

**JOINT LEGISLATIVE  
JOINING OUR BUSINESSES AND SCHOOLS (JOBS)  
STUDY COMMISSION**



***INTERIM REPORT TO THE  
JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE  
AND TO THE  
2011 GENERAL ASSEMBLY  
OF NORTH CAROLINA***

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STATE OF NORTH CAROLINA

JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS)  
STUDY COMMISSION



January 25, 2011

TO THE MEMBERS OF THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE  
AND THE 2011 REGULAR SESSION OF THE 2011 GENERAL ASSEMBLY OF NORTH  
CAROLINA:

Attached for your consideration is the interim report to the Joint Legislative Education Oversight Committee and the 2011 Regular Session of the 2011 General Assembly of North Carolina. This report was prepared by the Joint Legislative Joining Our Businesses and Schools (JOBS) Study Commission pursuant to S.L. 2009-339.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Walter Dalton".

Lt. Governor Walter Dalton  
Chair



**JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS  
(JOBS) STUDY COMMISSION  
2010-2011**

**COMMISSION MEMBERSHIP**

**Ex Officio Members**

Lt. Governor Walter H. Dalton (Chair)  
Hon. Howard N. Lee, Executive Director of the Education Cabinet

**President Pro Tempore Appointments**

Sen. A.B. Swindell, IV (Vice Chair)  
Sen. Harry Brown  
Sen. Anthony E. Foriest  
Mr. Robert J. Beichner  
Ms. Valeria Lee  
Mr. Mike Murphy  
Ms. Felicia Gray Watson  
Ms. Laura Willoughby

**Speaker of the House of Representatives  
Appointments**

Rep. Rick Glazier (Vice Chair)  
Rep. R. Van Braxton  
Rep. Doug Yongue  
Ms. Laura Carpenter Bingham  
Mr. Grant Godwin  
Ms. Caroline Watts McCullen  
Dr. Susan R. Purser  
Mr. Roger Shackleford

**Governor's Appointments**

Dr. William C. Harrison  
Ms. Pamela B. Townsend

Upon the initiative of the Chair, the following persons were asked to attend the meetings and provide advice to the Commission.

Mr. Joe Freddoso  
Dr. Tony Habit  
Sen. Fletcher Hartsell  
Dr. Sam Houston  
Mr. Karl Rectanus

**COMMISSION STAFF**

Kara McCraw  
Drupti Chauhan

Ted Harrison, Commission Assistant





**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**SESSION LAW 2009-339  
SENATE BILL 1069**

**AN ACT TO ESTABLISH THE JOINT LEGISLATIVE JOINING OUR BUSINESSES  
AND SCHOOLS (JOBS) STUDY COMMISSION.**

Whereas, the Innovative Education Initiatives Act became law in 2003; and

Whereas, as a result of this act, 52 Early and Middle College programs have been developed as a collaboration between the public schools, the community colleges, and private business; and

Whereas, these schools have generally evidenced a decrease in their dropout rates and, as a result, have won national awards; and

Whereas, North Carolina has seven identified economic development regions, each with its own challenges in today's changing and demanding job market; and

Whereas, North Carolina has numerous innovative public and private programs based in Science, Technology, Engineering, and Mathematics (STEM); and

Whereas, to be efficient with the taxpayers' dollars, to continue to increase the graduation rate, and to prepare our students for twenty-first century jobs, it would be beneficial to map these innovative education programs, including the development of additional Early and Middle College programs and STEM programs, and other public and private education programs that have instructional programs that prepare students to meet the particular employment and workforce preparation needs of the respective economic development regions. In addition, it would be beneficial to develop curriculum frameworks that reflect innovative design principles in some of these schools that would address both regional and statewide employment needs; and

Whereas, the United States Department of Education has identified 16 career clusters as a tool to connect career technical education (CTE) to education, workforce preparation, and economic development; and

Whereas, the North Carolina STEM Community Collaborative/MCNC is supporting the creation of a replicable community visioning process, engaging business, policy, education, and community stakeholders in mapping their local needs and producing a plan for sustainable, local education innovation based in science, technology, engineering, and mathematics; and

Whereas, it would be beneficial to position each region and the State to compete in the regional, national, and global economy by creating a joint legislative study commission to review the vision plans and overall needs of each economic development region as well as the overall needs of the State; and

Whereas, the Commission should advise the North Carolina Education Cabinet and specifically the Department of Public Instruction as they develop standard instructional programs for twenty-first century career paths in accordance with the Early and Middle College and STEM models and study the implementation of pilot programs in these respective regions that will best suit the potential of the region and better prepare students for the increased academic demands of a global economy; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.** There is established the Joint Legislative JOBS (Joining Our Businesses and Schools) Study Commission (Commission).

**SECTION 2.(a)** The Commission shall consist of the following members:

- (1) The Lieutenant Governor serving as the Chair.
- (2) Two members appointed by the Governor.

- (3) Eight members appointed by the President Pro Tempore of the Senate, to include:
  - a. Three members of the Senate, with one designated to serve as a vice- chair.
  - b. A representative of The University of North Carolina.
  - c. A representative of the Department of Public Instruction.
  - d. A representative of North Carolina's business and industry.
  - e. A public school teacher.
  - f. An individual with expertise in STEM education.
- (4) Eight members appointed by the Speaker of the House of Representatives, to include:
  - a. Three members of the House of Representatives, with one designated to serve as a vice-chair.
  - b. A representative of the Community College System.
  - c. A representative of the Independent Colleges and Universities.
  - d. A representative of the Department of Commerce.
  - e. A representative of North Carolina's business and industry.
  - f. A representative of North Carolina's school superintendents.
- (5) The Executive Director of the Education Cabinet or the Executive Director's designee, serving ex officio.

**SECTION 2.(b)** Members of the Commission shall serve a three-year term, beginning on July 1, 2009. The terms for members of the House of Representatives or the Senate shall end upon the expiration of the members' legislative term.

**SECTION 2.(c)** Members shall serve at the pleasure of the appointing authority. Vacancies on the Commission shall be filled by the same appointing authority who made the initial appointment.

**SECTION 2.(d)** A vice-chair shall serve as Chair in the absence of the Chair.

**SECTION 3.(a)** The Commission shall study issues related to economic development through innovative schools where instructional program frameworks reflect the high academic standards required of students to be successful as they transition to postsecondary education and future careers, including:

- (1) Technical and vocational needs of each economic development region;
- (2) Employment and workforce preparation needs of the State as a whole;
- (3) The economic vision plans for each economic development region;
- (4) The shortage of highly skilled employees such as technicians, teachers, allied health practitioners, including, but not limited to, nurses and doctors, scientists, and engineers;
- (5) The 16 career clusters identified by the United States Department of Education as well as additional career paths;
- (6) The development of a framework for assessment of readiness of a community or region to support twenty-first century economic demands of business and industry development and the scaling of innovative local programs to impact broader numbers of individuals in communities around the State; and
- (7) Any other matter pertinent to connecting career technical education to education, workforce preparation, and economic development through innovative schools.

**SECTION 3.(b)** The Chair shall appoint from the Commission's membership a North Carolina STEM Community Collaborative Advisory Committee (Community Collaborative) to ensure that the efforts of the Commission and the Community Collaborative are aligned and that the Commission is informed of the Community Collaborative's activities and that the Community Collaborative is informed of the Commission's activities.

**SECTION 4.** The Commission shall prioritize and customize the career clusters and identify additional career paths and report its recommendations to the State

Board of Education. The Commission shall (i) advise the North Carolina Education Cabinet and specifically the Department of Public Instruction as they develop, incrementally, standard instructional programs for career clusters and their corresponding career paths in accordance with the Early and Middle College model, and (ii) study the implementation of pilot programs in the seven economic development regions of the State that will best suit the needs of the regions and prepare students for the increased academic demands of a global economy.

**SECTION 5.** The Commission shall also study issues related to economic growth by the creation of measures and metrics which define the readiness of a community to deliver to all stakeholders the services that equip the workforce to be competitive in a STEM-intensive economy, including ensuring that students throughout the education pipeline gain the skills learned from science, technology, engineering, math, and other rigorous subjects. As a part of its study, the Commission may examine issues related to:

- (1) A replicable and perpetual model for aligning efforts of local business, industry, policy, and education stakeholders in community engagement for visioning student-centered learning;
- (2) The documentation and study of the innovative education programs critical for communities to be competitive in the STEM environment in the twenty-first century;
- (3) A framework to network these economic development regions, aligning State, regional, and external investment in replicable innovation;
- (4) Opportunities to leverage existing research, programs such as the College Foundation of North Carolina Bridges program, and other resources to maximize the impact of these existing resources and assets to avoid duplication, to achieve greater economies of scale, and to broaden the impact of these efforts by the most cost-effective means possible; and
- (5) Any other topics deemed relevant by the Commission.

**SECTION 6.(a)** The Commission shall, within the first eight months of its creation, meet at least once in each economic development region. The Commission may use any and all appropriate technology to enhance participation in its meetings and to reduce the costs incurred by the Commission. The Chair may appoint a volunteer advisory committee in each economic development region to assist the Commission in its work.

**SECTION 6.(b)** The Commission shall work closely with the business community across the State and shall encourage businesses and business leaders to partner with the Commission on the work of the Commission and to establish public-private partnerships with the pilot schools.

