transfer associate degree from a community college and (ii) transfer to a constituent institution within 12 months of receiving the associate degree. The scholarships awarded under this Program would be up to \$1,000.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

House Bill 665

Page 2

For the purposes of this Program, an "eligible college transfer associate degree" would be one covered by an articulation agreement entered into by the Board of Governors and the State Board of Community Colleges. The Board of Governors and the President of UNC would set any additional eligibility criteria for students, including students that participate in co-admission or dual enrollment programs, or dual admission programs between constituent institutions and community colleges

This section would appropriate \$4,000,000 in recurring funds for the 2019-2020 fiscal year to allocate to SEAA to establish the Program.

This section would apply beginning with the award of scholarship funds for the 2019-2020 academic year.

Section 2.2 would appropriate \$150,000 in recurring funds and \$200,000 in nonrecurring funds for the 2019-2020 fiscal year to the Board of Governors to support the work for the Transfer Advisory Committee (TAC) and the Military Credit Advisory Council (MCAC). The funds would be used to accelerate the efforts of the TAC and MCAC to create new pathways programs, engage in site reviews, evaluate additional military occupations and courses for credits, and build a searchable database of military credit equivalencies.

Section 2.3 would appropriate \$300,000 in recurring funds for the 2019-2020 fiscal year to the Board of Governors to reduce student textbook costs through the curation and adoption by The University of North Carolina System Office (UNC System Office) of high-quality open educational resources materials for the most commonly taught courses across constituent institutions and community colleges.

In curating and adopting high-quality open education resources, the UNC System Office would give priority to those courses that universally transfer under the Comprehensive Articulation Agreement entered into by the Board of Governors and the State Board of Community Colleges.

Section 3.1 would appropriate \$11,520,449 in additional recurring funds to the Community Colleges System Office for the 2019-2020 fiscal year for short-term workforce training continuing education programs that lead to a State- or industry-recognized credential. These funds would be used to eliminate the FTE determination disparity between short-term workforce training programs and curriculum programs.

Section 3.2 would appropriate \$5,000,000 in recurring funds and \$1,500,000 in nonrecurring funds for the 2019-2020 fiscal year to the Community Colleges System Office for the purchase of an online registration system for continuing education courses.

Section 3.3 would appropriate \$566,587 each in recurring funds for the 2019-2020 fiscal year to the Community Colleges System Office for the operation of the following:

- The Forsyth Technical Community College Transportation Technology Center.
- The Guilford Technical Community College Aviation Campus.
- The Richmond Community College Scotland County Campus.
- The Wake Technical Community College Research Triangle Park Campus.

Section 4.1 would adjust the local match requirements for the NC Career Coach program. Currently, in order to receive funding from the Community Colleges System Office, the board of trustees of a community college and the local board of education of a local school administrative unit within the service area of the community college applying for funding for a NC Career Coach must provide evidence showing that there will be a dollar-for-dollar match of local to State funds.

This section would create a differentiated matching scheme based on whether the community college's main campus is located in a tier one, tier two, or tier three county, as defined by G.S. 143B-437.08. The new scheme would be as follows:

House Bill 665

Page 3

- No local match if located in a tier one county.
- \$1.00 of local funds to \$2.00 of State funds if located in a tier two county.
- \$1.00 of local funds to \$1.00 of State funds if located in a tier three county.

Section 4.2 would appropriate \$2,800,000 in recurring funds for the 2019-2020 fiscal year to the Community Colleges System Office to support the NC Career Coach Program. These funds would be used to place additional community college career coaches in public high schools.

Sections 4.1 and 4.2 would apply beginning with the 2019-2020 school year.

EFFECTIVE DATE: Except as otherwise provided, this act would become effective July 1, 2019.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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1

HOUSE BILL 665

Short Title: NC Completes College/Competitive Workforce.

(Public)

Sponsors: Representative Fraley.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Education - Community Colleges, if favorable, Appropriations, Education, if favorable, Rules, Calendar, and Operations of the House

April 10, 2019

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT VARIOUS POLICY CHANGES TO IMPROVE STUDENT OUTCOMES, INCLUDING REDUCING TIME TO DEGREE AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION, AND TO RECOGNIZE THE NEED FOR AND VALUE OF NON-DEGREE WORKFORCE CERTIFICATIONS, AS RECOMMENDED BY THE STATE BOARD OF COMMUNITY COLLEGES AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

PART I. ENHANCED STUDENT SUCCESS THROUGH AFFORDABLE EDUCATION YEAR-ROUND

SECTION 1.1. Enrollment funds for summer courses. – There is appropriated from the General Fund to the reserve account in the Office of State Budget and Management for enrollment adjustments for The University of North Carolina the sum of forty-three million five hundred seventy-eight thousand two hundred twenty-three dollars (\$43,578,223) in additional recurring funds for the 2019-2020 fiscal year to increase graduation rates and reduce time to degree by expanding the number of and enrollment in on-campus undergraduate summer courses offered on campus at constituent institutions. For subsequent fiscal years, the annual enrollment growth request from The University of North Carolina shall reflect incremental changes in the actual credit hours completed in the fall, spring, and summer terms.

SECTION 1.2.(a) Scholarships for summer courses. – Article 23 of Chapter 116 of the General Statutes is amended by adding a new Part to read:

"Part 5. NC College Completes Scholarship.

"§ 116-209.80. Summer course scholarship program.

Within the funds available for the program, a student enrolled in a constituent institution of The University of North Carolina or a community college as defined in G.S. 115D-2(2) may apply for scholarship funds to enroll in a summer course. The Authority shall give priority in the award of scholarships to students (i) with financial need and (ii) who can use summer courses to earn 30 credits in the academic year or accelerate their path to a degree. The Board of Governors and the President of The University of North Carolina shall establish guidance for the Authority for the award of the scholarships for students enrolled in constituent institutions. The State Board of Community Colleges and the President of the Community College System shall establish guidance for the Authority on the award of the scholarships for students enrolled in community



colleges. Except as otherwise provided by this section, the Authority shall administer the scholarships pursuant to guidelines and procedures established by the Authority consistent with its practices for administering State-funded financial aid."

SECTION 1.2.(b) There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of ten million dollars (\$10,000,000) in recurring funds for the 2019-2020 fiscal year to allocate to the North Carolina State Education Assistance Authority (Authority) for the purpose of providing summer scholarships to enable and encourage students enrolled in a constituent institution of The University of North Carolina or a North Carolina community college to enroll in a summer course as provided in G.S. 116-209.80, as enacted by this act. The funds appropriated pursuant to this section for each fiscal year shall be provided for scholarships as follows:

- (1) The sum of up to seven million dollars (\$7,000,000) in recurring funds shall be used to provide scholarships to students enrolled in constituent institutions.
- (2) The sum of up to three million dollars (\$3,000,000) in recurring funds shall be used to provide scholarships to students enrolled in community colleges.

SECTION 1.3. Section 1.2 of this act applies beginning with the 2020 summer term.

PART II. ENHANCED PATHWAYS FOR NORTH CAROLINA COMMUNITY COLLEGE SYSTEM GRADUATES AND MILITARY PERSONNEL

SECTION 2.1.(a) Scholarships for community college transfer students. – Part 5 of Article 23 of Chapter 116 of the General Statutes, as enacted by this act, is amended by adding a new section to read:

"§ 116-209.85. Transfer credit scholarship program.

Within the funds available for the program, a student who (i) receives an eligible college transfer associate degree from a community college as defined in G.S. 115D-2(2) and (ii) transfers to a constituent institution of The University of North Carolina within 12 months of receiving the degree may apply for a one-time scholarship award in an amount of up to one thousand dollars (\$1,000). For purposes of this section, an "eligible college transfer associate degree" is a degree covered by an articulation agreement entered into by the Board of Governors of The University of North Carolina and the State Board of Community Colleges. The Board of Governors and the President of The University of North Carolina shall establish eligibility criteria for students, including students that participate in co-admission or dual enrollment programs, or dual admission programs between constituent institutions and community colleges, provided the students meet other eligibility requirements. Except as otherwise provided by this section, the Authority shall administer the scholarships pursuant to guidelines and procedures established by the Authority consistent with its practices for administering State-funded financial aid."

SECTION 2.1.(b) There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of four million dollars (\$4,000,000) in recurring funds for the 2019-2020 fiscal year to allocate to the North Carolina State Education Assistance Authority to establish a scholarship program for students who receive an eligible college transfer associate degree from a North Carolina community college and transfer to a constituent institution of The University of North Carolina within 12 months of receiving the degree as provided in G.S. 116-209.85, as enacted by this act.

SECTION 2.2. TAC/MCAC career pathways. – For the 2019-2020 fiscal year, there is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of one hundred fifty thousand dollars (\$150,000) in recurring funds and two hundred thousand dollars (\$200,000) in nonrecurring funds to support the work of the Transfer Advisory Committee (TAC) and the Military Credit Advisory Council (MCAC). The funds shall be used to accelerate efforts of TAC and MCAC to create new pathways programs, engage in site reviews, evaluate additional military occupations and courses for credits, and build a searchable database of military credit equivalencies.

SECTION 2.3. Open educational resources materials. – There is appropriated from the General Fund to the Board of Governors of The University of North Carolina the sum of three hundred thousand dollars (\$300,000) in recurring funds for the 2019-2020 fiscal year to reduce student textbook costs through the curation and adoption by The University of North Carolina System Office of high-quality open educational resources materials for the most commonly taught courses across constituent institutions and community colleges. In curating and adopting high-quality open educational resources materials, the UNC System Office shall give priority to those courses that universally transfer under the Comprehensive Articulation Agreement entered into by the Board of Governors and the State Board of Community Colleges.

SECTION 2.4. Section 2.1 of this act applies beginning with the award of scholarship funds for the 2019-2020 academic year.

PART III. INCREASING ATTAINMENT THROUGH WORKFORCE TRAINING

SECTION 3.1. Short-term workforce training parity. – There is appropriated from the General Fund to the Community Colleges System Office the sum of eleven million five hundred twenty thousand four hundred forty-nine dollars (\$11,520,449) in additional recurring funds for the 2019-2020 fiscal year for short-term workforce training continuing education programs that lead to a State- or industry-recognized credential. These funds shall be used to eliminate the full-time equivalent (FTE) determination disparity between short-term workforce training programs and curriculum programs.

SECTION 3.2. Workforce development online registration. – For the 2019-2020 fiscal year, there is appropriated from the General Fund to the Community Colleges System Office the sum of five million dollars (\$5,000,000) in recurring funds and the sum of one million five hundred thousand dollars (\$1,500,000) in nonrecurring funds for the purchase of an online registration system for continuing education courses.

SECTION 3.3.(a) Workforce development multicampus locations. – There is appropriated from the General Fund to the Community Colleges System Office the sum of five hundred sixty-six thousand five hundred eighty-seven dollars (\$566,587) in recurring funds for the 2019-2020 fiscal year for the operation of the Forsyth Technical Community College Transportation Technology Center.

SECTION 3.3.(b) There is appropriated from the General Fund to the Community Colleges System Office the sum of five hundred sixty-six thousand five hundred eighty-seven dollars (\$566,587) in recurring funds for the 2019-2020 fiscal year for the operation of the Guilford Technical Community College Aviation Campus.

SECTION 3.3.(c) There is appropriated from the General Fund to the Community Colleges System Office the sum of five hundred sixty-six thousand five hundred eighty-seven dollars (\$566,587) in recurring funds for the 2019-2020 fiscal year for the operation of the Richmond Community College Scotland County Campus.

SECTION 3.3.(d) There is appropriated from the General Fund to the Community Colleges System Office the sum of five hundred sixty-six thousand five hundred eighty-seven dollars (\$566,587) in recurring funds for the 2019-2020 fiscal year for the operation of the Wake Technical Community College Research Triangle Park Campus.

PART IV. MODIFY CAREER COACH PROGRAM

SECTION 4.1. G.S. 115D-21.5(c) reads as rewritten:

"(c) Application for NC Career Coach Program Funding. – The board of trustees of a community college and a local board of education of a local school administrative unit within the service area of the community college jointly may apply for available funds for NC Career Coach Program funding from the State Board of Community Colleges. The State Board of Community Colleges shall establish a process for award of funds as follows:

- 1 (1) Advisory committee. – Establishment of an advisory committee, which shall
2 include representatives from the NC Community College System, the
3 Department of Public Instruction, the Department of Commerce, and at least
4 three representatives of the business community, to review applications and
5 make recommendations for funding awards to the State Board.
- 6 (2) Application submission requirements. – The State Board of Community
7 Colleges shall require at least the following:
8 a. Evidence of a signed memorandum of understanding that meets, at a
9 minimum, the requirements of this section.
10 b. Evidence that the funding request will be matched ~~dollar-for-dollar~~
11 with local ~~funds~~ funds in accordance with the following:
12 1. Matching funds may come from public or private sources.
13 2. The match amount shall be determined based on the location
14 of a community college's main campus as follows:
15 I. If located in a tier one county as defined in
16 G.S. 143B-437.08, no local match shall be required.
17 II. If located in a tier two county as defined in
18 G.S. 143B-437.08, one dollar (\$1.00) of local funds for
19 every two dollars (\$2.00) in State funds shall be
20 required.
21 III. If located in a tier three county as defined in
22 G.S. 143B-437.08, one dollar (\$1.00) of local funds for
23 every one dollar (\$1.00) in State funds shall be
24 required.
- 25 (3) Awards criteria. – The State Board of Community Colleges shall develop
26 criteria for consideration in determining the award of funds that shall include
27 the following:
28 a. Consideration of the workforce needs of business and industry in the
29 region.
30 b. Targeting of resources to enhance ongoing economic activity within
31 the community college service area and surrounding counties.
32 c. Geographic diversity of awards."

33 **SECTION 4.2.** There is appropriated from the General Fund to the Community
34 Colleges System Office the sum of two million eight hundred thousand dollars (\$2,800,000) in
35 recurring funds for the 2019-2020 fiscal year to support the NC Career Coach Program. These
36 funds shall be used to place additional community college career coaches in public high schools.

37 **SECTION 4.3.** This Part applies beginning with the 2019-2020 school year.
38

39 **PART V. EFFECTIVE DATE**

40 **SECTION 5.** Except as otherwise provided, this act becomes effective July 1, 2019.



HOUSE BILL 668: Various Higher Education Changes.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Education - Community Colleges. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Rep. Fraley	Prepared by:	Kara McCraw
Analysis of:	First Edition		Committee Counsel

OVERVIEW: *HB 668 would make various changes to laws related to community colleges and The University of North Carolina.*

CURRENT LAW and BILL ANALYSIS:

PART I: North Carolina Community College System

Section 1.1(a)-(c) and (e): The State Board of Community Colleges is required to report annually on tuition waivers, the Customized Training Program, certain capital projects for constitution institutions, and the voluntary shared leave program.

Section 1.1(a)-(c) and (e) would change the reporting entity for these reports from the State Board of Community Colleges to the Community College System Office, and specify September 1 as the date for the Customized Training Program report to be submitted.

Section 1.1(d): The Apprenticeship Council is required to report annually on its activities to several committees at the General Assembly focused on Agriculture and Natural and Economic Resources.

Section 1.1(d) directs the Apprenticeship Council report to instead come to the Joint Legislative Education Oversight Committee and House and Senate Appropriations subcommittees on Education.

Section 1.2: G.S. 115D-58.10 requires the State Board of Community Colleges to determine which State and community college employees must give bonds for the protection of State funds and property, and authorizes the State Board to place the bonds and pay the premiums from State funds. The statute also requires boards of trustees of community colleges to bond all employees permitted to draw on local funds or handle institutional funds or property.

Section 1.2 would allow the State Board of Education and local boards of trustees to determine and use adequate insurance coverage in place of bonds for employees handling institutional funds and property.

Section 1.3. The 2017 and 2018 budgets (SL 2017-57 and SL 2018-5) authorized the President of the Community College System Office to reorganize the System Office in accordance with recommendations and plans submitted to and approved by the State Board of Community Colleges. Any such reorganization was required to be reported annually to the Joint Legislative Education Oversight Committee, Fiscal Research Division, and the House and Senate Appropriation subcommittees on Education.

Section 1.3 would codify the President's authority to reorganize the System Office in accordance with recommendations and plans submitted to and approved by the State Board of Community Colleges, and

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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require reports on such reorganizations to be reported annually by March 1 to the Joint Legislative Education Oversight Committee.

This section would become effective July 1, 2019.

Part II: University of North Carolina System

Sec. 2.1: Currently, 5 educator preparation programs that meet stringent standards of selection may be selected as institutions of higher education for the North Carolina Teaching Fellow Program (NCTFP). The NCTFP is awarded to students preparing to teach in the public schools of the State in science, technology, engineering, or mathematics (STEM) or special education licensure areas.

Section 2.1 would allow up to 8 institutions of higher education to be selected to represent a diverse selection of public and private institutions. The same stringent standards of selection would be applied to this selection. Additionally, the bill clarifies that the scholarship can be awarded to students who change to an approved program in STEM or special education, regardless of whether they are already in a selected educator program or changing from another major at the institution.

This section becomes effective July 1, 2019. The expansion to 8 campuses applies beginning with loans offered for the 2020-2021 school year. The clarification on scholarships awards when students change programs applies to loans awarded for the 2019-2020 school year.

Sec. 2.2(a): Currently, the local school administrative unit (LEA) in which a laboratory school is located is required to provide food services and transportation to student attending the laboratory school.

Sec. 2.2(a) would clarify that the transportation requirement applies to homeless children in the LEA, and applies regardless of local transportation policies and practices, or where the students attending the lab school reside in the LEA. It would also require the LEA to provide transportation for extracurricular activities and educational trips in the same manner as for other schools in the LEA.

Subsection (a) would also require the LEA to administer, at its cost, the National School Lunch Program for the lab school.

This section applies beginning with the 2019-2020 school year.

Sec. 2.2(b): Currently, Chapter 115C provides immunity to local boards of education in several areas, including specific immunity for death or injury caused by negligence or tort of an employee or agent of a board of education, except to the extent waived by insurance (G.S. 115C-42), criminal history employee checks (G.S. 115C-332), employment actions related to low-performing schools (G.S. 115C-333 and -333.1), and in providing certain medical care to students (G.S. 115C-375.1, -375.2, -375.2A).

Sec. 2.2(b) would grant the same immunities provided in Chapter 115C (Education) of the General Statutes to the State Board of Education, Superintendent of Public Instruction, local boards of education, local school administrative units, and their members and employees to laboratory schools and the Chapter 115C counterparts operating lab schools.

This section applies to an act or omission of an action occurring on or after the date this act becomes law.

Sec. 2.2 (c)-(e): Currently, the Board of Governors is required to select 9 constituent institutions to establish and operate lab schools.

Sec. 2.2 (c)-(e) would reduce the number of lab schools from 9 to 6.

Sec. 2.3: Currently, Future Teachers of North Carolina (FTNC) provides the curricula and professional development for high school courses on the profession of teaching, including field experiences for high school students. 3 constituent institutions are designated to collaborate on FTNC. All high schools are

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encouraged to offer FTNC courses in partnership with an institution of higher education, and students who complete the courses with a B or higher earn dual credit from a constituent institution partner.

Sec. 2.3 would eliminate the current FTNC program, and replace it with an annual symposium for high school juniors and seniors that is selective and application based. The FTNC symposium would be administered by the UNC System Office in coordination with a FTNC Council selected by the UNC President. The System Office would annually report on participations and demographic information, a description of the event, and student survey responses following the symposium.

Sec. 2.4: The UNC Board of Governors Planning Task Force is required to conduct a systemwide analysis of the capital needs of constituent institutions for STEM. The Task Force was appropriated \$3 million to use in conducting the analysis. The Task Force was to report on the UNC System Plan to the Joint Legislative Capital Improvements Oversight Committee and Fiscal Research Division by April 1, 2019.

Sec. 2.4 would require the Task Force to submit an initial report by April 1, 2019, and a final report by February 1, 2020. It would also allow the \$3 million to not revert and remain available through the end of the 2019-2020 fiscal year.

This section would become effective June 30, 2019.

Sec. 2.5 would allow funds appropriated for enrollment adjustments for The University of North Carolina to a reserve account to not revert but remain available until the end of the 2019-2020 fiscal year for the purposes of the buy down of financial obligations resulting from the NC Promise program at Elizabeth City State University, University of North Carolina at Pembroke, and Western Carolina University.

This section becomes effective June 30, 2019.

