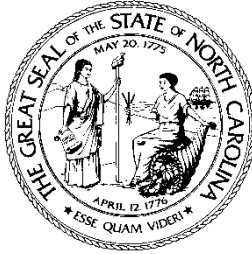


GENERAL ASSEMBLY OF NORTH CAROLINA



SPECIAL PROVISIONS  
HOUSE APPROPRIATIONS, EDUCATION REPORT

APRIL 26, 2019 - EDUC COMMITTEE SPECIAL PROVISION REPORT

Report Last Updated: April 25, 2019 10:14 p.m.

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GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-NCCCS-H5-P

North Carolina Community College System  
House Appropriations, Education

Requested by

1 ***CODIFY REORGANIZATION AUTHORITY OF CC SYSTEM OFFICE***

2 SECTION #. G.S. 115D-3 reads as rewritten:

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

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

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

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

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

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

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SPECIAL PROVISION



2019-NCCCS-H1-P

North Carolina Community College System  
House Appropriations, Education

Requested by

1 ***CC TUITION WAIVER/CAMPUS POLICE OF PRIVATE INSTITUTIONS OF HIGHER***  
2 ***EDUCATION***

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

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

- 13 (1) Persons not enrolled in elementary or secondary schools taking courses  
14 leading to a high school diploma or equivalent certificate.
- 15 (2) Courses requested by the following entities that support the organizations'  
16 training needs and are on a specialized course list approved by the State Board  
17 of Community Colleges:
  - 18 a. Volunteer fire departments.
  - 19 b. Municipal, county, or State fire departments.
  - 20 c. Volunteer EMS or rescue and lifesaving departments.
  - 21 d. Municipal, county, or State EMS or rescue and lifesaving departments.
  - 22 d1. Law enforcement, fire, EMS or rescue and lifesaving entities serving  
23 a lake authority that was created by a county board of commissioners  
24 prior to July 1, 2012.
  - 25 e. Radio Emergency Associated Communications Teams (REACT)  
26 under contract to a county as an emergency response agency.
  - 27 f. Municipal, county, or State law enforcement agencies.
  - 28 f1. Campus police agencies of private institutions of higher education  
29 certified by the Attorney General pursuant to Chapter 74G of the  
30 General Statutes.
  - 31 g. The Division of Adult Correction and Juvenile Justice of the  
32 Department of Public Safety for the training of full-time custodial  
33 employees and employees of the Division required to be certified  
34 under Article 1 of Chapter 17C of the General Statutes and the rules  
35 of the Criminal Justice and Training Standards Commission.
  - 36 h. Repealed by Session Laws 2017-186, s. 2(hhhhh), effective December  
37 1, 2017.
  - 38 i. The Eastern Band of Cherokee Indians law enforcement, fire, EMS or  
39 rescue and lifesaving tribal government departments or programs.

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j. The Criminal Justice Standards Division of the Department of Justice for the training of criminal justice professionals, as defined in G.S. 17C-20(6), who are required to be certified under (i) Article 1 of Chapter 17C of the General Statutes and the rules of the North Carolina Criminal Justice Education and Training Standards Commission or (ii) Chapter 17E of the General Statutes and the rules of the North Carolina Sheriffs' Education and Training Standards Commission. The waivers provided for in this sub-subdivision apply to participants and recent graduates of the North Carolina Criminal Justice Fellows Program to obtain certifications for eligible criminal justice professions as defined in G.S. 17C-20(6).

...."

**SECTION #.(b)** This section applies beginning with the 2019-2020 academic year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-NCCCS-H2-P

North Carolina Community College System  
House Appropriations, Education

Requested by

1 **NC CAREER COACHES/LOCAL MATCHING FUNDS**

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

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

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

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

15 a. Evidence of a signed memorandum of understanding that meets, at a  
16 minimum, the requirements of this section.

17 b. Evidence that the funding request will be matched ~~dollar for dollar~~  
18 with local ~~funds~~ funds in accordance with the following:

19 1. Matching funds may come from public or private sources.

20 2. The match amount shall be determined based on the location  
21 of a community college's main campus as follows:

22 I. If located in a tier-one county as defined in  
23 G.S. 143B-437.08, no local match shall be required.

24 II. If located in a tier-two county as defined in  
25 G.S. 143B-437.08, one dollar (\$1.00) of local funds for  
26 every two dollars (\$2.00) in State funds shall be  
27 required.

28 III. If located in a tier-three county as defined in  
29 G.S. 143B-437.08, one dollar (\$1.00) of local funds for  
30 every one dollar (\$1.00) in State funds shall be  
31 required.

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

35 a. Consideration of the workforce needs of business and industry in the  
36 region.

37 b. Targeting of resources to enhance ongoing economic activity within  
38 the community college service area and surrounding counties.

39 c. Geographic diversity of awards."



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-NCCCS-H3-P

North Carolina Community College System  
House Appropriations, Education

Requested by

1 **ALLOW CCS TO EARN FTE FOR INSTRUCTION IN LOCAL JAILS**

2 **SECTION #.(a)** Section 8.3(b) of S.L. 2010-31 reads as rewritten:

3 **"SECTION 8.3.(b)** Courses in federal prisons ~~or local jails~~ shall not earn regular budget  
4 full-time equivalents, but may be offered on a self-supporting basis."

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

6 **"§ 115D-5. Administration of institutions by State Board of Community Colleges;**  
7 **personnel exempt from North Carolina Human Resources Act; extension**  
8 **courses; tuition waiver; in-plant training; contracting, etc., for establishment**  
9 **and operation of extension units of the community college system; use of existing**  
10 **public school facilities.**

11 ...

12 (c) No course of instruction shall be offered by any community college at State expense  
13 or partial State expense to any captive or co-opted group of students, as defined by the State  
14 Board of Community Colleges, without prior approval of the State Board of Community  
15 Colleges. All course offerings approved for State prison inmates or prisoners in local jails must  
16 be tied to clearly identified job skills, transition needs, or both. Approval by the State Board of  
17 Community Colleges shall be presumed to constitute approval of both the course and the group  
18 served by that institution. The State Board of Community Colleges may delegate to the President  
19 the power to make an initial approval, with final approval to be made by the State Board of  
20 Community Colleges. A course taught without such approval will not yield any full-time  
21 equivalent students, as defined by the State Board of Community Colleges.

22 (c1) Community colleges shall report full-time equivalent (FTE) student hours for  
23 correction education programs on the basis of ~~contact hours rather than~~ student membership  
24 hours. No community college shall operate a multi-entry/multi-exit class or program in a prison  
25 facility, except for a literacy class or program.

26 The State Board shall work with the Division of Adult Correction and Juvenile Justice of the  
27 Department of Public Safety on offering classes and programs that match the average length of  
28 stay of an inmate in a prison facility.

29 ...."

30 **SECTION #.(c)** Beginning with the 2019-2020 academic year, community college  
31 courses offered in local jails shall earn regular budget full-time equivalents.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-NCCCS-H6-P

North Carolina Community College System  
House Appropriations, Education

Requested by

1 **WAIVE TUITION/DEPENDENTS OF FALLEN CORRECTIONAL OFFICERS**

2 **SECTION #.(a)** G.S. 115B-1 reads as rewritten:

3 **"§ 115B-1. Definitions.**

4 The following definitions apply in this Chapter:

5 (1) Correctional officer. – An employee of an employer who is certified as a State  
6 correctional officer under the provisions of Article 1 of Chapter 17C of the  
7 General Statutes.

8 ~~(1)~~(1a) Employer. – The State of North Carolina and its departments, agencies, and  
9 institutions; or a county, city, town, or other political subdivision of the State.

10 ...

11 (4) Permanently and totally disabled as a direct result of a traumatic injury  
12 sustained in the line of duty. – A person: (i) who as a law enforcement officer,  
13 correctional officer, firefighter, volunteer firefighter, or rescue squad worker  
14 suffered a disabling injury while in active service or training for active service,  
15 (ii) who at the time of active service or training was a North Carolina resident,  
16 and (iii) who has been determined to be permanently and totally disabled for  
17 compensation purposes by the North Carolina Industrial Commission.

18 ...

19 (6) Survivor. – Any person whose parent, legal guardian, legal custodian, or  
20 spouse: (i) was a law enforcement officer, a correctional officer, a firefighter,  
21 a volunteer firefighter, or a rescue squad worker, (ii) was killed while in active  
22 service or training for active service or died as a result of a service-connected  
23 disability, and (iii) at the time of active service or training was a North  
24 Carolina resident. The term does not include the widow or widower of a law  
25 enforcement officer, correctional officer, firefighter, volunteer firefighter, or  
26 a rescue squad worker if the widow or widower has remarried.

27 ...."

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

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

32 ...

33 (2) Any person who is the survivor of a law enforcement officer, correctional  
34 officer, firefighter, volunteer firefighter, or rescue squad worker killed as a  
35 direct result of a traumatic injury sustained in the line of duty.

36 (3) The spouse of a law enforcement officer, correctional officer, firefighter,  
37 volunteer firefighter, or rescue squad worker who is permanently and totally  
38 disabled as a direct result of a traumatic injury sustained in the line of duty.

39 (4) Any child, if the child is at least 17 years old but not yet 24 years old, whose  
40 parent, legal guardian, or legal custodian is a law enforcement officer,

1                    correctional officer, firefighter, volunteer firefighter, or rescue squad worker  
2                    who is permanently and totally disabled as a direct result of a traumatic injury  
3                    sustained in the line of duty. However, a child's eligibility for a waiver of  
4                    tuition under this Chapter shall not exceed: (i) 54 months, if the child is  
5                    seeking a baccalaureate degree, or (ii) if the child is not seeking a  
6                    baccalaureate degree, the number of months required to complete the  
7                    educational program to which the child is applying.

8                    ...."

9                    **SECTION #.(c)** G.S. 115B-5(b)(3) reads as rewritten:

10                    "(3) The cause of death of the law enforcement officer, correctional officer,  
11                    firefighter, volunteer firefighter, or rescue squad worker shall be verified by  
12                    certification from the records of the Department of State Treasurer, the  
13                    appropriate city or county law enforcement agency that employed the  
14                    deceased, the administrative agency for the fire department or fire protection  
15                    district recognized for funding under the Department of State Auditor, or the  
16                    administrative agency having jurisdiction over any paid firefighters of all  
17                    counties and cities."

18                    **SECTION #.(d)** This section applies beginning with the 2019-2020 academic year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-NCCCS-H7-P

North Carolina Community College System  
House Appropriations, Education

Requested by

1 **REMOVE RESTRICTION ON STANLY CC FROM USING STATE FUNDS FOR**  
2 **CULINARY PROGRAM OFF CAMPUS**

3 **SECTION #.(a)** G.S. 115D-31(b1) reads as rewritten:

4 "(b1) A local community college may use all State funds allocated to it, except for Literacy  
5 funds and Customized Training funds, for any authorized purpose that is consistent with the  
6 college's Institutional Effectiveness ~~Plan, except that the State funds shall not be used to fund a~~  
7 ~~culinary program located at a site other than the main campus of the college.~~ Plan. The State  
8 Board of Community Colleges may authorize a local community college to use up to twenty  
9 percent (20%) of the State Literacy funds allocated to it to provide employability skills,  
10 job-specific occupational and technical skills, and developmental education instruction to  
11 students concurrently enrolled in an eligible community college literacy course.

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

15 **SECTION #.(b)** Section 9.15(b) of S.L. 2017-57 is repealed.

16 **SECTION #.(c)** Subsection (a) of this section applies only to Stanly Community  
17 College.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H2-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***FUNDS FOR CHILDREN WITH DISABILITIES***  
2 **SECTION #.** The State Board of Education shall allocate additional funds for  
3 children with disabilities on the basis of four thousand four hundred forty-two dollars and  
4 thirty-four cents (\$4,442.34) per child for fiscal years 2019-2020 and 2020-2021. Each local  
5 school administrative unit shall receive funds for the lesser of (i) all children who are identified  
6 as children with disabilities or (ii) twelve and seventy-five hundredths percent (12.75%) of its  
7 2019-2020 allocated average daily membership in the local school administrative unit. The dollar  
8 amounts allocated under this section for children with disabilities shall also be adjusted in  
9 accordance with legislative salary increments, retirement rate adjustments, and health benefit  
10 adjustments for personnel who serve children with disabilities.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H3-P

Department of Public Instruction  
House Appropriations, Education

Requested by

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

2       **SECTION #.** The State Board of Education shall allocate additional funds for  
3 academically or intellectually gifted children on the basis one thousand three hundred thirty-nine  
4 dollars and fourteen cents (\$1,339.14) per child for fiscal years 2019-2020 and 2020-2021. A  
5 local school administrative unit shall receive funds for a maximum of four percent (4%) of its  
6 2019-2020 allocated average daily membership, regardless of the number of children identified  
7 as academically or intellectually gifted in the unit. The dollar amounts allocated under this section  
8 for academically or intellectually gifted children shall also be adjusted in accordance with  
9 legislative salary increments, retirement rate adjustments, and health benefit adjustments for  
10 personnel who serve academically or intellectually gifted children.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H4-P

Department of Public Instruction  
House Appropriations, Education

Requested by

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

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

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

- 13 (1) Anticipated county property tax revenue availability. – The county-adjusted  
14 property tax base multiplied by the effective State average tax rate.
- 15 (2) Anticipated total county revenue availability. – The sum of the following:
  - 16 a. Anticipated county property tax revenue availability.
  - 17 b. Local sales and use taxes received by the county that are levied under  
18 Chapter 1096 of the 1967 Session Laws or under Subchapter VIII of  
19 Chapter 105 of the General Statutes.
  - 20 c. Fines and forfeitures deposited in the county school fund for the most  
21 recent year for which data are available.
- 22 (3) Anticipated total county revenue availability per student. – The anticipated  
23 total county revenue availability for the county divided by the average daily  
24 membership of the county.
- 25 (4) Anticipated State average revenue availability per student. – The sum of all  
26 anticipated total county revenue availability divided by the average daily  
27 membership for the State.
- 28 (5) Average daily membership. – Average daily membership as defined in the  
29 North Carolina Public Schools Allotment Policy Manual adopted by the State  
30 Board of Education. If a county contains only part of a local school  
31 administrative unit, the average daily membership of that county includes all  
32 students who reside within the county and attend that local school  
33 administrative unit.
- 34 (6) County-adjusted property tax base. – Computed as follows:
  - 35 a. Subtract the present-use value of agricultural land, horticultural land,  
36 and forestland in the county, as defined in G.S. 105-277.2, from the  
37 total assessed real property valuation of the county.
  - 38 b. Adjust the resulting amount by multiplying by a weighted average of  
39 the three most recent annual sales assessment ratio studies.
  - 40 c. Add to the resulting amount the following:

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



1 real property in a county has been revalued one year prior to the most recent  
2 sales assessment ratio study, a weighted average of the two most recent sales  
3 assessment ratios shall be used. If property has been revalued the year of the  
4 most recent sales assessment ratio study, the sales assessment ratio for the year  
5 of revaluation shall be used.

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

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

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

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

43 **SECTION #.(g) Nonsupplant Requirement.** – A county in which a local school  
44 administrative unit receives funds under this section shall use the funds to supplement local  
45 current expense funds and shall not supplant local current expense funds. For the 2019-2021  
46 fiscal biennium, the State Board of Education shall not allocate funds under this section to a  
47 county found to have used these funds to supplant local per student current expense funds. The  
48 State Board of Education shall make a finding that a county has used these funds to supplant  
49 local current expense funds in the prior year, or the year for which the most recent data are  
50 available, if all of the following criteria apply:

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

7 The State Board of Education shall adopt rules to implement the requirements of this  
8 subsection.

9 **SECTION #.(h)** Counties Containing a Base of the Armed Forces. –  
10 Notwithstanding any other provision of this section, for the 2019-2021 fiscal biennium, counties  
11 containing a base of the Armed Forces of the United States that have an average daily  
12 membership of more than 17,000 students shall receive whichever is the higher amount in each  
13 fiscal year as follows: either the amount of supplemental funding the county received as a  
14 low-wealth county in the 2012-2013 fiscal year or the amount of supplemental funding the county  
15 is eligible to receive as a low-wealth county pursuant to the formula for distribution of  
16 supplemental funding under the other provisions of this section.

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

21 **SECTION #.(j)** Reports. – For the 2019-2021 fiscal biennium, the State Board of  
22 Education shall report to the Fiscal Research Division prior to May 15 of each year if it  
23 determines that counties have supplanted funds.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H5-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **SMALL COUNTY SCHOOL SYSTEM SUPPLEMENTAL FUNDING**

2 **SECTION #.(a)** Allotment Schedule for the 2019-2021 Fiscal Biennium. – Except  
3 as otherwise provided in subsection (d) of this section, each eligible county school administrative  
4 unit shall receive a dollar allotment according to the following schedule:

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

14 **SECTION #.(b)** Phase-Out Provision for the 2019-2020 Fiscal Year. – If a local  
15 school administrative unit becomes ineligible for funding under the schedule in subsection (a) of  
16 this section in the 2019-2020 fiscal year, funding for that unit shall be phased out over a five-year  
17 period. Funding for such local school administrative units shall be reduced in equal increments  
18 in each of the five years after the unit becomes ineligible. Funding shall be eliminated in the fifth  
19 fiscal year after the local school administrative unit becomes ineligible.

20 Allotments for eligible local school administrative units under this subsection shall  
21 not be reduced by more than twenty percent (20%) of the amount received in fiscal year  
22 2018-2019 in any fiscal year. A local school administrative unit shall not become ineligible for  
23 funding if either the highest of the first two months' total projected average daily membership for  
24 the current year or the higher of the first two months' total prior year average daily membership  
25 would otherwise have made the unit eligible for funds under the schedule in subsection (a) of this  
26 section.

27 **SECTION #.(c)** Phase-Out Provision for the 2020-2021 Fiscal Year. – If a local  
28 school administrative unit becomes ineligible for funding under the schedule in subsection (a) of  
29 this section in the 2020-2021 fiscal year, funding for that unit shall be phased out over a five-year  
30 period. Funding for such local school administrative units shall be reduced in equal increments  
31 in each of the five years after the unit becomes ineligible. Funding shall be eliminated in the fifth  
32 fiscal year after the local administrative unit becomes ineligible.

33 Allotments for eligible local school administrative units under this subsection shall  
34 not be reduced by more than twenty percent (20%) of the amount received in fiscal year  
35 2019-2020 in any fiscal year. A local school administrative unit shall not become ineligible for  
36 funding if either the highest of the first two months' total projected average daily membership for  
37 the current year or the higher of the first two months' total prior year average daily membership  
38 would otherwise have made the unit eligible for funds under the schedule in subsection (a) of this  
39 section.

1           **SECTION #.(d)** Nonsupplant Requirement for the 2019-2021 Fiscal Biennium. – A  
2 county in which a local school administrative unit receives funds under this section shall use the  
3 funds to supplement local current expense funds and shall not supplant local current expense  
4 funds. For the 2019-2021 fiscal biennium, the State Board of Education shall not allocate funds  
5 under this section to a county found to have used these funds to supplant local per student current  
6 expense funds. The State Board of Education shall make a finding that a county has used these  
7 funds to supplant local current expense funds in the prior year or the year for which the most  
8 recent data are available, if all of the following criteria apply:

9           (1) The current expense appropriation per student of the county for the current  
10 year is less than ninety-five percent (95%) of the average of local current  
11 expense appropriation per student for the three prior fiscal years.

12           (2) The county cannot show (i) that it has remedied the deficiency in funding or  
13 (ii) that extraordinary circumstances caused the county to supplant local  
14 current expense funds with funds allocated under this section.

15           The State Board of Education shall adopt rules to implement the requirements of this  
16 subsection.

17           **SECTION #.(e)** Reports. – For the 2019-2021 fiscal biennium, the State Board of  
18 Education shall report to the Fiscal Research Division prior to May 15 of each fiscal year if it  
19 determines that counties have supplanted funds.

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

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

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H6-P

Department of Public Instruction  
House Appropriations, Education

Requested by

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

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

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

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

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

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

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

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

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H8-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **DEPARTMENT OF PUBLIC INSTRUCTION REORGANIZATION AUTHORITY**

2 **SECTION #.(a)** Notwithstanding G.S. 143C-6-4, for the 2019-2021 fiscal biennium,  
3 the Department of Public Instruction may, after consultation with the Office of State Budget and  
4 Management and the Fiscal Research Division, reorganize the Department, realign fund  
5 structures, or both, if necessary, to implement (i) the reorganization authorized in Section 7.7 of  
6 S.L. 2017-57, as amended by Section 7.5 of S.L. 2018-5, (ii) recommendations resulting from  
7 the audit required pursuant to Section 7.23L of S.L. 2017-57, and (iii) other changes necessary  
8 to improve the efficiency of the Department. Consultation shall occur prior to requesting  
9 budgetary and personnel changes through the budget revision process. The Department of Public  
10 Instruction shall provide (i) a current organization chart and a list of affected funds and (ii) the  
11 proposed organization chart and a list of affected funds clearly identifying the changes for the  
12 Department in the consultation process and shall report to the Joint Legislative Commission on  
13 Governmental Operations on any reorganization, including any movement of positions and funds  
14 between fund codes on a recurring basis.