**SECTION 6.(c)** The University of North Carolina shall inform the Commission on the work of its constituent institutions on the elementary and middle school fundamental building blocks for secondary STEM success. This work should be a consideration for all communities which engage in visioning student-centered learning. The Commission shall also be informed by The University of North Carolina on its North Carolina STEM program inventory and how to make this inventory available to communities which engage in visioning student-centered learning.

**SECTION 7.** The Commission shall meet upon the call of the Chair. A quorum of the Commission shall be a majority of its members. The Legislative Services Commission shall grant adequate meeting space to the Commission in the State Legislative Building or the Legislative Office Building. G.S. 120-19 applies to requests made on behalf of the Commission.

**SECTION 8.(a)** The expenses of the Commission shall be paid by the Legislative Services Commission from available funds appropriated to the General Assembly. The Legislative Services Commission may accept grants on behalf of the State to be used to help defray the expenses of the Commission. Any application and

receipt of grants under this section shall be subject to the requirements of Chapters 120C and 138A of the General Statutes, and Article 14 of Chapter 120 of the General Statutes. Reasonable expenses of the Commission may include the cost of travel on a learning tour of innovative schools both inside and out of the State. Any grants funds received under this section shall be held by the General Assembly in a non-reverting special fund known as the JOBS Commission Fund to be administered by the Legislative Services Commission for expenses of the Commission. Any funds remaining in the JOBS Commission Fund shall transfer to the reserves of the General Assembly upon termination of the Commission.

**SECTION 8.(b)** Members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate. Individual expenses of five thousand dollars (\$5,000) or less, including per diem, travel, and subsistence expenses of members of the Commission, shall be paid upon authorization of the Chair of the Commission. Individual expenses in excess of five thousand dollars (\$5,000) shall be paid upon written approval of the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

**SECTION 8.(c)** With approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist the Commission in its work during the interims between legislative sessions. The Directors of Legislative Assistants of the House of Representatives and the Senate shall assign clerical staff to the Commission. The Commission may contract for additional professional or consultant services in accordance with G.S. 120-32.02.

**SECTION 9.(a)** The Commission shall make an initial report of the results of its study to the State Board of Education by March 1, 2010. In its report, the Commission shall recommend at least four of the 16 career clusters identified by the United States Department of Education that will best and most broadly serve the immediate employment and workforce preparation needs of the State and the respective regions. Upon consideration of the recommendations of the Commission, the State Board of Education, in consultation with the Department of Public Instruction, shall develop the instructional programs for at least four career clusters and shall implement at least one JOBS Early or Middle College in each of the economic development regions beginning with the 2010-2011 school year where feasible, and in all other regions by the 2011-2012 school year.

**SECTION 9.(b)** The Commission may make recommendations resulting from its study to the State Board of Education and the Department of Public Instruction from time to time in its discretion.

**SECTION 9.(c)** The Commission shall monitor the implementation of its recommendations to the State Board of Education and the Department of Public Instruction and shall report and recommend to the General Assembly any legislation necessary to implement its recommendations.

**SECTION 9.(d)** The Commission shall make an interim report of the results of its study and its recommendations, including any proposed legislation, to the Joint Legislative Education Oversight Committee and the 2010 Regular Session of the 2009 General Assembly no later than May 15, 2010, and to the Joint Legislative Education Oversight Committee and the 2011 Regular Session of the 2011 General Assembly no later than February 1, 2011, and a final report to the Joint Legislative Education Oversight Committee and the 2012 Regular Session of the 2011 General Assembly no later than May 15, 2012. The Commission shall file a copy of each Commission report with the President Pro Tempore of the Senate's office, the Speaker of the House of Representatives' office, and the Legislative Library.

**SECTION 10.** The Commission shall terminate on June 30, 2012, or upon the filing of its final report in accordance with Section 9.(d) of this act.

**SECTION 11.** This act is effective when it becomes law.

# COMMISSION PROCEEDINGS

The Joint Legislative Joining Our Businesses and Schools (JOBS) Study Commission held 4 meetings.

**September 1, 2010  
Raleigh, NC**

## **Opening Remarks**

- Lt. Governor Walter Dalton

## **Career Ready Commission**

- June Atkinson, Superintendent of Public Instruction

## **Short Session Overview**

- Kara McCraw, Committee Counsel

## **JOBS Pilot School Updates**

- Wake County / NC State University STEM Early College
  - Ruth Steidinger, Senior Director of Secondary Education, High Schools
  - Dr. Betsy Brown, Vice Provost for Faculty Affairs, North Carolina State University
- Cumberland County Language & Global Cultures Early College
  - Dr. Frank Till, Superintendent, Cumberland County Schools
  - Allison Violette, Assistant Superintendent, Cumberland County Schools
  - Ray Walters, Fayetteville Technical Community College
- Agri-science & Biotechnology Early College
  - Tony Habit, President, NC New Schools Project

## **NC STEM Community Collaborative**

- Karl Rectanus, NC STEM Community Collaborative Leader, NC STEM Community Collaborative

**October 12, 2010  
Fayetteville, NC**

## **National Efforts in Business/Education Collaboration**

- Rich Rosen, Corporate Vice-President for Education and Philanthropy, Battelle Memorial Institute

## **JOBS Pilot School Updates**

- Wake County / NC State University STEM Early College
  - Ruth Steidinger, Senior Director of Secondary Education, High Schools
- Cumberland County Language & Global Cultures Early College
  - Dr. Frank Till, Superintendent, Cumberland County Schools
- Agriscience & Biotechnology Early College

- Dr. Dana Diesel Wallace, Vice-President for School Development, NC New Schools Project

#### **Race to the Top Presentation**

- Dr. Bill Harrison, Chair, State Board of Education

#### **Contemporary Science Center – A STEM Incubator School**

- Pamela Blizzard, Executive Director, Contemporary Science Center

#### **City of Medicine Academy / Duke Medicine Prototype Update**

- Elizabeth Shearer, Principal, City of Medicine Academy
- Dr. Dana Diesel Wallace, Vice President for School Development, NC New Schools Project

#### **Yadkin Valley Regional Career Academy**

- Barry Sink, President, Old Lexington Products
- Newell Clark, Principal, Standell Properties

#### **Ft. Bragg Community Collaborative Update**

- Lynda Parlett, Director of Grants & Sponsored Programs, Robeson Community College
- Earl St. Julien Jones, Customer Service Specialist, DuPont
- Edgar Murphy, Consultant

**November 22, 2010  
Raleigh, NC**

#### **Early College Second Life Program**

- Dr. Austin Bunch, Associate Provost, East Carolina University
- Sharon Collins, Early College High School Program Director, East Carolina University
- Tom Vermillion, Co-Chair, Lenoir County STEM Collaborative
- Steve Hill, Co-Chair, Lenoir County STEM Collaborative
- Rita Spence, Project Coordinator, Lenoir County STEM Collaborative

#### **Early College Updates**

- Wake County / NC State University STEM Early College
  - Rob Matheson, Principal, Wake County/NC State University STEM Early College
  - Ryan Haymore, Transition Counselor, Wake County/NC State University STEM Early College
- Cumberland International Studies Early College High School
  - Dr. Frank Till, Superintendent, Cumberland County Schools
- Agriscience & Biotechnology Study Commission
  - Dr. Marshall Stewart, Commission Chair

#### **Governance Subcommittee Update**

- Grant Godwin, Subcommittee Chair

#### **Hospitality & Tourism Steering Committee Update**

- Paul Stone, Executive Director, NC Hospitality Education Foundation

#### **Business & Education Connectivity**

- Greg Gift, Assistant Director, Career and Technical Education, NC Department of Public Instruction

- Tom Haffner, President, P.T. International Corporation
- Tricia Willoughby, Executive Director, North Carolina Business Committee for Education

**STEM Connectivity across North Carolina**

- Angela Quick, Deputy Chief Academic Officer, NC Department of Public Instruction
- Sam Houston, Co-Chair, NC STEM Collaborative Advisory Committee

**January 25, 2011  
Raleigh, NC**

**Statewide STEM Initiative Update**

- Sam Houston and Pam Townsend, STEM Advisory Co-Chairs

**RTP STEM Incubator School Update**

- Pamela Blizzard, Executive Director, Contemporary Science Center

**JOBS Pilot Schools Update**

- Wake County / NC State University STEM Early College
  - Rob Matheson, Principal, Wake County/NC State STEM Early College
- Cumberland International Studies Early College High School
  - Dr. Frank Till, Superintendent – Cumberland County Schools

**Regional Agri-science & Biotechnology Study Commission**

- Dr. Marshall Stewart, Commission Chair

**Update - Career Academy 5 year conversation**

- Jimmy Chancey, Director, Career and Technical Education - CMS

**NC Rural Entrepreneurship through Action Learning (NCREAL)**

- Dr. Jim Owen, NC Board member and past president of Piedmont Community College
- Delores P. Ali, Marketing Education Consultant, NC Department of Public Instruction
- Arlene Childers, Assistant Director, NC REAL
- Dr. Eleanor Herndon, Interim Executive Director, NC REAL

**Finance / Banking Pilot Early College Update**

- Paul Stock, Executive Vice President & Counsel, NC Bankers Association

**NC Virtual Public Schools**

- Bryan Setser, Executive Director

**Institute for Emerging Issues Creativity Report**

- Anita Brown-Graham, Executive Director - IEI

**Report Overview & Discussion**

- Kara McCraw – Staff Attorney and Legislative Analyst
- Patsy Pierce – Legislative Analyst





## **SUMMARY OF COMMISSION PROCEEDINGS**

This section of the report provides a brief summary of the Commission meetings. It is not intended to be a complete, official record of those meetings. The official record of the Commission's meetings, including minutes and handouts distributed to the Commission members, is available in the Legislative Library.