EFFECTIVE DATE: Except as otherwise provided, HB 668 would become effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

1

HOUSE BILL 668

Short Title: Various Higher Education Changes.

(Public)

Sponsors: Representative Fraley.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Education - Community Colleges, if favorable, Rules, Calendar, and Operations of the House

April 11, 2019

A BILL TO BE ENTITLED

AN ACT TO MAKE VARIOUS CHANGES TO HIGHER EDUCATION LAWS, AS
RECOMMENDED BY THE STATE BOARD OF COMMUNITY COLLEGES AND THE
BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

PART I. THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

SECTION 1.1.(a) Reporting Changes. – G.S. 115D-5(b2) reads as rewritten:

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

SECTION 1.1.(b) G.S. 115D-5.1(f) reads as rewritten:

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

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

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

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

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

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

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

SECTION 1.1.(c) G.S. 115D-9(g) reads as rewritten:

"(g) The ~~State Board Community Colleges~~ System Office shall annually report to the State Building Commission the following:

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

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

(3) The name of each person awarded a contract under this section.

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



SECTION 1.1.(d) G.S. 115D-11.6 reads as rewritten:

"§ 115D-11.6. Apprenticeship Council.

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

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

SECTION 1.1.(e) G.S. 126-8.3(c) reads as rewritten:

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

SECTION 1.2. Community colleges permitted to provide insurance in lieu of bond.

– G.S. 115D-58.10 reads as rewritten:

"§ 115D-58.10. Surety ~~bonds.~~ bonds and related insurance.

The State Board of Community Colleges shall determine what State employees and employees of institutions shall give bonds or be insured for the protection of State funds and property and the State Board is authorized to place the ~~bonds~~ bonds, determine adequate insurance coverage, and pay the premiums thereon from State funds.

The board of trustees of each institution shall require all institutional employees authorized to draw or approve checks or vouchers drawn on local funds, and all persons authorized or permitted to receive institutional funds from whatever source, and all persons responsible for or authorized to handle institutional property, to be bonded by a surety company authorized to do business with the State in such amount as the board of trustees deems sufficient for the protection of such property and funds. In lieu of a bond, the board of trustees may obtain and maintain adequate insurance coverage sufficient for the protection of institutional funds and property. The tax-levying authority of each institution shall provide the funds necessary for the payment of the premiums of ~~such bonds.~~ the bonds or for insurance coverage."

1 **SECTION 1.3.(a)** Codify the President's Authority to Reorganize. – G.S. 115D-3
2 reads as rewritten:

3 **"§ 115D-3. Community Colleges System Office; ~~staff; staff;~~ reorganization authority.**

4 (a) The Community Colleges System Office shall be a principal administrative
5 department of State government under the direction of the State Board of Community Colleges,
6 and shall be separate from the free public school system of the State, the State Board of
7 Education, and the Department of Public Instruction. The State Board has authority to adopt and
8 administer all policies, regulations, and standards which it deems necessary for the operation of
9 the System Office.

10 The State Board shall elect a President of the North Carolina System of Community Colleges
11 who shall serve as chief administrative officer of the Community Colleges System Office. The
12 compensation of this position shall be fixed by the State Board from funds provided by the
13 General Assembly in the Current Operations Appropriations Act.

14 The President shall be assisted by such professional staff members as may be deemed
15 necessary to carry out the provisions of this Chapter, who shall be elected by the State Board on
16 nomination of the President. The compensation of the staff members elected by the Board shall
17 be fixed by the State Board of Community Colleges, upon recommendation of the President of
18 the Community College System, from funds provided in the Current Operations Appropriations
19 Act. These staff members shall include such officers as may be deemed desirable by the President
20 and State Board. Provision shall be made for persons of high competence and strong professional
21 experience in such areas as academic affairs, public service programs, business and financial
22 affairs, institutional studies and long-range planning, student affairs, research, legal affairs,
23 health affairs and institutional development, and for State and federal programs administered by
24 the State Board. In addition, the President shall be assisted by such other employees as may be
25 needed to carry out the provisions of this Chapter, who shall be subject to the provisions of
26 Chapter 126 of the General Statutes. The staff complement shall be established by the State Board
27 on recommendation of the President to insure that there are persons on the staff who have the
28 professional competence and experience to carry out the duties assigned and to insure that there
29 are persons on the staff who are familiar with the problems and capabilities of all of the principal
30 types of institutions represented in the system. The State Board of Community Colleges shall
31 have all other powers, duties, and responsibilities delegated to the State Board of Education
32 affecting the Community Colleges System Office not otherwise stated in this Chapter.

33 (b) Notwithstanding any other provision of law, the President may reorganize the System
34 Office in accordance with recommendations and plans submitted to and approved by the State
35 Board of Community Colleges. If a reorganization is implemented pursuant to this subsection,
36 including any movement of positions and funds between fund codes on a recurring basis, the
37 President shall report by March 1 of the fiscal year in which the reorganization occurred to the
38 Joint Legislative Education Oversight Committee."

39 **SECTION 1.3.(b)** This section becomes effective July 1, 2019.
40

41 **PART II. UNIVERSITY OF NORTH CAROLINA SYSTEM**

42 **SECTION 2.1.(a)** NC Teaching Fellows Program. – G.S. 116-209.62 reads as
43 rewritten:

44 **"§ 116-209.62. North Carolina Teaching Fellows Program established; administration.**

45 ...

46 (f) Program Selection Criteria. – The Authority shall administer the Program in
47 cooperation with ~~five up to eight~~ institutions of higher education with approved educator
48 preparation programs selected by the Commission that represent a diverse selection of both
49 postsecondary constituent institutions of The University of North Carolina and private
50 postsecondary institutions operating in the State. The Commission shall adopt stringent standards
51 for selection of the most effective educator preparation programs, including the following:

- (1) Demonstrates high rates of educator effectiveness on value-added models and teacher evaluations, including using performance-based, subject-specific assessment and support systems, such as edTPA or other metrics of evaluating candidate effectiveness that have predictive validity.
 - (2) Demonstrates measurable impact of prior graduates on student learning, including impact of graduates teaching in STEM or special education licensure areas.
 - (3) Demonstrates high rates of graduates passing exams required for teacher licensure.
 - (4) Provides curricular and co-curricular enhancements in leadership, facilitates learning for diverse learners, and promotes community engagement, classroom management, and reflection and assessment.
 - (5) Requires at least a minor concentration of study in the subject area that the candidate may teach.
 - (6) Provides early and frequent internship or practical experiences, including the opportunity for participants to perform practicums in diverse school environments.
 - (7) Is approved by the State Board of Education as an educator preparation program.
- (g) Awards of Forgivable Loans. – The Program shall provide forgivable loans to selected students to be used at the five up to eight selected institutions for completion of a program leading to initial teacher licensure as follows:

...."

SECTION 2.1.(b) G.S. 116-209.62(g)(4) reads as rewritten:

- "(4) Students matriculating at institutions of higher education who are changing to enrollment in an approved program of study at a selected educator preparation program. – Forgivable loans of up to four thousand one hundred twenty-five dollars (\$4,125) per semester for up to four semesters."

SECTION 2.1.(c) This section becomes effective July 1, 2019. Subsection (a) of this section applies to the award of forgivable loans beginning with the 2020-2021 academic year. Subsection (b) of this section applies to the award of forgivable loans beginning with the 2019-2020 academic year.

SECTION 2.2.(a) UNC Laboratory Schools. – G.S. 116-239.8(b)(4) reads as rewritten:

- "(4) Food and transportation services. – The local school administrative unit in which the laboratory school is located shall provide ~~food services and~~ transportation to students ~~attending who reside in the local school administrative unit and attend the laboratory school.~~ school, including any students who are homeless and require assistance pursuant to 42 U.S.C. § 11301, et seq., the McKinney-Vento Homeless Assistance Act. The requirement to provide transportation to students residing in the local school administrative unit shall (i) apply regardless of where a laboratory school student resides in the unit or how the unit's transportation policies and practices are applied to other students and (ii) include providing transportation of students and personnel for laboratory school extracurricular activities and educational trips in the same manner as other schools in the unit for that school year. The local school administrative unit in which the laboratory school is located shall ~~administer~~ administer, at its cost, the National School Lunch Program for the laboratory school in accordance with G.S. 115C-264. The chancellor shall arrange for the provision of these services from the local school administrative unit."

1 **SECTION 2.2.(b)** G.S. 116-239.5 is amended by adding a new subsection to read:

2 "(e) In addition to all other immunities provided to them by applicable State law, the
3 Subcommittee, chancellor, the constituent institution, an advisory board, and a laboratory school,
4 and their members, employees, and agents shall be entitled to the specific immunities provided
5 for in Chapter 115C of the General Statutes applying to the State Board of Education,
6 Superintendent of Public Instruction, a local board of education, a local school administrative
7 unit, and their members and employees. Any such immunity to liability established by this
8 subsection shall not extend to gross negligence, wanton conduct, or intentional wrongdoing that
9 would otherwise be actionable. Immunity established by this subsection shall be deemed to be
10 waived to the extent of indemnification under Articles 31A and 31B of Chapter 143 of the
11 General Statutes and to the extent sovereign immunity is waived under the Tort Claims Act, as
12 set forth in Article 31 of Chapter 143 of the General Statutes."

13 **SECTION 2.2.(c)** G.S. 116-239.5(a) reads as rewritten:

14 "(a) The Board of Governors, upon recommendation by the President, shall designate at
15 least ~~nine-six~~ constituent institutions to submit proposals to establish laboratory schools to serve
16 public school students in accordance with the provisions of this Article. The Board of Governors
17 shall select constituent institutions with high-quality educator preparation programs as
18 demonstrated by the annual performance measures reported by the constituent institutions in
19 accordance with G.S. 115C-296.35. The Board of Governors' Subcommittee on Laboratory
20 Schools established under G.S. 116-239.7 shall review the proposals and approve at least ~~nine~~
21 six of the proposals to establish laboratory schools. The Subcommittee shall oversee the
22 operations of those laboratory schools to meet the purposes set forth in this Article."

23 **SECTION 2.2.(d)** G.S. 116-239.7(a1) reads as rewritten:

24 "(a1) Approval of Laboratory Schools. – The Board of Governors, upon the
25 recommendation of the President, shall designate at least ~~nine-six~~ constituent institutions to
26 establish and operate laboratory schools. The chancellor of each constituent institution shall
27 adopt and submit to the Subcommittee a proposal to operate a laboratory school in a local school
28 administrative unit that meets the minimum threshold for the number of low-performing schools
29 located in the unit under G.S. 116-239.6(4). The proposal shall include the governance structure
30 of the laboratory school. The Subcommittee shall evaluate the proposals for approval or
31 disapproval by considering the design components and the strategic focus of the laboratory
32 school and any other standards developed by the Subcommittee to be applicable to all laboratory
33 schools. The Subcommittee shall also consider the location of each laboratory school so that, to
34 the extent possible, there is a geographically diverse distribution of the laboratory schools
35 throughout the State and a maximum of one laboratory school located in a qualifying local school
36 administrative unit. From the proposals submitted to the Subcommittee, the Subcommittee shall
37 approve the establishment of at least ~~nine-six~~ laboratory schools."

38 **SECTION 2.2.(e)** Section 11.6(d) of S.L. 2016-94, as amended by Section 4 of S.L.
39 2017-177, reads as rewritten:

40 "**SECTION 11.6.(d)** Notwithstanding G.S. 116-239.5, at least ~~nine-six~~ laboratory schools
41 shall be established pursuant to Article 29A of Chapter 116 of the General Statutes, as enacted
42 by this section, and in operation by the beginning of the 2019-2020 school year."

43 **SECTION 2.2.(f)** Subsection (b) of this section applies to an action or omission of
44 an action occurring on or after the date this act becomes law. Subsection (a) of this section applies
45 beginning with the 2019-2020 school year.

46 **SECTION 2.3.(a)** Future Teachers of North Carolina. – G.S. 116-41.30(b) reads as
47 rewritten:

48 "(b) Program. – FTNC shall be a ~~program providing professional development and~~
49 ~~curricula for courses that provide selective, application-based symposium for high school juniors~~
50 and seniors, offering a challenging introduction to teaching as a profession for high school
51 ~~students through courses offered by participating high schools in conjunction with college~~

1 ~~partners. profession. FTNC courses shall include both content on pedagogy and the profession~~
2 ~~of teaching and field experiences for high school students, provide instruction on pedagogy, ethics~~
3 ~~and professionalism, child development, successful teaching strategies and classroom~~
4 ~~management practices, effective lesson planning, assessment and intervention, and requirements~~
5 ~~of teacher licensure. The FTNC Symposium should provide practical benefit to participating~~
6 ~~students, which may include interaction with current educators, administrators, and educator~~
7 ~~preparation program faculty members, a simulated student teaching experience, and information~~
8 ~~about financial aid and scholarship opportunities."~~

9 **SECTION 2.3.(b)** G.S. 116-41.31 reads as rewritten:

10 **"§ 116-41.31. Oversight of Future Teachers of North Carolina.**

11 (a) ~~FTNC General Administration. System Office.~~ – FTNC shall be administratively
12 located in The University of North Carolina System Office. The President shall ~~select three~~
13 ~~constituent institutions with highly successful schools of education located in the western,~~
14 ~~central, and eastern regions of the State, respectively, to collaborate on development of curricula~~
15 ~~for FTNC and to provide professional development to high school teachers who will teach FTNC~~
16 ~~courses. The three constituent institutions shall also work with other constituent institutions and~~
17 ~~other institutions of higher education in the State to seek input in the development of curricula~~
18 ~~and professional development for FTNC and to create a network of college faculty to provide~~
19 ~~support to high schools offering FTNC courses. establish a Future Teachers of North Carolina~~
20 ~~Advisory Council (FTNC Council) to oversee the FTNC program. At the President's discretion,~~
21 ~~the FTNC Council shall coordinate with constituent institutions to utilize expertise from~~
22 ~~administrators, faculty, and staff members of institutions of higher education in designing the~~
23 ~~agenda and instructional content for the FTNC Symposium. The FTNC Council shall ensure~~
24 ~~diverse representation of the educator preparation programs represented at the FTNC~~
25 ~~Symposium. The FTNC Council shall also be responsible for creating an application process for~~
26 ~~interested high school students, reviewing submitted applications, selecting students to attend,~~
27 ~~and recruitment and outreach efforts.~~

28 (b) ~~FTNC Site Applications.~~ – All high schools in the State are encouraged to offer FTNC
29 ~~courses to students. A high school shall apply to offer FTNC courses with the geographically~~
30 ~~appropriate constituent institution overseeing FTNC and shall ensure that all teachers teaching~~
31 ~~FTNC courses have received appropriate training. High schools shall also seek a partner~~
32 ~~institution of higher education to provide support from college faculty. High schools participating~~
33 ~~in the FTNC program shall report demographic, survey, and other available outcome data to The~~
34 ~~University of North Carolina System Office as necessary for completion of the FTNC annual~~
35 ~~report required by G.S. 116-41.32.~~

36 (c) ~~FTNC Institution of Higher Education Partners.~~ – Constituent institutions that partner
37 ~~with high schools shall offer dual credit for high school students who successfully complete the~~
38 ~~FTNC course with a grade of "B" or higher. Other institutions of higher education that partner~~
39 ~~with high schools are encouraged to offer dual credit for high school students who successfully~~
40 ~~complete the FTNC course with a grade of "B" or higher. Constituent institutions shall provide~~
41 ~~annually to The University of North Carolina System Office data on students who have received~~
42 ~~dual credit for completion of an FTNC course and students who applied for admission into an~~
43 ~~educator preparation program at a constituent institution who indicated in the application for~~
44 ~~admission that the student completed an FTNC course. Other institutions of higher education are~~
45 ~~encouraged to provide annually to The University of North Carolina System Office data on~~
46 ~~students who have received dual credit for completion of an FTNC course and students who~~
47 ~~applied for admission into an educator preparation program at the institution of higher education~~
48 ~~who indicated in the application for admission that the student completed an FTNC course."~~

49 **SECTION 2.3.(c)** G.S. 116-41.32 reads as rewritten:

50 **"§ 116-41.32. Future Teachers of North Carolina reporting.**

The University of North Carolina System Office shall report annually, beginning October 15, 2019, 2020, on the following:

- (1) ~~Total number and names of local school administrative units with List of high schools and local school administrative units represented by participating in FTNC, total number and names of high schools offering FTNC, partner institution of higher education for each high school, and number of sections of the course being offered at each high school students.~~
- (1a) Number of students who submitted an application to attend the FTNC Symposium.
- (1b) Number of students attending the FTNC Symposium, including distribution by region.
- (2) ~~Demographic information of students enrolled in FTNC courses attending the FTNC Symposium.~~
- (2a) Description of the event agenda and content.
- (3) ~~Percentage of students who, after completing the course, attending the FTNC Symposium, reported the following:~~
 - a. ~~The student plans to choose teaching as a profession.~~
 - a1. The student plans to enroll in a community college, a constituent institution, a private postsecondary institution located in North Carolina, or a postsecondary institution located in another state.
 - b. ~~The course FTNC Symposium was very or somewhat effective in helping the student formulate a positive perception of the education profession.~~
 - c. ~~The coursework and activities FTNC Symposium increased the student's knowledge of the teaching profession and other careers in education.~~
 - d. ~~The field experience helped the student understand the many factors that contribute to effective teaching.~~
- (4) ~~Percentage of students who completed an FTNC course who received dual credit for successful completion of the course, by institution.~~
- (5) ~~Percentage of students who completed an FTNC course who applied for admission into an educator preparation program, by institution.~~
- (6) ~~Number of teachers provided professional development for FTNC."~~

SECTION 2.4.(a) UNC Board of Governors Planning Task Force. – Section 36.6 of S.L. 2018-5 reads as rewritten:

"SECTION 36.6.(a) There is created the UNC Board of Governors Planning Task Force. The Task Force shall consist of four current Board members appointed by the Board of Governors, one of whom shall be designated as chair. These appointments shall be made no later than August 1, 2018.

SECTION 36.6.(b) The Task Force shall conduct a systemwide analysis of the capital needs of the campuses of each constituent institution in relation to the Science Technology Engineering and Mathematics (STEM) subject area, taking into account the strengths, weaknesses, opportunities, and needs of each constituent institution, and any regional similarities and differences. The Task Force shall also consider the impact of any relevant programmatic planning elements being currently utilized that could be implemented as a best-practice among other similar programmatic areas to encourage systemwide efficiencies. In particular, the Task Force shall consider the capital needs relating to the Brody School of Medicine at East Carolina University, the UNC Applied Physical Sciences and Institute for Convergent Science in Chapel Hill, and other STEM projects to determine areas where capital funds may be used more efficiently and effectively. The Task Force shall use the information gathered pursuant to this subsection to compile a UNC System Plan.

1 **SECTION 36.6.(c)** The three million dollars (\$3,000,000) appropriated to the Board of
2 Governors of The University of North Carolina in Section 36.2 of this act shall be used by the
3 Task Force in conducting the analysis described in subsection (b) of this section. The Task Force
4 shall submit a preliminary report on or before April 1, 2019. On or before April 1, 2019, February
5 1, 2020, the Task Force shall submit a final report containing the UNC System Plan and any
6 legislative recommendations to the Joint Legislative Capital Improvements Oversight Committee
7 and the Fiscal Research Division.

8 **SECTION 36.6.(d)** The funds appropriated in Section 36.2 of this act to the Board of
9 Governors for the Task Force for the 2018-2019 fiscal year shall not revert at the end of the
10 2018-2019 fiscal year but shall remain available until the end of the 2019-2020 fiscal year for
11 the purposes set forth in this section."

12 **SECTION 2.4.(b)** This section becomes effective June 30, 2019.

13 **SECTION 2.5.(a)** UNC Enrollment Growth Funds. – The funds appropriated by S.L.
14 2018-5 for enrollment adjustments for The University of North Carolina, including funds for the
15 NC Promise Tuition Plan, to a reserve account in the Office of State Budget and Management
16 for the 2018-2019 fiscal year shall not revert at the end of the 2018-2019 fiscal year but shall
17 remain available until the end of the 2019-2020 fiscal year for the purpose of the "buy down" of
18 any financial obligations resulting from the established tuition rate under G.S. 116-143.11
19 incurred by Elizabeth City State University, the University of North Carolina at Pembroke, and
20 Western Carolina University or for rapid growth at any of those constituent institutions.

21 **SECTION 2.5.(b)** This section becomes effective June 30, 2019.