15 **SECTION #.(b)** In implementing (i) the reorganization authorized in Section 7.7 of  
16 S.L. 2017-57, as amended by Section 7.5 of S.L. 2018-5, (ii) recommendations resulting from  
17 the audit required pursuant to Section 7.23L of S.L. 2017-57, and (iii) other changes necessary  
18 to improve the efficiency of the Department of Public Instruction, the Department of Public  
19 Instruction shall make no reduction to funding for (i) the State Public School Fund, including for  
20 the following residential schools: Eastern North Carolina School for the Deaf, the North Carolina  
21 School for the Deaf, and the Governor Morehead School, and (ii) any budget expansion item  
22 funded by an appropriation to the Department of Public Instruction by this act for the 2019-2021  
23 fiscal biennium. The Department shall also make no transfers from or reduction to funding or  
24 positions for any of the following:

- 25 (1) Communities in Schools of North Carolina, Inc.
- 26 (2) Teach For America, Inc.
- 27 (3) Beginnings for Parents of Children Who are Deaf or Hard of Hearing, Inc.
- 28 (4) The Excellent Public Schools Act, Read to Achieve Program, initially  
29 established under Section 7A.1 of S.L. 2012-142.
- 30 (5) The North Carolina School Connectivity Program.
- 31 (6) The North Carolina Center for the Advancement of Teaching.
- 32 (7) The North Carolina Innovative School District.
- 33 (8) Eastern North Carolina STEM.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

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SPECIAL PROVISION



2019-DPI-H10-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **DEPARTMENT ISSUE REQUEST FOR PROPOSALS FOR EDUCATION FUNDING**  
2 **EVALUATION**

3 **SECTION #.(a)** No later than September 15, 2019, the Department of Public  
4 Instruction shall issue a Request for Proposals (RFP) to independent research organizations to  
5 perform an evaluation of the State's system for funding public schools and to propose alternative  
6 funding systems. The evaluation and proposal shall include the following components:

- 7 (1) An in-depth study of the State's current public school allotment system,  
8 including all public school funding formulas and distributions.
- 9 (2) A review of alternative funding systems for elementary and secondary public  
10 schools, including charter schools. The review should include a discussion of  
11 the various types of weighted student formula funding models proposed and  
12 actually used in other states.
- 13 (3) A suggested base amount of funds that could be distributed on a per student  
14 basis to provide a student in the State with a sound basic education.
- 15 (4) Student characteristics that could be eligible for weighted funding and  
16 suggested weights for each of those characteristics.
- 17 (5) Suggested adjustments to the base amount of funds in light of characteristics  
18 of individual local school administrative units or groups of local school  
19 administrative units with similar characteristics.
- 20 (6) Which funding components, if any, should remain outside the base amount of  
21 funds distributed on a per student basis.
- 22 (7) Suggestions for improving the system of distributing State funds to public  
23 schools by (i) maximizing equity, transparency, and adequacy and (ii)  
24 minimizing complexity and inefficiency.
- 25 (8) The estimated fiscal impact of any proposed alternative funding systems on  
26 the public schools, including projected positive and negative fiscal impacts on  
27 each local school administrative unit and charter school.

28 **SECTION #.(b)** No later than December 15, 2019, the Department shall select an  
29 independent research organization to complete the evaluation. The independent research  
30 organization selected by the Department pursuant to subsection (a) of this section shall report the  
31 results of its evaluation to the State Board of Education no later than December 31, 2020. The  
32 State Board shall provide the report to the offices of the President Pro Tempore of the Senate and  
33 the Speaker of the House of Representatives, the Senate Appropriations/Base Budget Committee,  
34 the House Committee on Appropriations, the Senate Appropriations Committee on  
35 Education/Higher Education, the House Appropriations Committee on Education, the Fiscal  
36 Research Division, and the Joint Legislative Education Oversight Committee.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

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SPECIAL PROVISION



2019-DPI-H11-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 *CONTINUE EXPANSION OF SCHOOL CONNECTIVITY*  
2 *INITIATIVE/CYBERSECURITY AND RISK MANAGEMENT*

3 **SECTION #.(a)** The State Board of Education and the Department of Public  
4 Instruction, in collaboration with the Friday Institute at North Carolina State University, shall  
5 continue the expansion of the School Connectivity Initiative client network engineering to  
6 include cybersecurity and risk management services supporting local school administrative units  
7 and charter schools. The expansion shall include the following:

- 8 (1) Continuous monitoring and risk assessment. – Cloud-based solutions to  
9 discover assets, assess their security posture, and recommend corrective  
10 actions based on real-world risk reduction.  
11 (2) Security advisory and consulting services. – Five regional security consultants  
12 working with schools to assess security posture and develop and implement  
13 improvement plans. The plans shall include security policy, building security  
14 programs, implementing effective security controls, and ongoing support for  
15 operating security governance.  
16 (3) Security training and education services. – Security training and education for  
17 teachers, staff, and administrators.

18 **SECTION #.(b)** Funds appropriated to the Department by this act for the 2019-2021  
19 fiscal biennium for the School Connectivity Initiative and cybersecurity shall be used to develop  
20 and implement the above cybersecurity and risk management services to support public school  
21 cybersecurity and risk management service operations.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

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SPECIAL PROVISION



2019-DPI-H9-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **ADVANCED TEACHING ROLES CHANGES**

2 **SECTION #.(a)** Effective June 30, 2020, the following session laws are repealed:

- 3 (1) Section 8.7 of S.L. 2016-94.
- 4 (2) Section 7.11(a) of S.L. 2017-57.
- 5 (3) Section 7.15(b) of S.L. 2017-57.
- 6 (4) Section 7.9 of S.L. 2018-5.

7 **SECTION #.(b)** Article 20 of Chapter 115C is amended by adding a new section to  
8 read:

9 **"§ 115C-311. Teacher compensation models and advanced teaching roles.**

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

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

34 (b) Request for Proposal. – By September 15, 2019, and annually thereafter, the State  
35 Board of Education shall issue a Request for Proposal (RFP) for the program. Local boards of  
36 education shall submit their proposals by October 15. The RFP shall require that proposals  
37 include the following information at a minimum:

- 38 (1) Description of the program structure, including both of the following:

- 1           a.     The process for teacher advancement based on performance,  
2           professional growth, or the specific teacher roles assumed by the  
3           teacher.
- 4           b.     Plans for how the local school administrative unit will utilize and train  
5           classroom teachers in advanced teaching roles. These plans shall draw  
6           a direct correlation between the proposed use and training of  
7           classroom teachers in advanced teaching roles and improved student  
8           outcomes.
- 9           (2)    Descriptions of the advanced teaching roles, including minimum  
10          qualifications for the positions that shall include at least two of the following:
- 11          a.     Advanced certifications, such as National Board for Professional  
12          Teaching Standards Certification, or a master's degree in the area in  
13          which the classroom teacher is licensed and teaching.
- 14          b.     A rating of at least accomplished on each of the Teacher Evaluation  
15          Standards 1-5 on the North Carolina Teacher Evaluation instrument.
- 16          c.     Evidence that the teacher has an average Education Value-Added  
17          Assessment System (EVAAS) student growth index score from the  
18          three previous school years of 1.5 or greater and no individual EVAAS  
19          student growth index score below zero.
- 20          d.     Equivalent demonstrated mastery of teaching skills as required by the  
21          new local compensation model.
- 22          (3)    Job responsibilities that include at least one of the following:
- 23          a.     Teaching an increased number of students and being accountable for  
24          their performance as the teacher of record for those students.
- 25          b.     Becoming a lead classroom teacher among a group of teachers and  
26          participating in EVAAS according to a model developed by the  
27          Department of Public Instruction. The model shall be published and  
28          explained on the Department's Web site no later than August 1, 2019,  
29          and, thereafter, within 30 days of any change made to the model.
- 30          c.     Leading a school-wide effort to implement data-driven instructional  
31          models that include blended learning environments, utilizing digital  
32          learning and resources, and focusing on methods of improvement for  
33          school-wide performance issues.
- 34          d.     Providing in-house professional development or functioning as an  
35          instructional content area coach or a coach in another professional  
36          development area following the completion of certification training.  
37          The training shall ensure that the professional development or  
38          coaching the teacher provides is faithfully implemented in the  
39          classroom.
- 40          (4)    Description of how the local school administrative unit will inform all  
41          employees and the public on the criteria and selection for the advanced  
42          teaching roles, the continued eligibility requirements for the advanced  
43          teaching roles, and how the individuals selected for the advanced teaching  
44          roles will be evaluated.
- 45          (5)    Description of how the local school administrative unit will inform all  
46          employees and the public on the criteria for movement on the proposed new  
47          local compensation model.
- 48          (6)    The process for the voluntary relinquishment of an advanced teaching role,  
49          including the associated additional duties. Voluntary relinquishment of the  
50          advanced teaching role shall not be considered a demotion under Part 3 of  
51          Article 22 of Chapter 115C of the General Statutes.

- 1           (7)   Salary supplement information including the following:  
2           a.     The amount of the salary supplements that will be provided to those  
3           selected for the advanced teaching roles. The supplements may be up  
4           to thirty percent (30%) of the State teacher salary schedule.  
5           b.     A statement by the local school administrative unit that the salary  
6           supplements will be paid as a supplement to the classroom teacher's  
7           regular salary and not be included in the average salary calculation  
8           used for budgeting State allotments.  
9           c.     A statement by the local school administrative unit that if a classroom  
10          teacher in an advanced teaching role (i) fails to maintain the minimum  
11          criteria established for the position, (ii) is not successfully performing  
12          the additional duties associated with the advanced teaching role, or (iii)  
13          voluntarily relinquishes the advanced teaching role, the teacher shall  
14          only be paid the salary applicable to that individual on the State teacher  
15          salary schedule and any other local supplements that would otherwise  
16          apply to the classroom teacher's compensation.  
17          d.     Loss of an advanced teaching role shall not be considered a demotion  
18          under Part 3 of Article 22 of Chapter 115C of the General Statutes.  
19          e.     The amount of the salary supplements at all levels of the proposed new  
20          compensation model in relation to the State teacher salary schedule.  
21        (8)   The implementation plan, including the number of schools in the local school  
22          administrative unit that will have advanced teaching roles and any new  
23          proposed compensation model, the number of advanced teaching roles at each  
24          of those schools, the number of students whose teacher of record will be a  
25          teacher in an advanced teaching role, and the number of teachers overall who  
26          would be eligible for the proposed new compensation model.  
27        (9)   Plans for long-term financial sustainability once any grant money that may be  
28          awarded to the local school administrative unit is no longer available. This  
29          plan shall include a description of how the unit intends to provide  
30          supplemental compensation for teachers in an advanced teaching role without  
31          grant money.  
32        (10) A description of how the local school administrative unit could partner with  
33          local educator preparation programs, institutions of higher education, or  
34          community colleges to improve teacher effectiveness and student outcomes.  
35        (c)   Selection by State Board of Education. – By December 15, 2019, and annually  
36          thereafter, the State Board of Education shall review proposals and select local school  
37          administrative units to participate in the program, beginning in the subsequent school year, in  
38          accordance with the following criteria:  
39           (1)   Selected local school administrative units must meet minimum criteria  
40           established by the State Board of Education consistent with this section.  
41           (2)   The State Board shall prioritize the award of available State funds for the  
42           following categories of local school administrative units:  
43           a.     Up to five units with an average daily membership from the previous  
44           school year of 4,000 or fewer students.  
45           b.     Up to five units with an average daily membership from the previous  
46           school year of between 4,001 and 20,000 students.  
47           c.     Up to five units with an average daily membership from the previous  
48           school year of 20,001 or more students.  
49           (3)   The State Board shall approve the proposal of any local school administrative  
50           unit that is submitted by October 15, 2019, if the following criteria are met:

1           a.     The local school administrative unit is participating in an approved  
2                    advanced teaching roles program pursuant to Section 8.7 of S.L.  
3                    2016-84 in the 2019-2020 school year.

4           b.     The application of a local school administrative unit is not inconsistent  
5                    with this section.

6           (d)    Advanced Teaching Roles Designation. – Any local board of education that is  
7                    selected to participate in the program pursuant to subsection (c) of this section shall designate  
8                    participating schools within the unit as "Advanced Teaching Roles" schools. Every Advanced  
9                    Teaching Roles school shall receive class size flexibility pursuant to subsection (i) of this section  
10                   and budget flexibility pursuant to subsection (j) of this section.

11          (e)    Material Revisions of Plans. – Material revisions of a plan submitted to the State  
12                    Board of Education by a local board of education with at least one Advanced Teaching Roles  
13                    school shall be made only upon the approval of the State Board of Education.

14          (f)    Renewal and Termination. – The initial selected local school administrative units  
15                    shall implement their approved plans beginning with the 2020-2021 school year. Every five years  
16                    after a local school administrative unit begins implementing its plan, the State Board of Education  
17                    shall review the unit to ensure it is complying with its approved plan. After the review, the State  
18                    Board may, in its discretion, renew or terminate the plan of any local school administrative unit  
19                    that fails to meet criteria established by the State Board in accordance with this section and the  
20                    Advanced Teaching Roles designation of any school within that unit. Throughout the program,  
21                    a local school administrative unit shall provide any information or access requested by (i) the  
22                    State Board of Education or (ii) the independent research organization selected by the State Board  
23                    of Education to evaluate the program pursuant to this section.

24          (g)    Term; Use of Grant Funds. – Any funds awarded to a local school administrative unit  
25                    pursuant to this section shall be subject to availability and awarded for a term of up to three years,  
26                    in the discretion of the State Board. A local school administrative unit shall not be eligible to  
27                    receive funding for more than one term. Funds awarded to local school administrative units shall  
28                    be used for any of the following:

29                (1)    Development of advanced teaching role plans.

30                (2)    Development of professional development courses for teachers in advanced  
31                    teaching roles that lead to improved student outcomes.

32                (3)    Transition costs associated with designing and implementing advanced  
33                    teaching role models. Transition costs may include employing staff members  
34                    or contractors to assist with design and implementation of the plan.

35                (4)    Development of the design and implementation of compensation plans that  
36                    focus on teacher professional growth and student outcomes and the transition  
37                    costs associated with designing and implementing new compensation plans,  
38                    including employing staff members or contractors to assist with design and  
39                    implementation of the plan.

40          (h)    Program Evaluation. – The State Board of Education shall evaluate how the advanced  
41                    teaching roles and new compensation plans have accomplished, at a minimum, the following:

42                (1)    Improvement in the quality of classroom instruction and increases in  
43                    school-wide growth or the growth of teachers who are mentored or impacted  
44                    by a teacher in an advanced teaching role.

45                (2)    An increase in the attractiveness of teaching.

46                (3)    Recognition, impact, and retention of high-quality classroom teachers.

47                (4)    Assistance to and retention of beginning classroom teachers.

48                (5)    Improvement in and expansion of the use of technology and digital learning.

49                (6)    School culture based on school climate survey results.

50                The State Board shall contract with an independent research organization to perform this  
51                    evaluation in the first two years of the program and provide reports on October 15, 2020, and

1 October 15, 2021. Beginning October 15, 2022, and annually thereafter, the State Board shall  
2 perform the evaluation and provide the report. The State Board shall provide any report required  
3 in accordance with this subsection to the offices of the President Pro Tempore of the Senate and  
4 the Speaker of the House of Representatives, the Senate Appropriations/Base Budget Committee,  
5 the House Committee on Appropriations, the Senate Appropriations Committee on  
6 Education/Higher Education, the House Appropriations Committee on Education, the Fiscal  
7 Research Division, and the Joint Legislative Education Oversight Committee.

8 (i) Class Size Flexibility. – Notwithstanding G.S. 115C-301, with the approval of the  
9 State Board of Education, Advanced Teaching Roles schools selected to participate in the  
10 program may exceed the maximum class size requirements for kindergarten through third grade.

11 (j) Budget Flexibility. – Notwithstanding any other provision of law, the State Board of  
12 Education shall authorize local boards of education participating in the program to use any  
13 available State funds to provide salary supplements to classroom teachers in an advanced  
14 teaching role as long as the local school administrative unit complies with policies of the State  
15 Board of Education, federal law, and any State programs with specific restrictions on the use of  
16 funds, including bonus and grant programs."

17 **SECTION #.(c)** Funds appropriated to the Department of Public Instruction by this  
18 act for the 2019-2020 fiscal year shall be used to (i) support teacher compensation models and  
19 advanced teaching roles pursuant to Section 8.7 of S.L. 2016-94, as amended by Section 7.11 of  
20 S.L. 2017-57 and Section 7.9 of S.L. 2018-5, and (ii) develop implementation plans for teacher  
21 compensation models and advanced teaching roles pursuant to G.S. 115C-311, as enacted by this  
22 act. These funds shall not revert at the end of the fiscal year but shall remain available until  
23 expended.

24 **SECTION #.(d)** Funds appropriated to the Department of Public Instruction by this  
25 act for the 2020-2021 fiscal year shall be used to support teacher compensation models and  
26 advanced teaching roles and to develop implementation plans for teacher compensation models  
27 and advanced teaching roles pursuant to G.S. 115C-311, as enacted by this act. Beginning in the  
28 2020-2021 fiscal year, funds appropriated to the Department of Public Instruction for the program  
29 and for the evaluation of the program shall not revert at the end of the fiscal year but shall remain  
30 available until expended.

31 **SECTION #.(e)** Beginning in the 2019-2020 fiscal year, of the funds appropriated  
32 to the Department of Public Instruction by this act to support teacher compensation models and  
33 advanced teaching roles and to develop associated implementation plans, the Department may  
34 use up to four percent (4%) each fiscal year to evaluate the program, contract with an independent  
35 research organization to evaluate the program, or continue any preexisting contract with an  
36 independent research organization formed pursuant to Section 8.7 of S.L. 2016-94. Any  
37 remaining funds may be awarded to selected local school administrative units in accordance with  
38 this act to support teacher compensation models and advanced teaching roles and to develop  
39 associated implementation plans.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H21-P

Department of Public Instruction  
House Appropriations, Education

Requested by

- 1 ***DIGITAL LEARNING PLAN FUNDS CARRYFORWARD***
- 2       **SECTION #.** Funds appropriated to the Department of Public Instruction for the
- 3 Digital Learning Plan pursuant to this act shall not revert at the end of the 2019-2020 fiscal year,
- 4 but shall remain available until expended.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H22-P

Department of Public Instruction  
House Appropriations, Education

Requested by

- 1 ***NCCAT PERMITTED TO CONTRACT FOR EXPANDED TEACHER CADET PROGRAM***
- 2       **SECTION #.** Of the funds appropriated to the Department of Public Instruction for
- 3 the North Carolina Center for the Advancement of Teaching by this act for the 2019-2021 fiscal
- 4 biennium, the North Carolina Center for the Advancement of Teaching is permitted to contract
- 5 with the North Carolina Foundation for Public School Children to expand that organization's
- 6 North Carolina Teacher Cadet Program.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H23-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***RECONCILE PRINCIPAL ALLOTMENT REQUIREMENTS***

2 **SECTION #.(a)** G.S. 115C-284(f) reads as rewritten:

3 "(f) The allotment of classified principals shall be one principal for each duly constituted  
4 school with (i) seven or more state-allotted ~~teachers~~ teachers and (ii) a final total average daily  
5 membership of 100 or more students."

6 **SECTION #.(b)** Sections 7.14(a) and 7.14(c) of S.L. 2011-145 are repealed.

7 **SECTION #.(c)** Subsection (a) of this section applies only to schools created after  
8 July 1, 2011.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H20-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **CREATE DEFINITION FOR PUBLIC SCHOOLS/SCHOOL RESOURCE OFFICERS**  
2 **REPORT**

3 **SECTION #.(a)** G.S. 115C-5 is amended by adding a new subdivision to read:

4 "(11) Public school unit. – Any of the following:

- 5 a. A local school administrative unit.  
6 b. A charter school.  
7 c. A regional school.  
8 d. A school providing elementary or secondary instruction operated by  
9 one of the following:  
10 1. The State Board of Education, including schools operated  
11 under Article 7A and Article 9C of this Chapter.  
12 2. The University of North Carolina, including schools operated  
13 under Articles 4, 29, and 29A of Chapter 116 of the General  
14 Statutes."

15 **SECTION #.(b)** G.S. 115C-105.57 reads as rewritten:

16 "**§ 115C-105.57. Center for Safer Schools.**

17 (a) Center for Safer Schools Established. – There is established the Center for Safer  
18 Schools. The Center for Safer Schools shall be administratively located in the Department of  
19 Public Instruction. The Center for Safer Schools shall consist of an executive director appointed  
20 by the Superintendent of Public Instruction and such other professional, administrative, technical,  
21 and clerical personnel as may be necessary to assist the Center for Safer Schools in carrying out  
22 its powers and duties.

23 (b) Executive Director. – The Executive Director shall report to and serve at the pleasure  
24 of the Superintendent of Public Instruction at a salary established by the Superintendent within  
25 the funds appropriated for this purpose.

26 (c) Powers and Duties. – The Center for Safer Schools shall have all powers and duties  
27 provided in this Article.

28 (d) Agency Cooperation. – All State agencies and departments shall cooperate with the  
29 Center for Safer Schools in carrying out its powers and duties, as necessary, in accordance with  
30 this Article.

31 (e) Annual Census of School Resource Officers. – The Center for Safer Schools shall  
32 conduct an annual census of school resource officers located in each public school unit. The  
33 Center shall submit a report based on this census to the Joint Legislative Education Oversight  
34 Committee and the State Board of Education by March 1 of each year. At a minimum, the report  
35 shall include all of the following information:

- 36 (1) The total number of school resource officers in the State and in each public  
37 school unit.  
38 (2) Data regarding school resources officers' education levels, years as sworn law  
39 enforcement officers, and years as school resource officers.