### **September 1, 2010**

The Joint Legislative Joining Our Businesses and Schools (JOBS) Commission held its first meeting on September 1, 2010 at the Legislative Office Building in Raleigh.

Dr. June Atkinson, Superintendent, Department of Public Instruction, provided the Commission with an update on the DPI recommendations of the Career Ready Commission. Dr. Atkinson noted the graduation rate progress overall, including the rate for career-tech students. She also noted the graduation rates of some of the Redesigned Schools as well as the Early Colleges. In terms of school accountability, Dr. Atkinson predicted that the State Board of Education would establish the American College Testing (ACT) standard for college-ready students and she expects action by the State Board in January. She stated that the Career Ready Commission supported the redesigning of any school with a graduation rate of 75% or lower over a two-year period. She also mentioned that the Career Ready Commission has recruited approximately 275 business leaders who are willing to work with schools both on the local district level and statewide to develop a Career-Tech Education strategic plan.

Kara McCraw, Staff Attorney, Research Division, North Carolina General Assembly, presented an overview of the outcomes and summaries of legislation that was recommended by the Commission in the 2010 General Assembly Session.

Dr. Frank Till, Superintendent, Cumberland County Schools, Allison Violette, Assistant Superintendent, Cumberland County Schools, and Ray Walters, Fayetteville Technical Community College, presented information about the Cumberland County Language and Global Cultures Early College pilot school. Following their presentation, the Lieutenant Governor recognized Millie Ravenal with the North Carolina Center for International Understanding and noted her support for the Cumberland County pilot early college program.

Ruth Steidinger, Wake County Public Schools, and Betsy Brown, North Carolina State University, presented on the Wake County/North Carolina State University STEM Early College High School collaboration which began in 2008. North Carolina State University has allocated \$3 ½ million to renovate the Cherry Building on the perimeter of the NCSU Centennial Campus. The renovation will delay occupying the building by July 2011, but there will be temporary quarters for the fall term.

Tony Habit, President, New Schools Project, spoke about the legislation that would have created an Agriscience/Biotechnology Regional Early College high school. He suggested

that the JOBS Commission examine the four school prototypes that are being supported in the Race to the Top program.

Karl Rectanus, North Carolina STEM Community Collaborative Leader, provided an update on the STEM Community Collaborative. He outlined the framework of the project and the opportunity to grow in several regions across the State. He noted that there was an interest not only in biotechnology, but motorsports and other economic interests in the various regions. He urged support from the JOBS Commission for funding to expand the network of STEM programs and STEM communities.

The Lieutenant Governor recognized Paul Stone, President of the North Carolina Restaurant and Lodging Association, to move into the “next steps” item on the agenda. Mr. Stone said the hospitality industry was second only to the health care industry in terms of need for people. He asked the JOBS Commission to consider the hospitality industry for the possibility of a pilot program in the early college curriculum. He suggested that this pilot be centered in the western part of the State.

The meeting ended with a public comment period.

### **October 12, 2010**

The JOBS Commission met on October 12, 2010 at the Tony Rand Student Center at Fayetteville Technical Community College in Fayetteville.

Rich Rosen, Corporate Vice President for Education and Philanthropy, Battelle Memorial Institute, spoke about national efforts in Business/Education Collaboration. Mr. Rosen mentioned that the efforts, similar to those of the JOBS Commission, are operating and succeeding across the country due to the joining of policy, practice, and partnership. He stressed the need for education and business to promote, not discount, the values that are brought to the table. He said that North Carolina was in a good position when it comes to resources to promote public/private partnerships, citing the various early college high schools, the university system, and community colleges. He talked about one effort that is going on in his home state of Ohio where 47 school districts are working with 150 businesses.

Bryan Haymore, Transition Counselor, Wake County/North Carolina State University STEM Early College, and Ruth Steidinger, Senior Director of Secondary Education, Wake County Public Schools, provided an update on the Wake County/North Carolina State University STEM Early College pilot school. Mr. Haymore mentioned that there would be Open Houses in November 2010 and January 2011. Ms. Steidinger said the Cherry Building, the future site of the STEM school, would not be ready by the August 2011 target date. Modular units will be used until renovations are completed.

Dr. Frank Till, Superintendent, Cumberland County Schools, provided an update on the Cumberland County Language and Global Cultures Early College pilot school. The kickoff for the school was held on October 11, 2010. The goal of the school is to provide

this education to over 53,000 students. Dr. Till stated that this early college high school would have regional impact and serve as a prototype.

Dr. Dana Diesel Wallace, Vice President for School Development, North Carolina New Schools Project, provided an update on the Agriscience and Biotechnology Early College pilot school. Dr. Wallace mentioned that there was a meeting going on to determine the recommended model for governance and the site of a regional biotechnology school. The site most often mentioned is the Vernon G. James Research & Extension Center in Washington County.

Dr. Bill Harrison, Chair, State Board of Education, spoke about the Race to the Top Funds. He said a report would be released in mid-November that would be North Carolina's plan for career education called "Career College: Ready, Set, Go!" This plan is funded by Race to the Top money and is based on the following four pillars promoted by the United States Department of Education: data systems to track student progress, standards and assessment, assuring the competency of teachers, and needs of low-performing schools. Dr. Harrison mentioned that a lot of national discussion has centered on low-performing urban schools, and now discussion is moving toward rural schools. He talked about the work the Department of Public Instruction has done with North Carolina State University to form a Leadership Academy in the northeastern part of the State and he mentioned that other leadership academies are planned.

Pamela Blizzard, Executive Director, Contemporary Science Center, presented information on the Contemporary Science Center and the possible creation of a STEM Incubator School. She said the Center provides an opportunity for teachers from across the State to bring students to the Research Triangle Park area and spend the day with scientists and statisticians who work in the Park. The Center has five study fields designed around Research Triangle companies and it has opened a custom-built laboratory. The idea is to create a STEM school in Research Triangle Park that would serve as a pilot for ways to teach science in rural areas of North Carolina. The goal is to be able to open the school in 2012. Ms. Blizzard stated that the Center has served over 2000 students since opening in 2004 and should serve about 600-800 students this year.

Dr. Dana Diesel Wallace, Vice President for School Development, North Carolina New Schools Project, and Elizabeth Shearer, Principal, City of Medicine Academy, presented an update on the City of Medicine Academy. Dr. Wallace began by providing background information on the New Schools Project in 110 schools in the State. Ms. Shearer provided information on the City of Medicine Academy. She said it is a prototype STEM school and is set to be a hub for other health-related schools. The Academy has partners such as Duke University Health Systems, the Durham Public Schools, Glaxo-Smith-Kline, and Blue Cross Blue Shield of North Carolina. Currently, the Academy has 220 students with a faculty of 19. Ms. Shearer stated that a new campus, set to open in 2011, is within walking distance of Durham Regional Hospital.

Newell Clark, Principal, Standell Properties, and Barry Sink, President, Old Lexington Products, provided details for the proposed Yadkin Valley Regional Career Academy.

Five years in the planning, the Academy seeks to address regional industry growth patterns in the STEM framework: problem solving, creative thinking, teamwork, communication, and entrepreneurship. The four disciplines to be offered initially will be: Health Sciences (Biotechnology), Pre-Engineering/Advanced Manufacturing, Business (Global) Logistics, and Creative Enterprises.

Lynda Parlett, Director of Grants and Sponsored Programs, Robeson Community College, Earl Jones, Customer Service Specialist, DuPont, and Edgar Murphy, Consultant, presented an update on the Fort Bragg Community Collaborative. Ms. Parlett said that the prototype is market relevant STEM skills. The focus was to take what was available in the region without “reinventing the wheel”. The components within the region include the UNC system locations, community colleges, and businesses. The Collaborative seeks to grow teachers for that region who will stay in the region and retain those connections inside and outside the region. Mr. Jones explained that the Collaborative plan is to join industry and business leaders with educators to determine the math curriculum. He said jobs at DuPont were examined to learn what math skills were needed, in order to begin to develop the curriculum.

### **November 22, 2010**

The JOBS Commission met on November 22, 2010 at the Legislative Office Building in Raleigh.

Dr. Austin Bunch, Associate Provost, East Carolina University, presented to the Commission on the virtual campus used with Pitt County Schools. Dr. Bunch stated that students found the program an engaging way to learn, and that costs were lower than for a traditional early college program. Dr. Bunch discussed the courses offered, student progress, and need for additional funding to carry through with the Early College Second Life Program.

Tom Vermillion, Co-chair of the Lenoir County STEM collaborative, spoke about Lenoir County's work with the ECU Second Life program to help carry out its STEM initiative. Mr. Vermillion reported that Lenoir County is also working with the Massachusetts Institute of Technology to bring several fabricated laboratories to the county, and toward a partnership with Spirit Aero Systems and Silicon Integrated Systems.

Steve Hill, Co-chair of the Lenoir County STEM collaborative, spoke about the effectiveness of the virtual classroom as a way to engage students, businesses and teachers at a lower cost.

Sharon Collins, Early College High School Program Director, East Carolina University, provided information on the structure and scheduling of the virtual classes attended by students at six Pitt County high schools.