22 23 **PART III. EFFECTIVE DATE**

24 **SECTION 3.** Except as otherwise provided in this act, this act is effective when it
25 becomes law.



HOUSE BILL 371: Planning Funds/ECU Brody School of Medicine.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 16, 2019
Introduced by:	Reps. Murphy, Humphrey, K. Smith, Bell	Prepared by:	Drupti Chauhan
Analysis of:	PCS to First Edition H371-CSRQ-7		Committee Counsel

OVERVIEW: House Bill 371 would appropriate \$14,300,000 to develop plans for the construction of a new medical education building at the Brody School of Medicine at East Carolina University. The Proposed Committee Substitute (PCS) adds a citation to provide for an exception to allow General Fund monies to be used to develop the plans for the construction of the building.

[As introduced, this bill was identical to S183, as introduced by Sens. D. Davis, Horner, Perry, which is currently in Senate Appropriations/Base Budget.]

BILL ANALYSIS: The PCS for House Bill 371 would appropriate \$14,300,000 from the General Fund to the Board of Governors of The University of North Carolina for the 2019-2020 fiscal year. The funds would be allocated to East Carolina University to develop plans for the construction of a new medical building at the Brody School of Medicine. It also provides for an exception from the current law in order to allow General Fund monies to be used to develop the plans for the construction of the building.

BACKGROUND LAW: G.S. 143C-3-3(b) provides that The University of North Carolina cannot make a capital funds request that proposes to construct a new facility, expand the building area of an existing facility, or rehabilitate an existing facility to accommodate new or expanded uses unless advanced planning through schematic design of the project has been completed with funds other than General Fund appropriations.

EFFECTIVE DATE: The bill would become effective July 1, 2019.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

D

HOUSE BILL 371
PROPOSED COMMITTEE SUBSTITUTE H371-CSRQ-7 [v.1]

04/15/2019 03:41:44 PM

Short Title: Planning Funds/ECU Brody School of Medicine.

(Public)

Sponsors:

Referred to:

March 19, 2019

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE
UNIVERSITY OF NORTH CAROLINA TO DEVELOP PLANS FOR THE
CONSTRUCTION OF A NEW MEDICAL EDUCATION BUILDING AT THE BRODY
SCHOOL OF MEDICINE AT EAST CAROLINA UNIVERSITY.

Whereas, for more than 40 years, the Brody School of Medicine at East Carolina
University has successfully fulfilled a three-fold statutory mission to (i) increase the supply of
primary care physicians serving North Carolina, (ii) improve the health status of citizens in
Eastern North Carolina, and (iii) enhance the access of minority and disadvantaged students to a
medical education; and

Whereas, the Brody School of Medicine has become an economic force in North
Carolina, with graduates contributing more than \$3 billion annually to the State's economy; and

Whereas, more than 1,400 graduates of the Brody School of Medicine practice
medicine in 83 of North Carolina's 100 counties; and

Whereas, the Brody School of Medicine consistently addresses the statewide shortage
of primary care physicians, with a higher percentage of its graduates remaining in primary care
in North Carolina five years after graduation than any other school in the State; and

Whereas, nearly 70% of the graduates of the Brody School of Medicine who complete
residencies at its affiliated hospital, Vidant Medical Center, remain in North Carolina and
practice medicine in the State; and

Whereas, tuition at the Brody School of Medicine ranks among the lowest in the
United States, making it accessible and affordable, and its graduates depart on average with
\$50,000 less debt than their peers nationwide; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding G.S. 143C-3-3(b), there is appropriated from the
General Fund to the Board of Governors of The University of North Carolina the sum of fourteen
million three hundred thousand dollars (\$14,300,000) for the 2019-2020 fiscal year to be
allocated to East Carolina University (ECU) to develop plans for the construction of a new
medical education building at the Brody School of Medicine at ECU.

SECTION 2. This act becomes effective July 1, 2019.



**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

H

1

HOUSE BILL 371*

Short Title:	Planning Funds/ECU Brody School of Medicine.	(Public)
<hr/>		
Sponsors:	Representatives Murphy, Humphrey, K. Smith, and Bell (Primary Sponsors). <i>For a complete list of sponsors, refer to the North Carolina General Assembly web site.</i>	
<hr/>		
Referred to:	Education - Universities, if favorable, Appropriations, Education, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House	
<hr/>		

March 19, 2019

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO THE BOARD OF GOVERNORS OF THE
UNIVERSITY OF NORTH CAROLINA TO DEVELOP PLANS FOR THE
CONSTRUCTION OF A NEW MEDICAL EDUCATION BUILDING AT THE BRODY
SCHOOL OF MEDICINE AT EAST CAROLINA UNIVERSITY.

Whereas, for more than 40 years, the Brody School of Medicine at East Carolina
University has successfully fulfilled a three-fold statutory mission to (i) increase the supply of
primary care physicians serving North Carolina, (ii) improve the health status of citizens in
Eastern North Carolina, and (iii) enhance the access of minority and disadvantaged students to a
medical education; and

Whereas, the Brody School of Medicine has become an economic force in North
Carolina, with graduates contributing more than \$3 billion annually to the State's economy; and

Whereas, more than 1,400 graduates of the Brody School of Medicine practice
medicine in 83 of North Carolina's 100 counties; and

Whereas, the Brody School of Medicine consistently addresses the statewide shortage
of primary care physicians, with a higher percentage of its graduates remaining in primary care
in North Carolina five years after graduation than any other school in the State; and

Whereas, nearly 70% of the graduates of the Brody School of Medicine who complete
residencies at its affiliated hospital, Vidant Medical Center, remain in North Carolina and
practice medicine in the State; and

Whereas, tuition at the Brody School of Medicine ranks among the lowest in the
United States, making it accessible and affordable, and its graduates depart on average with
\$50,000 less debt than their peers nationwide; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Board of Governors
of The University of North Carolina the sum of fourteen million three hundred thousand dollars
(\$14,300,000) for the 2019-2020 fiscal year to be allocated to East Carolina University (ECU) to
develop plans for the construction of a new medical education building at the Brody School of
Medicine at ECU.

SECTION 2. This act becomes effective July 1, 2019.



VISITOR REGISTRATION SHEET

House Committee on Education- Universities

4-16-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Diana Lys	NCEFPF (UNCCH)
Nancy B. Ruppel	NCEFPF
Claudia Schneider	garcia's office
McAfee Consultant	Ally @ Law
Sue Ann Furch	ncas
Dibbie Henderson	
Earl Henderson	
David Rose	

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

4-16-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Martez Hill	SMH: (1
Jamie Wilson	EPFP
Dennis Davis	EPFP
Chns Osmond	EPFP
Meriwynn Mansori	EPFP
Allison Goff	Hunt Institute
Whitney Christensen	Ward & Smith, P.A.
Kelly Garm	Upscale
Michael J. Lee	NCA
Bruce M. Edwards	NCSST

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

4-16-2019

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Hope Wilson

NOTED

DAVID POWERS

UNC BOG

Padraic LeSbarr

Connect C

Andrew Kelly

VNC System

Andrew Meehan

Mc Chamber

Julie Kowal

UNC System

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

4-16-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Michelle Brooks	ECU
[Signature]	Vida+
Betty Dooker	UNC Charlotte
Fred Baggett	NC Police Chiefs Assoc
Andreas Cagle	UNCG
Seth Riggins	NCCCS
Mary Shuping	NCCCS
Drew Moritz	UNC System
Rachel Balci	PBlaw
Al White	Meredith College
Tom West	NLICh

Cancelled Notice

NORTH CAROLINA HOUSE OF REPRESENTATIVES COMMITTEE MEETING NOTICE AND BILL SPONSOR NOTIFICATION 2019-2020 SESSION

You are hereby notified that the **House Committee on Education - Universities** will **NOT** meet as follows:

DAY & DATE: Tuesday, June 4, 2019

TIME: 11:00 AM

LOCATION: 421 LOB

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
<u>SB 295</u>	Standards of Student Conduct.	Senator Tillman

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 12:30 PM on Wednesday, November 13, 2019.

____ Principal Clerk
____ Reading Clerk – House Chamber

James Jenkins (Committee Assistant)

Jan Copeland (Rep. John Fraley)

From: James Jenkins (Rep. Kelly Hastings)
Sent: Tuesday, June 11, 2019 10:04 AM
To: Sen. Jerry W. Tillman
Cc: Suzanne Castleberry (Sen. Jerry Tillman); Michael Hannah (Sen. Jerry Tillman)
Subject: <NCGA> House Education - Universities Committee Meeting Notice for Tuesday, June 11, 2019 at 11:30 a.m. - CANCELLED
Attachments: Add Meeting to Calendar_LINC_ics

Cancelled Notice

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Universities** will **NOT** meet as follows:

DAY & DATE: Tuesday, June 11, 2019
TIME: 11:30 a.m.
LOCATION: 421 LOB

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
<u>SB 295</u>	NC HS Graduation as Evidence of Residency.	Senator Tillman

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:03 AM on Tuesday, June 11, 2019.

___ Principal Clerk
___ Reading Clerk – House Chamber

James Jenkins (Committee Assistant)

**House Committee on Education - Universities
Tuesday, June 11, 2019, 11:30 a.m.
421 Legislative Office Building**

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
SB 295	NC HS Graduation as Evidence of Residency.	Senator Tillman

Adjournment



SENATE BILL 295: NC HS Graduation as Evidence of Residency.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 11, 2019
Introduced by:	Sen. Tillman	Prepared by:	Kara McCraw
Analysis of:	PCS to First Edition S295-CSTC-34		Committee Counsel

OVERVIEW: *SB 295 would allow the presumption that an individual's residence is the same as the individual's parents be reinforced or rebutted by evidence of graduation from a North Carolina high school for purposes of establishing residency for in-State tuition.*

CURRENT LAW: To qualify as a resident for tuition purposes, an individual must establish legal residence (defined as domicile) in the State for at least 12 months immediately prior to his or her classification as a resident for tuition purposes. The statute establishes the domicile of the individual's living parent or court-appointed guardian as one factor that is prima facie evidence in determining an individual's legal residence. This presumption can be reinforced or rebutted relative to the age and general circumstances of the individual by other evidence of legal residence. The legal residence of an individual whose parents are domiciled outside of the State is not prima facie evidence of the individual's legal residence if the individual has lived in this State for 5 consecutive years prior to enrolling or reregistering at an institution of higher education. The determination that an individual qualifies for in-State tuition allows the student to receive in-state tuition at both the UNC constituent institution, community colleges, and to qualify for need-based State grants for both public and private institutions of higher education in the State.

BILL ANALYSIS: SB 295 would allow the presumption that an individual's residence is the same as the individual's parents to be reinforced or rebutted by evidence of graduation from a North Carolina high school. However, evidence of graduation from a North Carolina high school alone would not establish legal residence in the State.

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

BACKGROUND: The Residency Determination Service (RDS) was established and implemented at the direction of the General Assembly and was a collaboration of The University of North Carolina, the North Carolina Community College System, the North Carolina State Education Assistance Authority, and the North Carolina Independent Colleges and Universities. The purpose of RDS is to be the centralized service for determining residency for in-state tuition for individuals applying for admission to campuses of The University of North Carolina, North Carolina community colleges, and for need-based State grants for both public and private institutions of higher education in the State.

**This summary was substantially contributed to by Drupti Chauhan, Committee Counsel.*

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S

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SENATE BILL 295
PROPOSED HOUSE COMMITTEE SUBSTITUTE S295-CSTC-34 [v.3]

06/10/2019 06:24:00 PM

Short Title: NC HS Graduation as Evidence of Residency.

(Public)

Sponsors:

Referred to:

March 20, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW EVIDENCE OF NORTH CAROLINA HIGH SCHOOL GRADUATION
3 FOR STUDENTS TO REINFORCE OR REBUT THE PRESUMPTION THAT THE
4 STUDENT'S RESIDENCE IS THE PARENT'S RESIDENCE FOR ESTABLISHING
5 RESIDENCY FOR IN-STATE TUITION FOR NORTH CAROLINA COMMUNITY
6 COLLEGES AND UNIVERSITIES.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. G.S. 116-143.1 reads as rewritten:

9 "§ 116-143.1. Provisions for determining resident status for tuition purposes.

10 (a) As defined under this section:

11 (1) A "legal resident" or "resident" is a person who qualifies as a domiciliary of
12 North Carolina; a "nonresident" is a person who does not qualify as a
13 domiciliary of North Carolina.

14 (2) A "resident for tuition purposes" is a person who qualifies for the in-State
15 tuition rate; a "nonresident for tuition purposes" is a person who does not
16 qualify for the in-State tuition rate.

17 (3) "Institution of higher education" means any of the constituent institutions of
18 the University of North Carolina and the community colleges under the
19 jurisdiction of the State Board of Community Colleges.

20 (4) "Authority" means the State Education Assistance Authority created by and
21 authorized to act under Article 23 of Chapter 116 of the General Statutes.

22 (b) To qualify as a resident for tuition purposes, a person must have established legal
23 residence (domicile) in North Carolina and maintained that legal residence for at least 12 months
24 immediately prior to his or her classification as a resident for tuition purposes. Every applicant
25 for admission shall be required to make a statement as to his length of residence in the State.

26 (c) To be eligible for classification as a resident for tuition purposes, a person must
27 establish that his or her presence in the State currently is, and during the requisite 12-month
28 qualifying period was, for purposes of maintaining a bona fide domicile rather than of
29 maintaining a mere temporary residence or abode incident to enrollment in an institution of
30 higher education.

31 (d) An individual shall not be classified as a resident for tuition purposes and, thus, not
32 rendered eligible to receive the in-State tuition rate, until he or she has provided such evidence
33 related to legal residence and its duration as may be required by the coordinated and centralized
34 residency determination process administered by the Authority in accordance with this Article
35 acting on behalf of officials of the institution of higher education from which the individual seeks
36 the in-State tuition rate.



1 (e) When an individual presents evidence that the individual has living parent(s) or
2 court-appointed guardian of the person, the legal residence of such parent(s) or guardian shall be
3 prima facie evidence of the individual's legal residence, ~~which residence~~. This presumption may
4 be reinforced or rebutted relative to the age and general circumstances of the individual by the
5 other evidence of legal residence required of or presented by the individual; ~~provided, that the~~
6 individual. An individual may offer evidence of graduation from a North Carolina high school to
7 reinforce or rebut the presumption that the individual's domicile is the same domicile as the
8 individual's living parent or guardian; however, evidence of graduation from a North Carolina
9 high school alone shall not establish legal residence in the State. The legal residence of an
10 individual whose parents are domiciled outside this State shall not be prima facie evidence of the
11 individual's legal residence if the individual has lived in this State the five consecutive years prior
12 to enrolling or reregistering at an institution of higher education.

13 (f) In making domiciliary determinations related to the classification of persons as
14 residents or nonresidents for tuition purposes, the domicile of a married person, irrespective of
15 sex, shall be determined, as in the case of an unmarried person, by reference to all relevant
16 evidence of domiciliary intent. For purposes of this section:

- 17 (1) No person shall be precluded solely by reason of marriage to a person
18 domiciled outside North Carolina from establishing or maintaining legal
19 residence in North Carolina and subsequently qualifying or continuing to
20 qualify as a resident for tuition purposes;
- 21 (2) No persons shall be deemed solely by reason of marriage to a person
22 domiciled in North Carolina to have established or maintained a legal
23 residence in North Carolina and subsequently to have qualified or continued
24 to qualify as a resident for tuition purposes;
- 25 (3) In determining the domicile of a married person, irrespective of sex, the fact
26 of marriage and the place of domicile of his or her spouse shall be deemed
27 relevant evidence to be considered in ascertaining domiciliary intent.

28 (g) Any nonresident person, irrespective of sex, who marries a legal resident of this State
29 or marries one who later becomes a legal resident, may, upon becoming a legal resident of this
30 State, accede to the benefit of the spouse's immediately precedent duration as a legal resident for
31 purposes of satisfying the 12-month durational requirement of this section.

32"

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

S

1

SENATE BILL 295

Short Title: NC HS Graduation as Evidence of Residency. (Public)

Sponsors: Senator Tillman (Primary Sponsor).

Referred to: Rules and Operations of the Senate

March 20, 2019

A BILL TO BE ENTITLED

AN ACT TO ALLOW EVIDENCE OF NORTH CAROLINA HIGH SCHOOL GRADUATION FOR STUDENTS TO REBUT THE PRESUMPTION THAT THE STUDENT'S RESIDENCE IS THE PARENT'S RESIDENCE FOR ESTABLISHING RESIDENCY FOR IN-STATE TUITION FOR NORTH CAROLINA COMMUNITY COLLEGES AND UNIVERSITIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 116-143.1 reads as rewritten:

"§ 116-143.1. Provisions for determining resident status for tuition purposes.

(a) As defined under this section:

- (1) A "legal resident" or "resident" is a person who qualifies as a domiciliary of North Carolina; a "nonresident" is a person who does not qualify as a domiciliary of North Carolina.
- (2) A "resident for tuition purposes" is a person who qualifies for the in-State tuition rate; a "nonresident for tuition purposes" is a person who does not qualify for the in-State tuition rate.
- (3) "Institution of higher education" means any of the constituent institutions of the University of North Carolina and the community colleges under the jurisdiction of the State Board of Community Colleges.
- (4) "Authority" means the State Education Assistance Authority created by and authorized to act under Article 23 of Chapter 116 of the General Statutes.

(b) To qualify as a resident for tuition purposes, a person must have established legal residence (domicile) in North Carolina and maintained that legal residence for at least 12 months immediately prior to his or her classification as a resident for tuition purposes. Every applicant for admission shall be required to make a statement as to his length of residence in the State.

(c) To be eligible for classification as a resident for tuition purposes, a person must establish that his or her presence in the State currently is, and during the requisite 12-month qualifying period was, for purposes of maintaining a bona fide domicile rather than of maintaining a mere temporary residence or abode incident to enrollment in an institution of higher education.

(d) An individual shall not be classified as a resident for tuition purposes and, thus, not rendered eligible to receive the in-State tuition rate, until he or she has provided such evidence related to legal residence and its duration as may be required by the coordinated and centralized residency determination process administered by the Authority in accordance with this Article acting on behalf of officials of the institution of higher education from which the individual seeks the in-State tuition rate.



1 (e) When an individual presents evidence that the individual has living parent(s) or
2 court-appointed guardian of the person, the legal residence of such parent(s) or guardian shall be
3 prima facie evidence of the individual's legal residence, ~~which residence. This presumption may~~
4 be reinforced or rebutted relative to the age and general circumstances of the individual by the
5 other evidence of legal residence required of or presented by the individual; ~~provided, that the~~
6 individual. One general circumstance that may be considered is whether an individual has
7 graduated from a North Carolina high school. The legal residence of an individual whose parents
8 are domiciled outside this State shall not be prima facie evidence of the individual's legal
9 residence if the individual has lived in this State the five consecutive years prior to enrolling or
10 reregistering at an institution of higher education.

11 (f) In making domiciliary determinations related to the classification of persons as
12 residents or nonresidents for tuition purposes, the domicile of a married person, irrespective of
13 sex, shall be determined, as in the case of an unmarried person, by reference to all relevant
14 evidence of domiciliary intent. For purposes of this section:

15 (1) No person shall be precluded solely by reason of marriage to a person
16 domiciled outside North Carolina from establishing or maintaining legal
17 residence in North Carolina and subsequently qualifying or continuing to
18 qualify as a resident for tuition purposes;

19 (2) No persons shall be deemed solely by reason of marriage to a person
20 domiciled in North Carolina to have established or maintained a legal
21 residence in North Carolina and subsequently to have qualified or continued
22 to qualify as a resident for tuition purposes;

23 (3) In determining the domicile of a married person, irrespective of sex, the fact
24 of marriage and the place of domicile of his or her spouse shall be deemed
25 relevant evidence to be considered in ascertaining domiciliary intent.

26 (g) Any nonresident person, irrespective of sex, who marries a legal resident of this State
27 or marries one who later becomes a legal resident, may, upon becoming a legal resident of this
28 State, accede to the benefit of the spouse's immediately precedent duration as a legal resident for
29 purposes of satisfying the 12-month durational requirement of this section.

30"

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

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Universities** will meet as follows:

DAY & DATE: Tuesday, June 18, 2019

TIME: 11:00 AM

LOCATION: 421 LOB

COMMENTS: Representative John A. Fraley will chair the standing committee.

The following bills will be considered:

BILL NO. SHORT TITLE

SB 225 Repeal Tuition Surcharge.