- 1           (3)   Training required of school resource officers and training actually completed
- 2                   by school resource officers, including training specific to the position of
- 3                   school resource officer and other advanced or additional training.
- 4           (4)   The funding source for all school resource officers.
- 5           (5)   The location of school resource officers, differentiated by grade levels and
- 6                   type of public school unit.
- 7           (6)   The percentage of SROs assigned to more than one school.
- 8           (7)   The law enforcement affiliation of school resource officers."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H24-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **TEACH FOR AMERICA REPORTING REQUIREMENT**

2 SECTION #.(a) G.S. 120-70.84 reads as rewritten:

3 "**§ 120-70.84. Reports to the Committee.**

4 By March 1, 2014, and by January 1, 2015, and annually thereafter, ~~TFA [Teach for America,~~  
5 ~~Inc.]~~ Teach for America, Inc. (TFA) shall report to the offices of the President Pro Tempore of  
6 the Senate and the Speaker of the House of Representatives, the Senate Appropriations/Base  
7 Budget Committee, the House Appropriations Committee, the Senate Appropriations Committee  
8 on Education/Higher Education, the House Appropriations Committee on Education, the Joint  
9 Legislative Education Oversight Committee Committee, and the Fiscal Research Division on the  
10 operation of its programs under subsection (a) of Section 8.21 of S.L. 2013-360, including at  
11 least all of the following information:

- 12 (1) The total number of applications received nationally from candidates seeking  
13 participation in the program.
- 14 (2) The total number of applications received from candidates who are residents  
15 of North Carolina and information on the source of these candidates, including  
16 the number of (i) recent college graduates and the higher institution the  
17 candidates attended, (ii) mid-career level and lateral entry industry  
18 professionals, and (iii) veterans of the United States Armed Forces.
- 19 (3) The total number of North Carolina candidates accepted by TFA.
- 20 (4) The total number of accepted candidates placed in North Carolina, including  
21 the number of accepted candidates who are residents of North Carolina.
- 22 (5) The regions in which accepted candidates have been placed, the number of  
23 candidates in each region, and the number of students impacted by placement  
24 in those regions.
- 25 (6) Success of recruitment efforts, including the Teach Back Home program and  
26 targeting of candidates who are (i) working in areas related to STEM  
27 education, (ii) mid-career level and lateral entry industry professionals, and  
28 (iii) veterans of the United States Armed Forces.
- 29 (7) Success of retention efforts, including the Teach Beyond Two and Make it  
30 Home programs, and the percentage of accepted candidates working in their  
31 placement communities beyond the initial TFA two-year commitment period  
32 and the number of years those candidates teach beyond the initial  
33 commitment.
- 34 (7a) The percentage of candidates who are residents of North Carolina and become  
35 principals in a North Carolina public school following the initial TFA  
36 two-year commitment period.
- 37 (8) A financial accounting of how the State funds appropriated to TFA were  
38 expended in the previous year, including at least the following information:
  - 39 a. Funds expended by region of the State.
  - 40 b. Details on program costs, including at least the following:

- 1                                   1.     Recruitment, candidate selection, and placement.
- 2                                   2.     Preservice training and preparation costs.
- 3                                   3.     Operational and administrative costs, including development
- 4   and fundraising, alumni support, management costs, and
- 5   marketing and outreach.
- 6                                   c.     Funds received through private fundraising, specifically by sources in
- 7   each region of the State."

8                                   **SECTION #.(b)** Section 8.21(e) of S.L. 2013-360 is repealed.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H30-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***BROADEN CHARTER SCHOOL SIBLING PRIORITY***

2 **SECTION #.(a)** G.S. 115C-218.45(f) reads as rewritten:

3 "(f) The charter school may give enrollment priority to any of the following:

4 (1) Siblings of currently enrolled students who were admitted to the charter school  
5 in a previous year. For the purposes of this section, the term "siblings"  
6 includes any of the following who reside in the same household: half siblings,  
7 stepsiblings, and children residing in a family foster home.

8 (1a) Siblings who apply to the charter school for admission beginning in the same  
9 school year.

10 (2) Siblings of students who have completed the highest grade level offered by  
11 that school and who were enrolled in at least four grade levels offered by the  
12 charter school or, if less than four grades are offered, in the maximum number  
13 of grades offered by the charter school.

14 (2a) A student who was enrolled in a preschool program operated by the charter  
15 school in the prior year.

16 (3) Limited to no more than fifteen percent (15%) of the school's total enrollment,  
17 unless granted a waiver by the State Board of Education, the following:

18 a. Children of ~~the school's~~ persons employed to work full-time  
19 employees for the charter school, including children of contracted  
20 employees.

21 b. Children of the charter school's board of directors.

22 (4) A student who was enrolled in the charter school within the two previous  
23 school years but left the school (i) to participate in an academic study abroad  
24 program or a competitive admission residential program or (ii) because of the  
25 vocational opportunities of the student's parent.

26 (5) A student who was enrolled in another charter school in the State in the  
27 previous school year that does not offer the student's next grade level.

28 (6) A student who was enrolled in another charter school in the State in the  
29 previous school year that does not offer the student's next grade level and both  
30 of the charter schools have an enrollment articulation agreement to accept  
31 students or are governed by the same board of directors.

32 (7) A student who was enrolled in another charter school in the State in the  
33 previous school year."

34 **SECTION #.(b)** This section is effective when it becomes law and applies beginning  
35 with the 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H28-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***ENSURE SUFFICIENT STAFFING FOR PUBLIC SCHOOLS***

2 **SECTION #.(a)** G.S. 115C-84.2 is amended by adding a new subsection to read:

3 "(b1) Alterations of Adopted School Calendar. – A local board of education shall not alter  
4 a school calendar once adopted unless necessary to address a severe weather condition, energy  
5 shortage, utility failure, public health crisis, school safety crisis, emergency related to a school  
6 building or school transportation, or act of God."

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

8 "(d) Personal Leave. – The following shall apply to personal leave:

9 (1) Calculation and Benefits. – Teachers earn personal leave at the rate of .20 days  
10 for each full month of employment not to exceed two days per year. Personal  
11 leave may be accumulated without any applicable maximum until June 30 of  
12 each year. A teacher may carry forward to July 1 a maximum of five days of  
13 personal leave; the remainder of the teacher's personal leave shall be converted  
14 to sick leave on June 30. At the time of retirement, a teacher may also convert  
15 accumulated personal leave to sick leave for creditable service towards  
16 retirement. Teachers may transfer personal leave days between local school  
17 administrative units. The local school administrative unit shall credit a teacher  
18 who has separated from service and is reemployed within 60 months from the  
19 date of separation with all personal leave accumulated at the time of  
20 separation. Local school administrative units shall not advance personal leave.

21 (2) Use. – Personal leave may be used by a teacher upon the authorization of the  
22 teacher's immediate supervisor as follows:

23 a. A request for personal leave shall not be approved on any day when  
24 students are scheduled to be in regular attendance unless the  
25 availability of a substitute for that teacher is confirmed for that day.

26 b. Unless the request is approved by the principal, a teacher shall not take  
27 personal leave on the first day the teacher is required to report for the  
28 school year, on a required teacher workday, on days scheduled for  
29 State testing, or on the day before or the day after a holiday or  
30 scheduled vacation day.

31 c. On days other than those referenced in sub-subdivision b. of this  
32 subdivision, if the request is made at least five days in advance and a  
33 substitute teacher has been confirmed as available, the request shall be  
34 automatically granted, and the teacher cannot be required to provide a  
35 reason for the request.

36 (3) Pay. – Teachers using personal leave on teacher workdays shall receive full  
37 salary. Teachers using personal leave on other days shall receive full salary  
38 less the required substitute deduction. If, however, no substitute is hired for a  
39 teacher, the substitute reduction shall be refunded to that teacher.

1        ~~Personal leave may be used only upon the authorization of the teacher's immediate~~  
2 ~~supervisor. A teacher shall not take personal leave on the first day the teacher is required to report~~  
3 ~~for the school year, on a required teacher workday, on days scheduled for State testing, or on the~~  
4 ~~day before or the day after a holiday or scheduled vacation day, unless the request is approved~~  
5 ~~by the principal. On all other days, if the request is made at least five days in advance, the request~~  
6 ~~shall be automatically granted subject to the availability of a substitute teacher, and the teacher~~  
7 ~~cannot be required to provide a reason for the request. Teachers may transfer personal leave days~~  
8 ~~between local school administrative units. The local school administrative unit shall credit a~~  
9 ~~teacher who has separated from service and is reemployed within 60 months from the date of~~  
10 ~~separation with all personal leave accumulated at the time of separation. Local school~~  
11 ~~administrative units shall not advance personal leave. Teachers using personal leave on teacher~~  
12 ~~workdays shall receive full salary. Teachers using personal leave on other days shall receive full~~  
13 ~~salary less the required substitute deduction. If, however, no substitute is hired for a teacher, the~~  
14 ~~substitute reduction shall be refunded to that teacher."~~

15        **SECTION #.(c)** This section is effective when it becomes law and applies to  
16 calendars adopted for the 2019-2020 school year and thereafter.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H13-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **RENEWAL SCHOOLS**

2 **SECTION #.** Section 6(l) of S.L. 2018-32 reads as rewritten:

3 "SECTION 6.(l) Available State Funds. – Beginning with the ~~2018-2019~~ 2019-2020 fiscal  
4 year, the Department of Public Instruction shall calculate the amount of State funds to be  
5 allocated to the local school administrative unit operating under a renewal school system plan on  
6 the same basis as other local school administrative units and shall distribute those funds to the  
7 unit. The Department shall use statewide average salary figures for the purpose of calculating the  
8 dollar equivalent of guaranteed positions as necessary. The funds allocated to the local school  
9 administrative unit shall be subject to any restrictions as to use imposed by federal law, the  
10 conditions of federal or State grants, or as provided through any rules that the State Board adopts  
11 to ensure compliance with federal regulations. Use of these funds shall otherwise be unrestricted  
12 except as provided in this section.

13 ~~In no event shall the local school administrative unit receive a total amount of State funds in~~  
14 ~~the 2018-2019 fiscal year under the disbursement method described in this subsection that is less~~  
15 ~~than the total amount of State funds the local school administrative unit received in the 2017-2018~~  
16 ~~fiscal year."~~



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H12-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***ECONOMICS AND FINANCIAL LITERACY***

2 **SECTION #.(a)** G.S. 115C-81.65 reads as rewritten:

3 **"§ 115C-81.65. Financial literacy.**

4 (a) Instruction shall be provided in personal financial literacy for all students. In addition  
5 to the requirements in subsection (b) of this section, the State Board of Education shall determine  
6 the other components of personal financial literacy that will be covered in the curriculum. ~~The~~  
7 ~~State Board shall also review the high school standard course of study to determine into which~~  
8 ~~courses and grade levels personal financial literacy shall be integrated.~~

9 (b) ~~Each student shall receive personal financial literacy instruction that shall include:~~  
10 The State Board of Education shall require during the high school years the teaching of a full  
11 credit course focused solely on Economics and Personal Finance (EPF). A passing grade in the  
12 course shall be required for graduation from high school. The content of the course shall, at a  
13 minimum, include the standards established by the second edition of the Voluntary National  
14 Content Standards in Economics and the 2013 National Standards for Financial Literacy, as  
15 developed by the Council for Economic Education. The EPF course shall provide instruction on  
16 economic principles and shall provide personal financial literacy instruction that shall include, at  
17 a minimum, the following:

- 18 (1) The true cost of credit.
- 19 (2) Choosing and managing a credit card.
- 20 (3) Borrowing money for an automobile or other large purchase.
- 21 (4) Home mortgages.
- 22 (5) Credit scoring and credit reports.
- 23 (5a) Planning and paying for postsecondary education.
- 24 (6) Other relevant financial literacy issues.

25 (c) The State Board of Education shall require that EPF teachers receive the professional  
26 development necessary to ensure that the intent and provisions of this section are carried out. To  
27 the extent funds are made available for this purpose, the State Board of Education shall require  
28 the employing entity to make available to EPF teachers and prospective EPF teachers the EPF  
29 professional development course provided by the North Carolina Council on Economic  
30 Education (NCCEE). When practicable, teachers shall complete the EPF professional  
31 development course prior to teaching the EPF course in public schools. If necessary, teachers  
32 may begin teaching the EPF course in public schools while awaiting the next possible opportunity  
33 to complete a session of the EPF professional development course. To the extent possible, the  
34 EPF professional development course shall be taken at the NCCEE-approved location most  
35 conveniently located to the local school administrative unit."

36 **SECTION #.(b)** The requirements of G.S. 115C-81.65(b), as amended by subsection  
37 (a) of this section, shall apply to all students entering the ninth grade in the 2020-2021 school  
38 year.

39 **SECTION #.(c)** G.S. 115C-81.45 reads as rewritten:

40 **"§ 115C-81.45. Classes conducted in English; citizenship; and civic literacy.**

- 1 ...  
2 (c) ~~Democratic Process and Citizenship Education.~~Education for Middle School Social  
3 Studies. –  
4 (1) ~~The State Board of Education shall include instruction in civic and citizenship~~  
5 ~~education in the standard course of study for high school social studies. The~~  
6 ~~State Board of Education is strongly encouraged to include, at a minimum, the~~  
7 ~~following components in the high school civic and citizenship education~~  
8 ~~standard course of study:~~  
9 a. ~~That students write to a local, State, or federal elected official about~~  
10 ~~an issue that is important to them.~~  
11 b. ~~Instruction on the importance of voting and otherwise participating in~~  
12 ~~the democratic process, including instruction on voter registration.~~  
13 c. ~~Information about current events and governmental structure.~~  
14 d. ~~Information about the democratic process and how laws are made.~~  
15 (2) The State Board of Education shall include instruction in civic and citizenship  
16 education in the standard course of study for middle school social studies. The  
17 State Board of Education is strongly encouraged to include, at a minimum, the  
18 following components in the middle school civic and citizenship education  
19 standard course of study:  
20 a.(1) A tour of representative local government facilities, such as the local jail, the  
21 courthouse, or a town hall, to help students understand the way their  
22 community is governed.  
23 b.(2) Allowing students to choose and analyze a community problem and offer  
24 public policy recommendations on the problem to local officials.  
25 c.(3) Information about getting involved in community groups.  
26 (d) Founding Principles of the United States of America and North Carolina: Civic  
27 Literacy. –  
28 (1) The State Board of Education shall require ~~during the high school years~~  
29 instruction in civic and citizenship education in the standard course of study  
30 for high school social studies through the teaching of a semester full credit  
31 course on the that shall be called Founding Principles of the United States of  
32 America and the State of North Carolina. ~~North Carolina: Civic Literacy.~~ A  
33 passing grade in the course shall be required for graduation from high school,  
34 and the school.  
35 (1a) The course required by subdivision (1) of this subsection shall be solely  
36 focused on civics and citizenship education, and shall include at least the  
37 following subjects:  
38 a. The Creator-endowed inalienable rights of the people.  
39 b. Structure of government, separation of powers with checks and  
40 balances.  
41 c. Frequent and free elections in a representative government.  
42 d. Rule of law.  
43 e. Equal justice under the law.  
44 f. Private property rights.  
45 g. Federalism.  
46 h. Due process.  
47 i. Individual rights as set forth in the Bill of Rights.  
48 j. Individual responsibility.  
49 k. Constitutional limitations on government power to tax and spend, and  
50 prompt payment of public debt.  
51 l. Strong defense and supremacy of civil authority over military.

m. Peace, commerce, and honest friendship with all nations, entangling alliances with none.

(1b) The State Board of Education is strongly encouraged to include the following components in the course required by subdivision (1) of this subsection:

a. That students write to a local, State, or federal elected official about an issue that is important to them.

b. Instruction on the importance of voting and otherwise participating in the democratic process, including instruction on voter registration.

c. Information about current events and governmental structure.

d. Information about the democratic process and how laws are made.

(2) The State Board of Education shall require that any high school level curriculum-based tests for the course required in subdivision (1) of this subsection developed and administered statewide ~~beginning with the 2016-2017 academic year~~ include questions related to the philosophical foundations of our form of government and the principles underlying the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.

(3) The Department of Public Instruction and the local boards of education, as appropriate, shall provide or cause to be provided curriculum content for the ~~semester~~ course required in subdivision (1) of this subsection and professional development to ensure that the intent and provisions of this subsection are carried out. The curriculum content established shall include a review of the contributions made by Americans of all races.

(4) The Department of Public Instruction shall submit a biennial report by October 15 of each odd-numbered year to the Joint Legislative Education Oversight Committee covering the implementation of this subsection."

**SECTION #.(d)** The requirements of G.S. 115C-81.45(d), as amended by subsection (c) of this section, shall apply to all students entering the ninth grade in the 2021-2022 school year.

**SECTION #.(e)** G.S. 115C-218.85(a) is amended by adding a new subdivision to read:

"(5) A charter school shall provide financial literacy instruction as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

**SECTION #.(f)** G.S. 115C-238.66(1) is amended by adding a new sub-subdivision to read:

"e. The board of directors shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

**SECTION #.(g)** G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision to read:

"d. The chancellor shall ensure that financial literacy instruction is provided as required by the State Board of Education pursuant to G.S. 115C-81.65, including required professional development for teachers of the EPF course."

**SECTION #.(h)** Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision to read:

"(4a) G.S. 115C-81.65, Financial literacy."

**SECTION #.(i)** The State Board of Education shall begin the process for review and revision of the standard course of study for social studies in grades kindergarten through 12 in

1 the 2019-2020 school year, and shall revise the high school standard course of study in  
2 accordance with the requirements of this section for the EPF course and the Founding Principles  
3 of America and North Carolina: Civic Literacy course. The State Board shall review the high  
4 school standard course of study to determine the high school grade level during which the EPF  
5 course and the Founding Principles of America and North Carolina: Civic Literacy course may  
6 be completed. The State Board of Education shall not require more than four full course credits  
7 in social studies for high school graduation.

8 **SECTION #.(j)** Of the funds appropriated to the Department of Public Instruction  
9 for the 2019-2020 fiscal year to be made available as grant-in-aid to the nonprofit organization  
10 known as The North Carolina Council on Economic Education (NCCEE), NCCEE shall provide  
11 all of the following:

- 12 (a) The EPF professional development course, including administration of the  
13 Test of Economic Literacy and the Working in Support of Education personal  
14 finance test, and the provision of a certificate of completion to qualified  
15 teachers.
- 16 (b) A stipend in the amount of five hundred dollars (\$500.00), upon completion  
17 of the Test of Economic Literacy and the Working in Support of Education  
18 personal finance test, to either the public school teacher, if the teacher attends  
19 the course on weekends or during a time outside the teacher's school year, or,  
20 to the teacher's public school employer, if the teacher attends the course on  
21 school days during the teacher's school year.

22 By September 1, 2020, and by September 1 of the year following any fiscal year that NCCEE  
23 uses State funds thereafter, NCCEE, in consultation with the Department of Public Instruction,  
24 shall submit a report to the Joint Legislative Education Oversight Committee and the Fiscal  
25 Research Division on the activities described by this section and the expenditure of State funds.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H15A-P

Department of Public Instruction  
House Appropriations, Education

Requested by

**UPSTART VIRTUAL EARLY LEARNING PILOT PROGRAM**

**SECTION #.(a)** Pilot Program. – The State Board of Education (Board), in consultation with the Department of Public Instruction, Office of Early Learning, and the Department of Health and Human Services, Division of Child Development and Early Education, shall establish a three-year virtual early learning pilot program known as "UpStart." The pilot program shall be targeted to "at-risk," preschool-age children to develop school readiness skills and created to (i) evaluate the effectiveness of giving preschool-age children access, at home, to interactive individualized instruction delivered by computers and the Internet to prepare them academically for success in school and (ii) test the feasibility of scaling a home-based curriculum in reading, math, and science delivered by computers and the Internet to all preschool-age children in the State. Throughout implementation of the pilot program, the Board shall ensure that parents are encouraged to be attentive to the recommendations of the American Academy of Pediatrics regarding media use for preschool-age children.

**SECTION #.(b)** Contractor Requirements. – In establishing the pilot program, the Board shall develop and issue a request for proposal (RFP) to contract with a third-party organization (contractor). The contractor shall have demonstrated experience in the delivery of a home-based educational technology program to provide adaptive computer software for literacy and numeracy instruction and an assessment for preschool-age children. The Board shall ensure that the contractor selected to conduct the pilot program does each of the following:

- (1) Provides computer-assisted instruction for preschool-age children on a home computer connected by the Internet to a centralized file storage facility.
- (2) Provides technical support to families for the installation and operation of the instructional software.
- (3) Provides for the installation of computer and Internet access in homes of low-income families that cannot afford the equipment and service.
- (4) Has the capability of doing the following through the Internet:
  - a. Communicating with parents.
  - b. Updating the instructional software.
  - c. Validating user access.
  - d. Collecting usage data.
  - e. Storing research data.
  - f. Producing reports for parents, schools, and the General Assembly.
- (5) Develops and implements a program consisting of the following components:
  - a. Computer-assisted, individualized instruction in reading, mathematics, and science.
  - b. A multisensory reading tutorial program for children needing additional reading instruction.
  - c. A validated computer adaptive reading test that accurately indicates reading readiness of children who cannot read and provides easily understood reports for parents and educators.

- 1 (6) Has the capability to quickly and efficiently modify, improve, and support the
- 2 product.
- 3 (7) Collaborates with school district personnel who will provide administrative
- 4 and technical support of the program.
- 5 (8) Purchases equipment and service through cooperative purchasing contracts.