Rob Matheson, Principal, Wake County/NC State University STEM Early College, spoke about the Wake NCSU STEM Early College. Mr. Matheson provided information on his

background and new role as principal and discussed staffing of the new school and future goals.

Ryan Haymore, Transition Counselor, Wake County/NC State University STEM Early College, spoke about student and parent excitement about the STEM Early College.

Allison Violette, Assistant Superintendent, Cumberland County Schools, spoke about the Cumberland International Studies Early College High School. Ms. Violette indicated that planning continued with the collaboration between Cumberland County Schools, Fayetteville State University, the North Carolina New Schools Project, The Center for International Understanding, and the Asia Society.

Dr. Frank Till, Superintendent, Cumberland County Schools, informed the Commission that Mandarin, Arabic, and Spanish had been selected as second languages of strategic interest for the Cumberland International Studies Early College High School, and announced that the college partner had changed from Fayetteville Technical Community College to Fayetteville State University. He indicated that a location has been obtained near the campus and student recruitment was underway, with a planned opening in August 2011.

Dr. Marshall Stewart, Chair, North Carolina Agriscience and Biotechnology Regional School Planning Commission, provided an update of the study that will be completed January 1, 2011, which will address challenging issues including governance, funding, and guidance in executing a multi-county concept. Dr. Stewart also stated that interest was being solicited from all regions of the State as possible sites for the regional agriscience and biotechnology school.

Grant Godwin, Chair, Governance Subcommittee, provided an update to the Commission on the Governance Subcommittee's work. Mr. Godwin reported that the Subcommittee believed that alignment of the Education Districts and the Economic Development Regions could be accomplished by a statutory change. The Subcommittee also proposed changes to facilitate multi-jurisdictional school operations. These proposals included a new dedicated Board in each region to oversee coordination of economic and educational interests, hiring of personnel for regional schools with long-term contracts, reporting of regional school boards directly to the State Board of Education, and a grant of similar flexibility for regional schools as given to charter schools. Mr. Godwin discussed the Yadkin Valley Career Academy model of financing, extracurricular activities, and accountability to address possible resistance to the concept of regional schools.

Paul Stone, Executive Director, North Carolina Hospitality Education Foundation, reported on the work of the Early College Hospitality and Tourism Steering Committee in his capacity as chair of that Committee. Mr. Stone stated that western North Carolina was selected as an area of focus due to various economic interests, such as existing tourism attractions and unemployment rates. Mr. Stone discussed current and developing hospitality and tourism programs at Western Carolina University and the Pro-Start curriculum developed by the N. C. Hospitality Education Foundation.

Greg Gift, Assistant Director, Career and Technical Education, NC Department of Public Instruction, provided information on the background and development of the CTE Business Network, which has grown into a statewide network of about 300 business representatives interested in career and technical education.

Tom Haffner, President of P. T. International, spoke about the necessity of keeping a broad perspective and the global nature of manufacturing. Mr. Haffner, who sits on an advisory board for the Engineering Department at UNC-Charlotte, discussed the sponsorship by companies of student projects. Hr. Haffner indicated that four Technical Career Academies have been created in the Charlotte-Mecklenburg area, based on a structure established by the National Academy Foundation.

Tricia Willoughby, Executive Director, North Carolina Business Committee for Education, spoke about the Committee's history and support for early colleges and the Teacher Working Condition Survey. Ms. Willoughby stated that the Committee brings together policy leaders, education leaders and business leaders to discuss issues, provides an electronic resource guide, and holds webinars every other month with the Department of Public Instruction. A new initiative joins First Gentleman Bob Eaves and middle school students, to enable students to learn what a real work environment is like.

Dr. June Atkinson, Superintendent of Public Instruction, spoke about North Carolina STEM-related initiatives and efforts to develop a comprehensive STEM initiative in the State which would be presented to the State Board of Education. Superintendent Atkinson asked for the Commission's NC STEM Advisory Panel to help facilitate and take a leading role in the development of a comprehensive statewide STEM plan.

Angela Quick, Deputy Chief Academic Officer, NC Department of Public Instruction, presented the Commission with a graphic look at the various separate groups with STEM involvement, and a view of how a statewide strategy would help, with participation from the Commission's STEM Advisory Group to centralize STEM goals, allow for results measurement, and join with the JOBS Commission. The central advisory group would have the goals of preventing duplication, coordinating existing work group efforts, advising STEM initiatives with Race To The Top funds, and developing a comprehensive plan.

Sam Houston, Co-Chair of the NC STEM Collaborative Advisory Committee, initiated a discussion regarding a comprehensive STEM plan to address kindergarten through college and the role for the JOBS Commission and the current STEM Advisory Committee in that process. Discussion included the possibility of a public-private partnership and ways to share experiences that have led to best practices for initiatives.

### **January 25, 2011**

The JOBS Commission met on January 25, 2011 at the Legislative Office Building in Raleigh.

Pam Townsend, STEM Advisory Co-Chair, spoke about the STEM Advisory Panel's work to create a statewide STEM strategy for K-12 to coordinate and align Race to the Top with other public and private STEM efforts. Ms. Townsend announced that the STEM Advisory Panel had determined that the best strategy was to pull together existing STEM resources, in coordination with the national organization, Education First, with an initial framework to be completed by the end of February. Ms. Townsend reviewed the STEM Advisory Panel's initial efforts and findings.

Pamela Blizzard, Executive Director, Contemporary Science Center, updated the Commission on the progress towards developing the Contemporary Science Center High School, an innovative incubator school in the heart of the Research Triangle Park. The school will seek to blend experiential learning with virtual coursework, build learning teams of teachers and scientists, and create residencies for teachers to learn new methodology which can be taken back to rural districts. Ms. Blizzard spoke about the initial planning for governance, fundraising, and partnerships for the school, with the goal of opening in August, 2012.

Rob Matheson, Principal, Wake County/NC State STEM Early College, updated the Commission of the Wake County/NC State STEM Early College. Mr. Matheson spoke about student recruitment efforts and the large number of applications received, which are under review. Mr. Matheson also updated the Commission on hiring of personnel and facility issues, and outlined the curriculum designed around the Grand Challenges.

Allison Violette, Assistant Superintendent, Cumberland County Schools, updated the Commission on the Cumberland International Early College High School. Ms. Violette spoke about progress in completion of applications to start the early college, student recruitment efforts and the school's marketing plan, and site location. Ms. Violette reported that for the first year, the school would be located on a Cumberland County School campus, and that the school was still projected to open in August 2011.

Dr. Marshall Stewart, Chair, Regional Agriscience and Biotechnology Study Commission (RABSC) presented the final report of the RABSC. After providing background on the RABSC, Dr. Stewart reviewed the identified guiding principles, and the report's recommendations on governance, funding, personnel, admissions, transportation, food service, and accountability. Dr. Stewart indicated that, after review of all applications, the Commission ranked the Northeast application highest as the site to establish the initial Agriscience and Biotechnology School.

Jimmy Chancey, Director, Career and Technical Education, Charlotte Mecklenburg Schools, spoke about the role of career academies in education improvement and the goal of graduating students career and college ready. Mr. Chancey spoke about the five-year career academy model options and the implementation timeline for these academies, and provided policy recommendations to the Commission for changes to facilitate the development of these models.

Dr. Eleanor Herndon, Interim Executive Director, NC REAL, spoke about NC REAL's commitment to entrepreneurial education and excitement about interest in this area. Dr. Jim Owen, NC REAL Board member, spoke about the parallels between the mission of

NC REAL and the JOBS Commission and programs that have been developed. Arlene Childers, Assistant Director, NC REAL, spoke about NC REAL's purpose and program goals and presented information to the Commission on the importance of entrepreneurship education and programs targeted at both students and teachers. These include experiential learning, youth camps, training for teachers in entrepreneurial skills and thinking, and work on financial literacy.

Paul Stock, Executive Vice President & Counsel, NC Bankers Association spoke about Lt. Governor Dalton's recent meeting with the Board of Directors of the Association. The Lt. Governor had presented the idea of creating a "finance-themed" Early College and/or Cooperative and Innovative High School to them. This idea had been well received and Mr. Stock indicated that he is heading up a committee of Board members to look into how the Banker's Association could assist with this initiative, especially in the Charlotte area.

Dr. Bryan Setser, Executive Director, NC Virtual Public Schools, gave an update on the Department of Public Instruction's "digital conversion" which will help to provide online textbooks and other teaching supports to all public schools. Dr. Setzer discussed the *Digital Learning Now* report which describes the key elements of high quality digital learning and several specific strategies to help states enhance their virtual learning access and success. He indicated that the Race to the Top (RttT) grant will help local school districts to provide wireless internet access and devices to students and teachers around the State. He also talked about the connection between STEM initiatives around the State, in the RttT initiative and digital learning, saying that the subject areas are very digital dependent.

Anita Brown-Graham, Executive Director, Institute for Emerging Issues, reported on the results of the 2010 Institute for Emerging Issues focus on creating a culture of creativity. They found that "creativity, or the practice of generating ideas that can be used to solve problems or invent new products," leads to innovation and would enhance the State's and nation's competitive advantage. Ms. Brown-Graham discussed the Institute's recommendations to improve the climate of creativity in NC, including recommendations connecting and partnering education, government, and business.

Courtney Thornton, Director of Research, Engagement and Capabilities Hub (REACH) of NC, demonstrated their online searchable expert database. The project has entered the name, publications, grants, and collaborators of UNC-CH experts into a searchable database to provide easier access to information and assistance to businesses, the military, educators, or anyone looking for persons with expertise in a variety of areas.