SPONSOR

Senator Perry
Senator Tillman
Senator Horner

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 1:15 PM on Wednesday, November 06, 2019.

____ Principal Clerk
____ Reading Clerk – House Chamber

James Jenkins (Committee Assistant)

House Committee on Education - Universities
Tuesday, June 18, 2019, 11:00 AM
421 Legislative Office Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
SB 225	Repeal Tuition Surcharge.	Senator Perry Senator Tillman Senator Horner

Presentations

Other Business

Adjournment

**House Committee on Education - Universities
Tuesday, June 18, 2019 at 11:00 AM
Room 421 of the Legislative Office Building**

MINUTES

The House Committee on Education - Universities met at 11:00 AM on June 18, 2019 in Room 421 of the Legislative Office Building. Representatives Carney, Davis, Fraley, Hastings, Martin, and Zachary attended.

Representative John A. Fraley, Chair, presided.

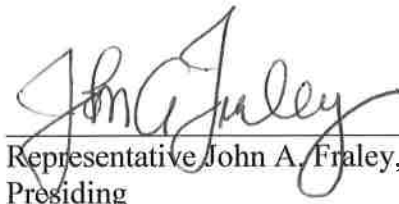
The following bills were considered:

SB 225 Repeal Tuition Surcharge. (Senators Perry, Tillman, Horner)

Sen. Perry was recognized to speak to the bill. The bill came about after a constituent experienced a 50% surcharge for tuition after returning to complete his degree 15 years later. Sen. Perry stated that the bill had the UNC System's support and would make college more affordable.

Rep. Carney was recognized for a motion that the bill receive a favorable report with a serial referral to the Rules Committee.

The meeting adjourned at 11:20 AM



Representative John A. Fraley, Chair
Presiding



James Jenkins, Committee Clerk

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

EDUCATION - UNIVERSITIES COMMITTEE REPORT

**Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair**

FAVORABLE AND RE-REFERRED

SB 225

Repeal Tuition Surcharge.

Draft Number: None

Serial Referral: **RULES, CALENDAR, AND
OPERATIONS OF THE HOUSE**

Recommended Referral: None

Long Title Amended: No

Floor Manager: To be determined

TOTAL REPORTED: 1



* C M R 5 7 2 - V - 1 *



SENATE BILL 225: Repeal Tuition Surcharge.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 18, 2019
Introduced by:	Sens. Perry, Tillman, Horner	Prepared by:	Drupti Chauhan*
Analysis of:	First Edition		Committee Counsel

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

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

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

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

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

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

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

**Samantha Yarborough, Committee Counsel, substantially contributed to this summary.*

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

FILED SENATE
Mar 12, 2019
S.B. 225
PRINCIPAL CLERK

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SENATE BILL DRS45097-MKa-114

Short Title: Repeal Tuition Surcharge. (Public)

Sponsors: Senators Perry, Tillman, and Horner (Primary Sponsors).

Referred to:

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

The General Assembly of North Carolina enacts:

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

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

"§ 116-143.9. Fixed tuition payment.

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

- (1) A guarantee that the rate of tuition approved by either the Board of Governors or the Board of Trustees of the constituent institution will remain constant or decrease during the tuition period.
- (2) Except as provided in subsection (b) of this section, the tuition period shall be (i) eight consecutive academic semesters for a student seeking a baccalaureate degree in a four-year program or 10 consecutive academic semesters for a student seeking a baccalaureate degree in a program officially designated by the Board of Governors as a five-year program, not including any summer sessions, or (ii) the appropriate balance of a designated program length after making the proper adjustments for a student who transfers to the constituent institution.
- (3) Except as provided in subsection (b) of this section, the student must remain enrolled continuously at the constituent institution during the entire tuition period.
- (4) At the end of the tuition period, the cost of tuition for any additional academic semesters reverts to the amount of the current tuition for that constituent institution and a tuition surcharge imposed under G.S. 116-143.7, if applicable, institution.

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



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

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

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

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

6-18-2019

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Austen Howell

UNE System

Matthew Dockler

Appalachian State University

Claudia Shoemaker

governors office

Dieu Moretz

VNC System

Many Shipping

.NCCCS

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

Name of Committee

6-18-2019

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Tom West

NEICH

Bruce Alderson

NCSPA

Betty Doster

VNC controls the

Amy Ruth

UNC-Chapel Hill

Andy Mun

MVA

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Universities** will meet as follows:

DAY & DATE: Tuesday, June 25, 2019
TIME: 11:00 AM
LOCATION: 421 LOB
COMMENTS: Rep. Hastings presiding.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
<u>SB 239</u>	Children of Wartime Vets/Scholarships.	Senator D. Davis Senator Brown

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 8:29 AM on Wednesday, June 19, 2019.

____ Principal Clerk
____ Reading Clerk – House Chamber

James Jenkins (Committee Assistant)

House Committee on Education - Universities
Tuesday, June 25, 2019, 11:00 AM
421 Legislative Office Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
SB 239	Children of Wartime Vets/Scholarships.	Senator D. Davis Senator Brown

Presentations

Other Business

Adjournment

House Committee on Education - Universities
Tuesday, June 25, 2019 at 11:00 AM
Room 421 of the Legislative Office Building

MINUTES

The House Committee on Education - Universities met at 11:00 AM on June 25, 2019 in Room 421 of the Legislative Office Building. Representatives Hastings, Fraley, Alexander, Insko, Pittman, Zachary, McGrady and Morey attended.

Representative Kelly E. Hastings, Chair, presided.

Representative Hastings introduced the Sgt. @ Arms and pages. The meeting began @ 11:07 a.m. when a quorum was present.


The following bills were considered:

SB 239 Children of Wartime Vets/Scholarships. (Senators D. Davis, Brown) – favorable with a serial referral to the House Rules Committee.

Senator Don Davis explained the bill. “Mr. Chair and members, interestingly, the State of North Carolina and the Department of Defense have a different definition of a child. Last session, we took steps to align our definition of a child with the DoD for the Class II and Class III scholarships for children of wartime veterans. This bill would extend this to the Class I and Class IV scholarships. In summary, the bill treats all the children of our wartime veterans who qualify for this scholarship the same. I ask for your support”

Representative Zachary motioned for a favorable report.

The meeting adjourned at 11:18 a.m.


Representative Kelly E. Hastings, Chair
Presiding


Jan Copeland, Committee Clerk

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

EDUCATION - UNIVERSITIES COMMITTEE REPORT

**Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair**

FAVORABLE AND RE-REFERRED

SB 239

Children of Wartime Vets/Scholarships.

Draft Number: None

Serial Referral: **RULES, CALENDAR, AND
OPERATIONS OF THE HOUSE**

Recommended Referral: None

Long Title Amended: No

Floor Manager: Fraley

TOTAL REPORTED: 1



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SENATE BILL 239: Children of Wartime Vets/Scholarships.

2019-2020 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	March 27, 2019
Introduced by:	Sens. D. Davis, Brown	Prepared by:	Susan Sitze*
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *Senate Bill 239 would expand the definition of "child" for purposes of determining college scholarship eligibility for children of North Carolina war veterans to include stepchildren, adopted children, and certain illegitimate children, and would require the Department of Military and Veterans Affairs to report certain scholarship data to the Joint Legislative Oversight Committee on General Government by March 30, 2020.*

CURRENT LAW: The Department of Military and Veterans Affairs (DMVA) administers a college scholarship program for children of State war veterans. The Veterans' Affairs Commission determines the eligibility of applicants and selects the scholarship recipients. Class I and Class IV scholarships are automatically awarded to qualifying children. Class II and Class III scholarships may be awarded to qualifying children on a competitive basis. For all classes of scholarship, a child is one under the age of 25 who either:

- Has a veteran parent who was a legal resident of North Carolina at the time of the veteran's entrance into the period of service in the Armed Forces during which eligibility is established for the scholarship.
- Was born as the child of a veteran in North Carolina and has been a resident of North Carolina continuously since birth, with certain limited exceptions.¹

For purposes of *Class II and Class III scholarships only*, a child, as defined in 37 U.S.C. 401, also includes a veteran's:

- Stepchild, provided the veteran is not divorced from the stepchild's parent by blood.
- Adopted child, including a child placed in the veteran's home by a placement agency (recognized by the Secretary of Defense) in anticipation of the legal adoption of the child by the veteran.
- Illegitimate child, if the veteran's parentage of the child is established.

BILL ANALYSIS: Senate Bill 239 would extend to Class I and Class IV scholarships the expanded (federal) definition of "child" currently used for Class II and Class III scholarships for veterans' children. The bill would also make a conforming change to the statutes and require the DMVA to document the number of applicants applying for the scholarships and the total number of applicants made eligible as a result of this act and report its findings to the Joint Legislative Oversight Committee on General Government by March 30, 2020.

EFFECTIVE DATE: The act would be effective when the bill becomes law.

**Billy R. Godwin, Staff Attorney, substantially contributed to this summary.*

¹ An individual legally adopted by the veteran prior to reaching the age of 15 may also satisfy either of these conditions.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 239

Short Title: Children of Wartime Vets/Scholarships.	(Public)
<hr/>	
Sponsors: Senators D. Davis and Brown (Primary Sponsors).	
<hr/>	
Referred to: Rules and Operations of the Senate	
<hr/>	

March 14, 2019

A BILL TO BE ENTITLED
AN ACT TO ENSURE THAT ALL ELIGIBLE CHILDREN CAN OBTAIN WARTIME
VETERANS SCHOLARSHIPS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143B-1224(3) reads as rewritten:

"§ 143B-1224. Definitions.

As used in this Part the terms defined in this section shall have the following meaning:

- ...
- (3) "Child" means a person: (i) under 25 years of age at the time of application for a scholarship, (ii) who is a domiciliary of North Carolina and is a resident of North Carolina when applying for a scholarship, (iii) who has completed high school or its equivalent prior to receipt of a scholarship awarded under this Part, (iv) who has complied with the requirements of the Selective Service System, if applicable, and (v) who further meets one of the following requirements:
- a. A person whose veteran parent was a legal resident of North Carolina at the time of said veteran's entrance into that period of service in the Armed Forces during which eligibility is established under G.S. 143B-1226.
 - b. A veteran's child who was born in North Carolina and has been a resident of North Carolina continuously since birth. Provided, that the requirement in the preceding sentence as to birth in North Carolina may be waived by the Department of Military and Veterans Affairs if it is shown to the satisfaction of the Department that the child's mother was a native-born resident of North Carolina and was such resident at the time of her marriage to the veteran and was outside the State temporarily at the time of the child's birth, following which the child was returned to North Carolina within a reasonable period of time where said child has since lived continuously.
 - c. A person meeting either of the requirements set forth in subdivision (3) a or b above, and who was legally adopted by the veteran prior to said person's reaching the age of 15 years is a child, as that term is defined in 37 U.S.C. § 401.

SECTION 2. Section 2(a) of S.L. 2018-37 is repealed.

SECTION 3. The Department of Military and Veterans Affairs shall document the number of applicants who apply for scholarships provided in G.S. 143B-1226 and shall report on



1 this information to the Joint Legislative Oversight Committee on General Government by March
2 30, 2020. The report shall include the total number of applications received and the total number
3 of those applications made eligible as a result of this act.

4 **SECTION 4.** This act is effective when it becomes law.



SENATE BILL 239: Children of Wartime Vets/Scholarships.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 25, 2019
Introduced by:	Sens. D. Davis, Brown	Prepared by:	Samantha Yarborough*
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *Senate Bill 239 would expand the definition of "child" for purposes of determining college scholarship eligibility for children of North Carolina war veterans to include stepchildren, adopted children, and certain illegitimate children, and would require the Department of Military and Veterans Affairs to report certain scholarship data to the Joint Legislative Oversight Committee on General Government by March 30, 2020.*

CURRENT LAW: The Department of Military and Veterans Affairs (DMVA) administers a college scholarship program for children of State war veterans. The Veterans' Affairs Commission determines the eligibility of applicants and selects the scholarship recipients. Class I and Class IV scholarships are automatically awarded to qualifying children. Class II and Class III scholarships may be awarded to qualifying children on a competitive basis. For all classes of scholarship, a child is one under the age of 25 who either:

- Has a veteran parent who was a legal resident of North Carolina at the time of the veteran's entrance into the period of service in the Armed Forces during which eligibility is established for the scholarship.
- Was born as the child of a veteran in North Carolina and has been a resident of North Carolina continuously since birth, with certain limited exceptions.¹

For purposes of *Class II and Class III scholarships only*, a child, as defined in 37 U.S.C. 401, also includes a veteran's:

- Stepchild, provided the veteran is not divorced from the stepchild's parent by blood.
- Adopted child, including a child placed in the veteran's home by a placement agency (recognized by the Secretary of Defense) in anticipation of the legal adoption of the child by the veteran.
- Illegitimate child, if the veteran's parentage of the child is established.

BILL ANALYSIS: Senate Bill 239 would extend to Class I and Class IV scholarships the expanded (federal) definition of "child" currently used for Class II and Class III scholarships for veterans' children. The bill would also make a conforming change to the statutes and require the DMVA to document the number of applicants applying for the scholarships and the total number of applicants made eligible as a result of this act and report its findings to the Joint Legislative Oversight Committee on General Government by March 30, 2020.

EFFECTIVE DATE: The act would be effective when the bill becomes law.

**Billy Godwin, Staff Attorney, substantially contributed to this summary.*

¹ An individual legally adopted by the veteran prior to reaching the age of 15 may also satisfy either of these conditions.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

6-25-2019

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Gwen Canady

NC SEAA

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NCCLS

Dren Metz

UNC System

Amy Ruth

WNC-OH

Tom West

NCTCH

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

6-25-2019

Name of Committee

Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS

Brad Downs

Sen D Davis

Jan Copeland (Rep. John Fraley)

From: Jan Copeland (Rep. John Fraley)
Sent: Friday, July 19, 2019 12:31 PM
To: Rep. Julia Howard; Rep. Mitchell Setzer; Rep. Cody Henson; Rep. John Bell; Rep. Gregory Murphy; Rep. Chris Humphrey; Rep. Kandie D. Smith; Rep. Jason Saine; Rep. Destin Hall
Subject: <NCGA> House Education - Universities Committee Meeting Notice for Tuesday, July 23, 2019 at 11:00 AM - UPDATED #1
Attachments: Add Meeting to Calendar_LINC_ics

Updated #1: Remove H472 and add H305 which will have a PCS (Summer Enrollment Study/ College Advising Corps)

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Universities** will meet as follows:

DAY & DATE: Tuesday, July 23, 2019

TIME: 11:00 AM

LOCATION: 421 LOB

COMMENTS: The following PCSs will be offered:

HB 231 (Harrison Kowiak Act) - PCS (Career Coaches & NCCC Reorg. Authority.)

HB 305 (Amend Law Regarding University Discipline) - PCS (Summer Enrollment Study / College Advising Corps)

HB 372 (Additional Funds/ECU Brody School of Medicine) – PCS (UNC AP Scores & Funds/NCSSM-Morganton Campus.)

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
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<u>HB 231</u>	The Harrison Kowiak Act.	Representative Setzer
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		Representative Howard
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<u>HB 372</u>	Additional Funds/ECU Brody School of Medicine.	Representative Henson
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		Representative Murphy
		Representative Humphrey
		Representative K. Smith

<u>HB 305</u>	Amend Law Regarding University Discipline.	Representative Bell
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		Representative Setzer
		Representative Howard

Representative Saine
Representative D. Hall

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 12:29 PM on Friday, July 19, 2019.

____ Principal Clerk
____ Reading Clerk – House Chamber

Jan Copeland (Committee Assistant)

House Committee on Education - Universities
Tuesday, July 23, 2019, 11:00 AM
421 Legislative Office Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
HB 231	The Harrison Kowiak Act.	Representative Setzer Representative Howard Representative Henson
HB 372	Additional Funds/ECU Brody School of Medicine.	Representative Murphy Representative Humphrey Representative K. Smith Representative Bell
HB 305	Amend Law Regarding University Discipline.	Representative Setzer Representative Howard Representative Saine Representative D. Hall

PCS's offered:

HB 231 PCS - Career Coaches & NCCC Reog. Authority
HB 305 PCS - Summer Enrollment Study / College Advising Corps
HB 372 PCS - UNC AP Scores & Funds/NCSSM-Morganton Campus

Other Business

Adjournment

House Committee on Education - Universities
Tuesday, July 23, 2019 at 11:00 AM
Room 421 of the Legislative Office Building

MINUTES

The House Committee on Education - Universities met at 11:00 AM on July 23, 2019 in Room 421 of the Legislative Office Building. Representatives Adcock, Alexander, Carney, Clemmons, Davis, Fraley, Hastings, Insko, Jackson, Lambeth, Martin, McGrady, Morey, Murphy, Pittman, and Zachary attended.

Representative John A. Fraley and Rep. Kelly Hastings, Chairs, presided.

Representative Fraley introduced the Sgt. @ Arms and the pages and explained the changes of the original bills into PCS's. He also stated no amendments would be accepted during the committee meeting today. Representative Fraley introduced Speaker Moore who spoke in support of the changes to the bills. Representative Fraley then introduced Rep. Hastings to chair the remainder of the committee as Rep. Fraley would be introducing and explaining the bills.

The following bills were considered:

HB 231 NCCC Reorg. Authority & Career Coaches. (Representatives Setzer, Howard, Henson) Representative Ashton Clemmons motioned for a favorable report for the PCS. The report was favorable to the committee substitute, unfavorable to the original bill and recommended re-referral to Education Appropriations.

HB 372 UNC AP Scores & Funds/NCSSM-Morganton Campus. (Representatives Murphy, Humphrey, Bell) The report was favorable to the committee substitute, unfavorable to the original bill and re-referred to Education Appropriations.

HB 305 Summer School Study/College Adv. Corps. (Representatives Setzer, Howard, Saine, D. Hall) The report was favorable to the committee substitute, unfavorable to the original bill and re-referred to Education Appropriations.

The meeting adjourned at 11:56 a.m.



Representative John A. Fraley, Chair
Presiding



Jan Copeland, Committee Clerk

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

EDUCATION - UNIVERSITIES COMMITTEE REPORT

**Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair**

FAVORABLE COM SUB , UNFAVORABLE ORIGINAL BILL AND RE-REFERRED

HB 231

The Harrison Kowiak Act.

Draft Number: H231-PCS30507-RQa-19

Serial Referral: JUDICIARY

Recommended Referral: APPROPRIATIONS

Long Title Amended: Yes

Floor Manager: Fraley

HB 305

Amend Law Regarding University Discipline.

Draft Number: H305-PCS30508-TCa-49

Serial Referral: JUDICIARY

Recommended Referral: APPROPRIATIONS

Long Title Amended: Yes

Floor Manager: Fraley

HB 372

Additional Funds/ECU Brody School of Medicine.

Draft Number: H372-PCS10699-RQa-20

Serial Referral: APPROPRIATIONS, EDUCATION

Recommended Referral: APPROPRIATIONS

Long Title Amended: Yes

Floor Manager: Fraley

TOTAL REPORTED: 3



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GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 231
PROPOSED COMMITTEE SUBSTITUTE H231-CSRQa-19 [v.4]

07/19/2019 12:19:44 PM

Short Title: NCCC Reorg. Authority & Career Coaches.

(Public)

Sponsors:

Referred to:

March 4, 2019

A BILL TO BE ENTITLED

AN ACT TO CODIFY THE AUTHORITY OF THE PRESIDENT OF THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM TO REORGANIZE THE COMMUNITY COLLEGE SYSTEM OFFICE AND TO MAKE CHANGES TO THE REQUIREMENTS FOR LOCAL MATCHING FUNDS FOR THE NORTH CAROLINA CAREER COACH PROGRAM AND TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA CAREER COACH PROGRAM.

The General Assembly of North Carolina enacts:

PART I: AUTHORIZATION TO REORGANIZE THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM OFFICE

SECTION 1.(a) G.S. 115D-3 reads as rewritten:

"§ 115D-3. Community Colleges System Office; ~~staff~~~~staff~~; reorganization authority.

(a) The Community Colleges System Office shall be a principal administrative department of State government under the direction of the State Board of Community Colleges, and shall be separate from the free public school system of the State, the State Board of Education, and the Department of Public Instruction. The State Board has authority to adopt and administer all policies, regulations, and standards which it deems necessary for the operation of the System Office.

The State Board shall elect a President of the North Carolina System of Community Colleges who shall serve as chief administrative officer of the Community Colleges System Office. The compensation of this position shall be fixed by the State Board from funds provided by the General Assembly in the Current Operations Appropriations Act.