6 **SECTION #.(c)** School District Participation in Pilot Program. – The Board shall  
7 select up to 10 local school administrative units to participate in the pilot program. The local  
8 school administrative units selected for participation in the pilot program shall have demonstrated  
9 waiting lists for the North Carolina Prekindergarten (NC Pre-K) program. Local school  
10 administrative units shall be from geographically diverse areas in the State, with representation  
11 from tier one, tier two, and tier three counties. For purposes of this section, tier one, tier two, and  
12 tier three counties shall have the same designations as those established by the N.C. Department  
13 of Commerce's 2017 County Tier Designations.

14 **SECTION #.(d)** Equipment. – The Board or a local school administrative unit may  
15 purchase computers, peripheral equipment, and Internet service for low-income families who  
16 cannot afford them.

17 **SECTION #.(e)** Family Participation in Pilot Program. – The contractor selected to  
18 develop and implement the pilot program and the local school administrative units selected to  
19 participate in the pilot shall solicit family participants through a public information campaign  
20 and referrals from participating local school administrative units. Qualifying children shall be  
21 selected through a random lottery. For purposes of this pilot program, a preschool-age child is  
22 eligible for participation in the program based on the following:

- 23 (1) Is 4 years of age on or before August 31 of the program year.
- 24 (2) Is at-risk, which shall be defined to include any of the following:
  - 25 a. A child whose family's gross income is at or below one hundred
  - 26 percent (100%) of the federal poverty level.
  - 27 b. A child of either of the following: (i) an active duty member of the
  - 28 Armed Forces of the United States, including the North Carolina
  - 29 National Guard, State military forces, or a reserve component of the
  - 30 Armed Forces, who has been ordered to active duty by the proper
  - 31 authority within the last 18 months or is expected to be ordered within
  - 32 the next 18 months or (ii) a member of the Armed Forces of the United
  - 33 States, including the North Carolina National Guard, State military
  - 34 forces, or a reserve component of the Armed Forces, who was injured
  - 35 or killed while serving on active duty.

36 Eligibility determinations for participation in the pilot program may be made by local  
37 North Carolina Partnerships for Children, Inc., partnerships. If funds are available, in addition to  
38 the children defined as "at-risk" in this section, the pilot program may also serve a child whose  
39 family's gross income is at or below one hundred thirty percent (130%) of the federal poverty  
40 guidelines.

41 **SECTION #.(f)** Annual Report. – The Board shall make a report on the pilot program  
42 to the Joint Legislative Education Oversight Committee by November 30 of each year for the  
43 duration of the pilot program. The report shall include the following:

- 44 (1) The extent to which the pilot program is accomplishing the purposes for which
- 45 it was established.
- 46 (2) The number of families selected to participate in the pilot.
- 47 (3) The number of families requesting computers.
- 48 (4) The number of computers furnished.
- 49 (5) The number of families requiring Internet access.
- 50 (6) The frequency of use of the instructional software.

- 1 (7) Any obstacles encountered with software or hardware usage or in providing  
2 technical assistance to families.
- 3 (8) Student performance on prekindergarten and postkindergarten assessments  
4 conducted by local school administrative units and charter schools for students  
5 who participated in the pilot program in comparison to those students who did  
6 not participate in the pilot program.
- 7 **SECTION #.(g)** Appropriation. – Of the funds appropriated by this act to the  
8 Department of Public Instruction for the 2019-2020 fiscal year to establish UpStart, the  
9 Department shall divide funds evenly among the local school administrative units selected to  
10 participate in the pilot program.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

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SPECIAL PROVISION



2019-DPI-H25-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **SELECTION OF READING DIAGNOSTIC ASSESSMENTS**

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

3 "(a) Assessment Instruments for Kindergarten, First, Second, and Third Grades. – The  
4 State Board of Education shall develop, adopt, and provide to the local school administrative  
5 units a selection of developmentally appropriate individualized assessment instruments aligned  
6 with the standard course of study and Part 1A of Article 8 of this Chapter for the kindergarten,  
7 first, second, and third grades. The State Board shall approve no fewer than three different  
8 assessment instruments designed by no fewer than three different vendors for selection by local  
9 school administrative units.

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

16 ...."

17 **SECTION #.(b)** Section 7.27 of S.L. 2017-57, as amended by Section 2.6 of S.L.  
18 2017-197 and Section 7.23 of S.L. 2018-5, reads as rewritten:

19 "...

20 **"SECTION 7.27.(b)** The State Superintendent shall issue a Request for Proposals (RFP) to  
21 vendors of diagnostic reading assessment instruments to provide ~~one or more~~ valid, reliable,  
22 formative, and diagnostic reading assessment ~~instrument or~~ instruments for use pursuant to  
23 G.S. 115C-174.11. At a minimum, the diagnostic reading assessment ~~instrument or~~ instruments  
24 provided by the selected ~~vendor-vendors~~ shall meet all of the following criteria:

- 25 (1) Yield data that can be used with the Education Value-Added Assessment  
26 System (EVAAS).  
27 (2) Demonstrate close alignment with student performance on State assessments,  
28 including all assessments required in kindergarten through third grade by Part  
29 2 of Article 10A of Chapter 115C of the General Statutes.  
30 (3) Demonstrate high rates of predictability as to student performance on State  
31 assessments, including all assessments required in kindergarten through third  
32 grade by Part 2 of Article 10A of Chapter 115C of the General Statutes.

33 **"SECTION 7.27.(c)** The State Superintendent shall form and supervise an Evaluation Panel  
34 to review the proposals received pursuant to the RFP issued in accordance with subsection (b) of  
35 this section. The Evaluation Panel shall be composed of persons employed within the Department  
36 of Public Instruction. By ~~December 1, 2018,~~ August 1, 2019, the Evaluation Panel, with the  
37 approval of the State Superintendent, shall select one vendor no fewer than three vendors to  
38 provide the assessment instrument or instruments selections for local school administrative units  
39 for the 2019-2020 school year. In determining which vendor-vendors to select, the Evaluation  
40 Panel shall consider, at a minimum, all of the following factors:



- 1 (1) The time required to conduct formative and diagnostic assessments with the
- 2 intention of minimizing the impact on instructional time.
- 3 (2) The level of integration of assessment results with instructional support for
- 4 teachers and students.
- 5 (3) The timeliness in reporting assessment results to teachers and administrators.
- 6 (4) The ability to provide timely assessment results to parents and guardians.

7 ...."

8 **SECTION #.(c)** Subsection (a) of this section applies beginning with the 2019-2020  
9 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H26-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***INNOVATIVE SCHOOL DISTRICT/CARRYFORWARD OF FUNDS***

2       **SECTION #.(a)** Of the funds appropriated to the Department of Public Instruction  
3 for the 2018-2019 fiscal year in accordance with Section 5 of S.L. 2016-110, as amended by  
4 Section 7.11(c) of S.L. 2017-57, for salary and benefits for the Innovative School District (ISD)  
5 Superintendent, staff, and other expenses associated with the ISD, the remainder of any  
6 unencumbered and unexpended funds at the end of the 2018-2019 fiscal year shall not revert but  
7 shall remain available for expenses related to the ISD until the end of the 2019-2020 fiscal year.

8       **SECTION #.(b)** This section becomes effective June 30, 2019.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

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SPECIAL PROVISION



2019-DPI-H41-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **MODERNIZE SELECTION OF INSTRUCTIONAL MATERIALS**

2 **SECTION #.(a)** Part 3 of Article 8 of Chapter 115C is repealed.

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

5 "Part 3C. Selection of Instructional Material.

6 **"§ 115C-102.20. Definition of instructional materials.**

7 The following definitions apply in this Part:

8 (1) Health and safety programs. – Any instruction, curricula, or materials intended  
9 to impart information or promote discussion or understanding regarding any  
10 of the following:

11 a. Reproductive health and safety, as provided in G.S. 115C-81.30(a).

12 b. Mental and emotional health, as provided in G.S. 115C-81.25(c)(1).

13 c. Growth and development, as provided in G.S. 115C-81.25(c)(9).

14 d. Anti-bullying or anti-harassment.

15 (2) Instructional materials. – Systematically organized material comprehensive  
16 enough to cover the primary objectives outlined in the standard course of  
17 study for a grade or course. Formats for instructional materials may be print  
18 or nonprint, including hardbound books, softbound books, activity-oriented  
19 programs, classroom kits, or digital resources that require the use of electronic  
20 equipment in order to be used in the learning process.

21 (3) Local committee. – A local community media advisory committee.

22 (4) Parent. – A student's parent or legal guardian.

23 (5) State Committee. – The State Community Media Advisory Committee.

24 (6) Supplemental materials. – Educational materials that supplement specific  
25 instruction for the standard course of study selected and procured by a local  
26 board of education for a grade or course or general education needs of the  
27 school. Supplemental materials may include textbooks, library books,  
28 periodicals, audiovisual materials, and other supplemental instructional  
29 materials needed for instructional purposes in the local school administrative  
30 unit. Supplemental materials may be print or nonprint, including hardbound  
31 books, softbound books, activity-oriented programs, classroom kits, or digital  
32 resources that require the use of electronic equipment in order to be used in  
33 the learning process.

34 (7) Unfit materials. – Instructional or supplemental materials determined to be  
35 inappropriate for use in an elementary or secondary school because the  
36 material is either (i) obscene, (ii) inappropriate to the age, maturity, or grade  
37 level of the students, or (iii) not aligned with the standard course of study.

38 **"§ 115C-102.25. Selection of instructional materials.**

39 (a) Local Board Adoption. – Local boards of education shall select and adopt  
40 instructional materials for each standard course of study at each instructional level in the

1 elementary school and the secondary school adopted by the State Board of Education, as provided  
2 in Part 1 of Article 8 of this Chapter.

3 (b) Evaluation of Instructional Materials Prior to Adoption. – For each standard course  
4 of study, the local board of education may require experts employed by the local board of  
5 education and certified in the discipline in which the instructional material would be used to offer  
6 evaluation reports to the local board on materials being considered for adoption. Such evaluation  
7 reports should give special consideration to the suitability of the instructional materials to the  
8 instructional level for which it is offered, the content or subject matter, whether the instructional  
9 materials are aligned with the standard course of study, and other criteria prescribed by the local  
10 board.

11 **"§ 115C-102.30. Selection of supplemental materials.**

12 (a) Local boards of education shall adopt written policies concerning the procedures to  
13 be followed in their local school administrative units for the selection and procurement of  
14 supplemental materials for a grade or course or for general education needs at a school or  
15 throughout the entire local school administrative unit. Local boards of education shall have sole  
16 authority to select and procure supplemental materials, whether or not the materials contain  
17 commercial advertising, to determine if the materials are related to and within the limits of the  
18 prescribed curriculum, and to determine when the materials may be presented to students during  
19 the school day.

20 (b) Supplemental materials shall neither displace nor be used to the exclusion of  
21 instructional materials.

22 **"§ 115C-102.35. Selection of health and safety instructional and supplemental materials.**

23 (a) When adopting, modifying, or amending a health and safety program and the  
24 instructional and supplemental materials for that program, a local board of education shall  
25 conduct a public hearing after adequately notifying the public at least 10 days prior to the hearing.

26 (b) The local board of education shall also provide both electronic and written notice to  
27 all parents of students in the local school administrative unit of the public hearing and the  
28 opportunity to review those materials in the program repository, as provided in  
29 G.S. 115C-102.50, at least 60 days before the public hearing occurs.

30 (c) The notice to parents provided for in subsection (b) of this section shall include the  
31 following in both written and electronic form:

32 (1) A detailed description of the program's objectives and any proposed changes,  
33 including any topics that the local board of education determines that a  
34 reasonable parent in that community may wish to examine as to the age  
35 appropriateness of the topics.

36 (2) All written and audio materials that will be used.

37 (3) A link to, or information on how to access, the program repository on the local  
38 school administrative unit's Web site, as provided in G.S. 115C-102.50.

39 **"§ 115C-102.40. Acquisition of instructional and supplemental materials.**

40 (a) Funds allocated by the State Board of Education or appropriated in the current  
41 expense or capital outlay budgets of the local school administrative units shall be used by the  
42 local board of education for purchase, lease, or rental of instructional or supplemental materials  
43 and for hardware, software, or other equipment necessary for the use of the instructional or  
44 supplemental materials. The title of purchased materials and equipment shall be vested in the  
45 local board of education.

46 (b) Local boards of education are encouraged to partner with other local boards of  
47 education and other public schools to jointly purchase instructional and supplemental materials.

48 (c) All instructional materials purchased with State funds shall include a clause granting  
49 to the local board of education the license to produce braille, large print, and audio recording  
50 copies of the instructional materials for use in the local school administrative unit.

1       (d) The local board of education shall publish on the Web site of the local school  
2 administrative unit the title, author, and publisher of all instructional and supplemental materials  
3 purchased by the local board of education.

4 **"§ 115C-102.45. Provision and maintenance of instructional and supplemental materials.**

5       (a) The students of the public elementary and secondary schools of the State shall be  
6 provided with free instructional materials within the appropriation of the General Assembly for  
7 that purpose. The local board shall provide for the free use by students, with proper care and  
8 return, of elementary and secondary instructional materials. No local board of education may  
9 charge any student a rental fee for the use of instructional materials or for hardware, software, or  
10 other equipment necessary for the use of the instructional or supplemental materials.

11       (b) Local boards of education shall provide adequate and safe storage facilities for the  
12 proper care of instructional and supplemental materials and emphasize to all students the  
13 necessity for proper care of instructional and supplemental materials and equipment necessary  
14 for the use of the instructional materials.

15       (c) A student's parents or legal guardians may be charged damage fees for abuse or loss  
16 of instructional or supplemental materials or equipment necessary for the use of those materials  
17 under rules adopted by the local board of education. Damage fees collected under this subsection  
18 shall be used by the local board of education for purchase, lease, or rental of instructional and  
19 supplemental materials as provided in G.S. 115C-102.40.

20 **"§ 115C-102.50. Instructional materials repository.**

21       (a) A local board of education shall maintain a continuous repository of current  
22 instructional and supplemental materials that have been selected and acquired by the local board  
23 of education pursuant to this Article. The repository shall not be required to include classroom  
24 materials developed by teachers. The materials shall be maintained at a central location for  
25 in-person review by parents and the public upon request, and the names of all those materials  
26 shall be posted to the local school administrative unit's Web site for review by parents and the  
27 public.

28       (b) In addition to the requirements of subsection (a) of this section, a local board of  
29 education shall also maintain a continuous repository of current objectives, entire curricula, texts,  
30 and all other materials used in any health and safety program as follows:

31           (1) The current objectives, entire curricula, texts, and all other materials used in  
32 any health and safety program shall be maintained at a central location for  
33 in-person review by parents and the public upon request.

34           (2) Electronic copies of the current objectives, and names of curricula, texts, or  
35 any other materials used in any health and safety program shall be posted to  
36 the local school administrative unit's Web site for review by parents and the  
37 public. The Web site shall also include the curricula, texts, and any other  
38 materials used in the health and safety program, including links to any  
39 materials available on the publisher's Web site.

40           (3) The local board of education shall add to the central location and electronic  
41 repository any objectives, curricula, texts, and other materials that may be  
42 proposed for adoption, amendment, or modification to the health and safety  
43 program and shall clearly indicate that status while the materials are under  
44 consideration.

45       (c) Each school year, at least 14 days before students participate in a health and safety  
46 program, a local board of education shall give both written and electronic notice to parents of  
47 students participating in that program of the right of parents to review the objectives, complete  
48 materials, and entire curriculum of that program in the program repository maintained by the  
49 local board of education, as provided in subsection (b) of this section. The notice shall include  
50 the same information provided under G.S. 115C-102.35(c). The notice shall be in conjunction

1 with and combination with the notice and requirements to inform parents of the local board's  
2 policy for participation in certain health and safety programs, as established in G.S. 115C-81.32.

3 **"§ 115C-102.55. Right to purchase; disposal of textbooks and materials.**

4 (a) Any parent, guardian, or person in loco parentis may purchase any instructional  
5 material needed for any student in the public schools of the State from the board of education of  
6 the local school administrative unit in which the child is enrolled, if the board of education holds  
7 title to the instructional material as described in G.S. 115C-102.40(a).

8 (b) Notwithstanding Article 3A of Chapter 143 of the General Statutes, G.S. 143-49(4),  
9 or any other provision of law, a local board of education may dispose of discontinued  
10 instructional or supplemental materials.

11 **"§ 115C-102.60. Local community media advisory committee.**

12 (a) A local board of education shall establish a local community media advisory  
13 committee to investigate and evaluate challenges from parents, teachers, and members of the  
14 public to instructional materials and supplemental materials on the grounds that they are unfit  
15 materials. This section does not apply to optional supplemental materials available through the  
16 school library.

17 (b) The local committee shall, at a minimum, include the following:

18 (1) A principal from a high school, middle school, and elementary school,  
19 respectively.

20 (2) A teacher from a high school, middle school, and elementary school,  
21 respectively.

22 (3) A parent of a student in high school or middle school and a parent of a student  
23 in elementary school.

24 (4) A school library media coordinator from a high school, middle school, and  
25 elementary school, respectively.

26 (c) Individuals challenging unfit materials shall make challenges in writing to the local  
27 board of education and shall specify whether the materials are being challenged on the grounds  
28 of being (i) obscene, (ii) inappropriate to the age, maturity, or grade level of the students, or (iii)  
29 not aligned with the standard course of study.

30 (d) Within two weeks of the filing of the challenge, the local committee shall hold a  
31 hearing and provide the challengers an opportunity to present their concerns to the local  
32 committee. The local committee may, in the local committee's discretion, request additional  
33 information at the hearing from experts on the subject matter employed by the local school  
34 administrative unit. Within two weeks of the hearing, the local committee shall make a  
35 recommendation to the local board of education on whether the challenge has merit and whether  
36 the challenged material should be retained or removed as unfit material. The local committee's  
37 determination shall be limited to considerations of whether the material is unfit on the specific  
38 grounds of the material being (i) obscene, (ii) inappropriate to the age, maturity, or grade level  
39 of the students, or (iii) not aligned with the standard course of study.

40 (e) At the next meeting of the local board of education after the local committee's  
41 recommendation is received, the local board shall determine whether the challenge has merit and  
42 whether the challenged material should be retained or removed as unfit material.

43 (f) If the local board of education determines that the challenged material shall be  
44 retained, a challenger may appeal the local board's decision to the State Community Media  
45 Advisory Committee. The challenger must make the appeal in the form and manner designated  
46 by the State Board of Education within two weeks of the local board's decision.

47 **"§ 115C-102.65. State Community Media Advisory Committee.**

48 (a) The State Board of Education shall establish a State Community Media Advisory  
49 Committee to review challenges to instructional and supplemental materials appealed under  
50 G.S. 115C-102.55.

51 (b) The State Committee shall, at a minimum, include the following:

- 1           (1) The State Superintendent of Public Instruction, or designee.
- 2           (2) One superintendent of a local school administrative unit.
- 3           (3) A principal from a high school, middle school, and elementary school,
- 4                 respectively.
- 5           (4) A teacher from a high school, middle school, and elementary school,
- 6                 respectively.
- 7           (5) A parent of a student in high school or middle school and a parent of a student
- 8                 in elementary school.
- 9           (6) A school library media coordinator from a high school, middle school, and
- 10                 elementary school, respectively.

11           (c) A member of the State Committee may be recused from any challenge to materials  
12 used in the local school administrative unit in which the member is employed or in which the  
13 member's child is enrolled.

14           (d) The State Board of Education shall designate the form and manner for appeals to be  
15 made to the State Committee. Upon receipt of an appeal, notice and a copy of the appeal shall be  
16 provided to the local board of education.

17           (e) Within four weeks of the filing of the appeal, the State Committee shall hold a hearing  
18 and provide the appellants an opportunity to present concerns to the State Committee as well as  
19 the local board of education an opportunity to rebut those concerns. The State Committee may,  
20 in the State Committee's discretion, request additional information at the hearing from experts on  
21 the subject matter employed by the State Board of Education. Within two weeks of the hearing,  
22 the State Committee shall make a recommendation to the State Board of Education on whether  
23 the appealed challenge has merit and whether the challenged material should be retained or  
24 removed as unfit material. The State Committee's determination shall be limited to considerations  
25 of whether the material is unfit on the specific grounds of the material being (i) obscene, (ii)  
26 inappropriate to the age, maturity, or grade level of the students, or (iii) not aligned with the  
27 standard course of study.

28           (f) At the next meeting of the State Board of Education after the State Committee's  
29 recommendation is received, the State Board shall determine whether the appealed challenge has  
30 merit and whether the challenged material should be retained or removed as unfit material. If the  
31 State Board of Education determines that challenged material shall be removed, the local board  
32 of education shall remove the material. The decision of the State Board of Education is final, and  
33 is not subject to appeal by the local board of education or challenger."

34           **SECTION #.(c)** G.S. 115C-11(d) reads as rewritten:

35           "(d) Voting. – No voting by proxy shall be permitted. ~~Except in voting on textbook~~  
36 ~~adoptions, a~~ A majority of those present and voting shall be necessary to carry a motion and a  
37 roll call vote shall be had on each motion. A record of all such votes shall be kept in the minute  
38 book."

39           **SECTION #.(d)** G.S. 115C-11(e) is repealed.

40           **SECTION #.(e)** G.S. 115C-12(9)b. is repealed.