The Commission discussed and reviewed the draft interim report of the Commission to the Joint Legislative Education Oversight Committee and 2011 Session of the General Assembly. The Commission approved the report with changes.



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## FINDINGS AND RECOMMENDATIONS

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### 1. Progress of Recommended Pilot Programs

Following the Commission's recommendation in the 2010 Interim Report, planning and development began in three economic development regions for pilot schools focused around specific career clusters, with the goal of these schools serving as prototype models which can accelerate change and improve quality. The Commission finds that the following progress has been made on establishment of these schools and encourages these schools and their partners to continue their efforts.

- **Science, Technology, Engineering and Mathematics (STEM) - Wake County - NC State University STEM Early College High School**

In the Research Triangle Region, Wake County Public Schools and North Carolina State University (NCSU) have worked with the NC New Schools Project on the continued development of the Wake County/NC State University STEM Early College High School (STEM ECHS). The STEM ECHS has the mission of providing a highly supportive and academically challenging learning environment for students underserved in a traditional high school setting and underrepresented in the STEM disciplines, including first generation college going students, who will graduate prepared to compete globally in careers related to science, technology, engineering, and mathematics.

The STEM ECHS is scheduled to open in Fall 2011, and, as recommended by the Commission in the 2010 Interim Report, will examine STEM topics through the lens of the 14 Grand Challenges for Engineering identified by the National Academy of Engineering. The STEM ECHS was identified in North Carolina's successful Race to the Top proposal as one of the North Carolina New Schools Project's four STEM anchor schools which will accelerate the development of a fully articulated and coherent curriculum, instruction, assessment, and professional development model consistent with the NC vision for STEM education.

Located adjacent to the NCSU Centennial campus at capacity, the STEM ECHS will have a total population of 250 students. Funding recommended by the Commission in its 2010 Interim Report enabled the hiring and early start of the principal of the STEM ECHS to prepare for the school's opening. Applications for the freshman class will be accepted in the spring of 2011.

- **Language and Global Studies - Cumberland International Studies Early College High School**

In the Southeast Region, Cumberland County Schools and Fayetteville State University, partnering with the NC New Schools Project and the Center for International Understanding, began development of the Cumberland International Studies Early College High School (Cumberland ECHS). This effort is supported by the United States military, Visiting International Fellows, World View, and regional businesses.

The Cumberland ECHS has the mission to graduate all students globally competent, prepared to communicate, collaborate, and compete locally, nationally, and internationally through proficiency in a second language of strategic interest, global and cultural communications, and authentic project-based learning on global issues. The Cumberland ECHS has obtained a temporary site near the Fayetteville State University campus. Funding will be required to retrofit a permanent location for the Cumberland ECHS on the Fayetteville State University campus. The school is scheduled to open in Fall 2011 and applications for the freshman class will be accepted in the spring of 2011.

At the suggestion of the Lt. Governor, the Commission should study the concept of “branding” of the JOBS pilot schools and their replication. The Lt. Governor would like to consider the development of a uniform and recognizable symbol to represent a school of “excellence” that has a connection to the higher education and business communities.

## **2. Development of Regional High School Model**

Following the Commission's recommendation in the 2010 Interim Report to establish a regional high school focused on agriscience and biotechnology, the General Assembly created the North Carolina Agriscience and Biotechnology Regional School Planning Commission (RSPC). The Commission commends the diligent work of the RSPC and its chair, Dr. Marshall Stewart, in the development of its report, Establishing a Regional School of Agriscience and Biotechnology: Solving Key Problems to Enable Success. The RSPC also considered proposals from numerous locations in the State and made recommendations as to the most appropriate site location for the regional school.

In addition, the Governance Subcommittee of the Commission, chaired by Commission member Grant Godwin, also extensively considered the question of governance of multi-jurisdictional schools, and the Commission commends their work and detailed recommendation summary.

Based on these reports, the Commission recommends that a board be established to govern a regional school of agriscience and biotechnology which includes representation of local boards of education, higher education partners, business leaders, and parents.

The Commission finds that numerous resolutions and letters were submitted by local boards of education, local governments, businesses, and institutions of higher education to the RSPC in support of locating the regional school of agriscience and biotechnology in Northeast North Carolina, and that after reviewing all submissions, the RSPC ranked the Northeast proposal highest. The Commission recommends that the regional school be located at the Vernon G. James Research & Extension Center in Washington County, and serve the counties of Chowan, Hyde, Tyrrell, and Washington.

The Commission also encourages that regions which submitted proposals to the RSPC continue work to develop a network of sister schools focused on agriscience and biotechnology across North Carolina.

Finally, the Commission finds that the RSPC recommended the formation of a regional school advisory council to provide advice and assist with coordination of development of regional schools in other areas of the State, such as the NC Research Campus and the Yadkin Valley Career Academy. The Commission recommends that the General Assembly consider legislation to reauthorize the RSPC with this broad mission to facilitate the development of regional schools.

(See Legislative Proposal I) – (2011-TCz-2)

### **3. Education and Economic Alignment**

As previously recognized by the Commission in the 2010 Interim Report, the Commission continues to find that communication between leaders in education and economic development is critical to preparing students to meet employment and workforce preparation needs of each economic development region and the State of North Carolina. The Commission recommends that the Superintendent of Public Instruction be added as a member of the North Carolina Economic Development Board. The Commission also recommends that the General Assembly consider a constitutional amendment to align the counties that are in each of the existing education districts with those in the economic development districts.

(See Legislative Proposal II) – (2011-TLz-2)

### **4. Statewide STEM Visioning Plan**

Part of the Commission work is aligning the goals of Career and College-*Ready Set Go!* with the business community throughout the State, especially in the area of Science, Technology, Engineering and Math (STEM). This work involves a coordinated effort that aligns Race to the Top (RttP) and other investments in STEM education with local, regional, state and national workforce needs and post-secondary education STEM success. The JOBS Commission finds that while numerous efforts related to STEM education are occurring throughout the State, as noted by the RttT reviewers, there is some disconnect between these efforts. The Commission finds that a comprehensive plan is needed to connect these initiatives from kindergarten to college. At the November

meeting, Superintendent Atkinson asked the Commission to work with the Department of Public Instruction (DPI) on its efforts to develop this comprehensive plan. The NC STEM Advisory Panel of the Commission has begun work on these efforts.

The Commission recommends that the ongoing effort to create a Statewide STEM Plan be continued. The work of the JOBS STEM advisory panel on the development of a State STEM plan will be advised and informed by Battelle Memorial Institute, a national leader in STEM Education Strategy; their North Carolina partner, the NC STEM Community Collaborative; and others from an array of organizations with STEM interest. Battelle is investing funds and human capital into NC to assist with this plan. Battelle has provided this funding in anticipation of the State's matching investment. The NC STEM Community Collaborative and its public and private partners will also invest resources and expertise to support these goals in the State. The JOBS STEM advisory panel will also be supported by and work directly with DPI, and its assigned STEM team on these efforts. In addition to the resources from Battelle, the JOBS STEM advisory panel, along with other appropriate groups, should seek additional funding sources including grants, federal and state funds to implement the Statewide K-12 STEM strategy aligned with NC's PK-20 institutions and the State's economic needs. The Commission recommends that the comprehensive STEM Plan and strategies be submitted to the Education Cabinet for review, alignment, and implementation throughout the PK-20 system.

## **5. Five Year Career Academies**

This Commission finds, following enactment of legislation recommended by the Commission in the 2010 Interim Report, that consideration and planning for conversion of career academies to five-year models has begun in the Charlotte-Mecklenburg Schools. The Commission will continue exploration and development of this model in other local school administrative units throughout the State.

## **6. Further Initiatives**

The Commission finds that development of the Yadkin Valley Regional Career Academy continues with a focus on STEM and entrepreneurship and that the Contemporary Science Center, located in the Research Triangle Park has developed a vision to create a regional STEM incubator school to open in 2012. The Commission should follow the progress of these initiatives as the move forward and will make any further decisions accordingly. The Commission also finds that working groups have formed to develop proposals for schools focused on the career clusters of hospitality and tourism, as well as banking and finance. The Commission encourages this work and expresses interest in following the progress of these developments and identifying future support for these programs and other initiatives to be explored.

The Commission also appointed a business subcommittee to develop a clear path for involvement for businesses that partner with JOBS Commission supported schools. The subcommittees should work towards a plan that can also act as a model for all businesses that want to develop education partnerships to use as a guideline.

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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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BILL DRAFT 2011-TCz-2 [v.18] (09/14)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)  
1/25/2011 5:46:44 PM

Short Title: NC School of Biotechnology and Agriscience.

(Public)

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Sponsors: .

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Referred to:

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A BILL TO BE ENTITLED  
AN ACT TO CREATE THE NORTH CAROLINA SCHOOL OF  
AGRISCIENCE AND BIOTECHNOLOGY, AS RECOMMENDED BY THE  
JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS  
(JOBS) STUDY COMMISSION UPON THE RECOMMENDATIONS OF  
THE AGRISCIENCE AND BIOTECHNOLOGY REGIONAL SCHOOL  
PLANNING COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 115C of the General Statutes is amended by  
adding a new Article to read:

"Article 15A.

"North Carolina School of Agriscience and Biotechnology.