The President shall be assisted by such professional staff members as may be deemed necessary to carry out the provisions of this Chapter, who shall be elected by the State Board on nomination of the President. The compensation of the staff members elected by the Board shall be fixed by the State Board of Community Colleges, upon recommendation of the President of the Community College System, from funds provided in the Current Operations Appropriations Act. These staff members shall include such officers as may be deemed desirable by the President and State Board. Provision shall be made for persons of high competence and strong professional experience in such areas as academic affairs, public service programs, business and financial affairs, institutional studies and long-range planning, student affairs, research, legal affairs, health affairs and institutional development, and for State and federal programs administered by the State Board. In addition, the President shall be assisted by such other employees as may be needed to carry out the provisions of this Chapter, who shall be subject to the provisions of



Chapter 126 of the General Statutes. The staff complement shall be established by the State Board on recommendation of the President to insure that there are persons on the staff who have the professional competence and experience to carry out the duties assigned and to insure that there are persons on the staff who are familiar with the problems and capabilities of all of the principal types of institutions represented in the system. The State Board of Community Colleges shall have all other powers, duties, and responsibilities delegated to the State Board of Education affecting the Community Colleges System Office not otherwise stated in this Chapter.

(b) Notwithstanding any other provision of law, the President may reorganize the System Office in accordance with recommendations and plans submitted to and approved by the State Board of Community Colleges. If a reorganization is implemented pursuant to this subsection, including any movement of positions and funds between fund codes on a recurring basis, the President shall report by June 30 of the fiscal year in which the reorganization occurred to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly.

SECTION 1.(b) This section is effective when it becomes law.

PART II: NC CAREER COACHES/LOCAL MATCHING FUNDS

SECTION 2.(a) G.S. 115D-21.5(c) reads as rewritten:

"(c) Application for NC Career Coach Program Funding. – The board of trustees of a community college and a local board of education of a local school administrative unit within the service area of the community college jointly may apply for available funds for NC Career Coach Program funding from the State Board of Community Colleges. The State Board of Community Colleges shall establish a process for award of funds as follows:

(1) Advisory committee. – Establishment of an advisory committee, which shall include representatives from the NC Community College System, the Department of Public Instruction, the Department of Commerce, and at least three representatives of the business community, to review applications and make recommendations for funding awards to the State Board.

(2) Application submission requirements. – The State Board of Community Colleges shall require at least the following:

- a. Evidence of a signed memorandum of understanding that meets, at a minimum, the requirements of this section.
- b. Evidence that the funding request will be matched ~~dollar-for-dollar~~ with local ~~funds~~ funds in accordance with the following:

1. Matching funds may come from public or private sources.
2. The match amount shall be determined based on the development tier designation of the county in which the local school administrative unit is located where the career coach is assigned on the date of the award of funds by the State Board of Community Colleges according to the following:
 - I. If located in a tier one county as defined in G.S. 143B-437.08, no local match shall be required.
 - II. If located in a tier two county as defined in G.S. 143B-437.08, one dollar (\$1.00) of local funds for every two dollars (\$2.00) in State funds shall be required.
 - III. If located in a tier three county as defined in G.S. 143B-437.08, one dollar (\$1.00) of local funds for every one dollar (\$1.00) in State funds shall be required.

(3) Awards criteria. – The State Board of Community Colleges shall develop criteria for consideration in determining the award of funds that shall include the following:

- a. Consideration of the workforce needs of business and industry in the region.
- b. Targeting of resources to enhance ongoing economic activity within the community college service area and surrounding counties.
- c. Geographic diversity of awards."

SECTION 2.(b) There is appropriated from the General Fund to the Community Colleges System Office the sum of one million seven hundred thirty-three thousand four hundred thirteen dollars (\$1,733,413) in recurring funds for the 2019-2020 fiscal year and the sum of an additional five hundred sixty-six thousand five hundred eighty-seven dollars (\$566,587) in recurring funds for the 2020-2021 fiscal year to implement the requirements of subsection (a) of this section and to place additional career coaches employed by local community colleges with partnering high schools.

SECTION 2.(c) If any provision of this section and G.S. 143C-5-4 are in conflict, the provisions of this section shall prevail.

SECTION 2.(d) The appropriations and the authorizations to allocate and spend funds which are set out in this section shall remain in effect until the Current Operations Appropriations Act for the applicable fiscal year becomes law, at which time that act shall become effective and shall govern appropriations and expenditures. When the Current Operations Appropriations Act for that fiscal year becomes law, the Director of the Budget shall adjust allotments to give effect to that act from July 1 of the fiscal year.

SECTION 2.(e) This section becomes effective July 1, 2019.

PART III: EFFECTIVE DATE

SECTION 3. Except as otherwise provided, this act becomes effective when it becomes law.



HOUSE BILL 231: NCCC Reorg. Authority & Career Coaches.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Judiciary. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	July 23, 2019
Introduced by:	Reps. Setzer, Howard, Henson	Prepared by:	Drupti Chauhan
Analysis of:	PCS to First Edition H231-CSRQa-19		Committee Counsel

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 231 removes the contents of the first edition of the bill entirely and would now do the following:*

- *Grant the President of the North Carolina Community College System the authority to reorganize the System Office by codifying the authority in the statutes; and*
- *Make changes to the requirements for the local matching funds for the North Carolina Career Coach Program (Program) and appropriate funds for the Program.*

PART I: Authorization to Reorganize the North Carolina Community College System Office

BILL ANALYSIS: The PCS would codify the authorization of the President of the North Carolina Community College System to reorganize the System Office in accordance with recommendations and plans submitted to and approved by the State Board of Community Colleges (SBCC). Any reorganization that is implemented (including any movement of positions and funds between fund codes on recurring basis) must be reported by the President to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly. This report must be submitted by June 30 of the fiscal year in which the reorganization occurred.

EFFECTIVE DATE: This section is effective when it becomes law.

BACKGROUND: This reorganization authority has been granted to the President of the North Carolina Community College System in prior Appropriations Acts but was limited to the biennium that the particular Appropriations Act covered. This section would make the authority permanent in the statutes.

PART II: NC Career Coaches/Local Matching Funds

CURRENT LAW: The board of trustees of a community college and a local board of education within the service area of the community college jointly may apply for available funds for the NC Career Coach Program (Program) from the SBCC. The SBCC must require at least the following for the applications: (i) evidence of a signed memorandum of understanding that meets the statutory requirements and (ii) evidence that the funding request will be matched dollar for dollar with local funds which can come from public or private sources.

The SBCC must develop criteria for consideration in determining the award of funds that must include: (i) consideration of workforce needs of business and industry in the region; (ii) targeting of resources to enhance ongoing economic activity within the community college service area and surrounding counties; and (iii) geographic diversity of awards.

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BILL ANALYSIS: The PCS would change the matching funds requirement for the Program from a dollar to dollar match with local funds to determining the match amount based on the local development tier designation of the county in which the local school administrative unit (LEA) is located where the career coach is assigned on the date of the award of funds by the SBCC according to the following:

- If the LEA is located in a Tier One county, then no local match is required.
- If the LEA is located in a Tier Two county, then one dollar of local funds for every two dollars of State funds is required.
- If the LEA is located in a Tier Three county, then one dollar of local funds for every one dollar of State funds is required.

The PCS also appropriates \$1,733, 413 from the General Fund to the North Carolina Community College System Office in recurring funds for the 2019-2020 fiscal year and an additional \$566,587 in recurring funds for the 2020-2021 fiscal year to implement the requirements of the new matching grant requirements and to place additional career coaches employed by the local community colleges with partnering high schools.

EFFECTIVE DATE: This section is effective July 1, 2019.

BACKGROUND: The North Carolina Career Coach Program places community college career coaches in high schools to assist students with determining career goals and identifying community college programs that would enable students to achieve these goals. The career coaches are employed by the community colleges as well as trained and supervised by them. The LEAs provide the coaches with access to student records; office space on site for student advising; information technology resources; and integration into the faculty and staff community.

OVERALL BILL EFFECTIVE DATE: Except as otherwise provided, the act becomes effective when it becomes law.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

H

D

**HOUSE BILL 305
PROPOSED COMMITTEE SUBSTITUTE H305-CSTCa-49 [v.3]**

07/22/2019 05:16:59 PM

Short Title: Summer School Study/College Adv. Corps.

(Public)

Sponsors:

Referred to:

March 11, 2019

A BILL TO BE ENTITLED

AN ACT TO STUDY THE IMPACT AND FUNDING OF UNDERGRADUATE SUMMER SCHOOL COURSES IN IMPROVING GRADUATION RATES AND STUDENT ACADEMIC SUCCESS; AND TO APPROPRIATE FUNDS TO SUPPORT EXPANSION OF THE COLLEGE ADVISING CORPS TO ENSURE COLLEGE ADVISERS ARE AVAILABLE IN THE PUBLIC SCHOOLS TO ASSIST STUDENTS IN PLANNING FOR FULFILLMENT OF POSTSECONDARY EDUCATION GOALS.

Whereas, the Board of Governors of The University of North Carolina and the staff of The University of North Carolina System Office have worked diligently on analyzing the positive impact enrollment in undergraduate summer school courses has on graduation rates, student academic success and reduced cost of attaining a secondary degree, but,

Whereas, further information is needed for the General Assembly to determine how to move forward on the issue of funding of undergraduate summer school courses; Now, therefore,

The General Assembly of North Carolina enacts:

PART I: STUDY FUNDING OF UNDERGRADUATE SUMMER SCHOOL COURSES

SECTION 1. The Board of Governors of The University of North Carolina shall study and evaluate the impact of undergraduate summer school courses in improving student academic success, overall college completion rates, and four-year graduation rates and potential funding options. In conducting its study, the Board of Governors shall examine and include in its report, as a minimum, the most recent six years of available data, and shall include data both system wide and by each constituent institution, when available. The Board of Governors shall study, at a minimum, the following:

- (a) Total enrollment of students in undergraduate summer school courses.
- (b) Number and percentage of students who completed a degree after enrolling in undergraduate summer school courses as compared to students who did not enroll in undergraduate summer school courses.
- (c) Number and percentage of students who completed a degree within four or less years, five years, and six years after enrolling in undergraduate summer school courses as compared to students who did not enroll in undergraduate summer school courses.
- (d) Most utilized undergraduate summer school courses.



- (e) Methodology for selection of summer school course offerings to ensure that those courses reliably improve degree completion and four-year graduation rates.
- (f) Pacing and structure of summer school courses over one or more sessions.
- (g) Evaluation of funding methods, including State funding, for summer school courses or year-round enrollment in other state public university systems.
- (h) Compensation methods for undergraduate summer school courses for tenured or tenure-track faculty, adjunct faculty, and graduate students.
- (i) Impact of undergraduate summer school instruction on current faculty contracts.
- (j) Proportion of undergraduate summer school courses taught by tenured or tenure-track faculty, adjunct faculty, and graduate students.
- (k) Campus services provided to students enrolled in undergraduate summer school courses, if any, including residence halls, dining halls, and other student services.
- (l) For students enrolled in undergraduate summer school courses, financial aid availability, methods used by students to pay for courses, and number and percentage of students using some form of financial aid to pay for courses.
- (m) Any other issues deemed relevant by the Board of Governors.

SECTION 1.(b) The Board of Governors shall report to the Joint Legislative Education Oversight Committee and Fiscal Research Division by March 15, 2020, on its findings and recommendations on undergraduate summer school courses and potential funding options, and may include recommendations for legislation as part of the report.

PART II: COLLEGE ADVISING CORPS/COLLEGE ADVISERS IN THE PUBLIC SCHOOLS

SECTION 2.(a) Purpose of the College Advising Corps Program. – From the funds appropriated by this act for the 2019-2021 fiscal biennium to the Board of Governors of The University of North Carolina for the College Advising Corps program, the Board of Governors shall provide a directed grant to the National College Advising Corps, Inc. (CAC) to support an expansion of the placement of college advisers in North Carolina public schools through their program over a three-year period. CAC is a college access nonprofit organization with the mission to increase the number of underrepresented, low-income, or first-generation postsecondary degree or certificate students entering and completing their postsecondary education at community colleges and universities. In furthering this mission, CAC operates an innovative model of partnering with schools, communities, families, and postsecondary institutions, including providing for a two-year service opportunity to recent college graduates as near-peer college advisers working full-time in the public schools, with an emphasis on engaging college advisers who have similar backgrounds to the students the program seeks to serve. Near-peer college advisers perform various services for those students that are key components to the proven success of the program, including (i) attending postsecondary campus visits, fairs, and workshops with students, (ii) assisting with registering for college entrance exams, (iii) assisting with Free Application for Federal Student Aid (FAFSA) registrations and completions, (iv) identifying available scholarships, (v) assisting with postsecondary applications, and (vi) engaging with parents.

SECTION 2.(b) Due to the effectiveness of the innovative model operated by CAC and the potential for significantly impacting the highest-need students as described in subsection (a) of this section, the following funds are appropriated from the General Fund to the Board of Governors of The University of North Carolina to be provided each fiscal year of the 2019-2021 fiscal biennium to CAC for the purpose of expanding the placement of college advisers in accordance with the requirements of this act:

- (1) For the 2019-2020 fiscal year, the sum of one million eight hundred eighty-one thousand eight hundred sixty-one dollars (\$1,881,861) in recurring funds.
- (2) For the 2020-2021 fiscal year, an additional sum of six hundred eighteen thousand one hundred thirty-nine dollars (\$618,139) in recurring funds for a net appropriation of two million five hundred thousand dollars (\$2,500,000) in recurring funds.

SECTION 2.(c) Funds for the Third Year of the Program. – It is the intent of the General Assembly to appropriate from the General Fund to the Board of Governors of The University of North Carolina an additional sum of three hundred thirty-three thousand three hundred thirty-three dollars (\$333,333) in recurring funds for a net appropriation of two million eight hundred thirty-three thousand three hundred thirty-three dollars (\$2,833,333) in recurring funds to be provided to CAC for the 2021-2022 fiscal year and subsequent fiscal years for the purpose of expanding the placement of college advisers to all 100 counties of the State in the third year of the expansion of the CAC program.

SECTION 2.(d) Matching Funds. – Funds made available to CAC pursuant to this section shall be matched by CAC on the basis of two dollars (\$2.00) in non-State funds for every one dollar (\$1.00) in State funds. Availability of these matching funds shall not revert, but shall continue to be available for the purposes set forth in this section.

SECTION 2.(e) Use of Funds. – CAC shall focus the first two years of the expansion of its program using the funds provided to it under this section by placing college advisers in counties designated as Tier 1 and Tier 2. For the third year of the expansion, CAC shall use the funds provided to it to place college advisers in the remaining counties designated as Tier 3 in order to achieve placement of college advisers in all 100 counties of the State. In addition, CAC shall select at least three additional postsecondary institutions to partner with in order to increase the number of recent graduates working as near-peer college advisers to meet the needs of the program expansion. Once CAC has reached the goal of placement of college advisers in 100 counties, the funds provided to it for the program shall be used to continue the mission of the program to increase access for North Carolina public school students to postsecondary degree or certificate attainment at community colleges and universities.

SECTION 2.(f) Reporting Requirements. – CAC shall submit a report by June 1 of each year in which CAC spends State funds made available to it pursuant to this section to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the progress of expanding the placement of college advisers, data on the effectiveness of the program in increasing access for students to postsecondary education, and the use of State funds.

SECTION 2.(g) If any provision of this section and G.S. 143C-5-4 are in conflict, the provisions of this section shall prevail.

SECTION 2.(h) The appropriations and the authorizations to allocate and spend funds which are set out in this section shall remain in effect until the Current Operations Appropriations Act for the applicable fiscal year becomes law, at which time that act shall become effective and shall govern appropriations and expenditures. When the Current Operations Appropriations Act for that fiscal year becomes law, the Director of the Budget shall adjust allotments to give effect to that act from July 1 of the fiscal year.

SECTION 2.(i) This section becomes effective July 1, 2019.

PART III: EFFECTIVE DATE

SECTION 3. Except as otherwise provided herein, this act is effective when it becomes law.



HOUSE BILL 305: Summer School Study/College Adv. Corps.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Judiciary. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	July 23, 2019
Introduced by:	Reps. Setzer, Howard, Saine, D. Hall	Prepared by:	Kara McCraw
Analysis of:	PCS to First Edition H305-CSTCa-49		Committee Counsel

OVERVIEW: *HB 305 would remove the prior contents of that bill, and replace it entirely with the following:*

- *Requiring the Board of Governors of The University of North Carolina to study and evaluate the possible funding and impact of undergraduate summer school courses in improving student academic success, overall college completion rates, and four-year graduation rates, and report its findings and recommendations to the Joint Legislative Education Oversight Committee.*
- *Provide recurring funding for the College Advising Corps with the goal of expanding the program to provide college advisors to high schools in all 100 counties of the State.*

PART I: STUDY FUNDING OF UNDERGRADUATE SUMMER SCHOOL COURSES

Current Law: Funding for summer courses delivered on-campus is not included in the current enrollment funding model for The University of North Carolina.

Bill Analysis: Part 1 of the PCS for HB 305 would require the Board of Governors (BOG) of The University of North Carolina to study and evaluate the impact of undergraduate summer school courses (summer courses) in improving student academic success, overall college completion rates, and four-year graduation rates and potential funding options. The BOG would be required to examine at least 6 years of available data, and study items including total enrollment in summer courses, impact of enrollment on degree completion and time to graduation, logistics in selection, staffing, and support for summer courses, and funding for summer courses. The Board of Governors must report to the Joint Legislative Education Oversight Committee and Fiscal Research Division by March 15, 2020, on its findings and recommendations on summer courses, and may include recommendations for legislation as part of the report.

PART II: College Advising Corps

Funding: The PCS for HB 305 would provide the following funding to the College Advising Corps (CAC), a nonprofit that provides college advising in public schools with a focus on increasing the number of underrepresented, low-income, or first-generation postsecondary degree or certificate students completing postsecondary education:

- 2019-2020: \$1,881,861 in recurring funding.
- 2020-2021: An additional \$618,139 in recurring funding, for a total recurring funding of \$2,500,000.

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- 2021-2022: HB 305 expresses the intent to also appropriate an additional \$333,333 in recurring funding in 2021-2022, for a total recurring funding of \$2,833,333 for subsequent fiscal years.

Match Requirements: CAC would be required to match each \$1.00 in State funds with \$2.00 in non-State funds.

Use of Funds: CAC would be required to use the funds as follows:

- Expand its program to place college advisors in all 100 counties. In the first two years of expansion, CAC would be required to place advisors in Tier 1 and Tier 2 counties, and in the third year, expand to all counties by placing in Tier 3 counties.
- Select at least three additional postsecondary institutions as partners to increase the number of recent graduates working as near-peer college advisors to meet the needs of the expansion.
- Use funds to continue the mission of increasing access for public school students to postsecondary degree attainment, once the CAC has placed college advisors in all 100 counties.

Reporting: CAC would be required to report by June 1 annually of each year in which CAC spends State funds to the Joint Legislative Education Oversight Committee and Fiscal Research Division on the progress of expanding the placement of college advisors, data on effectiveness of the program in increasing access for students to postsecondary education, and use of State funds.

EFFECTIVE DATE: Part II of HB 305 would become effective July 1, 2019. The remainder of the bill would become effective when it becomes law.

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H

D

HOUSE BILL 372
PROPOSED COMMITTEE SUBSTITUTE H372-CSRQa-20 [v.3]

07/17/2019 03:28:55 PM

Short Title: UNC AP Scores & Funds/NCSSM-Morganton Campus.

(Public)

Sponsors:

Referred to:

March 19, 2019

A BILL TO BE ENTITLED

AN ACT TO COMMEND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF
NORTH CAROLINA FOR STANDARDIZING ADVANCED PLACEMENT CREDIT
POLICIES AND ALLOWING STUDENTS TO COMPLETE UNDERGRADUATE
DEGREES IN A MORE EFFICIENT AND TIMELY MANNER AND TO APPROPRIATE
FUNDS FOR THE MORGANTON CAMPUS OF THE NORTH CAROLINA SCHOOL OF
SCIENCE AND MATHEMATICS.