41           **SECTION #.(f)** G.S. 115C-12(9c)c. reads as rewritten:

42           " c.     The Board also shall develop and implement an ongoing process to  
43 align State programs and support materials with the revised academic  
44 content standards for each core academic area on a regular basis.  
45 Alignment shall include revising ~~textbook criteria,~~ support materials,  
46 State tests, teacher and school administrator preparation, and ongoing  
47 professional development programs to be compatible with content  
48 standards. The Board shall develop and make available to teachers and  
49 parents support materials, including teacher and parent guides, for  
50 academic content standards. The State Board of Education shall work  
51 in collaboration with the Board of Governors of The University of

1 North Carolina to ensure that teacher and school administrator degree  
2 programs, ongoing professional development, and other university  
3 activity in the State's public schools align with the State Board's  
4 priorities."

5 **SECTION #.(g)** G.S. 115C-12(18)d. reads as rewritten:

6 "d. The State Board of Education shall modify the Uniform Education  
7 Reporting System to provide clear, accurate, and standard information  
8 on the use of funds at the unit and school level. The plan shall provide  
9 information that will enable the General Assembly to determine State,  
10 local, and federal expenditures for personnel at the unit and school  
11 level. The plan also shall allow the tracking of expenditures for  
12 ~~textbooks,~~ instructional materials, educational supplies and  
13 equipment, capital outlay, at-risk students, and other purposes."

14 **SECTION #.(h)** G.S. 115C-47(6) reads as rewritten:

15 "(6) To Regulate Fees, Charges and Solicitations. – Local boards of education shall  
16 adopt rules and regulations governing solicitations of, sales to, and  
17 fund-raising activities conducted by, the students and faculty members in  
18 schools under their jurisdiction, and no fees, charges, or costs shall be  
19 collected from students and school personnel without approval of the board of  
20 education as recorded in the minutes of said board; ~~provided, this subdivision~~  
21 ~~shall not apply to such textbooks fees as are determined and established by the~~  
22 ~~State Board of Education.~~ board. All schedules of fees, charges and  
23 solicitations approved by local boards of education shall be reported to the  
24 Superintendent of Public Instruction."

25 **SECTION #.(i)** G.S. 115C-47(33) reads as rewritten:

26 "(33) To Approve and Use Supplemental Materials. – Local boards of education  
27 shall have sole authority to select and procure ~~supplementary instructional~~  
28 supplemental materials, whether or not the materials contain commercial  
29 advertising, pursuant to the provisions of ~~G.S. 115C-98(b).~~ Part 3C of Article  
30 8 of this Chapter."

31 **SECTION #.(j)** G.S. 115C-47(33a) reads as rewritten:

32 "(33a) To Approve and Use ~~Textbooks Not Adopted by State Board of Education.~~  
33 Instructional Materials. – Local boards of education shall have the sole  
34 authority to select, procure, and use ~~textbooks not adopted by the State Board~~  
35 ~~of Education~~ instructional materials as provided in ~~G.S. 115C-98(b1).~~ Part 3C  
36 of Article 8 of this Chapter."

37 **SECTION #.(k)** G.S. 115C-75.10(c) reads as rewritten:

38 "(c) Funding Memorandum of Understanding. – The IS operator, in consultation with the  
39 ISD Superintendent, may enter into a funding memorandum of understanding with the local  
40 board of education of the local school administrative unit where the innovative school is located  
41 for all student support and operational services and instructional services to be provided by the  
42 local board of education in the same manner and degree as in the prior school year or funding in  
43 an amount equivalent to the amount the local board of education would have expended on those  
44 services if provided. For the purposes of this subsection, student support and operational services  
45 include cafeteria services, custodial services, broadband and utilities, and student information  
46 services, and instructional services include alternative education, special education services, test  
47 administration services, ~~textbooks,~~ instructional materials, technology, media resources,  
48 instructional equipment, and other resources. The IS operator and local board of education shall  
49 finalize the funding memorandum of understanding within 30 days of the initial request for the  
50 memorandum by the IS operator. If the parties have not completed the funding memorandum of  
51 understanding within 30 days, the State Board of Education shall resolve any issues in dispute."



1           **SECTION #.(l)** G.S. 115C-81.5(b)(3) is repealed.

2           **SECTION #.(m)** G.S. 115C-81.25(b)(3) is repealed.

3           **SECTION #.(n)** G.S. 115C-81.25(d) reads as rewritten:

4           "(d) Parental Review. – The State Board of Education shall make available to all local  
5 school administrative units for review by the parents and legal guardians of students enrolled at  
6 those units any State-developed objectives for instruction ~~any approved textbooks~~, the list of  
7 reviewed materials, and any other State-developed or approved materials that pertain to or are  
8 intended to impart information or promote discussion or understanding in regard to the  
9 prevention of sexually transmitted diseases, including HIV/AIDS, to the avoidance of  
10 out-of-wedlock pregnancy, or to the reproductive health and safety education curriculum. The  
11 review period shall extend for at least 60 days before use."

12           **SECTION #.(o)** G.S. 115C-242(3) reads as rewritten:

13           "(3) The board of education of any local school administrative unit may operate  
14 the school buses of such unit one day prior to the opening of the regular school  
15 term for the transportation of pupils and employees to and from the school to  
16 which such pupils are assigned or in which they are enrolled and such  
17 employees are employed, for the purposes of the registration of students, the  
18 organization of classes, the distribution of ~~textbooks~~, instructional materials,  
19 and such other purposes as will, in the opinion of the superintendent of the  
20 schools of such unit, promote the efficient organization and operation of such  
21 public schools."

22           **SECTION #.(p)** G.S. 115C-271(d)(2) reads as rewritten:

23           "(2) Local funds appropriated for teachers, ~~textbooks~~, instructional materials, or  
24 classroom materials, supplies, and equipment are not transferred or used for  
25 this purpose."

26           **SECTION #.(q)** G.S. 115C-384(c) reads as rewritten:

27           "(c) Rental Fees for ~~Textbooks—Instructional Materials~~ Prohibited; Damage Fees  
28 Authorized. – No rental fees are permitted for the use of ~~textbooks~~, instructional materials, but  
29 damage fees may be collected pursuant to the provisions of ~~G.S. 115C-100~~. G.S. 115C-102.45."

30           **SECTION #.(r)** G.S. 115C-390.2(l)(1) reads as rewritten:

31           "(1) The opportunity to take ~~textbooks~~ instructional materials and school-furnished  
32 digital devices home for the duration of the absence."

33           **SECTION #.(s)** G.S. 115C-390.5(c)(1) reads as rewritten:

34           "(1) The opportunity to take ~~textbooks~~ instructional materials home for the  
35 duration of the suspension."

36           **SECTION #.(t)** G.S. 115C-398 reads as rewritten:

37           "**§ 115C-398. Damage to school buildings, furnishings, textbooks.**

38           Students and their parents or legal guardians may be liable for damage to school buildings,  
39 furnishings and ~~textbooks~~ instructional materials pursuant to the provisions of G.S. 115C-523,  
40 115C-100 and 14-132."

41           **SECTION #.(u)** G.S. 143A-48 is repealed.

42           **SECTION #.(v)** G.S. 143C-9-7(b) reads as rewritten:

43           "(b) Upon appropriation by the General Assembly, funds received in the Indian Gaming  
44 Education Revenue Fund shall be allocated quarterly by the State Board of Education to local  
45 school administrative units, charter schools, and regional schools on the basis of allotted average  
46 daily membership. The funds allotted by the State Board of Education pursuant to this section  
47 shall be nonreverting. Funds received pursuant to this section by local school administrative units  
48 shall be expended for classroom teachers, teacher assistants, classroom materials or supplies, or  
49 ~~textbooks~~ instructional materials."

50           **SECTION #.(w)** Effective July 1, 2019, the existing Textbooks and Digital  
51 Resources funding allotment in the State Public School Fund shall be designated as the

1 Instructional Materials funding allotment in the State Public School Fund. The State Board of  
2 Education shall establish the purposes for which the funds within the new Instructional Materials  
3 funding allotment may be used as follows: (i) to acquire instructional or supplemental materials  
4 as defined in G.S. 115C-102.20, as enacted by this section, and (ii) to acquire hardware, software,  
5 or other equipment necessary for the use of the instructional or supplemental materials.

6 **SECTION #.(x)** G.S. 115C-105.25(b)(12) reads as rewritten:

7 "(12) Funds allotted for ~~textbooks and digital resources~~ instructional materials may  
8 only be used for the purchase of textbooks and digital resources. to acquire  
9 instructional and supplemental materials, as defined in G.S. 115C-102.20, and  
10 to acquire hardware, software, or other equipment necessary for the use of the  
11 instructional or supplemental materials. These funds shall not be transferred  
12 out of the allotment for any other purpose."

13 **SECTION #.(y)** G.S. 115C-81.30(b) and (c) are repealed.

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

16 **"§ 115C-81.32. Parents' right to opt in or out of health and safety programs.**

17 Local boards of education shall adopt policies to provide opportunities either for parents to  
18 consent or for parents to withhold their consent to the students' participation in any or all of the  
19 health and safety programs included in sub-subdivisions (a) through (c) of G.S. 115C-102.20(1)  
20 provided by the local school administrative unit. Local boards of education shall provide notice  
21 to parents of this opportunity at least 14 days before students participate in the health and safety  
22 programs, in conjunction and combination with the notice required by G.S. 115C-102.50. The  
23 notice shall inform parents of the local board's policy for participation in the health and safety  
24 programs and provide a form that allows parents to exercise parental rights under that policy."

25 **SECTION #.(aa)** The State Board of Education shall not enter into any new contracts  
26 for textbooks or instructional materials and shall not renew any existing contracts for textbooks  
27 or instructional materials. The State Board of Education shall make available for purchase any  
28 textbooks or instructional materials available through existing contracts to local boards of  
29 education.

30 **SECTION #.(bb)** Notwithstanding G.S. 115C-102.25, as enacted by this section, a  
31 local board of education may, by resolution, continue use of previously adopted State textbooks  
32 for a standard course of study until that standard course of study is revised by the State Board of  
33 Education.

34 **SECTION #.(cc)** No local board of education shall be required to hold a public  
35 hearing for any health and safety program, as defined in G.S. 115C-102.20, as enacted by this  
36 act, in use prior to the 2018-2019 school year, until that program is amended, modified, or  
37 replaced. All local boards of education shall establish a program repository of current health and  
38 safety programs, as required by G.S. 115C-102.50, as enacted by this section, for access to  
39 parents prior to the start of the 2019-2020 school year and shall not implement any program until  
40 that program is included in the repository.

41 **SECTION #.(dd)** This section applies beginning with the 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H34-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **15-POINT SCALE FOR SCHOOL PERFORMANCE GRADES/MODIFY WEIGHTING**

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

3 "(d) Calculation of the Overall School Performance Scores and Grades. – The State Board  
4 of Education shall calculate the overall school performance score by adding the school  
5 achievement score, as provided in subsection (b) of this section, and the school growth score, as  
6 determined using EVAAS as provided in subsection (c) of this section, earned by a school. The  
7 school achievement score shall account for ~~eighty percent (80%)~~, fifty percent (50%), and the  
8 school growth score shall account for ~~twenty percent (20%)~~ fifty percent (50%) of the total sum.  
9 For all schools, the total school performance score shall be converted to a 100-point scale and  
10 used to determine an overall school performance grade. The overall school performance grade  
11 shall be based on the following scale and shall not be modified to add any other designation  
12 related to other performance measures, such as a "plus" or "minus":

- 13 (1) A school performance score of at least ~~90~~ 85 is equivalent to an overall school  
14 performance grade of A.  
15 (2) A school performance score of at least ~~80~~ 70 is equivalent to an overall school  
16 performance grade of B.  
17 (3) A school performance score of at least ~~70~~ 55 is equivalent to an overall school  
18 performance grade of C.  
19 (4) A school performance score of at least ~~60~~ 40 is equivalent to an overall school  
20 performance grade of D.  
21 (5) A school performance score of less than ~~60 points~~ 40 is equivalent to an  
22 overall school performance grade of F."

23 **SECTION #.(b)** This section applies beginning with the 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H36A-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **PROGRAM ENHANCEMENT TEACHER ALLOTMENT CHANGES/ARTS EDUCATION**

2 **SECTION #.(a) G.S. 115C-301 reads as rewritten:**

3 **"§ 115C-301. Allocation of teachers; class size.**

4 ...

5 (a1) Teacher Position Allotments. – Funds for classroom teachers in the State Public  
6 School Fund shall consist of the following position allotments:

7 (1) Classroom teachers for kindergarten through twelfth grade, which shall  
8 include funds for program enhancement teachers, self-contained exceptional  
9 children teachers, math, science, and computer teachers, and matching  
10 benefits.

11 (2) Program enhancement teachers for kindergarten through ~~fifth~~ twelfth grade.

12 ...

13 (c) Maximum Class Size for Kindergarten Through Third Grade. Grade and Allotment  
14 Ratios for Classroom Teachers. – The average class size for kindergarten through third grade in  
15 a local school administrative unit shall at no time exceed the funded allotment ratio of teachers  
16 to students in kindergarten through third grade. At the end of the second school month and for  
17 the remainder of the school year, the size of an individual class in kindergarten through third  
18 grade shall not exceed the allotment ratio by more than three students. The funded class size  
19 allotment ratio for kindergarten through third grade shall be as follows:

- 20 (1) For kindergarten, one teacher per 18 students.  
21 (2) For first grade, one teacher per 16 students.  
22 (3) For second grade, one teacher per 17 students.  
23 (4) For third grade, one teacher per 17 students.

24 Within the remaining funds available for classroom teachers in the State Public School Fund,  
25 the State Board of Education shall set the teacher to student ratios for class size in grades four  
26 through 12 to allot those positions. In grades four through 12, local school administrative units  
27 shall have the maximum flexibility to use allotted teacher positions to maximize student  
28 achievement.

29 ...

30 (c2) Program Enhancement Teacher Allotment for Kindergarten Through ~~Fifth~~ Twelfth  
31 Grade. –

32 (1) Definitions. – For the purposes of this section, "program enhancement" refers  
33 to any of the following:

- 34 a. Arts disciplines, including dance, music, theater, and the visual arts.  
35 b. Physical education and health programs.  
36 c. World languages.

37 c1. Dual language immersion for classes in which (i) at least one-third of  
38 the students' dominant language is English and (ii) instruction involves  
39 both English and a target foreign language with a minimum of fifty

1 percent (50%) of core content taught in the target foreign language in  
2 order to promote dual language proficiency for all students.

3 d. Other supplemental classes as defined by the State Board of Education.

4 (2) Allotment ratio calculation. – The allotment ratio for kindergarten through  
5 ~~fifth~~twelfth grade program enhancement teachers shall be one teacher per ~~191~~  
6 140 students.

7 (3) Appropriation. – Beginning with the 2019-2020 fiscal year, there is  
8 appropriated from the General Fund to the Department of Public Instruction  
9 for the allotment for program enhancement teachers for kindergarten through  
10 ~~fifth~~twelfth grade an amount equal to the percentage of the total funds  
11 required to allot program enhancement teacher positions for kindergarten  
12 through ~~fifth~~twelfth grade on a basis of one teacher per ~~191~~140 students for  
13 each fiscal year as follows:

<b>Fiscal Year</b>	<b>Appropriation</b>
2019-2020	50%
2020-2021	75%
2021-2022 and each subsequent fiscal year thereafter	100%.

18 When developing the base budget, as defined by G.S. 143C-1-1, for each  
19 fiscal year specified in this subdivision, the Director of the Budget shall  
20 include the appropriated amount for that fiscal year.

21 ...."

22 **SECTION #.(b)** Section 3(b) of S.L. 2018-2 is repealed.

23 **SECTION #.(c)** Effective July 1, 2021, G.S. 115C-301(a1), as amended by  
24 subsection (a) of this section, reads as rewritten:

25 "(a1) Teacher Position Allotments. – Funds for classroom teachers in the State Public  
26 School Fund shall consist of the following position allotments:

27 (1) Classroom teachers for kindergarten through twelfth grade, which shall  
28 include funds for ~~program enhancement teachers~~, self-contained exceptional  
29 children teachers, math, science, and computer teachers, and matching  
30 benefits.

31 (2) Program enhancement teachers for kindergarten through twelfth grade."

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

33 "(5d) No positions shall be transferred out of the allocation for program  
34 enhancement teachers for kindergarten through ~~fifth~~twelfth grade except as  
35 provided in this subdivision. Positions allocated for program enhancement  
36 teachers for kindergarten through ~~fifth~~twelfth grade may be converted into  
37 positions allocated for classroom teachers for kindergarten through twelfth  
38 grade. For the purposes of this subdivision, the term "program enhancement"  
39 is as defined in G.S. 115C-301(c2)."

40 **SECTION #.(e)** Notwithstanding any other provision of law, of the recurring funds  
41 appropriated by Section 5(a) of S.L. 2018-2 to the Department of Public Instruction for the  
42 2018-2019 fiscal year for a position allotment for program enhancement teachers for  
43 kindergarten through fifth grade, beginning with the 2019-2020 fiscal year, the sum of sixty-one  
44 million three hundred fifty-nine thousand two hundred twenty-five dollars (\$61,359,225) in  
45 recurring funds shall be appropriated to the Department of Public Instruction for a position  
46 allotment for program enhancement teachers for kindergarten through twelfth grade.

47 **SECTION #.(f)** The State Board of Education shall modify the State graduation  
48 requirements to include one required credit in arts education to be completed by each student at  
49 any time in grades six through 12.

50 The State Board of Education shall implement this arts education graduation requirement  
51 beginning with students entering the sixth grade in 2022. The State Board shall include an

1 exemption from the arts education graduation requirement for students transferring into a North  
2 Carolina public school beginning in the ninth grade or later, if such requirement would prevent  
3 a student from graduating with the graduation cohort to which the student was assigned when  
4 transferring.

5 **SECTION #.(g)** The State Board of Education shall do the following:

6 (1) Establish procedures and a time line for a phased-in implementation of the arts  
7 education graduation requirement.

8 (2) Establish the minimum criteria to meet the arts education graduation  
9 requirement.

10 (3) By December 15, 2022, report to the Joint Legislative Education Oversight  
11 Committee on the following:

12 a. The statewide implementation of the three interdependent components  
13 of comprehensive arts education (arts education, arts integration, and  
14 arts exposure).

15 b. The graduation requirement set forth in subsection (f) of this section.

16 **SECTION #.(h)** Subsections (a) through (d) of this section apply beginning with the  
17 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H18-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 *ELIMINATE REPORT TO SUPERINTENDENT ON THE ADOPTED SCHEDULE OF*  
2 *FEES*

3 SECTION #.(a) G.S. 115C-47(6), as amended by Section # of this act, reads as  
4 rewritten:

5 "(6) To Regulate Fees, Charges and Solicitations. – Local boards of education shall  
6 adopt rules and regulations governing solicitations of, sales to, and  
7 fund-raising activities conducted by, the students and faculty members in  
8 schools under their jurisdiction, and no fees, charges, or costs shall be  
9 collected from students and school personnel without approval of the board of  
10 education as recorded in the minutes of said board. ~~All schedules of fees,~~  
11 ~~charges and solicitations approved by local boards of education shall be~~  
12 ~~reported to the Superintendent of Public Instruction.~~ The local board of  
13 education shall publish a schedule of fees, charges, and solicitations approved  
14 by the local board on the local school administrative unit's Web site by  
15 October 15 of each school year and, if the schedule is subsequently revised,  
16 within 30 days following the revision."

17 SECTION #.(b) This section applies beginning with the 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H16-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 *AUTHORIZE STATE BOARD OF EDUCATION APPOINTMENT AUTHORITY OVER AN*  
2 *ADDITIONAL POSITION*

3 **SECTION #.** G.S. 115C-11(j) reads as rewritten:

4 "(j) Certain Personnel Appointed by the State Board. – The State Board may appoint only  
5 the following personnel positions to support the operations of the State Board of Education  
6 through the Department of Public Instruction:

	Position number	Title
7		
8	(1) 65023576	Attorney I.
9	(2) 60009384	Attorney II.
10	(3) 65003194	Paralegal II.
11	(4) 60095070	Administrative Assistant I.
12	<u>(5) 60009394</u>	<u>Legislative and Community Affairs Director.</u> "



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H19-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 *COOPERATIVE INNOVATIVE SCHOOLS/CAP/CERTAIN CIHS OPERATING*  
2 *WITHOUT ADDITIONAL FUNDS*

3 SECTION #.(a) G.S. 115C-238.51A reads as rewritten:

4 "**§ 115C-238.51A. Approval process.**

5 (a) Joint Advisory Committee. – The State Board of Education and the applicable  
6 governing Board of the local board of trustees shall appoint a joint advisory committee to review  
7 the applications and to recommend approval for those applications that meet the requirements of  
8 this Part and achieve purposes set out in G.S. 115C-238.50. The recommendation shall indicate  
9 whether additional funds were requested in the application. The State Board may only approve  
10 up to four applications for cooperative innovative high schools that request additional funds  
11 under subsection (c) of this section to open in a school year. If an application requesting  
12 additional funds is not approved due to this limitation, a revised application may be submitted  
13 under subsection (b) of this section. The State Board may prioritize approval of such applications  
14 for cooperative innovative high schools located in local school administrative units that do not  
15 already operate a school pursuant to this Part.

16 (b) No Additional Funds. – For applications which have not requested additional funds,  
17 the State Board of Education and the applicable governing Board may approve cooperative  
18 innovative high schools. In granting approval, consideration shall be given to the proposed  
19 budget and demonstration of sources of sustainable funding for the operation of the cooperative  
20 innovative high school. Approvals shall be made by June 30 of each year. No additional State  
21 funds, position allotments, earning of budget full-time equivalent students, or payments of tuition  
22 shall be provided to cooperative innovative high schools approved under this subsection.