**"§ 115C-229A. Establishment of the North Carolina School of Agriscience  
and Biotechnology.**

(a) In order to foster, encourage, and promote the development of  
knowledge and skills in biotechnology and agricultural sciences, the North  
Carolina School of Agriscience and Biotechnology is established to offer a course  
of study for a high school diploma emphasizing the disciplines of science,  
technology, engineering, and mathematics, with a special focus on biotechnology  
and agriscience.

(b) The School shall be located at the Vernon G. James Research and  
Extension Center.

(c) The School shall be a public school.

(d) Except as otherwise provided in this Article, the School is exempt from  
statutes and rules applicable to a local board of education or local school  
administrative unit.

**"§ 115C-229B. Definitions.**

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The following definitions apply in this Article.

- (1) Board. – The Board of Directors of the North Carolina School of Agriscience and Biotechnology.
- (2) First generation student. – A student who has no parent who has completed a two- or four-year degree.
- (3) Participating units. – The local school administrative units of Chowan, Hyde, Tyrrell, and Washington Counties.
- (4) Principal. – The principal of the North Carolina School of Agriscience and Biotechnology.
- (5) School. – The North Carolina School of Agriscience and Biotechnology.

**"§ 115C-229C. Boards of Directors; appointment; terms of office.**

(a) Appointment. – There shall be a Board of Directors of the School which shall consist of the following members. Appointed members of the Board shall be selected for their interest in and commitment to the importance of public education to regional economic development and to the purposes of the School.

- (1) Local Boards of Education. – The local board of education for the participating units shall each appoint one member to the Board from among the membership of the local board of education. Members appointed by local boards of education shall serve terms of four years.
- (2) Local Superintendents. – The local superintendent of Washington County Schools shall serve as an ex officio member of the Board. One additional superintendent shall be selected from among the superintendents of the participating units by those superintendents. The additional superintendent shall serve an initial term of two years. Subsequent appointments shall serve a term of four years.
- (3) Economic Development Region. – The North Carolina's Northeast Commission shall appoint three members as representatives of the business community. At least one of the appointees shall be a resident of Washington County. The appointees shall serve an initial term of two years. Subsequent appointees shall serve a term of four years.
- (4) Parent Advisory Council. – The Parent Advisory Council established by G.S. 115C-229I shall appoint a member to the Board from among the Council membership. The member appointed by the Council shall serve a term of four years, or until the child of the parent no longer attends the School.
- (5) Higher Education Partners. – The Dean of the College of Agriculture and Life Sciences at North Carolina State University or the Dean's designee shall serve as an ex officio member of the Board. The Presidents of Beaufort Community College and the

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College of the Albemarle shall jointly select a president or president's designee to serve as an ex officio member of the Board.

(b) Vacancies. – Whenever an appointed member of the Board shall fail for any reason other than ill health or service in the interest of the State or nation to be present at three successive regular meetings of the Board, his or her place as a member of the Board shall be deemed vacant. Any member of the Board may be removed from office by the appointing authority for misfeasance, malfeasance, or nonfeasance in office. All vacancies shall be filled by the appointing authority for the remainder of the term of office.

### **"§ 115C-229D. Board of Directors; meetings; rules of procedure; officers.**

(a) The Board shall meet at least four times a year and may hold special meetings at anytime, at the call of the chair or upon petition addressed to the chair by a majority of the members of the Board. All meetings of the Board shall be subject to the requirements of Article 33C of Chapter 143 of the General Statutes.

(b) The Board shall elect a chair and a vice-chair from among its members, who shall serve a two-year term.

(c) All members of the Board shall be voting members except for the chair, who may only on matters to break a tie.

(d) The Board shall determine its own rules of procedure and may delegate to such committees as it may create such of its powers as it deems appropriate.

(e) Members of the Board shall receive such per diem compensation and necessary travel and subsistence expenses while engaged in the discharge of their official duties as is provided by law for members of State boards and commissions.

### **"§ 115C-229E. Board of Directors; Corporate Powers.**

(a) The Board shall be known and distinguished by the name of "North Carolina School of Biotechnology and Agriscience" and shall continue as a body politic and corporate and by that name shall have perpetual succession and a common seal. It shall be able and capable in law to take, demand, receive, and possess all moneys, goods, and chattels that shall be given for the use of the School, and to apply to same according to the will of the donors; and by gift, purchase, or devise to receive, possess, enjoy, and retain forever any and all real and personal estate and funds, of whatsoever kind, nature, or quality the same may be, in special trust and confidence that the same, or the profits thereof, shall be applied to and for the use and purpose of establishing and endowing the School, and shall have power to receive donations from any source whatsoever, to be devoted exclusively to the purposes of the maintenance of the School, or according to the terms of the donation.

(b) The Board shall be able and capable in law to bargain, sell, grant, alien, or dispose of and convey and assure to the purchasers any and all such real and personal estate and funds as it may lawfully acquire when the condition of the grant to it or the will of the deviser does not forbid it; and shall be able and

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capable in law to sue and be sued in all courts whatsoever; and shall have power to open and receive subscriptions; and in general may do all such things as are usually done by bodies corporate and politic, or such as may be necessary for the promotion of learning and virtue.

### **"§ 115C-229F. Board of Directors; powers and duties.**

The Board shall have the following powers and duties:

- (1) Academic program. –
  - a. The Board shall establish the standard course of study for the School. This course of study shall set forth the subjects to be taught in each grade and the texts and other educational materials on each subject to be used in each grade. The Board shall design its programs to at least meet the student performance standards adopted by the State Board of Education and the student performance standards contained in this Chapter.
  - b. The Board shall conduct student assessments required by the State Board of Education.
  - c. The Board shall provide the opportunity to earn or obtain credit towards degrees from a community college subject to Chapter 115D of the General Statutes or a constituent institution of The University of North Carolina.
  - d. The Board shall adopt a school calendar consisting of a minimum of 180 days of instruction covering at least nine calendar months. In establishing the school calendar, the Board shall consider the norms, expectations, and practices of the biotechnology and agriscience industries.
- (2) Standards of performance and conduct. – The Board shall establish policies and standards for academic performance, attendance, and conduct for students of the School. The policies of the Board shall comply with Article 27 of this Chapter.
- (3) School attendance. – Every parent, guardian, or other person in this State having charge or control of a child who is enrolled in the School and who is less than 16 years of age shall cause such child to attend school continuously for a period equal to the time which the School shall be in session. No person shall encourage, entice, or counsel any child to be unlawfully absent from the School. Any person who aids or abets a student's unlawful absence from the School shall, upon conviction, be guilty of a Class 1 misdemeanor. The Principal shall be responsible for implementing such additional policies concerning compulsory attendance as shall be adopted by the Board, including regulations concerning lawful and unlawful absences,



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- permissible excuses for temporary absences, maintenance of attendance records, and attendance counseling.
- (4) Reporting. – The Board shall comply with the reporting requirements established by the State Board of Education in the Uniform Education Reporting System.
  - (5) Assessment Results. – The Board shall provide data to the participating unit in which a student is domiciled on the performance of that student on any testing required by the State Board of Education.
  - (6) Education of children with disabilities. – The Board shall require compliance with laws and policies relating to the education of children with disabilities.
  - (7) Health and safety. – The Board shall require that the School meet the same health and safety standards required of a local school administrative unit.
  - (8) Driving eligibility certificates. – The Board shall apply the rules and policies established by the State Board of Education for issuance of driving eligibility certificates.
  - (9) Purchasing and contracts. – The Board shall comply with the purchasing and contract statutes and regulations applicable to local school administrative units.
  - (10) Exemption from the Administrative Procedures Act. – The Board shall be exempt from Chapter 150B of the General Statutes, except final decisions of the Board in a contested case shall be subject to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes.

### **"§115C-229G. Student Admissions and Assignment.**

(a) School enrollment. – The total enrollment of the School shall not exceed 100 students in each grade level.

(b) Residency requirement. – A student must be domiciled in a participating unit to be eligible to attend the School. A student's eligibility to remain enrolled in the School shall terminate at the end of any school year during which a student ceases to satisfy the residency requirements.

(c) Participating unit allotments. – The number of student seats in the freshman class of the School shall be assigned proportionate to the total student population of the participating units, as determined by the participating unit's final average daily membership in the preceding school year. If fewer students residing in a participating unit elect to attend the School than available allotted seats, the remaining seats shall be divided proportionally among the other participating units.

(d) Admissions criteria. – The Board shall establish criteria, standards, and procedures for admission of students. The admission criteria shall give priority to first generation students, and shall include the following.

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- (1) Demonstrated academic achievement, particularly in science, technology, engineering and mathematics.
- (2) Demonstrated student interest in attendance.
- (3) Documented parental support for student attendance.

(e) Lottery. – If the number of eligible students meeting the Board's admission criteria exceeds the seats available through the participating unit allotment, students shall be accepted by lot.

### "§115C-229H. Employees.

The Board shall appoint all certified and noncertified staff.