The General Assembly of North Carolina enacts:

PART I: UNC ADVANCED PLACEMENT CREDIT POLICIES

SECTION 1. The General Assembly commends the Board of Governors of The University of North Carolina for adopting a policy and regulations that standardize the Advanced Placement credit policies across all of the constituent institutions of The University of North Carolina. The General Assembly further supports and endorses the actions of the Board of Governors directing all constituent institutions to award appropriate credit to all undergraduates who have earned a score of three or higher on one or more Advanced Placement exams and only allowing exceptions from this policy if the constituent institution petitions its Board of Trustees with compelling reasons for needing an exception. These actions of the Board of Governors shall create clarity and consistency on the issue of awarding undergraduate credit for Advanced Placement exams and allow students who have proven that they have completed college level work by scoring a three or higher on this national exam to complete their degrees in a more timely manner. By encouraging and rewarding college level work that is completed in high school, the Board of Governors is creating more educational pathways for students, improving efficiencies, and being good stewards of public monies.

PART II: FUNDS FOR MORGANTON CAMPUS OF THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATH

SECTION 2.(a) There is appropriated from the General Fund to the Board of Governors of The University of North Carolina (i) for the 2019-2020 fiscal year, the sum of one million four hundred eight thousand six hundred thirty-two dollars (\$1,408,632) in recurring funds and the sum of five thousand one hundred fifty dollars (\$5,150) in nonrecurring funds and (ii) for the 2020-2021 fiscal year, the sum of three million three hundred eighty-nine thousand eight hundred twenty dollars (\$3,389,820) in recurring funds and the sum of seven hundred ninety-two thousand three hundred sixty-nine dollars (\$792,369) in nonrecurring funds to



1 provide funds for staff, operating expenses, and equipment for the Morganton campus of the
2 North Carolina School of Science and Mathematics.

3 **SECTION 2.(b)** If any provision of this section and G.S. 143C-5-4 are in conflict,
4 the provisions of this section shall prevail.

5 **SECTION 2.(c)** The appropriations and the authorizations to allocate and spend
6 funds which are set out in this section shall remain in effect until the Current Operations
7 Appropriations Act for the applicable fiscal year becomes law, at which time that act shall
8 become effective and shall govern appropriations and expenditures. When the Current
9 Operations Appropriations Act for that fiscal year becomes law, the Director of the Budget shall
10 adjust allotments to give effect to that act from July 1 of the fiscal year.

11 **SECTION 2.(d)** This section becomes effective July 1, 2019.
12

13 **PART III: EFFECTIVE DATE**

14

15 **SECTION 3.** Except as otherwise provided, this act becomes effective when it
16 becomes law.
17



HOUSE BILL 372: UNC AP Scores & Funds/NCSSM-Morganton Campus.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Appropriations, Education. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	July 23, 2019
Introduced by:	Reps. Murphy, Humphrey, K. Smith, Bell	Prepared by:	Drupti Chauhan
Analysis of:	PCS to First Edition H372-CSRQa-20		Committee Counsel

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 372 removes the contents of the first edition of the bill entirely and would now do the following:*

- *Commend the Board of Governors of The University of North Carolina for standardizing Advanced Placement credit policies; and*
- *Appropriate funds for the Morganton campus of the North Carolina School of Science and Mathematics.*

Part I: UNC Advanced Placement Credit Policies

BILL ANALYSIS: The PCS would commend the Board of Governors of The University of North Carolina for adopting a policy and regulations that standardize Advanced Placement credit policies across all of the constituent institutions of The University of North Carolina so that undergraduate students will get appropriate course credit for a score of 3 or higher on an Advanced Placement exam.

EFFECTIVE DATE: This section is effective when it becomes law.

BACKGROUND: The new Advanced Placement course credit policy adopted by the Board of Governors directs all of the constituent institutions to award appropriate credit to all undergraduates who have earned a score of 3 or higher on an Advanced Placement exam. Exceptions to this policy are only allowed if a constituent institution petitions its Board of Trustees with compelling reasons for needing an exception and the institution must report any exceptions granted and the reason and evidence for the exception to the President of The University of North Carolina. The policy is effective with the 2019-2020 academic year for freshmen undergraduate students entering constituent institutions for the 2019 fall semester. Other undergraduate students (such as sophomores, juniors, and seniors) may benefit from this policy by opting into the standards documented in an institution's catalog for the 2019-2020 academic year.

Part II: Funds for the Morganton Campus of the North Carolina School of Science and Math

BILL ANALYSIS: The PCS appropriates monies to provide funds for staff, operating expenses, and equipment for the Morganton campus of the North Carolina School of Science and Mathematics. The PCS appropriates \$1,408,632 from the General Fund to the Board of Governors of The University of North Carolina in recurring funds for the 2019-2020 fiscal year and the sum of \$5,150 in nonrecurring funds for the 2019-2020 fiscal year. The PCS appropriates \$ 3,389,820 from the General Fund to the Board of

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Governors of The University of North Carolina in recurring funds for the 2020-2021 fiscal year and the sum of \$792,369 in nonrecurring funds for the 2020-2021 fiscal year.

EFFECTIVE DATE: This section becomes effective July 1, 2019.

OVERALL BILL EFFECTIVE DATE: Except as otherwise provided, the act becomes effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 231

Short Title: The Harrison Kowiak Act.

(Public)

Sponsors: Representatives Setzer, Howard, and Henson (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Judiciary, if favorable, Rules, Calendar, and Operations of the House

March 4, 2019

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PUNISHMENT FOR COMMITTING ACTS OF HAZING.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as the "Harrison Kowiak Act."

SECTION 2. G.S. 14-35 reads as rewritten:

"§ 14-35. Hazing; definition and punishment.

(a) Prohibition. – It is unlawful for any ~~student in attendance at any university, college, or school in this State person~~ to engage in hazing, or to aid or abet any other ~~student person~~ in the commission of this offense. ~~For the purposes of this section hazing is defined as follows: "to subject another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group." Any violation of this section shall constitute a Class 2 misdemeanor.~~

(b) Criminal Penalty for Hazing. – Unless the conduct is covered under some other provision of law providing greater punishment, the following penalties apply for violations of subsection (a) of this section:

(1) A violation of subsection (a) of this section is a Class D felony if the hazing results in the serious bodily injury or death of the victim, or the hazing involves forced or coerced alcohol consumption that results in the victim having a blood alcohol concentration of .30 or higher within a relevant time after the drinking. Notwithstanding any provision of G.S. 15A-1340.17 to the contrary, the court shall sentence the defendant to an active sentence of no more than 60 months for a first offense under this subdivision. A violation under this subdivision may include a fine of up to ten thousand dollars (\$10,000).

(2) Any other violation of subsection (a) of this section is a Class H felony, which may include a fine of up to one thousand dollars (\$1,000).

(c) Additional Penalties. – The penalties set forth in subsection (b) of this section may be imposed in addition to (i) any penalty that may be imposed for any other criminal offense arising from the same incident or activity and (ii) any penalty that may be imposed by the organization or educational institution pursuant to its bylaws, rules, or policies regarding hazing.

(d) Criminal Penalty for Failure to Report. – Subject to the investigation authorized under subsection (e), if any person serving as a representative or officer of an organization knew and failed to report to law enforcement that one or more of the organization's members hazed or were



hazing another person, the person and organization shall be guilty of a Class A1 misdemeanor. The court may order any or all of the following for an organization convicted under this subsection:

(1) Payment of a fine of up to ten thousand dollars (\$10,000).

(2) Forfeiture of any State funds received by the organization.

(3) For a period of time determined by the court, forfeiture of all rights and privileges of being an organization that is organized and operating at the educational institution. If the hazing results in the serious bodily injury or death of the victim, or results in the victim having a blood alcohol concentration of at least .30 within a relevant time after the hazing, the period of time shall be for not less than four years.

(e) Investigation. – An organization that receives a report alleging the commission of an act or acts of hazing may conduct a timely and efficient investigation to substantiate or determine the veracity of the allegations prior to making a report to law enforcement. The investigation shall be completed no later than 14 days after the date on which the report was received alleging the commission of the act or acts of hazing.

(f) Civil Remedy. – Nothing in this section shall be construed as precluding any civil remedy provided by law.

(g) Applicability. – Subsections (a) and (d) of this section do not apply to a person who is the subject of the hazing, regardless of whether the person voluntarily allowed himself or herself to be hazed.

(h) No Defense. – It is not a defense to prosecution for a violation of this section that the person against whom the hazing was directed consented to or acquiesced in the hazing.

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

(1) Educational institution. – Any elementary or secondary school in this State, and any postsecondary educational institution in this State.

(2) Hazing. – Any intentional, knowing, or reckless act by a person acting alone or acting with other people that is directed against another person when (i) the person knew or should have known that the act endangered the physical health or safety of the other person or causes severe emotional distress and (ii) the act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization. This term does not include a physical activity that is normal, customary, and necessary for a person's training and participation in an athletic, physical education, military training, or similar program sanctioned by the education institution. This term does include all of the following:

a. Physical brutality, such as whipping, beating, paddling, striking, branding, electronic shocking, placing of a harmful substance on the body, or a similar activity.

b. Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects an individual to an unreasonable risk of harm or that adversely affects the physical health or safety of an individual or causes severe emotional distress.

c. Activity involving the consumption of food, liquid, or any other substance, including an alcoholic beverage or drug, that subjects an individual to an unreasonable risk of harm or that adversely affects the physical health or safety of an individual or causes severe emotional distress.

d. Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime.

(3) Organization. – Any fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, band, spirit group, athletic team, or similar group, whose members are primarily students at, or former students of, an educational institution. This term includes the national or parent organization of which any of the underlying entities covered under this subdivision is a sanctioned or recognized member at the time of the hazing.

(4) Pledging. – Any action or activity related to becoming a member of an organization."

SECTION 3. G.S. 115C-238.66(12) reads as rewritten:

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

SECTION 4. G.S. 115C-218.75(c) reads as rewritten:

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

SECTION 5. G.S. 116-239.8(b)(15) reads as rewritten:

"(15) ~~Policy-Policies~~ against hazing and bullying. – A laboratory school is encouraged to adopt a policy against bullying or harassing behavior, including cyberbullying, and a policy against hazing, that ~~is~~are consistent with the provisions of Article 29C of Chapter 115C of the General Statutes. If a laboratory school adopts a policy ~~to prohibit bullying and harassing behavior, pursuant to this subdivision,~~ the laboratory school shall, at the beginning of each school year, provide the policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8)."

SECTION 6. Section 6(h) of S.L. 2018-32 reads as rewritten:

"**SECTION 6.(h)** ~~Policy-Policies~~ Against Hazing and Bullying. – The local school administrative unit operating under a renewal school system plan is encouraged to adopt a policy against bullying or harassing behavior, including cyber-bullying, and a policy against hazing, that ~~is~~are consistent with the provisions of Article 29C of Chapter 115C of the General Statutes. If the local school administrative unit adopts a policy ~~to prohibit bullying and harassing behavior pursuant to this subsection,~~ the unit shall, at the beginning of each school year, provide the policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8)."

SECTION 7. Article 29C of Chapter 115C of the General Statutes is amended by adding a new section to read:

"**§ 115C-407.16A. Policy against hazing.**

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

(1) Hazing. – Any intentional, knowing, or reckless act by a person acting alone or acting with other people that is directed against another person when (i) the person knew or should have known that the act endangered the physical health or safety of the other person or causes severe emotional distress and (ii) the act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any

organization. This term does not include a physical activity that is normal, customary, and necessary for a person's training and participation in an athletic, physical education, military training, or similar program sanctioned by the education institution. This term does include all of the following:

- a. Physical brutality, such as whipping, beating, paddling, striking, branding, electronic shocking, placing of a harmful substance on the body, or a similar activity.
- b. Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects an individual to an unreasonable risk of harm or that adversely affects the physical health or safety of an individual or causes severe emotional distress.
- c. Activity involving the consumption of food, liquid, or any other substance, including an alcoholic beverage or drug, that subjects an individual to an unreasonable risk of harm or that adversely affects the physical health or safety of an individual or causes severe emotional distress.
- d. Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime.

(2) Organization. – Any fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, band, spirit group, athletic team, or similar group, whose members are primarily students at, or former students of, a local school administrative unit in this State. This term includes the national or parent organization of which any of the underlying entities covered under this subdivision is a sanctioned or recognized member at the time of the hazing.

(3) Pledging. – Any action or activity related to becoming a member of an organization.

(b) Requirement. – Each local school administrative unit shall adopt a policy prohibiting hazing.

(c) Minimum Components. – The policy shall contain, at a minimum, the following components:

- (1) A statement prohibiting hazing.
- (2) A definition of hazing no less inclusive than that set forth in this section.
- (3) A description of the type of behavior expected for each student and school employee.
- (4) Consequences and appropriate remedial action for a person who commits an act of hazing, which shall include expulsion, suspension, or dismissal from the school for at least one semester, quarter, or comparable academic period.
- (5) Consequences and appropriate remedial action for an organization whose member or members commit an act of hazing.
- (6) A procedure for reporting an act of hazing, including a provision that permits a person to report such an act anonymously. This shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.
- (7) A procedure for prompt investigation of reports of serious violations and complaints of any act of hazing, identifying either the principal or the principal's designee as the person responsible for the investigation.
- (8) A statement that (i) prohibits reprisal or retaliation against any person who reports an act of hazing and (ii) specifies the consequence and appropriate remedial action for a person who engages in reprisal or retaliation.

(9) A statement of how the policy is to be disseminated and publicized, including notice that the policy applies to participation in school-sponsored functions.

(d) Additional Components. – Nothing in this Article shall prohibit a local school administrative unit from adopting a policy that includes components beyond the minimum components required in this section.

(e) Dissemination. – At the beginning of each school year, the principal shall provide the local school administrative unit's policy prohibiting hazing to staff, students, and parents as defined in G.S. 115C-390.1(b)(8). Notice of the local policy shall appear in any school unit publication that sets forth the comprehensive rules, procedures, and standards of conduct for schools within the school unit and in any student and school employee handbook.

(f) Training. – Information regarding the local policy against hazing shall be incorporated into a school's employee training program. To the extent funds are appropriated for these purposes, a local school administrative unit shall provide training on the local policy to school employees and volunteers who have significant contact with students.

(g) Criminal Penalty. – Any remedial action under a policy adopted under this section is additional to any punishment provided under G.S. 14-35 and any other applicable law."

SECTION 8. Article 7 of Chapter 115D of the General Statutes is amended by adding a new section to read:

"§ 115D-77.1. Policy against hazing.

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

(1) Hazing. – Any intentional, knowing, or reckless act by a person acting alone or acting with other people that is directed against another person when (i) the person knew or should have known that the act endangered the physical health or safety of the other person or causes severe emotional distress and (ii) the act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization. This term does not include a physical activity that is normal, customary, and necessary for a person's training and participation in an athletic, physical education, military training, or similar program sanctioned by the education institution. This term does include all of the following:

a. Physical brutality, such as whipping, beating, paddling, striking, branding, electronic shocking, placing of a harmful substance on the body, or a similar activity.

b. Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects an individual to an unreasonable risk of harm or that adversely affects the physical health or safety of an individual or causes severe emotional distress.

c. Activity involving the consumption of food, liquid, or any other substance, including an alcoholic beverage or drug, that subjects an individual to an unreasonable risk of harm or that adversely affects the physical health or safety of an individual or causes severe emotional distress.

d. Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime.

(2) Organization. – Any fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, band, spirit group, athletic team, or similar group, whose members are primarily students at, or former students of, a community college. This term includes the national or parent organization of which any of the underlying entities covered under

- 1 this subdivision is a sanctioned or recognized member at the time of the
2 hazing.
- 3 (3) Pledging. – Any action or activity related to becoming a member of an
4 organization.
- 5 (b) Requirement. – The State Board of Community Colleges shall adopt a policy
6 prohibiting hazing by any student enrolled in a community college.
- 7 (c) Minimum Components. – The policy shall contain, at a minimum, the following
8 components:
- 9 (1) A statement prohibiting hazing.
- 10 (2) A definition of hazing no less inclusive than that set forth in this section.
- 11 (3) A description of the type of behavior expected for each student and school
12 employee.
- 13 (4) Consequences and appropriate remedial action for a person who commits an
14 act of hazing, which shall include expulsion, suspension, or dismissal from
15 the community college for at least one semester, quarter, or comparable
16 academic period.
- 17 (5) Consequences and appropriate remedial action for an organization whose
18 member or members commit an act of hazing.
- 19 (6) A procedure for reporting an act of hazing, including a provision that permits
20 a person to report such an act anonymously. This shall not be construed to
21 permit formal disciplinary action solely on the basis of an anonymous report.
- 22 (7) A procedure for prompt investigation of reports of serious violations and
23 complaints of any act of hazing.
- 24 (8) A statement that (i) prohibits reprisal or retaliation against any person who
25 reports an act of hazing and (ii) specifies the consequence and appropriate
26 remedial action for a person who engages in reprisal or retaliation.
- 27 (9) A statement of how the policy is to be disseminated and publicized, including
28 notice that the policy applies to participation in community college-sponsored
29 functions.
- 30 (d) Additional Components. – Nothing in this Article shall prohibit a local community
31 college board of trustees from adopting a policy that includes components beyond the minimum
32 components required in this section.
- 33 (e) Training. – Information regarding the local policy against hazing shall be
34 incorporated into a community college's employee training program. To the extent funds are
35 appropriated for these purposes, a community college shall provide training on the local policy
36 to community college employees and volunteers who have significant contact with students.
- 37 (f) Criminal Penalty. – Any remedial action under a policy adopted under this section is
38 additional to any punishment provided under G.S. 14-35 and any other applicable law."

39 **SECTION 9.** Article 1 of Chapter 116 of the General Statutes is amended by adding
40 a new section to read:

41 **"§ 116-40.13. Policy against hazing.**

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

- 43 (1) Hazing. – Any intentional, knowing, or reckless act by a person acting alone
44 or acting with other people that is directed against another person when (i) the
45 person knew or should have known that the act endangered the physical health
46 or safety of the other person or causes severe emotional distress and (ii) the
47 act was associated with pledging, being initiated into, affiliating with,
48 participating in, holding office in, or maintaining membership in any
49 organization. This term does not include a physical activity that is normal,
50 customary, and necessary for a person's training and participation in an

- 1 athletic, physical education, military training, or similar program sanctioned
2 by the education institution. This term does include all of the following:
- 3 a. Physical brutality, such as whipping, beating, paddling, striking,
4 branding, electronic shocking, placing of a harmful substance on the
5 body, or a similar activity.
- 6 b. Physical activity, such as sleep deprivation, exposure to the elements,
7 confinement in a small space, or calisthenics, that subjects an
8 individual to an unreasonable risk of harm or that adversely affects the
9 physical health or safety of an individual or causes severe emotional
10 distress.
- 11 c. Activity involving the consumption of food, liquid, or any other
12 substance, including an alcoholic beverage or drug, that subjects an
13 individual to an unreasonable risk of harm or that adversely affects the
14 physical health or safety of an individual or causes severe emotional
15 distress.
- 16 d. Activity that induces, causes, or requires an individual to perform a
17 duty or task that involves the commission of a crime.
- 18 (2) Organization. – Any fraternity, sorority, association, corporation, order,
19 society, corps, cooperative, club, service group, social group, band, spirit
20 group, athletic team, or similar group, whose members are primarily students
21 at, or former students of, a constituent institution. This term includes the
22 national or parent organization of which any of the underlying entities covered
23 under this subdivision is a sanctioned or recognized member at the time of the
24 hazing.
- 25 (3) Pledging. – Any action or activity related to becoming a member of an
26 organization.
- 27 (b) Requirement. – The Board of Governors shall adopt a policy prohibiting hazing by
28 any student enrolled in a constituent institution.
- 29 (c) Minimum Components. – The policy shall contain, at a minimum, the following
30 components:
- 31 (1) A statement prohibiting hazing.
- 32 (2) A definition of hazing no less inclusive than that set forth in this section.
- 33 (3) A description of the type of behavior expected for each student and employee
34 of the institution.
- 35 (4) Consequences and appropriate remedial action for a person who commits an
36 act of hazing, which shall include expulsion, suspension, or dismissal from
37 the institution for at least one semester, quarter, or comparable academic
38 period.
- 39 (5) Consequences and appropriate remedial action for an organization whose
40 member or members commit an act of hazing.
- 41 (6) A procedure for reporting an act of hazing, including a provision that permits
42 a person to report such an act anonymously. This shall not be construed to
43 permit formal disciplinary action solely on the basis of an anonymous report.
- 44 (7) A procedure for prompt investigation of reports of serious violations and
45 complaints of any act of hazing.
- 46 (8) A statement that (i) prohibits reprisal or retaliation against any person who
47 reports an act of hazing and (ii) specifies the consequence and appropriate
48 remedial action for a person who engages in reprisal or retaliation.
- 49 (9) A statement of how the policy is to be disseminated and publicized, including
50 notice that the policy applies to participation in constituent
51 institution-sponsored functions.