23 (c) Additional Funds. – For applications which have requested additional funds, the State  
24 Board of Education and the applicable governing Board may approve cooperative innovative  
25 high schools contingent upon appropriation of the additional funds by the General Assembly.  
26 Contingent approval shall be made by April 1 of each year. The contingent approval shall expire  
27 if no appropriation is made by the General Assembly for the additional funds within one calendar  
28 year. No cooperative innovative high school shall open prior to the appropriation by the General  
29 Assembly of the full amount of the additional funds as requested in the application for that school  
30 under G.S. 115C-238.51 for the upcoming fiscal year or fiscal biennium, as appropriate. If no  
31 appropriation is made by the General Assembly, a revised application may be submitted under  
32 subsection (b) of this section."

33 SECTION #.(b) Beginning with the 2019-2020 school year and for subsequent  
34 school years thereafter, notwithstanding G.S. 115C-238.51A(c) and G.S. 115C-238.54, the  
35 Halifax Early College High School and the Stanly STEM Early College High School shall be  
36 permitted to operate in accordance with G.S. 115C-238.53 and G.S. 115C-238.54 as cooperative  
37 innovative high schools approved under G.S. 115C-238.51A(c) and shall be subject to the  
38 evaluation requirements of G.S. 115C-238.55.

39 SECTION #.(c) Subsection (a) of this section applies beginning with applications  
40 for cooperative innovative high schools to open in the 2020-2021 school year.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H32-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 *AUTHORIZE THE NC CTE EDUCATION FOUNDATION TO ADMINISTER CERTAIN*  
2 *GRANTS*

3 SECTION #.(a) G.S. 115C-64.15 reads as rewritten:

4 "§ 115C-64.15. North Carolina Education and Workforce Innovation Commission.

5 ...

6 (d) The Commission shall develop and administer the Education and Workforce  
7 Innovation Program, as established under G.S. 115C-64.16, in collaboration with the North  
8 Carolina Career and Technical Education Foundation, Inc., and make awards of grants under the  
9 Program.

10 (d1) The Commission shall develop and administer, in coordination with the State Board  
11 of Education and the Superintendent of Public Instruction, and in collaboration with the North  
12 Carolina Career and Technical Education Foundation, Inc., the Career and Technical Education  
13 Grade Expansion Program, as established under G.S. 115C-64.17, and shall make awards of  
14 grants under the Program.

15 (d2) The North Carolina Career and Technical Education Foundation, Inc., shall serve as  
16 a grant administrator by providing assistance and support to grantees for initiating, expanding,  
17 improving, and promoting career and technical education initiatives.

18 (e) ~~The Commission~~ Commission, in consultation with the North Carolina Career and  
19 Technical Education Foundation, Inc., shall publish a report on the Education and Workforce  
20 Innovation Program and the Career and Technical Education Grade Expansion Program on or  
21 before April 30 of each year. The report shall be submitted to the Joint Legislative Education  
22 Oversight Committee, the State Board of Education, the State Board of Community Colleges,  
23 and the Board of Governors of The University of North Carolina. The report shall include at least  
24 all of the following information:

- 25 (1) An accounting of how funds and personnel resources were utilized for each  
26 program and their impact on student achievement, retention, and  
27 employability.  
28 (2) Recommended statutory and policy changes.  
29 (3) Recommendations for improvement of each program.  
30 (4) For the Career and Technical Education Grade Expansion Program,  
31 recommendations on increasing availability of grants after the first two years  
32 of the program to include additional local school administrative units or  
33 providing additional grants to prior recipients."

34 SECTION #.(b) G.S. 115C-64.17(c) reads as rewritten:

35 "(c) Selection of Recipients. – For the 2017-2018 fiscal year, the Commission shall accept  
36 applications for a grant until November 30, 2017. For subsequent fiscal years that funds are made  
37 available for the Program, the Commission shall accept applications for a grant until August 1 of  
38 each year. The Commission shall consult with the North Carolina Career and Technical  
39 Education Foundation, Inc., to select recipients in a manner that considers diversity among the  
40 pool of applicants, including geographic location, location of industries in the area in which a

1 local school administrative unit is located, and the size of the student population served by the  
2 unit, in order to award funds to the extent possible to grant recipients that represent different  
3 regions and characteristics of the State. The Commission shall recommend recipients of the  
4 grants to the State Board of Education. The State Board, upon consultation with the  
5 Superintendent of Public Instruction, shall approve the recipients of grant awards."

6 **SECTION #.(c)** This section shall apply to the administration of grant programs on  
7 or after the date this act becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H33-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***DDC/CRC GRANT PROGRAM***

2       **SECTION #.(a)** Any unexpended and unencumbered funds at the end of each fiscal  
3 year available from (i) the funds appropriated to the Department of Public Instruction for the  
4 Exceptional Children Allotment to be allocated to local school administrative units for  
5 Community Residential Center Funds (CRCF) grants and Developmental Day Centers (DDC)  
6 and (ii) the Special State Reserve Fund (SSRF) for children with disabilities shall not revert to  
7 the General Fund but shall be transferred by the Department to a reserve to establish a grant  
8 program for community residential centers (CRCs) and DDCs administered in accordance with  
9 subsection (b) of this section.

10       **SECTION #.(b)** Beginning with the 2019-2020 fiscal year, when the balance of the  
11 reserve provided for in subsection (a) of this section reaches the sum of at least fifty thousand  
12 dollars (\$50,000) in a fiscal year, then the Department of Public Instruction shall solicit  
13 applications from licensed, community-based DDCs and CRCs approved by the Department of  
14 Public Instruction, Exceptional Children Division, for grants to assist the DDCs and CRCs with  
15 capital and equipment needs for their facilities. The grant application shall require documentation  
16 of the expenditures for which the grant is being requested and any other information requested  
17 by the Department. Local school administrative units shall not be eligible for the receipt of grant  
18 funds under this section. Any unexpended funds in the reserve shall be carried forward each fiscal  
19 year to be used for the purposes of this section.

20       **SECTION #.(c)** By March 15 of each fiscal year in which grants are awarded  
21 pursuant to subsection (b) of this section, the Department of Public Instruction shall report to the  
22 chairs of the Senate Appropriations Committee on Education/Higher Education, the chairs of the  
23 House of Representatives Appropriations Committee on Education, and the Fiscal Research  
24 Division on the award of grants and the balance of the reserve, including the number of grant  
25 recipients, the amount of grants, and the type of expenditure covered by the grant.

26       **SECTION #.(d)** Subsection (a) of this section becomes effective June 30, 2019.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H40-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***CTE ADJUNCT INSTRUCTORS/IREDELL-STATESVILLE SCHOOLS***

2 **SECTION #.(a)** G.S. 115C-157.1(b) reads as rewritten:

3 "(b) Contracting with Adjunct Instructors. – Notwithstanding Article 20 and Part 3 of  
4 Article 22 of this Chapter, a local board of education may contract with an individual to serve as  
5 an adjunct instructor who meets the adjunct hiring criteria established by the State Board of  
6 Education for a specific career and technical education career cluster. The local board of  
7 education may contract with an adjunct instructor on an annual or semester basis, subject to the  
8 following requirements:

- 9 (1) An adjunct instructor may be employed for no more than ~~40~~15 hours per  
10 week.  
11 (2) An adjunct instructor shall be subject to a criminal history check, to ensure  
12 that the person has not been convicted of any crime listed in G.S. 115C-332.  
13 (3) An adjunct instructor shall not be required to hold or apply for licensure as a  
14 teacher.  
15 (4) An adjunct instructor must complete preservice training in all of the following  
16 areas prior to beginning instruction:  
17 a. The identification and education of children with disabilities.  
18 b. Positive management of student behavior.  
19 c. Effective communication for defusing and deescalating disruptive or  
20 dangerous behavior.  
21 d. Safe and appropriate use of seclusion and restraint."

22 **SECTION #.(b)** Subsection (a) of this section applies only to the Iredell-Statesville  
23 School Administrative Unit.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H43-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **CLASSROOM SUPPLIES TO TEACHERS**

2 **SECTION #.(a)** Establishment of the Program. – Notwithstanding any other  
3 provision of law, beginning with the 2019-2020 fiscal year, funds appropriated from the General  
4 Fund to the Department of Public Instruction each fiscal year for the Classroom  
5 Materials/Instructional Supplies/Equipment allotment shall be used for the North Carolina  
6 Classroom Supply Program (Program) established in accordance with this section. The Program  
7 shall provide for electronic access to funds for eligible classroom teachers to purchase supplies  
8 for their classrooms on behalf of public school units participating in the Program to support  
9 educational needs of the public school students assigned to those classroom teachers.

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

- 12 (1) Eligible classroom teacher. – Any school-based classroom teacher, including  
13 teachers for special student populations, such as exceptional children, reading  
14 resource, English language learners, and program enhancement courses,  
15 employed by a public school unit to teach students in grades kindergarten  
16 through twelfth grade. School personnel in central office positions,  
17 instructional support personnel, and school-based administrators shall not be  
18 deemed eligible. A classroom teacher must be employed as of August 31 of  
19 each fiscal year from any funds available to the public school unit to be  
20 eligible under this section. The public school unit may include classroom  
21 teachers employed after August 31 within funds available.
- 22 (2) Public school unit. – A local school administrative unit, a charter school, a  
23 regional school, and a school providing elementary or secondary instruction  
24 operated by the State Board of Education, including schools operated under  
25 Article 7A and Article 9C of Chapter 115C of the General Statutes, or by The  
26 University of North Carolina, including schools operated under Article 4,  
27 Article 29, and Article 29A of Chapter 116 of the General Statutes.

28 **SECTION #.(c)** Allotment of Funds. – Of the funds allocated to local school  
29 administrative units from the Classroom Materials/Instructional Supplies/Equipment allotment  
30 by the Department of Public Instruction each fiscal year, beginning with the 2019-2020 fiscal  
31 year, each local school administrative unit shall transfer the sum of four hundred dollars  
32 (\$400.00) per eligible classroom teacher as of August 31 each year to a program report code for  
33 a classroom teacher electronic account administered pursuant to subsection (d) of this section. A  
34 public school unit, other than a local school administrative unit, may also opt in to the Program  
35 by August 1 of the fiscal year using funds available to that public school unit. The local school  
36 administrative unit operating a renewal school system plan pursuant to Section 6 of S.L. 2018-32  
37 shall also not be required to participate in the Program but may opt in to the Program in  
38 accordance with this subsection.

39 **SECTION #.(d)** Program Administration. – The Department of Public Instruction  
40 shall utilize the same administrative system used by the North Carolina State Education

1 Assistance Authority (Authority) to manage funds for the Personal Education Savings Account  
2 Program pursuant to G.S. 115C-597 and shall model its contract in a manner that meets the  
3 requirements of this section and includes capabilities for at least the following:

4 (1) The ability to restrict purchases, which may include an automated prior  
5 authorization process for allowable purchases or reimbursement of allowable  
6 purchases.

7 (2) Automation for the capture of purchase receipts, which shall be required for  
8 the Department of Public Instruction and the teacher to store electronically for  
9 a total of four years for reporting and audit purposes, and transparent  
10 transactions, making accountability and tracking simple.

11 (3) Ability for teachers to crowd-fund for certain products.

12 **SECTION #.(e)** In the event that the vendor contracted with the Authority described  
13 under subsection (d) of this section is unable to meet the requirements of the Program, then the  
14 Department shall contract with a vendor that provides a virtual e-wallets platform and an  
15 e-commerce marketplace that enables teachers to receive and spend funds online and includes  
16 the capabilities described in subsection (d) of this section.

17 **SECTION #.(f)** Use of Funds for the Program. – The funds appropriated for the  
18 Program shall be used to supplement the materials and supplies otherwise available to classroom  
19 teachers. Classroom supply funds made available under the Program shall not be used to purchase  
20 electronic devices such as computers or software and shall not be expended for administrative  
21 purposes. Eligible classroom teachers shall utilize these funds in a manner that addresses  
22 individual classroom needs and supports the overall goals of the school regarding supplies and  
23 instructional materials. Any supplies purchased by teachers through the Program shall be the  
24 property of the public school unit. Supplies not consumed during the school year shall be made  
25 available to the teacher for the following school year or for other eligible classroom teachers as  
26 appropriate. Any unexpended funds in the classroom teacher accounts established in subsection  
27 (c) of this section shall revert to the General Fund at the end of each fiscal year.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H38-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***ROBOTICS PROGRAM FOR STUDENTS WITH AUTISM***

2       **SECTION #.** The Department of Public Instruction shall use available funds for the  
3 2019-2021 fiscal biennium, except for funds in the State Public School Fund, in an amount of up  
4 to three hundred thousand dollars (\$300,000) for each fiscal year of the 2019-2021 fiscal  
5 biennium to implement a program for students with autism that uses interactive facially  
6 expressive humanoid robotics for social and behavioral skills development for the advanced  
7 treatment of autism. The program shall have (i) a research-based curriculum with imbedded  
8 evidence-based practices, (ii) existing installations within North Carolina local school  
9 administrative units or charter schools, and (iii) a comprehensive facilitator and activity manual  
10 for learners with autism. The Department of Public Instruction shall select public schools for  
11 participation in the program and begin implementation of the program for the 2019-2020 school  
12 year. The Department shall ensure that the program uses resources efficiently to provide  
13 interactive humanoid robotics for social and behavioral skills development in the advanced  
14 treatment of autism for any local school administrative unit or charter school that is in need of  
15 the program.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H44-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***REAL SCHOOL GARDENS, DOING BUSINESS AS OUT TEACH/PILOT PROGRAM***

2 **SECTION #.(a)** Of the funds appropriated to the Department of Public Instruction  
3 for the 2019-2020 fiscal year for REAL School Gardens, Carolinas Region, the Department of  
4 Public Instruction shall provide funds as grant-in-aid to the nonprofit organization known as  
5 REAL School Gardens, doing business as Out Teach, for the 2019-2020 school year to establish  
6 a pilot program. The purpose of the pilot program is to transform teaching practices and create  
7 outdoor learning laboratories on school campuses, based on the national model developed by Out  
8 Teach, in 10 rural elementary schools operating a school-wide Title I program. Qualifying  
9 schools shall be selected at the discretion of the State Superintendent of Public Instruction. The  
10 pilot program shall concentrate on improving student academic performance, teacher  
11 effectiveness, student engagement, and improving health and behavioral issues of students. State  
12 funds shall only be used to operate and administer the pilot program and may be used for teacher  
13 training utilizing Out Teach project-based, experiential learning curriculum, which is aligned to  
14 NC Essential Standards for science, math, and literacy skills and the Whole School, Whole  
15 Community, Whole Child model for nutrition education.

16 **SECTION #.(b)** As used in this section, a school-wide Title I program is a program  
17 at a school identified under Part A of Title I of the Elementary and Secondary Education Act of  
18 1965, as amended.

19 **SECTION #.(c)** The funds provided in accordance with subsection (a) of this section  
20 shall not revert at the end of the each fiscal year but shall remain available for expenditure until  
21 the end of the 2020-2021 fiscal year.

22 **SECTION #.(d)** By October 1, 2020, and by October 1 of any year thereafter in  
23 which Out Teach spends State funds, Out Teach shall submit to the Joint Legislative Education  
24 Oversight Committee and the Fiscal Research Division of the General Assembly an annual report  
25 on the progress of the pilot program, an accounting of expenditures, and student outcome and  
26 teacher effectiveness data related to the operation of the pilot program.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H45-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **COMPETENCY-BASED MATH PILOT**

2 **SECTION #.(a)** Purpose. – There is established the Competency-Based  
3 Mathematics Education Pilot Program (Pilot) within the Department of Public Instruction to be  
4 administered for a period of five years. The purpose of the Pilot is to allow students in grades  
5 nine through 12 to advance to higher levels of mathematics courses contingent upon the mastery  
6 of concepts and skills, rather than upon the awarding of course credits. Participating schools and  
7 students attending those schools will be exempt from the requirements of the standard course of  
8 study in the core subject of mathematics.

9 **SECTION #.(b)** Application. – The State Superintendent of Public Instruction and  
10 the Department of Public Instruction shall develop guidelines for the selection of certain local  
11 boards of education for participation in the Pilot. No later than October 31, 2019, the State  
12 Superintendent shall disseminate the selection guidelines, along with an application form to be  
13 used by local boards of education that wish to apply for participation in the Pilot. The application  
14 form must require, at a minimum, the following:

- 15 (1) The list of schools that will participate in the Pilot.
- 16 (2) A clear, detailed explanation of rigorous and results-driven curricula and  
17 personalized learning tools to be used during the Pilot.
- 18 (3) A plan for student progression based on the mastery of content, including  
19 mechanisms that determine and ensure that a student has satisfied the  
20 requirements for credit promotion.
- 21 (4) The scope and time lines for professional development for mathematics  
22 teachers and other relevant school personnel.
- 23 (5) A plan for communicating with and receiving feedback from parents and  
24 community stakeholders regarding implementation of the Pilot.

25 **SECTION #.(c)** Exercise of Flexibility. – Notwithstanding any provision of State  
26 law or policy to the contrary, local school administrative units participating in the Pilot may  
27 exercise flexibility as necessary relating to student progression and the awarding of credits in  
28 order to comply with the purposes of this section, subject to the limitations included in this  
29 section. Schools participating in the Pilot are not exempt from testing required by the State Board  
30 of Education as part of the statewide annual testing program. The State Superintendent may  
31 approve up to five local school administrative units for participation in the Pilot. Approved local  
32 school administrative units shall implement the plans presented in their applications beginning  
33 with the 2020-2021 school year.

34 **SECTION #.(d)** Appropriation. – Funds appropriated to the Department of Public  
35 Instruction for the 2019-2020 fiscal year for the administration and evaluation of the Pilot shall  
36 not revert but shall remain available for expenditure until the conclusion of the Pilot.

37 **SECTION #.(e)** Participating local school administrative units shall be selected  
38 during the 2019-2020 school year for implementation of the Pilot beginning with the 2020-2021  
39 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H46-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 ***LIFE CHANGING EXPERIENCES SCHOOL PILOT PROGRAM***

2       **SECTION #.(a)** Of the funds appropriated to the Department of Public Instruction  
3 by this act for the Life Changing Experiences School Pilot Program for the 2019-2020 fiscal year,  
4 the Department shall contract with the Children and Parent Resource Group, Inc., to design,  
5 implement, and evaluate a one-year Life Changing Experiences School Pilot Program (Project),  
6 ending with the 2019-2020 school year. The Project shall be operated and administered for  
7 students in grades six through 11 in the following local school administrative units: Lincoln  
8 County Schools, McDowell County Schools, Mitchell County Schools, and Pitt County Schools.  
9 These contract funds shall not be used for any purpose other than to implement the Project in the  
10 local school administrative units, which consists of traveling three-dimensional, interactive,  
11 holistic, and evidence-based multimedia education in-school programs. The Project shall include  
12 theme-specific programs screened at school assemblies and additional follow-up applications  
13 that address dangerous life- and community-threatening activities that negatively impact  
14 teenagers, including alcohol and other drugs, dangerous driving, violence, and bullying. The goal  
15 of these programs is to increase positive intentions and behavioral outcomes by teaching students  
16 the techniques and skills that empower them to reach meaningful life goals, employ positive  
17 behaviors, and start businesses and social enterprises.

18       **SECTION #.(b)** The Children and Parent Resource Group, Inc., in consultation with  
19 the Department of Public Instruction, shall submit a report on the Project authorized by this  
20 section by March 1, 2020, to the Joint Legislative Education Oversight Committee and the Fiscal  
21 Research Division. The report shall include an accounting of expenditures and student outcome  
22 data related to the operation of the Project.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-DPI-H42-P

Department of Public Instruction  
House Appropriations, Education

Requested by

1 **SCHOOL SAFETY GRANTS PROGRAMS**

2 **SECTION #.(a)** For the 2019-2020 fiscal year, the Department of Public Instruction  
3 shall administer the following school safety grants:

4 (1) Definitions. – For purposes of this subsection, the following definitions shall  
5 apply:

6 a. Community partner. – A public or private entity, including, but not  
7 limited to, a nonprofit corporation or a local management  
8 entity/managed care organization (LME/MCO), that partners with a  
9 public school unit to provide services or pay for the provision of  
10 services for the unit.

11 b. Public school unit. – A local school administrative unit, regional  
12 school, innovative school, laboratory school, or charter school.

13 c. School mental health support personnel. – All of the following:

14 1. School nurses, school counselors, school psychologists, and  
15 school social workers.

16 2. Any of the following with sufficient training or experience  
17 with school-age populations, determined on a case-by-case  
18 basis in the discretion of the Superintendent of Public  
19 Instruction: registered nurses, licensed practical nurses,  
20 advanced practice nurses, nurse practitioners, licensed or  
21 certified psychologists, licensed clinical social workers, and  
22 licensed professional counselors.

23 d. Other health support services. – Mental or physical health support  
24 services provided by one or more third-party entities to a public school  
25 unit on a contracted basis, including telemedicine or other distance  
26 consultations.

27 (2) Program; purpose. – The Superintendent of Public Instruction shall establish  
28 the 2019 School Safety Grants Program (Program). The purpose of the  
29 Program shall be to improve safety in public school units by providing grants  
30 for (i) school resource officers, (ii) services for students in crisis, (iii) school  
31 safety training, (iv) safety equipment in schools, and (v) additional school  
32 mental health support personnel.