- (1) Principal. – The Board shall employ and contract with a Principal for a term not to exceed three years. The principal shall meet the requirements for certification set out in G.S. 115C-284, unless waived by the State Board of Education upon submission of a request by the Board. The principal shall be responsible for school operations and shall exercise those duties and powers delegated by the Board.
- (2) Teachers. – The Board shall employ and contract with necessary teachers to perform the particular service for which they are employed in the school. At least fifty percent (50%) of teachers employed by the Board shall hold teacher certificates, unless waived by the State Board of Education upon submission of a request by the Board.
- (3) Career Status. – Employees of the Board shall not be eligible for career status. If a teacher employed by a local school administrative unit makes a written request for a leave of absence to teach at the School, the local school administrative unit shall grant the leave for one year. For the initial year of the School's operation, the local school administrative unit may require that the request for a leave of absence be made up to 45 days before the teacher would otherwise have to report for duty. After the initial year of the School's operation, the local school administrative unit may require that the request for a leave of absence be made up to 90 days before the teacher would otherwise have to report for duty. A local board of education is not required to grant a request for a leave of absence or a request to extend or renew a leave of absence for a teacher who previously has received a leave of absence from that school board under this subdivision. A teacher who has career status under G.S. 115C-325 prior to receiving a leave of absence to teach at the School may return to a public school in the local school administrative unit with career status at the end of the leave of absence or upon the end of employment at the School if an appropriate position is available. If an appropriate position is

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unavailable, the teacher's name shall be placed on a list of available teachers and that teacher shall have priority on all positions for which that teacher is qualified in accordance with G.S. 115C-325(e)(2).

- (4) Noncertified Staff. – The Board also may employ necessary employees who are not required to hold teacher certificates to perform duties other than teaching and may contract for other services.
- (5) Employment Dismissal. – An employee of the Board is not an employee of the local school administrative unit in which the School is located. The Board may discharge certified and noncertificated employees according to the terms of the employment contract.
- (6) Employee Benefits. – Employees of the Board shall participate in the Teachers' and State Employees' Retirement System and the State Health Plan on the same terms as employees employed by local boards of education.
- (7) Exemptions. – Employees of the Board shall be exempt from Chapter 126 of the General Statutes, except Articles 6 and 7.

### **"§ 115C-229I. Parent Advisory Council, purpose, appointments.**

(a) Purpose. – There shall be a Parent Advisory Council to serve as a resource and provide input to the Board as to the operation of the School. The Board shall consult the Parent Advisory Council when considering changes to the School's operations which may significantly impact students attending the School.

(b) Appointment. – Each local board of education of the participating units shall appoint two members to the Parent Advisory Council for a term of four years or until the member's child no longer attends the School. Appointees shall be parents or guardians of students attending the School and shall, to the extent possible, reflect the demographic composition of the participating units.

### **"§ 115C-229J. State and local funds.**

(a) The State Board of Education shall allocate to the School:

- (1) An amount equal to the average per pupil allocation for average daily membership from the participating unit allotments for each child attending the School, except for the allocation for children with disabilities and for the allocation for children with limited English proficiency.
- (2) An additional amount for each child attending the School who is a child with disabilities. In the event a child with disabilities leaves the School and enrolls in a public school during the first 60 school days in the school year, the School shall return a pro rata amount of funds allocated for that child to the State Board, and the State Board shall reallocate those funds to the local school administrative unit in which the public school is located.

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In the event a child with disabilities enrolls in the School during the first 60 school days in the school year, the State Board shall allocate to the School the pro rata amount of additional funds for children with disabilities.

(3) An additional amount for children with limited English proficiency attending the School, based on a formula adopted by the State Board.

(b) The State Board shall allow for annual adjustments to the amount allocated to the School based on its enrollment growth in school years subsequent to the initial year of operation.

(c) For each child who enrolls in the School, the participating unit in which the child resides shall transfer to the School an amount equal to the per pupil amount of all money appropriated to the local current expense fund for the participating unit for the fiscal year. The amount transferred under this subsection that consists of revenue derived from supplemental taxes shall be transferred only if the child enrolled in the School resides in that tax district.

### "§ 115C-229K. Finance and budget.

(a) The Washington County Board of Education shall be the finance agent for the Board and shall have all the rights, duties, and obligations for receipt, accounting, and dispersing funds for the Board, including all the rights, duties, and obligations specified in Article 31 of this Chapter, which powers shall be exercised by the Washington County Board of Education for and on behalf of the Board. The Board shall provide reasonable compensation to the Washington County Board of Education for this service.

(b) No later than 10 days after the money is appropriated to the local current expense fund, each local board of education of a participating unit shall transfer to the Board the amount required under G.S. 115C-229J(c) for each child enrolled in the School who resides in that participating unit. Once it has received funds from the local board of education, the Board shall be under no obligation to return the funds.

### "§115C-229L. Participating units.

(a) Transportation. – A participating unit which otherwise provides transportation to students enrolled in that unit shall provide transportation to students domiciled within the participating unit to the School.

(b) Food Service. – Washington County Schools shall provide, to the extent practicable, school food services to the School. For purposes of federal funding through the National School Lunch Program or other federally supported food service programs, Washington County Schools shall be permitted to include eligible students enrolled in the School. Participating units other than Washington County may not include students enrolled in the School for purposes of federally supported food service programs.

### "§ 115C-229M. Criminal history record checks.

(a) As used in this section:

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(1) "Criminal history" means a county, state, or federal criminal history of conviction of a crime, whether a misdemeanor or a felony, that indicates an individual (i) poses a threat to the physical safety of students or personnel, or (ii) has demonstrated that he or she does not have the integrity or honesty to fulfill his or her duties as school personnel. These crimes include the following North Carolina crimes contained in any of the following Articles of Chapter 14 of the General Statutes: Article 5A, Endangering Executive and Legislative, and Court Officers; Article 6, Homicide; Article 7A, Rape and Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretense and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; and Article 60, Computer-Related Crime. These crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5. In addition to the North Carolina crimes listed in this subdivision, such crimes also include similar crimes under federal law or under the laws of other states.

(2) "School personnel" means any:

- a. Member of the Board,
- b. Employee of the School, or
- c. Independent contractor or employee of an independent contractor of the School if the independent contractor carries out duties customarily performed by school personnel, whether paid with federal, State, local, or other funds, who has significant access to students or who has responsibility for the fiscal management of the School.

(b) The Board shall adopt a policy on whether and under what circumstances school personnel shall be required to be checked for a criminal

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history. The Board shall apply its policy uniformly in requiring school personnel to be checked for a criminal history. The Board may grant conditional approval of an application while the Board is checking a person's criminal history and making a decision based on the results of the check.

The Board shall not require school personnel to pay for the criminal history check authorized under this section.

(c) The Board shall require the person to be checked by the Department of Justice (i) to be fingerprinted and to provide any additional information required by the Department of Justice to a person designated by the Board, or to the local sheriff or the municipal police, whichever is more convenient for the person, and (ii) to sign a form consenting to the check of the criminal record and to the use of fingerprints and other identifying information required by the repositories. The Board shall consider refusal to consent when making employment decisions and decisions with regard to independent contractors. The fingerprints of the individual shall be forwarded to the State Bureau of Investigation for a search of the State criminal history record file, and the State Bureau of Investigation shall forward a set of fingerprints to the Federal Bureau of Investigation for a national criminal history record check. The Department of Justice shall provide to the Board the criminal history from the State and National Repositories of Criminal Histories of any school personnel for which the Board requires a criminal history check.

The Board shall not require school personnel to pay for the fingerprints authorized under this section.

(d) The Board shall review the criminal history it receives on an individual. The Board shall determine whether the results of the review indicate that the individual (i) poses a threat to the physical safety of students or personnel, or (ii) has demonstrated that he or she does not have the integrity or honesty to fulfill his or her duties as school personnel and shall use the information when making employment decisions and decisions with regards to independent contractors. The Board shall make written findings with regard to how it used the information when making employment decisions and decisions with regards to independent contractors. The Board may delegate any of the duties in this subsection to the Principal.

(e) The Board, or the Principal if designated by the Board, shall provide to the State Board of Education the criminal history it receives on a person who is certificated, certified, or licensed by the State Board of Education. The State Board of Education shall review the criminal history and determine whether the person's certificate or license should be revoked in accordance with State laws and rules regarding revocation.

(f) All the information received by the Board through the checking of the criminal history or by the State Board of Education in accordance with this section is privileged information and is not a public record but is for the exclusive use of the Board or the State Board of Education. The Board or the State Board of

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Education may destroy the information after it is used for the purposes authorized by this section after one calendar year.

(g) There shall be no liability for negligence on the part of the Board, or its employees, or the State Board of Education, or its employees, arising from any act taken or omission by any of them in carrying out the provisions of this section. The immunity established by this subsection shall not extend to gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable. The immunity established by this subsection shall be deemed to have been waived to the extent of indemnification by insurance, indemnification under Articles 31A and 31B of Chapter 143 of the General Statutes, and to the extent sovereign immunity is waived under the Tort Claims Act, as set forth in Chapter 31 of Chapter 143 of the General Statutes.

(h) Any applicant for employment who willfully furnishes, supplies, or otherwise gives false information on an employment application that is the basis for a criminal history record check under this section shall be guilty of a Class A1 misdemeanor."