1 (d) Additional Components. – Nothing in this Article shall prohibit the Board of
2 Governors from adopting a policy that includes components beyond the minimum components
3 required in this section.

4 (e) Training. – Information regarding the policy against hazing shall be incorporated into
5 a constituent institution's employee training program. To the extent funds are appropriated for
6 these purposes, a constituent institution shall provide training on the policy to institution
7 employees and volunteers who have significant contact with students.

8 (f) Criminal Penalty. – Any remedial action under a policy adopted under this section is
9 additional to any punishment provided under G.S. 14-35 and any other applicable law."

10 **SECTION 10.** Section 2 of this act becomes effective December 1, 2019, and applies
11 to offenses committed on or after that date. The remainder of this act is effective when it becomes
12 law. Sections 3 through 7 of this act apply beginning with the 2019-2020 school year. Sections 8
13 and 9 of this act apply beginning with the 2019-2020 academic year.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

1

HOUSE BILL 305

Short Title: Amend Law Regarding University Discipline. (Public)

Sponsors: Representatives Setzer, Howard, Saine, and D. Hall (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Judiciary, if favorable, Rules, Calendar, and Operations of the House

March 11, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH DUE PROCESS SAFEGUARDS FOR STUDENTS FACING
3 UNIVERSITY DISCIPLINARY PROCEEDINGS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 116-11 is amended by adding a new subdivision to read:

6 "**§ 116-11. Powers and duties generally.**

7 The powers and duties of the Board of Governors shall include the following:

8 ...
9 (13c) The Board of Governors shall adopt mandatory, systemwide policies governing the due process rights afforded to students by a constituent institution during disciplinary investigations and disciplinary hearings. At a minimum, the policies shall include all of the following with regard to allegations of sexual misconduct by a student:

10 a. The accused student shall be promptly provided adequate notice including details of the allegations, details of any alleged violation of the Student Code of Conduct, and copies of all evidence at a meaningful time and in a meaningful manner. The accused student shall also be advised of the right to consult legal counsel, the right to be advised and accompanied by legal counsel at all stages of the investigation and hearings, and the right to appeal any findings or conclusions of misconduct.

11 b. The parties to the investigation shall be permitted to conduct questioning and cross-examination of witnesses in order to establish the veracity of witnesses, parties, and documents.

12 c. The individual conducting the investigation shall not also serve as a finder of fact in a subsequent hearing, and the constituent institution shall take steps to ensure that both the investigation and any hearing are conducted in an impartial manner.

13 d. All findings of fact and conclusions during both the investigation and any hearing shall be written, sufficiently detailed to permit meaningful review on appeal, and both the complainant and the accused student shall be provided copies within a specified time frame.

14 e. The standard of proof of responsibility for proving sexual misconduct shall not be less than clear and convincing evidence.



...."

SECTION 2. G.S. 116-40.11 is recodified as G.S. 116-44.21 and included in Part 8 of Article 1 of Chapter 116 of the General Statutes as created in Section 3 of this act.

SECTION 3. Article 1 of Chapter 116 is amended by adding a new Part to read:

"Part 8. Student Disciplinary Proceedings.

"§ 116-44.20. Disciplinary proceedings; adoption of campus policies.

(a) Each constituent institution of The University of North Carolina shall adopt policies (University policies) to govern the conduct of students and to establish adequate due process procedures to be followed by university officials and students when conducting disciplinary proceedings against students. The policies must comply with the policies adopted by the Board of Governors under G.S. 116-11(13c), the provisions of this Article, and the constitutions, statutes, and regulations of the United States and the State of North Carolina.

(b) University policies adopted under subsection (a) of this section shall include or provide for the development of a Code of Student Conduct (Code of Conduct). The Code of Conduct must notify students of the standards of behavior expected of them, conduct that may subject a student to discipline, and the range of disciplinary measures that may be used in response to violations of the Code of Conduct.

(c) University policies may authorize suspension, but not expulsion, of a student for conduct not occurring on campus, provided the student's conduct otherwise violates the Code of Conduct and the conduct has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the constituent institution or the safety of individuals in the educational environment.

(d) No university policy shall allow a student to be long-term suspended or expelled without first providing a hearing in which the student has been guaranteed due process rights as required by this Article.

(e) University policies shall not impose mandatory suspensions or expulsions for specific violations unless otherwise provided by State or federal law.

(f) University policies shall minimize the use of long-term suspension and expulsion by restricting the availability of long-term suspension or expulsion to those violations deemed to be serious violations of the Code of Conduct that either threaten the future safety of students, staff, or school visitors, or threaten to substantially disrupt the educational environment.

(g) University policies shall include the hearing notification procedures and due process procedures to be followed by university officials and students for cases involving a disciplinary outcome that may result in suspension or expulsion, which shall be consistent with this Article.

"§ 116-44.21. Disciplinary proceedings; hearings; right to counsel for students and organizations.

(a) ~~Any student enrolled at a constituent institution who is accused of a violation of the disciplinary or conduct rules~~ Student Code of Conduct of the constituent institution shall have the right to be represented, at the student's expense, by a licensed attorney or nonattorney advocate who ~~may~~ shall be permitted to fully participate during any disciplinary procedure hearing or other procedure adopted and used by the constituent institution regarding the alleged violation. However, a student shall not have the right to be represented by a licensed attorney or nonattorney advocate in either of the following circumstances:

(1) ~~If the constituent institution has implemented a "Student Honor Court" which is fully staffed by students to address such violations.~~

(2) ~~For~~ for any allegation of "academic dishonesty" as defined by the constituent institution.

(b) Any student organization officially recognized by a constituent institution that is accused of a violation of the disciplinary or conduct rules of the constituent institution shall have the right to be represented, at the organization's expense, by a licensed attorney or nonattorney advocate who may fully participate during any disciplinary procedure or other procedure adopted

1 and used by the constituent institution regarding the alleged violation. However, a student
2 organization shall not have the right to be represented by a licensed attorney or nonattorney
3 advocate if the constituent institution has implemented a "Student Honor Court" which is fully
4 staffed by students to address such violations.

5 (c) Nothing in this ~~section~~ Article shall be construed to create a right to be represented at
6 a disciplinary proceeding at public expense."

7 **SECTION 4.** This act becomes effective October 1, 2019, and applies to
8 investigations and proceedings initiated on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H

1

HOUSE BILL 372*

Short Title: Additional Funds/ECU Brody School of Medicine. (Public)

Sponsors: Representatives Murphy, Humphrey, K. Smith, and Bell (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Appropriations, Education, if favorable,
Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 19, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO SUPPORT THE OPERATIONS OF
3 THE BRODY SCHOOL OF MEDICINE AT EAST CAROLINA UNIVERSITY.
4 The General Assembly of North Carolina enacts:
5 **SECTION 1.** There is appropriated from the General Fund to the Board of Governors
6 of The University of North Carolina the sum of fifteen million dollars (\$15,000,000) in additional
7 recurring funds for the 2019-2020 fiscal year to be allocated to East Carolina University (ECU)
8 to support the operation of the Brody School of Medicine at ECU.
9 **SECTION 2.** This act becomes effective July 1, 2019.



* H 3 7 2 - V - 1 *

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

7-23-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
caroline Singleton	house page
Beth Dosters	VNC Charlotte
Michelle Frazier	NP
Caleb Evans	house page
Becki Gray	John Locke Foundation
DAVID POWERS	UNC BOC
Hunter Moore	Plasma Games
J GOODMAN, K	CCC
Carson Daly	House Page
Sallie James	Governor's office
Jane Furelt	NCMS

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

7-23-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Neil Rower

NCMS

Dylan Stone

House Page

Jasmine Scott

House Page

James D. Latham

House Page

Gene Royall

NC Family

Anna Kate Jones

House Page

Colin W. Jones

House Page

Will Moore

House Page

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

7-23-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Drew Moretz	UNC System
Micah Lowery	NEW FRAME Intern
Matthew Dockham	Appalachian State University
Amy Ruth	UNC-CH
Austen Howell	UNC System
Katie Stanley	Duke University / Duke Health
Kara Weishaar	SA
Robert Allen	NCSSM
Deck Windsor	NCSSM
Marty Lee	Smith Hill
April Neumann	mur
Mary Shuping	NCCCS

VISITOR REGISTRATION SHEET

House Committee on Education- Universities

7-23-2019

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Tom West	NCICU
Jennifer Preston	College Advising Corps
Kate Murphy	NEWS & OBSERVER
Whitney Christensen	Ward & Smith
Wendy Keely	FPA
Rhacyn Jackson	FPA
Richard Bostu	NC SBA



North Carolina General Assembly

Education - Universities

2019-2020 Session

Chairs:

Representative Fraley
Representative Hastings

Committee Clerks:

Jan Copeland
James Jenkins

HOUSE COMMITTEE ON EDUCATION - UNIVERSITIES

2020 Short Session

Clerks: Jan Copeland
James Jenkins



Rep. John Fraley, Chair



Rep. Kelly Hastings, Chair



**Rep. Ted Davis,
Vice-Chair**



Rep. Gale Adcock



**Rep. Kelly
Alexander**



Rep. Kristin Baker



Rep. Becky Carney



**Rep. Ashton
Clemmons**



Rep. Verla Insko



**Rep. Darren
Jackson**



Rep. Perrin Jones



**Rep. Donny
Lambeth**



Rep. Grier Martin



**Rep. Chuck
McGrady**



Rep. Marcia Morey



Rep. Larry Pittman



Rep. Lee Zachary

HOUSE COMMITTEE ON EDUCATION – UNIVERSITIES
2020 Short Session

<u>MEMBER</u>	<u>ASSISTANT</u>	<u>PHONE</u>	<u>OFFICE</u>
Rep. John Fraley	Jan Copeland	733-5741	637 LOB
Rep. Kelly Hastings	James Jenkins	715-2002	2208 LB
Rep. Ted Davis	Andrew Bowers	733-5786	417-B LOB
Rep. Gale Adcock	Suzanne Smith	733-5602	1213 LB
Rep. Kelly Alexander	Ann Raeford	733-5778	404 LOB
Rep. Becky Carney	Beth LeGrande	733-5827	1221 LB
Rep. Ashton Clemmons	Rianah Alexander	733-5781	1211 LB
Rep. Verla Insko	Young Bae	733-7208	503 LOB
Rep. Darren Jackson	Angela McMillan	733-5974	506 LOB
Rep. Donny Lambeth	Pan Briles	733-5747	303 LOB
Rep. Grier Martin	Chris Hailey	733-5773	1023 LB
Rep. Chuck McGrady	Kimberly Neptune	733-5956	304 LOB
Rep. Marcia Morey	Pamela Best	733-7663	1109 LB
Rep. Kristin Baker	Rhonda Todd	733-5861	306-A3 LOB
Rep. Larry Pittman	Tammy Pittman	715-2009	1010 LB
Rep. Perrin Jones	Susie Ferrell	733-5757	537 LOB
Rep. Lee Zachary	Martha Jenkins	715-8361	420 LOB
Rep. John Bell	Susan West Horne	715-3017	301-F LOB
Rep. Brenden Jones	Andrew Bailey	733-5821	1227 LB
Rep. David Lewis	Grace Rogers	715-3015	2301 LB
Rep. Sarah Stevens	Lisa Brown	715-1884	419 LOB

ATTENDANCE

House Committee on Education-Universities (2020 Short Session)

(Name of Committee)

[illegible]

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Universities** will meet as follows:

DAY & DATE: Tuesday, June 16, 2020

TIME: 11:00 AM

LOCATION: 1228/1327 LB

COMMENTS: In accordance with the latest guidance from the Center for Disease Control and the North Carolina Department of Health and Human Services, and the building rules of the North Carolina General Assembly, the House Appropriations Committee members will have the option to attend remotely to minimize the gathering of Members and staff. A WebEx link will be provided on the morning of June 16.

Members of the public are requested to comply with the guidance from the North Carolina Department of Health and Human Services and the Centers for Disease Control by complying with social distancing guidelines and seating for 50 percent of room capacity or listening to a live stream audio via the NCGA committee website at: <https://www.ncleg.gov/Audio/1228>. The video stream may be accessed on the NCGA webpage here: <https://www.ncleg.gov/Video>. Additionally, audio and video links can be found on the front page of the NCGA website in the Legislative Calendar section.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
<u>HB 1052</u>	PED Report/Student Financial Assistance.	Representative Horn Representative Lucas Representative Fraley Representative Clemmons

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 9:07 AM on Tuesday, June 16, 2020.

___ Principal Clerk
___ Reading Clerk – House Chamber

James Jenkins (Committee Assistant)

House Committee on Education - Universities
Tuesday, June 16, 2020, 11:00 AM
1228/1327 Legislative Building

AGENDA

Welcome and Opening Remarks

Introduction of Pages

Bills

BILL NO.	SHORT TITLE	SPONSOR
HB 1052	PED Report/Student Financial Assistance.	Representative Horn Representative Lucas Representative Fraley Representative Clemmons

Presentations

Other Business

Adjournment

House Committee on Education - Universities
Tuesday, June 16, 2020 at 11:00 AM
Room 1228/1327 of the Legislative Building

MINUTES

The House Committee on Education - Universities met at 11:00 AM on June 16, 2020 in Room 1228/1327 of the Legislative Building. Representatives Adcock, Baker, Clemmons, Davis, Fraley, Hastings, P. Jones, Morey, and Pittman attended either in person or via Web Ex.

Representative Kelly E. Hastings, Chair, presided. A quorum was determined and he called the meeting to order @ 11:00 a.m.

Representative Hastings introduced and thanked the Sergeant-at-Arms.

The following bills were considered:

HB 1052 PED Report/Student Financial Assistance. (Representatives Horn, Lucas, Fraley, Clemmons)

Representative Horn introduced and explained the bill.

Representative Fraley offered an amendment. The bill was amended on page 1, lines 4-6, by rewriting the lines to read: "Expended and to gauge the effectiveness of those programs". The amendment passed by committee vote.


Chairman Hastings offered the committee an opportunity to ask questions.

There were no questions.

The bill passed favorable to the PCS and unfavorable to the original bill with a referral to House Appropriations with a recommendation that the referral be struck and re-referred to House Rules.

The meeting adjourned at 11:05 a.m.

Representative Kelly E. Hastings, Chair
Presiding



Jan Copeland, Co-Committee Clerk
James Jenkins, Co-Committee Clerk



HOUSE BILL 1052: PED Report/Student Financial Assistance.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 16, 2020
Introduced by:	Reps. Horn, Lucas, Fraley, Clemmons	Prepared by:	Drupti Chauhan*
Analysis of:	First Edition		Committee Counsel

OVERVIEW: *House Bill 1052 would detail increased reporting requirements for the State Education Assistance Authority (SEAA) regarding multiple need-based and service-repayment loan programs. The bill would also require the SEAA to develop a strategic plan with performance goals and assessment measures, and it would appropriate funds to assist with administrative costs.*

[As introduced, this bill was identical to S726, as introduced by Sens. D. Davis, Waddell, Ford, which is currently in Senate Appropriations/Base Budget.]

CURRENT LAW: Under G.S. § 116-209.45(j), the SEAA must report annually to the General Assembly on the Forgivable Education Loans for Service (FELS) Fund and its recipients. There is no specified information to be included in this report.

G.S. § 116-209.14 requires the SEAA to submit an annual report to the Governor and General Assembly setting forth a complete operating and financial statement of the organization.

BILL ANALYSIS: **Section 1** would add specific reporting requirements related to the Forgivable Education Loans for Service Fund that include the following:

- The number of recipients who have met the service requirements for loan forgiveness.
- The number who elect cash repayment, and the employment fields of loan recipients, including when years of employment are credited towards loan forgiveness before beginning cash repayments.

This new information must be reported in the SEAA's annual FELS report no later than that December 1, 2022.

Section 1 also requires the SEAA to create and maintain a records management system to ensure that it can meet reporting requirements for multiple state-funded loan programs, including the North Carolina Teaching Fellows Program and the FELS program. This record keeping system must also inform whether the programs are meeting the employment needs of the State. The SEAA must report on the progress of implementing the record keeping system to the Joint Legislative Education Oversight Committee and The Joint Legislative Program Evaluation Oversight Committee by January 1, 2021.

Section 2 would require the SEAA to biennially create and maintain a strategic plan detailing its performance goals in administering State funded financial assistance for postsecondary programs. The strategic plan must include performance measures for assessing the SEAA's effectiveness and progress in achieving the performance goals. The SEAA must report to the Joint Legislative Education Oversight

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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

House Bill 1052

Page 2

Committee and The Joint Legislative Program Evaluation Oversight Committee by January 1, 2021 on its progress towards creating and maintain the strategic plan.

In the annual report to the Governor and General Assembly, the SEAA would be required to provide the following information:

- The biennial strategic plan.
- Data on the administration of State-funded financial assistance programs and the recipients of the financial assistance, including:
 - Information for each postsecondary institution that enrolls students who use State-funded financial assistance and the amount of financial assistance used by students for each program administered by the SEAA.
 - Demographic information on students who use State-funded financial assistance with socioeconomic profiles and income and dependency status for that fiscal year.

Section 3 would appropriate up to \$700,000 in recurring funds for the 2020-2021 fiscal year from the General Fund to the UNC Board of Governors to allocate to the SEAA in covering administrative costs associated with the University of North Carolina Need-Based Financial Aid Program.

Section 4 would require the Office of State Budget and Management to develop recommendations for increasing transparency in administrative cost reporting for the Need-Based Scholarships for Students Attending Private Institutions of Higher Education Program. The recommendations must include a method for reporting program funding received by the SEAA in its financial statements. These recommendations along with an implementation timeline and any needed legislative changes must be reported to the Joint Legislative Education Oversight Committee and The Joint Legislative Program Evaluation Oversight Committee by June 30, 2020.

EFFECTIVE DATE: Except as specifically provided in the bill, the bill would become effective when it becomes law.

BACKGROUND: The Performance Evaluation Division report entitled "Improvements Needed to Gauge Effectiveness and Expend State Funds Available for Postsecondary Financial Aid (October 2019)" can be found here:

https://www.ncleg.net/PED/Reports/documents/Scholarships/Scholarships_Report_Full.pdf.

**Manning Peeler, Legislative Analysis Division Extern, substantially contributed to this summary.*

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 1052*

Short Title: PED Report/Student Financial Assistance. (Public)

Sponsors: Representatives Horn, Lucas, Fraley, and Clemmons (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Universities, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

April 30, 2020

A BILL TO BE ENTITLED
AN ACT TO MAKE NECESSARY IMPROVEMENTS TO ENSURE STATE FUNDS FOR
POSTSECONDARY EDUCATIONAL FINANCIAL AID PROGRAMS ARE FULLY
EXPENDED AND TO GAUGE THE EFFECTIVENESS OF THOSE PROGRAMS, AS
RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION
OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 116-209.45(j) reads as rewritten:

"(j) Report to the General Assembly. – The Authority shall report no later than December 1, 2013, and annually thereafter to the Joint Legislative Education Oversight Committee regarding the Fund and loans awarded from the ~~Fund~~ Fund, including the total number of loan recipients by year who either (i) have met employment service requirements for loan forgiveness or (ii) elect cash loan repayment, including when years of employment are credited towards loan forgiveness prior to beginning cash repayment. The individual records used to generate this report shall be retained for a period of five years."

SECTION 1.(b) Notwithstanding G.S. 116-209.45(j), as amended by this section, the State Education Assistance Authority (Authority) shall include initial information on loan recipients of the Forgivable Education Loans for Service Program in its annual report no later than December 1, 2022. This initial information on the loan recipients shall also include the recipients' field of work.

SECTION 1.(c) The Authority shall develop and maintain a record-keeping system to track the repayment methods utilized by the recipients of State-funded educational loans that are eligible for forgiveness based on meeting individual program employment service requirements. The record-keeping system shall facilitate meeting data reporting requirements on State-funded educational loan programs, including for (i) the North Carolina Teaching Fellows Program under G.S. 116-209.62(j)(2) and (ii) the Forgivable Education Loans for Service Program under G.S. 116-209.45(j), and inform whether such programs are meeting the employment needs of the State. The Authority shall report on its progress in implementing the record-keeping system required by this section to the Joint Legislative Education Oversight Committee and the Joint Legislative Program Evaluation Oversight Committee by January 1, 2021.