33 (3) Grant applications. – A public school unit may submit an application to the  
34 Superintendent of Public Instruction for one or more grants pursuant to this  
35 section. The application shall include an assessment, to be performed in  
36 conjunction with a local law enforcement agency, of the need for improving  
37 school safety within the public school unit that would receive the funding or  
38 services. The application shall identify current and ongoing needs and  
39 estimated costs associated with those needs.

- 1 (4) Criteria and guidelines. – By August 1, 2019, the Superintendent of Public  
2 Instruction shall develop criteria and guidelines for the administration and use  
3 of the grants pursuant to this subsection, including any documentation  
4 required to be submitted by applicants. In assessing grant applications, the  
5 Superintendent of Public Instruction shall consider at least all of the following  
6 factors:
- 7 a. The level of resources available to the public school unit that would  
8 receive the funding or services.
  - 9 b. Whether the public school unit has received other grants of funding  
10 for school safety.
  - 11 c. The overall impact on student safety in the public school unit if the  
12 identified needs are funded.
- 13 (5) Grants for school resource officers. – Of the funds appropriated to the  
14 Department of Public Instruction by this section for grants for school resource  
15 officers, the Superintendent of Public Instruction shall award grants to public  
16 school units for school resource officers in elementary and middle schools, as  
17 follows:
- 18 a. Grants shall be matched on the basis of two dollars (\$2.00) in State  
19 funds for every one dollar (\$1.00) in non-State funds.
  - 20 b. Public school units may use these funds to employ school resource  
21 officers in elementary and middle schools, to train them, or both.
  - 22 c. Training shall be provided, in partnership with the public school unit,  
23 by a community college, a local law enforcement agency, or the North  
24 Carolina Justice Academy. Any training shall include instruction on  
25 research into the social and cognitive development of elementary  
26 school and middle school children.
- 27 (6) Grants for students in crisis. – Of the funds appropriated to the Department of  
28 Public Instruction by this section for students in crisis, the Superintendent of  
29 Public Instruction, in consultation with the Department of Health and Human  
30 Services, shall award grants to public school units to contract with community  
31 partners to provide or pay for the provision of any of the following crisis  
32 services:
- 33 a. Crisis respite services for parents or guardians of an individual student  
34 to prevent more intensive or costly levels of care.
  - 35 b. Training and expanded services for therapeutic foster care families and  
36 licensed child placement agencies that provide services to students  
37 who (i) need support to manage their health, welfare, and safety and  
38 (ii) have any of the following:
    - 39 1. Cognitive or behavioral problems.
    - 40 2. Developmental delays.
    - 41 3. Aggressive behavior.
  - 42 c. Evidence-based therapy services aligned with targeted training for  
43 students and their parents or guardians, including any of the following:
    - 44 1. Parent-child interaction therapy.
    - 45 2. Trauma-focused cognitive behavioral therapy.
    - 46 3. Dialectical behavior therapy.
    - 47 4. Child-parent psychotherapy.
  - 48 d. Any other crisis service, including peer-to-peer mentoring, that is  
49 likely to increase school safety. Of the funds allocated to the  
50 Superintendent for grants pursuant to this subdivision, the

1 Superintendent shall not use more than fifty percent (50%) for the  
2 services identified in this sub-subdivision.

3 (7) Grants for training to increase school safety. – Of the funds appropriated to  
4 the Department of Public Instruction by this section for training to increase  
5 school safety, the Superintendent of Public Instruction, in consultation with  
6 the Department of Health and Human Services, shall award grants to public  
7 school units to contract with community partners to address school safety by  
8 providing training to help students develop healthy responses to trauma and  
9 stress. The training shall be targeted and evidence-based and shall include any  
10 of the following services:

- 11 a. Counseling on Access to Lethal Means (CALM) training for school  
12 mental health support personnel, local first responders, and teachers  
13 on the topics of suicide prevention and reducing access by students to  
14 lethal means.
- 15 b. Training for school mental health support personnel on comprehensive  
16 and evidence-based clinical treatments for students and their parents  
17 or guardians, including any of the following:
  - 18 1. Parent-child interaction therapy.
  - 19 2. Trauma-focused cognitive behavioral therapy.
  - 20 3. Behavioral therapy.
  - 21 4. Dialectical behavior therapy.
  - 22 5. Child-parent psychotherapy.
- 23 c. Training for students and school employees on community resilience  
24 models to improve understanding and responses to trauma and  
25 significant stress.
- 26 d. Training for school mental health support personnel on Modular  
27 Approach to Therapy for Children with Anxiety, Depression, Trauma,  
28 or Conduct problems (MATCH-ADTC), including any of the  
29 following components:
  - 30 1. Trauma-focused cognitive behavioral therapy.
  - 31 2. Parent and student coping skills.
  - 32 3. Problem solving.
  - 33 4. Safety planning.
- 34 e. Any other training, including the training on the facilitation of  
35 peer-to-peer mentoring, that is likely to increase school safety. Of the  
36 funds allocated to the Superintendent for grants pursuant to this  
37 subdivision, the Superintendent shall not use more than fifty percent  
38 (50%) for the services identified in this sub-subdivision.

39 (8) Grants for school mental health support personnel. – Of the funds appropriated  
40 to the Department of Public Instruction by this section for school mental  
41 health support personnel, the Superintendent of Public Instruction shall award  
42 grants to public school units, as follows:

- 43 a. Grants shall be matched on the basis of two dollars (\$2.00) in State  
44 funds for every one dollar (\$1.00) in non-State funds.
- 45 b. Grants may be used for any of the following purposes:
  - 46 1. To provide all or a portion of the salary and benefits costs  
47 needed to employ additional school mental health support  
48 personnel on a full-time, part-time, or contractual basis.
  - 49 2. To contract for other health support services.
  - 50 3. Training for school mental health support personnel receiving  
51 funds under this subdivision.

- 1 (9) Supplement not supplant. – Grants provided to public school units or  
2 community partners pursuant to the Program shall be used to supplement and  
3 not to supplant State or non-State funds already provided for these services.  
4 (10) Administrative costs. – Of the funds appropriated to the Department of Public  
5 Instruction by this section for the grants provided in this subsection, the  
6 Superintendent of Public Instruction may retain a total of up to one hundred  
7 thousand dollars (\$100,000) for administrative costs associated with the  
8 Program.  
9 (11) Report. – No later than April 1, 2020, the Superintendent of Public Instruction  
10 shall report on the program to the Joint Legislative Education Oversight  
11 Committee, the Joint Legislative Oversight Committee on Health and Human  
12 Services, the Joint Legislative Oversight Committee on Justice and Public  
13 Safety, the Joint Legislative Commission on Governmental Operations, and  
14 the Fiscal Research Division. The report shall include the identity of each  
15 entity that received a grant through the Program, the amount of funding  
16 provided to each entity that received a grant, the use of funds by each entity  
17 that received a grant, and recommendations for the implementation of  
18 additional effective school safety measures.

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

21 **"§ 115C-105.60. School Safety Grants.**

22 (a) Definitions. – For purposes of this section, the following definitions shall apply:

- 23 (1) Community partner. – A public or private entity, including, but not limited to,  
24 a nonprofit corporation or a local management entity/managed care  
25 organization (LME/MCO), that partners with a public school unit to provide  
26 services or pay for the provision of services for the unit.  
27 (2) Public school unit. – A local school administrative unit, regional school,  
28 innovative school, laboratory school, or charter school.  
29 (3) School mental health support personnel. – All of the following:  
30 a. School nurses, school counselors, school psychologists, and school  
31 social workers.  
32 b. Any of the following with sufficient training or experience with  
33 school-age populations, determined on a case-by-case basis in the  
34 discretion of the Superintendent of Public Instruction: registered  
35 nurses, licensed practical nurses, advanced practice nurses, nurse  
36 practitioners, licensed or certified psychologists, licensed clinical  
37 social workers, and licensed professional counselors.  
38 (4) Other health support services. – Mental or physical health support services  
39 provided by one or more third-party entities to a public school unit on a  
40 contracted basis, including telemedicine or other distance consultations.

41 (b) Program; Purpose. – The Superintendent of Public Instruction shall establish the  
42 School Safety Grants Program (Program). To the extent funds are made available for the  
43 Program, its purpose shall be to improve safety in public school units by providing grants for (i)  
44 school resource officers, (ii) services for students in crisis, (iii) school safety training, (iv) safety  
45 equipment in schools, and (v) additional school mental health support personnel.

46 (c) Grant Applications. – A public school unit may submit an application to the  
47 Superintendent of Public Instruction for one or more grants pursuant to this section. The  
48 application shall include an assessment, to be performed in conjunction with a local law  
49 enforcement agency, of the need for improving school safety within the public school unit that  
50 would receive the funding or services. The application shall identify current and ongoing needs  
51 and estimated costs associated with those needs.



1       (d) Criteria and Guidelines. – By August 1, 2020, and each year thereafter in which funds  
2 are made available for the Program, the Superintendent of Public Instruction shall develop criteria  
3 and guidelines for the administration and use of the grants pursuant to this section, including any  
4 documentation required to be submitted by applicants. In assessing grant applications, the  
5 Superintendent of Public Instruction shall consider at least all of the following factors:

6           (1) The level of resources available to the public school unit that would receive  
7 the funding or services.

8           (2) Whether the public school unit has received other grants of funding for school  
9 safety.

10          (3) The overall impact on student safety in the public school unit if the identified  
11 needs are funded.

12       (e) Grants for School Resource Officers. – From funds made available for grants for  
13 school resource officers, the Superintendent of Public Instruction shall award grants to public  
14 school units for school resource officers in elementary and middle schools, as follows:

15           (1) Grants shall be matched on the basis of two dollars (\$2.00) in State funds for  
16 every one dollar (\$1.00) in non-State funds.

17           (2) Public school units may use these funds to employ school resource officers in  
18 elementary and middle schools, to train them, or both.

19           (3) Training shall be provided, in partnership with the public school unit, by a  
20 community college, a local law enforcement agency, or the North Carolina  
21 Justice Academy. Any training shall include instruction on research into the  
22 social and cognitive development of elementary school and middle school  
23 children.

24       (f) Grants for Students In Crisis. – From funds made available for grants for students in  
25 crisis, the Superintendent of Public Instruction, in consultation with the Department of Health  
26 and Human Services, shall award grants to public school units to contract with community  
27 partners to provide or pay for the provision of any of the following crisis services:

28           (1) Crisis respite services for parents or guardians of an individual student to  
29 prevent more intensive or costly levels of care.

30           (2) Training and expanded services for therapeutic foster care families and  
31 licensed child placement agencies that provide services to students who (i)  
32 need support to manage their health, welfare, and safety and (ii) have any of  
33 the following:

34           a. Cognitive or behavioral problems.

35           b. Developmental delays.

36           c. Aggressive behavior.

37           (3) Evidence-based therapy services aligned with targeted training for students  
38 and their parents or guardians, including any of the following:

39           a. Parent-child interaction therapy.

40           b. Trauma-focused cognitive behavioral therapy.

41           c. Dialectical behavior therapy.

42           d. Child-parent psychotherapy.

43           (4) Any other crisis service, including peer-to-peer mentoring, that is likely to  
44 increase school safety. Of the funds allocated to the Superintendent for grants  
45 pursuant to this subsection, the Superintendent shall not use more than fifty  
46 percent (50%) for the services identified in this subdivision.

47       (g) Grants for Training to Increase School Safety. – From funds made available for grants  
48 for training to increase school safety, the Superintendent of Public Instruction, in consultation  
49 with the Department of Health and Human Services, shall award grants to public school units to  
50 contract with community partners to address school safety by providing training to help students

1 develop healthy responses to trauma and stress. The training shall be targeted and evidence-based  
2 and shall include any of the following services:

- 3 (1) Counseling on Access to Lethal Means (CALM) training for school mental  
4 health support personnel, local first responders, and teachers on the topics of  
5 suicide prevention and reducing access by students to lethal means.
- 6 (2) Training for school mental health support personnel on comprehensive and  
7 evidence-based clinical treatments for students and their parents or guardians,  
8 including any of the following:
  - 9 a. Parent-child interaction therapy.
  - 10 b. Trauma-focused cognitive behavioral therapy.
  - 11 c. Behavioral therapy.
  - 12 d. Dialectical behavior therapy.
  - 13 e. Child-parent psychotherapy.
- 14 (3) Training for students and school employees on community resilience models  
15 to improve understanding and responses to trauma and significant stress.
- 16 (4) Training for school mental health support personnel on Modular Approach to  
17 Therapy for Children with Anxiety, Depression, Trauma, or Conduct  
18 problems (MATCH-ADTC), including any of the following components:
  - 19 a. Trauma-focused cognitive behavioral therapy.
  - 20 b. Parent and student coping skills.
  - 21 c. Problem solving.
  - 22 d. Safety planning.
- 23 (5) Any other training, including the training on the facilitation of peer-to-peer  
24 mentoring, that is likely to increase school safety. Of the funds allocated to  
25 the Superintendent for grants pursuant to this subsection, the Superintendent  
26 shall not use more than fifty percent (50%) for the services identified in this  
27 subdivision.

28 (h) Grants for School Mental Health Support Personnel. – From funds made available for  
29 grants for school mental health support personnel, the Superintendent of Public Instruction shall  
30 award grants to public school units, as follows:

- 31 (1) Grants shall be matched on the basis of two dollars (\$2.00) in State funds for  
32 every one dollar (\$1.00) in non-State funds.
- 33 (2) Grants may be used for any of the following purposes:
  - 34 a. To provide all or a portion of the salary and benefits costs needed to  
35 employ additional school mental health support personnel on a  
36 full-time, part-time, or contractual basis.
  - 37 b. To contract for other health support services.
  - 38 c. Training for school mental health support personnel receiving funds  
39 under this subsection.

40 (i) Supplement Not Supplant. – Grants provided to public school units or community  
41 partners pursuant to the Program shall be used to supplement and not to supplant State or  
42 non-State funds already provided for these services.

43 (j) Administrative Costs. – Of the funds made available for the grants provided pursuant  
44 to this section, the Superintendent of Public Instruction may retain a total of up to one hundred  
45 thousand dollars (\$100,000) in each fiscal year for administrative costs associated with the  
46 program.

47 (k) Report. – No later than April 1, 2021, and each year thereafter in which funds are  
48 made available for the Program, the Superintendent of Public Instruction shall report on the  
49 Program to the Joint Legislative Education Oversight Committee, the Joint Legislative Oversight  
50 Committee on Health and Human Services, the Joint Legislative Oversight Committee on Justice  
51 and Public Safety, the Joint Legislative Commission on Governmental Operations, and the Fiscal

1 Research Division. The report shall include the identity of each entity that received a grant  
2 through the Program, the amount of funding provided to each entity that received a grant, the use  
3 of funds by each entity that received a grant, and recommendations for the implementation of  
4 additional effective school safety measures."

5 **SECTION #.(c)** Of the funds appropriated to the Department of Public Instruction  
6 by this section for grants for school safety equipment in the 2019-2021 fiscal biennium, the  
7 Superintendent of Public Instruction shall award grants to local school administrative units,  
8 regional schools, innovative schools, or laboratory schools for (i) the purchase of safety  
9 equipment for government-owned school buildings and (ii) training associated with the use of  
10 safety equipment purchased pursuant to this subsection. Grants awarded pursuant to this  
11 subsection shall comply with subdivisions (2), (3), (4), (9), (10), and (11) of subsection (a) of  
12 this section in the 2019-2020 fiscal year and subsections (b), (c), (d), (i), (j), and (k) of  
13 G.S. 115C-105.60, as enacted by this section, in the 2020-2021 fiscal year.

14 **SECTION #.(d)** Section 7.27 of S.L. 2018-5 is repealed.

15 **SECTION #.(e)** Subsection (a) of this section expires June 30, 2020. Subsection (b)  
16 of this section becomes effective July 1, 2020.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNC-H2-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

1 ***UNC/ESCHEATS FUND FOR STUDENT FINANCIAL AID PROGRAMS***

2 **SECTION #.(a)** The funds appropriated by this act from the Escheat Fund for the  
3 2019-2021 fiscal biennium for student financial aid shall be allocated in accordance with  
4 G.S. 116B-7. Notwithstanding any other provision of Chapter 116B of the General Statutes, if  
5 the interest income generated from the Escheat Fund is less than the amounts referenced in this  
6 act, the difference may be taken from the Escheat Fund principal to reach the appropriations  
7 referenced in this act; however, under no circumstances shall the Escheat Fund principal be  
8 reduced below the sum required in G.S. 116B-6(f). If any funds appropriated from the Escheat  
9 Fund by this act for student financial aid remain uncommitted aid as of the end of a fiscal year,  
10 the funds shall be returned to the Escheat Fund, but only to the extent the funds exceed the amount  
11 of the Escheat Fund income for that fiscal year.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNC-H4-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

1 ***CARRYFORWARD OF ENROLLMENT FUNDS FOR NC PROMISE REQUIREMENTS***

2 **SECTION #.(a)** The funds appropriated by S.L. 2018-5 for enrollment adjustments  
3 for The University of North Carolina, including funds for the NC Promise Tuition Plan, to a  
4 reserve account in the Office of State Budget and Management for the 2018-2019 fiscal year  
5 shall not revert at the end of the 2018-2019 fiscal year but shall remain available until the end of  
6 the 2020-2021 fiscal year for the purpose of the "buy down" of any financial obligations resulting  
7 from the established tuition rate under G.S. 116-143.11 incurred by Elizabeth City State  
8 University, the University of North Carolina at Pembroke, and Western Carolina University or  
9 for rapid growth at any of those constituent institutions.

10 **SECTION #.(b)** This section becomes effective June 30, 2019.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNC-H1-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

1 ***COLLEGE ADVISING CORPS/COLLEGE ADVISERS IN THE PUBLIC SCHOOLS***

2 **SECTION #.(a)** Purpose of the College Advising Corps Program. – From the funds  
3 appropriated by this act for the 2019-2021 fiscal biennium to the Board of Governors of The  
4 University of North Carolina for the College Advising Corps program, a grant-in-aid shall be  
5 provided to National College Advising Corps, Inc. (CAC) to support an expansion of the  
6 placement of college advisers in North Carolina public schools through their program over a  
7 three-year period. CAC is a college access nonprofit organization with the mission to increase  
8 the number of underrepresented, low-income, or first-generation postsecondary degree or  
9 certificate students entering and completing their postsecondary education at community colleges  
10 and universities. In furthering this mission, CAC operates an innovative model of partnering with  
11 schools, communities, families, and postsecondary institutions, including providing for a  
12 two-year service opportunity to recent college graduates as near-peer college advisers working  
13 full-time in the public schools, with an emphasis on engaging college advisers who have similar  
14 backgrounds to the students the program seeks to serve. Near-peer college advisers perform  
15 various services for those students that are key components to the proven success of the program,  
16 including (i) attending postsecondary campus visits, fairs, and workshops with students, (ii)  
17 assisting with registering for college entrance exams, (iii) assisting with Free Application for  
18 Federal Student Aid (FAFSA) registrations and completions, (iv) identifying available  
19 scholarships, (v) assisting with postsecondary applications, and (vi) engaging with parents.

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

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

32 **SECTION #.(d)** Use of Funds. – CAC shall focus the first two years of the expansion  
33 of its program using the funds provided to it under this section by placing college advisers in  
34 counties designated as Tier 1 and Tier 2. For the third year of the expansion, CAC shall use the  
35 funds provided to it to place college advisers in the remaining counties designated as Tier 3 in  
36 order to achieve placement of college advisers in all 100 counties of the State. In addition, CAC  
37 shall select at least three additional postsecondary institutions to partner with in order to increase  
38 the number of recent graduates working as near-peer college advisers to meet the needs of the  
39 program expansion. Once CAC has reached the goal of placement of college advisers in 100  
40 counties, the funds provided to it for the program shall be used to continue the mission of the

1 program to increase access for North Carolina public school students to postsecondary degree or  
2 certificate attainment at community colleges and universities.  
3 **SECTION #.(e) Reporting Requirements.** – CAC shall submit a report by June 1 of  
4 each year in which CAC spends State funds made available to it pursuant to this section to the  
5 Joint Legislative Education Oversight Committee and the Fiscal Research Division on the  
6 progress of expanding the placement of college advisers, data on the effectiveness of the program  
7 in increasing access for students to postsecondary education, and the use of State funds.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNC-H6-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

- 1 *REPEAL BOG MANDATORY REVIEW OF CERTAIN UNC HUMAN RESOURCES*
- 2 *ACTIONS*
- 3 **SECTION #.** G.S. 116-17.3 is repealed.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNC-H3-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

1 **UNC LABORATORY SCHOOL MODIFICATIONS/FUNDS**

2 **SECTION #.(a)** G.S. 116-239.5(a) reads as rewritten:

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

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

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

24 **SECTION #.(c)** G.S. 116-239.7(a1) reads as rewritten:

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

39 **SECTION #.(d)** G.S. 116-239.7(b) reads as rewritten:

1       "(b) Resolution by the Subcommittee to Approve a Laboratory School. – The  
2 Subcommittee shall adopt a resolution upon the approval of each laboratory school, which shall  
3 include the following:

- 4           (1) Name of the laboratory school.
- 5           (2) The local school administrative unit in which the laboratory school shall be  
6 located.
- 7           (3) A term of operation for the laboratory school of five years from the date of  
8 initial operation. At the end of the initial five years of operation, the  
9 Subcommittee shall renew the term of operation for additional five-year  
10 periods under the resolution if the laboratory school is still located in a local  
11 school administrative unit that has twenty-five percent (25%) or more of the  
12 schools located in the unit identified as low-performing under  
13 G.S. 115C-105.37, or if the Subcommittee renews a waiver of this  
14 requirement under subsection (a2) of this section, ~~the resolution may be~~  
15 ~~renewed by the Subcommittee at the end of the term for an additional five~~  
16 ~~years.~~ section. If the laboratory school is no longer (i) located in a qualifying  
17 local school administrative unit or (ii) meeting the purposes of this Article  
18 under a waiver at the end of five years, the Subcommittee shall may renew the  
19 term of operation for additional five-year periods under the resolution if the  
20 Subcommittee finds the school is successfully meeting its mission to improve  
21 student performance and provide valuable exposure and training for teachers  
22 and principals in the constituent institution's educator preparation program.  
23 The Subcommittee may terminate operation of any laboratory school during  
24 the initial term of operation or during a five-year renewal period if the  
25 Subcommittee finds it is failing to meet expected progress towards meeting  
26 the mission of the school consistent with the requirements of this Article. The  
27 Subcommittee shall notify the Board of Governors of the end of the term of  
28 operation of a laboratory school and request designation of additional  
29 constituent institutions with educator preparation programs to establish a  
30 laboratory school in accordance with the provisions of this Article."