**SECTION 2.** G.S. 115B-2(a) reads as rewritten:

**"§ 115B-2. Tuition waiver authorized.**

(a) The constituent institutions of The University of North Carolina and the community colleges as defined in G.S. 115D-2(2) shall permit the following persons to attend classes for credit or noncredit purposes without the required payment of tuition:

- (1) Repealed by Session Laws 2009-451, s. 8.11(a), effective July 1, 2009.
- (2) Any person who is the survivor of a law enforcement officer, firefighter, volunteer firefighter, or rescue squad worker killed as a direct result of a traumatic injury sustained in the line of duty.
- (3) The spouse of a law enforcement officer, firefighter, volunteer firefighter, or rescue squad worker who is permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty.
- (4) Any child, if the child is at least 17 years old but not yet 24 years old, whose parent is a law enforcement officer, firefighter, volunteer firefighter, or rescue squad worker who is permanently and totally disabled as a direct result of a traumatic injury sustained in the line of duty. However, a child's eligibility for a waiver of tuition under this Chapter shall not exceed: (i) 54 months, if the child is seeking a baccalaureate degree, or (ii) if the child is not seeking a baccalaureate degree, the number of months required to complete the educational program to which the child is applying.
- (5) Any child, if the child (i) is at least 17 years old but not yet 24 years old, (ii) is a ward of North Carolina or was a ward of the State at the time the child reached the age of 18, (iii) is a resident of the State; and (iv) is eligible for services under the Chaffee Education and Training Vouchers Program; but the waiver shall only be to the extent that there is any tuition still payable after receipt of other financial aid received by the student.

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- (6) Any child enrolled in the North Carolina School of Biotechnology and Agriscience as established by Article 15A of Chapter 115C of the General Statutes."

**SECTION 3.** G.S. 114-19.2 reads as rewritten:

**"§ 114-19.2. Criminal record checks of school personnel.**

(a) The Department of Justice may provide a criminal record check to the local board of education of a person who is employed in a public school in that local school district or of a person who has applied for employment in a public school in that local school district, if the employee or applicant consents to the record check. The Department may also provide a criminal record check of school personnel as defined in G.S. 115C-332 by fingerprint card to the local board of education from National Repositories of Criminal Histories, in accordance with G.S. 115C-332. The information shall be kept confidential by the local board of education as provided in Article 21A of ~~Chapter 115C.~~Chapter 115C of the General Statutes.

(a1) The Department of Justice may provide a criminal history record check to the Board of Directors of the North Carolina School of Biotechnology and Agriscience of a person who is employed at the North Carolina School of Biotechnology and Agriscience or of a person who has applied for employment at the North Carolina School of Biotechnology and Agriscience, if the employee or applicant consents to the record check. The Department may also provide a criminal history record check of school personnel as defined in G.S. 115C-229M by fingerprint card to the Board of Directors of the North Carolina School of Biotechnology and Agriscience from National Repositories of Criminal Histories, in accordance with G.S. 115C-229M. The information shall be kept confidential by the Board of Directors of the North Carolina School of Biotechnology and Agriscience as provided in G.S. 115C-229M.

(b) The Department of Justice may provide a criminal record check to the employer of a person who is employed in a nonpublic school or of a person who has applied for employment in a nonpublic school, if the employee or applicant consents to the record check. For purposes of this subsection, the term nonpublic school is one that is subject to the provisions of Article 39 of Chapter 115C of the General Statutes, but does not include a home school as defined in that Article.

(c) The Department of Justice shall charge a reasonable fee for conducting a criminal record check under this section. The fee shall not exceed the actual cost of locating, editing, researching, and retrieving the information.

(c1) The Department of Justice may provide a criminal record check to the schools within the Department of Health and Human Services of a person who is employed, applies for employment, or applies to be selected as a volunteer, if the employee or applicant consents to the record check. The Department of Health and Human Services shall keep all information pursuant to this subsection confidential, as provided in Article 7 of Chapter 126 of the General Statutes.

(d) The Department of Justice shall adopt rules to implement this section."



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### SECTION 4. G.S. 126-5(c1) reads as rewritten:

"(c1) Except as to the provisions of Articles 6 and 7 of this Chapter, the provisions of this Chapter shall not apply to:

- (1) Constitutional officers of the State.
- (2) Officers and employees of the Judicial Department.
- (3) Officers and employees of the General Assembly.
- (4) Members of boards, committees, commissions, councils, and advisory councils compensated on a per diem basis.
- (5) Officials or employees whose salaries are fixed by the General Assembly, or by the Governor, or by the Governor and Council of State, or by the Governor subject to the approval of the Council of State.
- (6) Employees of the Office of the Governor that the Governor, at any time, in the Governor's discretion, exempts from the application of the provisions of this Chapter by means of a letter to the State Personnel Director designating these employees.
- (7) Employees of the Office of the Lieutenant Governor, that the Lieutenant Governor, at any time, in the Lieutenant Governor's discretion, exempts from the application of the provisions of this Chapter by means of a letter to the State Personnel Director designating these employees.
- (8) Instructional and research staff, physicians, and dentists of The University of North Carolina, including the faculty of the North Carolina School of Science and Mathematics.
- (8a) [Employees of the North Carolina School of Biotechnology and Agriscience.](#)
- (9) Employees whose salaries are fixed under the authority vested in the Board of Governors of The University of North Carolina by the provisions of G.S. 116-11(4), 116-11(5), and 116-14.
- (9a) Employees of the North Carolina Cooperative Extension Service of North Carolina State University who are employed in county operations and who are not exempt pursuant to subdivision (8) or (9) of this subsection.
- (10) Repealed by Session Laws 1991, c. 84, s. 1.
- (11) Repealed by Session Laws 2006-66, s. 9.11(z), effective July 1, 2007.
- (12), (13) Repealed by Session Laws 2001-474, s. 15, effective November 29, 2001.
- (14) Employees of the North Carolina State Ports Authority.
- (15) Employees of the North Carolina Global TransPark Authority.
- (16) The executive director and one associate director of the North Carolina Center for Nursing established under Article 9F of Chapter 90 of the General Statutes.

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- (17) Repealed by Session Laws 2004-129, s. 37, effective July 1, 2004.
- (18) Employees of the Tobacco Trust Fund Commission established in Article 75 of Chapter 143 of the General Statutes.
- (19) Employees of the Health and Wellness Trust Fund Commission established in Article 21 of Chapter 130A of the General Statutes.
- (20) Repealed by Session Laws 2008-134, s. 73(d), effective July 28, 2008.
- (21) Employees of the Clean Water Management Trust Fund.
- (22) Employees of the North Carolina Turnpike Authority.
- (23) The Executive Administrator and the Deputy Executive Administrator of the State Health Plan for Teachers and State Employees.
- (24) Employees of the State Health Plan for Teachers and State Employees as designated by law or by the Executive Administrator of the Plan.
- (25) The North Carolina State Lottery Director and employees of the North Carolina State Lottery.
- (26) The Executive Director, associate and assistant directors, and instructional staff of the North Carolina Teacher Academy.
- (27) The Chief Administrative Law Judge of the Office of Administrative Hearings.
- (28) The Executive Director and the Assistant Director of the U.S.S. North Carolina Battleship Commission.
- (29) The Executive Director, Deputy Director, all other directors, assistant and associate directors, and center fellows of the North Carolina Center for the Advancement of Teaching."

**SECTION 5.** This act is effective when it becomes law.

LEGISLATIVE PROPOSAL II

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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BILL DRAFT 2011-TLz-2 [v.1] (12/03)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)  
12/3/2010 11:40:49 AM

Short Title: Add Supt. to NC Econ. Dev. Bd.

(Public)

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Sponsors: Unknown.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO ADD THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION TO THE ECONOMIC DEVELOPMENT BOARD, AS RECOMMENDED BY THE JOINT LEGISLATIVE JOINING OUR BUSINESSES AND SCHOOLS (JOBS) STUDY COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143B-434(b) reads as rewritten:

"(b) Membership. – The Economic Development Board shall consist of ~~38~~39 members. The Secretary of Commerce shall serve ex officio as a member and as the secretary of the Economic Development Board. The Secretary of Revenue shall serve as an ex officio, nonvoting member. The Secretary of the Department of Cultural Resources shall serve as an ex officio, nonvoting member. Four members of the House of Representatives appointed by the Speaker of the House of Representatives, four members of the Senate appointed by the President Pro Tempore of the Senate, the Superintendent of Public Instruction, or designee, the President of The University of North Carolina, or designee, the President of the North Carolina Community College System, or designee, the Secretary of State, and the President of the Senate (or the designee of the President of the Senate), shall serve as members of the Board. The Governor shall appoint the remaining 23 members of the Board. Effective with the terms beginning July 1, 1997, one of the Governor's appointees shall be a representative of a nonprofit organization involved in economic development and two of the Governor's appointees shall be county economic development representatives. The Governor shall designate a chair and a vice chair from among the members of the Board. Appointments to the Board made by the Governor for terms beginning July 1, 1997, and appointments

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to the Board made by the Speaker of the House of Representatives and the President Pro Tempore of the Senate for terms beginning July 9, 1993, should reflect the ethnic and gender diversity of the State as nearly as practical.

The initial appointments to the Board shall be for terms beginning on July 9, 1993. Of the initial appointments made by the Governor, the terms shall expire July 1, 1997. Of the initial appointments made by the Speaker of the House of Representatives and by the President Pro Tempore of the Senate two appointments of each shall be designated to expire on July 1, 1995; the remaining terms shall expire July 1, 1997. Thereafter, all appointments shall be for a term of four years.

The appointing officer shall make a replacement appointment to serve for the unexpired term in the case of a vacancy.

The members of the Economic Development Board shall receive per diem and necessary travel and subsistence expenses payable to members of State Boards and agencies generally pursuant to G.S. 138 5 and G.S. 138 6, as the case may be. The members of the Economic Development Board who are members of the General Assembly shall not receive per diem but shall receive necessary travel and subsistence expenses at rates prescribed by G.S. 120 3.1."

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