SECTION 2.(a) G.S. 116-209.14 reads as rewritten:

"§ 116-209.14. Annual Strategic plan; reports.



1 (a) Strategic Plan. – The Authority shall biennially develop and maintain a strategic plan
2 that sets forth the performance goals of the Authority in administering State-funded financial
3 assistance for postsecondary programs in accordance with State law. The strategic plan shall
4 include comprehensive performance measures in order to track and evaluate the Authority's
5 effectiveness and progress towards meeting the performance goals established in the strategic
6 plan. The Authority shall make the most recent strategic plan publicly available on its Web site
7 each year.

8 (b) Annual Reports. – The Authority shall, following the close of each fiscal year, publish
9 an annual report of the implementation of its strategic plan and its activities for the preceding
10 year to the Governor and the General Assembly. Each report shall ~~set forth~~ include at least the
11 following information:

12 (1) The strategic plan adopted by the Authority pursuant to subsection (a) of this
13 section.

14 (2) ~~a~~ A complete operating and financial statement covering the operations of the
15 Authority during the year.

16 (3) Data metrics on the administration of State-funded financial assistance
17 programs and recipients of financial assistance, including the following:

18 a. Information for each postsecondary institution enrolling students
19 using State-funded financial assistance, including the amount of
20 financial assistance used by students for each program administered
21 by the Authority.

22 b. Demographic information on students who receive State-funded
23 financial assistance, including socioeconomic profiles with income
24 and dependency status for that fiscal year.

25 (c) Oversight. – The operations of the Authority shall be subject to the oversight of the
26 State Auditor pursuant to Article 5A of Chapter 147 of the General Statutes."

27 **SECTION 2.(b)** By January 1, 2021, the Authority shall report to the Joint
28 Legislative Education Oversight Committee and the Joint Legislative Program Evaluation
29 Oversight Committee on its progress in meeting the requirements set forth in subsection (a) of
30 this section.

31 **SECTION 2.(c)** Subsection (a) of this section is effective July 1, 2021.

32 **SECTION 3.** Effective July 1, 2020, there is appropriated from the General Fund to
33 the Board of Governors of The University of North Carolina the sum of up to seven hundred
34 thousand dollars (\$700,000) in recurring funds for the 2020-2021 fiscal year to be allocated to
35 the State Education Assistance Authority each fiscal year to cover administrative costs associated
36 with The University of North Carolina Need-Based Financial Aid Program (Program).

37 **SECTION 4.** The Office of State Budget and Management (OSBM) shall develop
38 recommendations on increasing transparency in administrative cost reporting for the Need-Based
39 Scholarships for Students Attending Private Institutions of Higher Education Program
40 established under Article 34 of Chapter 116 of the General Statutes. The recommendations shall
41 include a method for reporting program funding received by the Authority in its financial
42 statements. OSBM shall report on the recommendations, including a time line for implementation
43 of proposed changes and any required legislative modifications, to the Joint Legislative
44 Education Oversight Committee and the Joint Legislative Program Evaluation Oversight
45 Committee by June 30, 2020.

46 **SECTION 5.** Except as otherwise provided, this act is effective when it becomes
47 law.



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1052*

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

H1052-ARQ-27 [v.3]

Page 1 of 2

Amends Title [YES]
First Edition

Date June 16, 2020

Representative Fraley

moves to amend the bill on page 1, lines 4-6, by rewriting the lines to read:

"EXPENDED AND TO GAUGE THE EFFECTIVENESS OF THOSE PROGRAMS.";

And on page 2, lines 32-36, by deleting those lines and substituting the following:

"SECTION 3.(a) G.S. 116-25.1 reads as rewritten:

"§ 116-25.1. ~~Semester limitation on eligibility for~~ The University of North Carolina
need-based financial aid grants.

(a) Grant Limitation. – Except as otherwise provided by this section, a student shall not receive a grant from The University of North Carolina Need-Based Financial Aid Program for more than 10 full-time academic semesters, or its equivalent if enrolled part-time, unless the student is enrolled in a program officially designated by the Board of Governors as a five-year degree program. If a student is enrolled in such a five-year degree program, then the student shall not receive a need-based grant from The University of North Carolina Need-Based Financial Aid Program for more than 12 full-time academic semesters or its equivalent if enrolled part-time.

(b) Waiver on Grant Limitation. – Upon application by a student, the constituent institution may grant a waiver to the student on the limitation set forth in subsection (a) of this section who may then receive a grant for the equivalent of one additional full-time academic semester if the student demonstrates that any of the following have substantially disrupted or interrupted the student's pursuit of a degree: (i) a military service obligation, (ii) serious medical debilitation, (iii) a short-term or long-term disability, or (iv) other extraordinary hardship. The Board of Governors shall establish policies and procedures to implement the waiver provided by this subsection.

(c) Administrative Costs. – The State Education Assistance Authority may use up to one and one-half percent (1.5%) of the funds appropriated for The University of North Carolina Need-Based Financial Aid Program each fiscal year for administrative costs."

SECTION 3.(b) This section is effective July 1, 2020.";



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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1052*

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

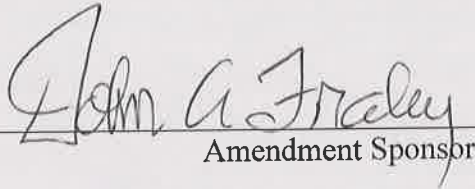
H1052-ARQ-27 [v.3]

Page 2 of 2

1
2 And on page 2, line 45, by rewriting the line to read:

3
4 "Committee by October 1, 2020."
5
6
7

SIGNED


Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED



FAILED

TABLED

VISITOR REGISTRATION SHEET

House Comm on Education -Universities 6/16/2020

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Drew Moretz

UNC System

Committee Sergeants at Arms

NAME OF COMMITTEE House Comm on Education -Universities

DATE: 6/16/2020

Room: 1228/1327

House Sgt-At Arms:

1. Name: Mark Douglas

2. Name: Rex Foster

3. Name: Russell Salisbury

4. Name: David Leighton

5. Name: _____

Senate Sgt-At Arms:

1. Name: _____

2. Name: _____

3. Name: _____

4. Name: _____

5. Name: _____

Jan Copeland (Rep. John Fraley)

From: Jan Copeland (Rep. John Fraley)
Sent: Tuesday, June 23, 2020 04:43 PM
To: Sen. Warren Daniel; Sen. Ralph Hise; Sen. Tom McInnis
Cc: Andy Perrigo (Sen. Warren Daniel); Lydia Daniel (Sen. Warren Daniel); Susan Fanning (Sen. Ralph Hise); Lynn Taylor (Sen. Tom McInnis)
Subject: <NCGA> House Education - Universities Committee Meeting Notice for Wednesday, June 24, 2020 at 9:00 AM
Attachments: Add Meeting to Calendar_LINC_.ics

**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2019-2020 SESSION**

You are hereby notified that the **House Committee on Education - Universities** will meet as follows:

DAY & DATE: Wednesday, June 24, 2020

TIME: 9:00 AM

LOCATION: 1228/1327 LB

COMMENTS: In accordance with the latest guidance from the Center for Disease Control and the North Carolina Department of Health and Human Services, and the building rules of the North Carolina General Assembly, House Education-Universities Committee Members will have the option to attend remotely, but the Speaker has instructed Members must be physically present to vote on bills effective June 23, 2020. Members of the public are requested to comply with the guidance from the North Carolina Department of Health and Human Services and the Centers for Disease Control by complying with the social distancing guidelines and seating for 50 percent of room capacity or listening to a live stream audio via the NCGA committee website at: <https://www.ncleg.gov/Audio/1228> or 643. The video stream may be accessed on the NCGA webpage here: <https://www.ncleg.gov/Video>.

The following bills will be considered:

BILL NO.	SHORT TITLE	SPONSOR
<u>SB 208</u>	Limit Local Restrictions/Noncommercial Signs. PCS	Senator McInnis Senator Daniel Senator Hise

Respectfully,

Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 4:42 PM on Tuesday, June 23, 2020.

____ Principal Clerk
____ Reading Clerk – House Chamber

Jan Copeland (Committee Assistant)

House Committee on Education - Universities
Wednesday, June 24, 2020, 9:00 AM
1228/1327 Legislative Building

AGENDA

Welcome and Opening Remarks

Introduction of Sgt. @ Arms

Bills

BILL NO.	SHORT TITLE	SPONSOR
SB 208	Limit Local Restrictions/Noncommercial Signs. PCS	Senator McInnis Senator Daniel Senator Hise

Other Business

Adjournment

House Committee on Education - Universities
Wednesday, June 24, 2020 at 9:00 AM
Room 1228/1327 of the Legislative Building

MINUTES

The House Committee on Education - Universities met at 9:00 AM on June 24, 2020 in Room 1228/1327 of the Legislative Building. Representatives Baker, Carney, Clemmons, Davis, Fraley, Hastings, Insko, P. Jones, Lambeth, McGrady, Morey, and Pittman attended. (Rep's Davis, Insko and Morey attended the meeting via Web Ex)

Representative John A. Fraley, Chair, presided.

Representative Fraley called the meeting to order @ 9:03 a.m. then introduced and thanked the Sergeant-at-Arms.

The following PCS was considered:

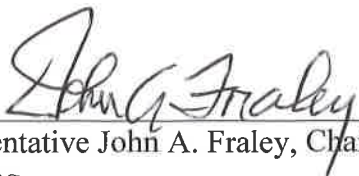
SB 208 COVID-19 Immunity/IHEs. (Senators McInnis, Daniel, Hise) AN ACT TO PROVIDE IMMUNITY FOR INSTITUTIONS OF HIGHER EDUCATION FOR CLAIMS RELATED TO COVID-19 CLOSURES FOR SPRING 2020

Chairman Fraley turned the gavel over to Rep. Hastings. Chairman Hastings reminded the committee of the current rules and then introduced Rep. Fraley to explain the PCS before the committee.

Rep. McGrady moved for a favorable report to the proposed committee substitute and an unfavorable report to the original bill with a re-referral to the House Rules Committee.

After discussion regarding the intention to ONLY address the immunity for tuition and fees for the limited time frame of ONLY spring, the motion passed.

The meeting adjourned at 9:42 a.m.



Representative John A. Fraley, Chair
Presiding



Jan Copeland, Committee Clerk

**NORTH CAROLINA GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES**

EDUCATION - UNIVERSITIES COMMITTEE REPORT

**Representative John A. Fraley, Co-Chair
Representative Kelly E. Hastings, Co-Chair**

FAVORABLE HOUSE COM SUB, UNFAVORABLE SENATE COM SUB AND RE-REFERRED

SB 208 (CS#1)

Limit Local Restrictions/Noncommercial Signs.

Draft Number: S208-PCS35440-TC-70

**Serial Referral: RULES, CALENDAR, AND
OPERATIONS OF THE HOUSE**

Recommended Referral: None

Long Title Amended: Yes

Floor Manager: Fraley

TOTAL REPORTED: 1



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GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 208

State and Local Government Committee Substitute Adopted 4/30/19
PROPOSED HOUSE COMMITTEE SUBSTITUTE S208-CSTC-70 [v.5]
06/23/2020 07:50:09 PM

Short Title: COVID-19 Immunity/IHEs.

(Public)

Sponsors:

Referred to:

March 11, 2019

A BILL TO BE ENTITLED
AN ACT TO PROVIDE IMMUNITY FOR INSTITUTIONS OF HIGHER EDUCATION FOR
CLAIMS RELATED TO COVID-19 CLOSURES FOR SPRING 2020.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 116 of the General Statutes is amended by adding a new
Article to read:

"Article 37.

"COVID-19 Immunity for Institutions of Higher Education.

"§ 116-310. Definitions.

The following definitions apply in this Article:

- (1) Claim. – A claim or cause of action seeking any legal or equitable remedy or relief.
- (2) COVID-19. – The coronavirus disease 2019.
- (3) COVID-19 emergency declaration. – Executive Order No. 116 issued March 10, 2020, by Governor Roy A. Cooper, including any amendments issued by executive order, subject to extensions under Chapter 166A of the General Statutes.
- (4) COVID-19 essential business executive order. – Executive Order No. 121 issued March 27, 2020, by Governor Roy A. Cooper, including any amendments issued by executive order, subject to extensions under Chapter 166A of the General Statutes.
- (5) Individual. – A person paying, or on whose behalf a third party is paying, tuition, fees, or room and board to an institution of higher education for the spring academic semester of 2020.
- (6) Institution of higher education. – Any of the following institutions, including the owners, directors, trustees, officers, employees, contractors, and agents of those institutions:
 - a. A constituent institution under the jurisdiction of The University of North Carolina.
 - b. A community college under the jurisdiction of the State Board of Community Colleges.
 - c. An eligible private postsecondary institution, as defined in G.S. 116-280(3).

"§ 116-311. Institutions of higher education; tuition liability limitation.



(a) Notwithstanding any other provision of law and subject to G.S. 116-312, an institution of higher education shall have immunity from claims by an individual, if all of the following apply:

- (1) The claim arises out of or is in connection with tuition or fees paid to the institution of higher education for the spring academic semester of 2020.
- (2) The claim alleges losses or damages arising from an act or omission by the institution of higher education during or in response to COVID-19, the COVID-19 emergency declaration, or the COVID-19 essential business executive order.
- (3) The alleged act or omission by the institution of higher education was reasonably related to protecting the public health, safety, or welfare in response to the COVID-19 emergency declaration, COVID-19 essential business executive order, or applicable guidance from the Centers for Disease Control and Prevention.
- (4) The institution of higher education offered remote learning options for enrolled students during the spring academic semester of 2020 that allowed students to complete the semester coursework.

(b) Subsection (a) of this section shall not apply to losses or damages that resulted solely from a breach of an express contractual provision allocating liability in the event of a pandemic event.

(c) Subsection (a) of this section shall not apply to losses or damages caused by an act or omission of the institution of higher education that was in bad faith or malicious.

"§ 116-312. Applicability.

This Article applies to alleged acts or omissions occurring on or after the issuance of the COVID-19 emergency declaration until June 1, 2020. The provisions of this Article shall be in addition to all other immunities provided by applicable State law.

"§ 116-313. Severability.

It is a matter of vital State concern affecting the public health, safety, and welfare that institutions of higher education continue to be able to fulfill their educational missions during the COVID-19 pandemic without civil liability for any acts or omissions for which immunity is provided in this Article. This Article shall be liberally construed to effectuate those public purposes. The provisions of this Article are severable. If any part of this Article is declared to be invalid by a court, the invalidity does not affect other parts of this Article that can be given effect without the invalid provision."

SECTION 2. This act is effective when it becomes law, and applies to all actions commenced on or after March 27, 2020.



SENATE BILL 208: COVID-19 Immunity/IHEs.

2019-2020 General Assembly

Committee:	House Education - Universities. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 24, 2020
Introduced by:	Sens. McInnis, Daniel, Hise	Prepared by:	Kara McCraw
Analysis of:	PCS to Second Edition S208-CSTC-70		Staff Attorney

OVERVIEW: *The PCS for SB 208 would remove the prior contents of the bill and would replace it with a new Article providing that, for the spring 2020 semester, an institution of higher education (IHE) would have immunity for claims related to tuition and fees based in alleged acts or omissions related to COVID-19, if the IHE meets certain requirements.*

BILL ANALYSIS: The PCS for SB 208 would create a new Article granting limited immunity for institutions of higher education (IHE) for claims related to tuition and fees paid for the spring 2020 semester that arise from alleged acts or omissions taken by the IHE in response to COVID-19. IHEs would be able to assert this immunity if the alleged acts or omissions were reasonably related to protecting the public health, safety, or welfare in response to COVID-19 executive orders or guidance from the Centers for Disease Control and Prevention, and if the IHE offered remote learning options for students to complete spring semester coursework.

IHEs would not be able to assert this immunity for losses or damages resulting solely from breach of an express contractual provision that allocated liability in the event of a pandemic, or if the losses or damages were caused by an act or omission that was in bad faith or malicious.

The Article would be limited to alleged acts or omission occurring between March 10, 2020, to June 1, 2020.

Provisions of the Article would be severable if a court invalidated certain sections.

EFFECTIVE DATE: SB 208 would become effective when it becomes law, and would apply to actions commenced on or after March 27, 2020.

BACKGROUND: The effective date of SB 208 would apply retroactively to actions commenced prior to the effective date of the law. The due process clause of the United States Constitution and the corresponding Law of the Land clause of the North Carolina Constitution (Article 1, Section 19) generally protect individuals from laws that retroactively deprive them of vested rights. A "statute may be applied retroactively only insofar as it does not impinge upon a right which is otherwise secured, established, and immune from further legal metamorphosis." Gardner v. Gardner, 300 N.C. 715, 719 (1980). However, courts have also recognized that the right to make contracts is subject to the power of the General Assembly to impose restrictions for the benefit of the general public in areas of public interest. Mazda Motors of Am., Inc. v. Sw. Motors, Inc., 36 N.C. App. 1, 6-7, (1978), aff'd in part, rev'd in part, 296 N.C. 357 (1979). Ultimately, a determination of whether the retroactive application of this law would deprive any individual of vested rights would be made by the courts.

Claims have been filed in State and federal courts related to tuition and fees for spring 2020 due to actions taken by IHEs in response to the pandemic.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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2

SENATE BILL 208
State and Local Government Committee Substitute Adopted 4/30/19

Short Title: Limit Local Restrictions/Noncommercial Signs.

(Public)

Sponsors:

Referred to:

March 11, 2019

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT LOCAL REGULATION OF THE SIZE OR HEIGHT OF CERTAIN
NONCOMMERCIAL SIGNS PLACED OUTSIDE OF THE RIGHT-OF-WAY ON
PRIVATE PROPERTY WITH THE PERMISSION OF THE PROPERTY OWNER.

The General Assembly of North Carolina enacts:

SECTION 1. Article 6 of Chapter 153A of the General Statutes is amended by
adding a new section to read:

"§ 153A-145.8. Limitation on regulation of political signs.

Notwithstanding any provision of this Article or any other provision of law, no county shall
adopt or continue in effect an ordinance prohibiting or regulating the size or height of a
noncommercial sign, including a political sign as defined in G.S. 136-32(c), that does not exceed
64 square feet in size or 6 feet in height, and that is placed on private property with the permission
of the owner of the property and outside of any right-of-way of a State highway."

SECTION 2. Article 18 of Chapter 153A of the General Statutes is amended by
adding a new section to read:

"§ 153A-379. Limitation on regulation of political signs.

Notwithstanding any provision of this Article or any other provision of law, no county shall
adopt or continue in effect an ordinance prohibiting or regulating the size or height of a
noncommercial sign, including a political sign as defined in G.S. 136-32(c), that does not exceed
64 square feet in size or 6 feet in height, and that is placed on private property with the permission
of the owner of the property and outside of any right-of-way of a State highway."

SECTION 3. Article 8 of Chapter 160A of the General Statutes is amended by
adding a new section to read:

"§ 160A-205.4. Limitation on regulation of political signs.

Notwithstanding any provision of this Article or any other provision of law, no municipality
shall adopt or continue in effect an ordinance prohibiting or regulating the size or height of a
noncommercial sign, including a political sign as defined in G.S. 136-32(c), that does not exceed
64 square feet in size or 6 feet in height, and that is placed on private property with the permission
of the owner of the property and outside of any right-of-way of a State highway or municipal
street."

SECTION 4. Article 19 of Chapter 160A of the General Statutes is amended by
adding a new section to read:

"§ 160A-367. Limitation on regulation of political signs.

Notwithstanding any provision of this Article or any other provision of law, no municipality
shall adopt or continue in effect an ordinance prohibiting or regulating the size or height of a
noncommercial sign, including a political sign as defined in G.S. 136-32(c), that does not exceed



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1 64 square feet in size or 6 feet in height, and that is placed on private property with the permission
2 of the owner of the property and outside of any right-of-way of a State highway or municipal
3 street."

4 **SECTION 5.** This act is effective when it becomes law.

VISITOR REGISTRATION SHEET

House Committee on Education ~ Universities

June 24, 2020

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Austin Howell

UNE system

May Sharping

NCCCS

Terray Sear

MWC

Beth Doster

UNC Charlotte

Hope Williams

NCEM

Tom West

NCEM

Dana Simpson

SEA

Drew Moretz

UNC system

DERWIN BRAYBOY

General Public

Anderson Brayboy

cc

rr