31 **SECTION #.(e)** G.S. 116-239.8(b)(4) reads as rewritten:

- 32 "(4) Food and transportation services. – The local school administrative unit in  
33 which the laboratory school is located shall provide ~~food services and~~  
34 transportation to students attending who reside in the local school  
35 administrative unit and attend the laboratory school, including any  
36 students who are homeless and require assistance pursuant to 42 U.S.C. §  
37 11301, et seq., the McKinney-Vento Homeless Assistance Act. The  
38 requirement to provide transportation to students residing in the local school  
39 administrative unit shall (i) apply regardless of where a laboratory school  
40 student resides in the unit or how the unit's transportation policies and  
41 practices are applied to other students and (ii) include providing transportation  
42 of students and personnel for laboratory school extracurricular activities and  
43 educational trips in the same manner as other schools in the unit for that school  
44 year. The local school administrative unit in which the laboratory school is  
45 located shall ~~administer~~ administer, at its cost, the National School Lunch  
46 Program for the laboratory school in accordance with G.S. 115C-264. The  
47 chancellor shall arrange for the provision of these services from the local  
48 school administrative unit."

49 **SECTION #.(f)** G.S. 116-239.9 reads as rewritten:

50 **"§ 116-239.9. Student admissions and assignment.**

1 (a) A child shall be eligible to attend a laboratory school if the child resides in the local  
2 school administrative unit in which a laboratory school is located and meets at least one of the  
3 following criteria:

4 (1) Is assigned to a low-performing school, as defined by G.S. 115C-105.37 at the  
5 time of the student's application.

6 (2) Did not meet expected growth in the prior school year based on one or more  
7 indicators listed in subsection (c1) of this section.

8 (3) Is the sibling of a child who is eligible under subdivision (1) or (2) of this  
9 subsection.

10 (4) Is the child of a laboratory school employee.

11 (b) No local board of education shall require any student enrolled in the local school  
12 administrative unit to attend a laboratory school.

13 (c) During each period of enrollment, the laboratory school shall enroll an eligible student  
14 under subsection (a) of this section who submits a timely application, up to the capacity of a  
15 program, class, grade level, or building, in the order in which applications are received. Once  
16 enrolled, students are not required to reapply in subsequent enrollment periods. The laboratory  
17 school may give enrollment priority to the sibling of an enrolled student who attended the  
18 laboratory school in the prior school year.

19 (c1) For the purposes of this Article, any of the following shall serve as indicators that a  
20 student did not meet expected student growth in the prior school year: (i) grades, (ii) observations,  
21 (iii) diagnostic and formative assessments, (iv) State assessments, or (v) other factors, including  
22 reading on grade level.

23 (c2) Notwithstanding the requirements of subsection (a) of this section, if a laboratory  
24 school has not reached enrollment capacity in a program, class, grade level, or building by June  
25 1 prior to the start of the next school year, the laboratory school may enroll children who reside  
26 in the local school administrative unit in which the laboratory school is located but do not meet  
27 one of the criteria set forth in subdivisions (1) through (4) of subsection (a) of this section for up  
28 to twenty percent (20%) of the total capacity of the program, class, grade level, or building.

29 (d) Notwithstanding any law to the contrary, a laboratory school may refuse admission  
30 to any student who has been expelled or suspended from a public school under G.S. 115C-390.5  
31 through G.S. 115C-390.11 until the period of suspension or expulsion has expired.

32 (e) Within one year after a laboratory school begins operation, the laboratory school shall  
33 make efforts for the population of the school to reasonably reflect the racial, ethnic, and  
34 socioeconomic composition of the general population residing within the local school  
35 administrative unit in which the school is located."

36 **SECTION #.(g)** Section 11.6(d) of S.L. 2016-94, as amended by Section 4 of S.L.  
37 2017-177, reads as rewritten:

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

41 **SECTION #.(h)** The funds appropriated by this act to the Board of Governors of  
42 The University of North Carolina for the 2019-2021 fiscal biennium to support the operation of  
43 laboratory schools shall be used only for the operating expenses and equipment needs of the  
44 individual laboratory schools and shall not be used to fund or create positions or to hire  
45 consultants for The University of North Carolina System Office.

46 **SECTION #.(i)** Subsection (b) of this section applies to an action or omission of an  
47 action occurring on or after the date this act becomes law. Subsections (e) and (f) of this section  
48 apply beginning with the 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNC-H5-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

1 ***EXTEND REPORT DATE FOR UNC BOARD OF GOVERNORS PLANNING TASK***  
2 ***FORCE***

3 **SECTION #.** Section 36.6 of S.L. 2018-5 reads as rewritten:

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

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

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

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNC-H8-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

1 **INCREASE UNC CARRYFORWARD PERCENTAGE**

2 **SECTION #.(a)** G.S. 116-30.3(a) reads as rewritten:

3 "(a) Of the General Fund current operations appropriations credit balance remaining at the  
4 end of each fiscal year in each of the budget codes listed in this subsection, any amount of the  
5 General Fund appropriation for that budget code for that fiscal year (i) may be carried forward  
6 to the next fiscal year in that budget code, (ii) is appropriated in that budget code, and (iii) may  
7 be used for any of the purposes set out in subsection (f) of this section. However, the amount  
8 carried forward in each budget code under this subsection shall not exceed ~~two and one-half~~  
9 seven and one-half percent (~~2.5%~~)(7.5%) of the General Fund appropriation in that budget code.  
10 The Director of the Budget, under the authority set forth in G.S. 143C-6-2, shall establish the  
11 General Fund current operations credit balance remaining in each budget code.

12 The budget codes that may carry forward a General Fund current operations appropriations  
13 credit balance remaining at the end of each fiscal year pursuant to this section are the budget  
14 codes for each of the following:

- 15 (1) Each special responsibility constituent institution.  
16 (2) The Area Health Education Centers of the University of North Carolina at  
17 Chapel Hill.  
18 (3) University of North Carolina System Office Budget Code 16010."

19 **SECTION #.(b)** G.S. 116-30.3(f) reads as rewritten:

20 "(f) Funds carried forward pursuant to subsection (a) of this section may be used for  
21 one-time expenditures, including any funds carried forward in an amount that is in excess of two  
22 and one-half percent (2.5%) of the General Fund appropriation in that budget code may be used  
23 for projects that are eligible to receive funds under G.S. 143C-8-13(a), provided, however, that  
24 the expenditures shall not impose additional financial obligations on the State and shall not be  
25 used to support positions."

26 **SECTION #.(c)** Subsection (a) of this section becomes effective June 30, 2019.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNC-H10-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

**NC PATRIOT STAR FAMILY SCHOLARSHIP PROGRAM**

**SECTION #.(a)** Establishment of the Scholarship Program. – From the funds appropriated to the Board of Governors of The University of North Carolina for the 2019-2021 fiscal biennium for the North Carolina Patriot Star Family Scholarship Program (Program), the Board of Governors shall provide those funds as a grant-in-aid to the Patriot Foundation, a nonprofit corporation, for the purpose of establishing and administering the Program. The Program shall provide scholarships to eligible children and eligible spouses of certain veterans and eligible children of certain currently serving members of the Armed Forces to attend eligible postsecondary institutions in accordance with the requirements of this section.

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

- (1) Armed Forces. – A component of the United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including their reserve components.
- (2) Eligible child or eligible children. – Any person (i) who is attending or has been accepted to enroll in an eligible postsecondary institution, (ii) who is a legal resident of North Carolina when scholarship documentation is completed, provided that if a child is claimed as a dependent by the child's parent, residency may be established based on a parent meeting sub-sub-subdivision 4. of sub-subdivision a. of this subdivision, (iii) has complied with the requirements of the Selective Service System, if applicable, and (iv) whose parent is a veteran or a currently serving member of the Armed Forces that meets the following:
  - a. Meets one of the following residency conditions:
    1. Is a resident of North Carolina at the time of scholarship documentation completion.
    2. Was a resident of North Carolina at the time of entrance into service in the Armed Forces.
    3. Was permanently stationed in North Carolina at the time of his or her death.
    4. Is an active duty service member permanently stationed in North Carolina at the time of documentation completion.
  - b. Meets one of the following service conditions:
    1. Was a member of the Armed Forces who was killed in action or in the line of duty, or died of wounds or other causes not due to the service member's willful misconduct during a period of war or national emergency.
    2. Was a member of the Armed Forces who died of service-connected injuries, wounds, illness, or other causes incurred or aggravated while a member of the Armed Forces during a period of war or national emergency. Standard

1 documentation of the parent's death, wounds, injury, or illness  
2 must be supplied by a scholarship recipient at the time of  
3 scholarship request.

4 3. Is a veteran of the Armed Forces who incurred traumatic  
5 injuries or wounds or sustained a major illness while a member  
6 of the Armed Forces during a period of war or national  
7 emergency and is receiving compensation for a wartime  
8 service-connected disability of at least fifty percent (50%) as  
9 rated by the U.S. Department of Veterans Affairs.

10 4. Is a current member of the Armed Forces who incurred  
11 traumatic injuries or wounds or sustained a major illness while  
12 a member of the Armed Forces during a period of war or  
13 national emergency. The parent's traumatic wounds, injury, or  
14 major illness must be documented by the U.S. Department of  
15 Defense.

16 (3) Eligible spouse. – Any person (i) who is attending or has been accepted to  
17 enroll in an eligible postsecondary institution, (ii) who is a legal resident of  
18 North Carolina when scholarship documentation is completed, (iii) has  
19 complied with the requirements of the Selective Service System, if applicable,  
20 and (iv) whose spouse was a member of the Armed Forces who was killed in  
21 action or in the line of duty, or died of wounds or other causes not due to the  
22 service member's willful misconduct during a period of war or national  
23 emergency.

24 (4) Eligible postsecondary institution. – A school that is any of the following:  
25 a. A constituent institution of The University of North Carolina.  
26 b. A community college under the jurisdiction of the State Board of  
27 Community Colleges.  
28 c. A private educational institution as defined in G.S. 143B-1224.  
29 d. An accredited, private vocational institution.

30 (5) Veteran. – An individual who has served and is no longer serving in the Armed  
31 Forces of the United States. For the purposes of this section, the veteran must  
32 have separated from the Armed Forces under honorable conditions or whose  
33 death or disability of at least fifty percent (50%) or more was incurred as a  
34 direct result of service in the line of duty.

35 **SECTION #.(c) Administration; Awards.** – Within the funds made available for the  
36 Program, the Patriot Foundation shall administer the North Carolina Patriot Star Family  
37 Scholarship Program and award scholarships to eligible children and eligible spouses in  
38 accordance with this section. In administering the Program, the Patriot Foundation shall be  
39 responsible for program oversight ensuring compliance with the provisions of this section.

40 The Patriot Foundation shall, at a minimum, establish criteria and procedures related to  
41 scholarship documentation completion, the amount of individual scholarships, the permissible  
42 uses of scholarship funds, the period of eligibility for award of a scholarship, the conditions for  
43 a revocation of a scholarship, and any other procedures it deems necessary for administration of  
44 the Program. A scholarship awarded to an eligible child or eligible spouse shall not exceed the  
45 cost of attendance at the eligible postsecondary institution.

46 If an eligible child or eligible spouse receives a scholarship or other grant covering the cost  
47 of attendance at an eligible postsecondary institution for which the scholarship is awarded, then  
48 the amount of a scholarship awarded under this section shall be reduced so that the sum of all  
49 grants and scholarships covering the cost of attendance received by the eligible child or eligible  
50 spouse does not exceed the cost of attendance for the institution. For the purposes of this  
51 subsection, cost of attendance shall be deemed to include monies for tuition, fees, books,

1 supplies, and equipment required for study at an eligible postsecondary institution, as well as  
2 room and board as long as the scholarship recipient is enrolled as at least a half-time student at  
3 the institution. Off-campus housing costs for room and board are also included to the extent the  
4 eligible postsecondary institution includes it in its cost of attendance.

5 **SECTION #.(d) Reporting.** – The Patriot Foundation shall submit a report by April  
6 1 of each year in which the Patriot Foundation spends State funds made available for the Program  
7 to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the  
8 activities described by this section and the use of the State funds.



GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNC-H9A-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

1 **REPORT TO THE GA ON CHANGES TO UNC ENROLLMENT FUNDING FORMULA**

2 **SECTION #.(a)** Other than enrollment funding requests for the 2019-2020 and  
3 2020-2021 academic years based on actual completed course credit hours, the Board of  
4 Governors of The University of North Carolina (UNC) shall not adopt changes to the UNC  
5 Enrollment Funding Formula or to the allocation of enrollment funds to constituent institutions  
6 to become effective prior to July 1, 2020, without first reporting the proposed changes to the  
7 2019 General Assembly and the Fiscal Research Division of the General Assembly at least 60  
8 days prior to the effective date of any such adopted changes.

9 **SECTION #.(b)** If the Board of Governors adopts changes to the UNC Enrollment  
10 Funding Formula or to the allocation of enrollment funds to constituent institutions for the  
11 2020-2021 academic year, other than enrollment funding requests based on actual completed  
12 course credit hours, the adopted changes shall become effective on July 1, 2020, unless a bill that  
13 specifically disapproves the UNC Enrollment Funding Formula is introduced in either house of  
14 the General Assembly before the thirty-first legislative day of the 2020 Regular Session of the  
15 2019 General Assembly. The UNC Enrollment Funding Formula shall become effective on the  
16 July 1 immediately following the earlier of either the day an unfavorable final action is taken on  
17 the bill or the day that session of the General Assembly adjourns without ratifying a bill that  
18 specifically disapproves the UNC Enrollment Funding Formula. If the UNC Enrollment Funding  
19 Formula is specifically disapproved by a bill enacted into law before it becomes effective, the  
20 UNC Enrollment Funding Formula shall not become effective. For the purposes of this section,  
21 a bill specifically disapproves the UNC Enrollment Funding Formula if it contains a provision  
22 that refers to the UNC Enrollment Funding Formula and states that the UNC Enrollment Funding  
23 Formula is disapproved. Notwithstanding any rule of either house of the General Assembly, a  
24 bill may be introduced as described by this section during the first 30 legislative days of the 2020  
25 Regular Session.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNC-H11-P

University of North Carolina and Private Instruction  
House Appropriations, Education

Requested by

1 ***FUNDS FOR UNC-ASHEVILLE WOODS RESIDENCE HALL***

2       **SECTION #.(a)** Notwithstanding Section 36.6(c) of S.L. 2018-5, as amended by  
3 Section # of this act, of the funds appropriated to the Board of Governors of The University of  
4 North Carolina for the UNC Board of Governors Planning Task Force for the 2018-2019 fiscal  
5 year under Section 36.2 of S.L. 2018-5 that are unexpended and unencumbered at the end of the  
6 2018-2019 fiscal year, the sum of up to seven hundred seventy-nine thousand dollars (\$779,000)  
7 shall not revert to the General Fund at the end of the fiscal year, but instead, shall be allocated  
8 by the Board of Governors to the University of North Carolina at Asheville (UNC-Asheville) for  
9 the 2019-2020 fiscal year to cover the expenses incurred by UNC-Asheville related to meeting  
10 the building requirements imposed by the Department of Insurance upon UNC-Asheville to allow  
11 students to occupy the university's newly constructed Woods Residence Hall for the beginning  
12 of the 2018-2019 academic year.

13       **SECTION #.(b)** This section becomes effective June 30, 2019.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNCSEAA-H3-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

1 **HIGH ACHIEVING TUITION SCHOLARSHIPS/CC**

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

4 "Part 5. High Achieving Tuition Scholarship Program.

5 **"§ 116-209.80. High Achieving Tuition Scholarship Program.**

6 (a) Program Purpose. – There is established the High Achieving Tuition Scholarship  
7 Program (Program) to be administered by the Authority. The purposes of the High Achieving  
8 Tuition Scholarship Program include the following:

- 9 (1) Encourage higher-performing students at community colleges.
- 10 (2) Utilize the State's educational resources to the fullest.
- 11 (3) Create more educational and career options for students.
- 12 (4) Realize significant cost-savings to the State.
- 13 (5) Develop a more competitive workforce.

14 (b) Award of Scholarships. – Within the funds made available for the Program, the  
15 Authority shall annually award High Achieving Tuition Scholarships to eligible students in an  
16 amount not to exceed the cost of 16 credit hours of tuition per fall or spring academic semester  
17 for a maximum of four academic semesters at a North Carolina community college. The  
18 Authority shall require eligible students to complete a Free Application for Federal Student Aid  
19 (FAFSA) to apply for a scholarship award and shall reduce the amount of the scholarship award  
20 for any student by the amount of grants or scholarships received by that student from other State  
21 or federal sources. The Authority shall award scholarships to eligible students in the order in  
22 which applications are received.

23 (c) Student Eligibility. – A student shall be considered an eligible student in order to  
24 receive a High Achieving Tuition Scholarship under the Program if the student meets all of the  
25 following requirements:

- 26 (1) In the academic semester prior to enrolling in a community college, the  
27 student graduates with at least a 3.5 unweighted grade point average from  
28 either a (i) public high school located in this State or (ii) a nonpublic high  
29 school or home school, as defined in Article 39 of Chapter 115C of the  
30 General Statutes, located in this State.
- 31 (2) The student presents evidence that the student is either a United States citizen  
32 or eligible noncitizen.
- 33 (3) The student qualifies as a resident of this State for tuition purposes, as  
34 provided in Article 14 of Chapter 116 of the General Statutes.
- 35 (4) The student gains admission as a student at a North Carolina community  
36 college in a curriculum program.
- 37 (5) The student complies with Selective Service registration requirements.
- 38 (6) The student affirmatively states the student does not have a felony conviction  
39 for a controlled substance offense under Article 5 of Chapter 90 of the General  
40 Statutes.

1       (d) Scholarship Renewal. – A scholarship awarded to an eligible student shall be annually  
2 renewed if the student demonstrates all of the following:

3           (1) A cumulative 3.0 grade point average.

4           (2) Completion of a minimum of 30 semester credit hours by the end of the  
5 academic year.

6           (3) The student does not have a felony conviction for a controlled substance  
7 offense under Article 5 of Chapter 90 of the General Statutes demonstrated by  
8 the student submitting an affirmative statement of that fact to the Authority.

9       (e) Scholarship Revocation. – A scholarship awarded to an eligible student shall be  
10 revoked at the conclusion of the first semester of an academic year for any of the following  
11 reasons:

12           (1) Failure to maintain a course load of at least 12 credit hours.

13           (2) Default or an unpaid refund on a student financial aid program.

14       (f) Administration; Funds. – The Authority shall adopt rules for administration of the  
15 High Achieving Tuition Scholarship Program in accordance with the requirements of this Part.  
16 The Authority may use up to five percent (5%) of the funds appropriated each fiscal year for the  
17 Program for administrative costs associated with the Program. Any unexpended funds for the  
18 Program at the end of the fiscal year shall not revert to the General Fund, but shall remain  
19 available to award scholarships to eligible students in accordance with this Part.

20 **"§ 116-209.81. Course counseling for scholarship recipients.**

21       Community colleges in which scholarship recipients are enrolled shall ensure those students  
22 are provided counseling and assistance in maintaining the necessary grade point averages and  
23 selecting coursework that reflects their educational and career goals. For students planning to  
24 enter a constituent institution of The University of North Carolina, the State Board of Community  
25 Colleges shall ensure that credits earned by those students participating in the program are  
26 transferable.

27 **"§ 116-209.82. Deferment of enrollment into a constituent institution for scholarship**  
28 **recipients.**

29       The Board of Governors of The University of North Carolina shall adopt a policy to permit  
30 any student admitted to a constituent institution of The University of North Carolina, beginning  
31 with the 2020-2021 academic year, who receives a High Achieving Tuition Scholarship pursuant  
32 to this Part to defer admission to the constituent institution for two years. Deferred admission  
33 shall be contingent upon the student's successful completion of an associate degree and the  
34 student remaining in good standing in the Program while enrolled in the community college.

35 **"§ 116-209.83. Reporting requirements.**

36       The Authority shall report annually on or before September 1, beginning in 2021, to the Joint  
37 Legislative Education Oversight Committee on the implementation of the High Achieving  
38 Tuition Scholarship Program. The report shall include at least the following information:

39           (1) Number of students applying for the scholarship, including information about  
40 student demographics and geographic location.

41           (2) Number of students awarded the scholarship, including information about  
42 student demographics and geographic location, and community college  
43 attended.

44           (3) Amount of funds expended for scholarships.

45           (4) Number of students whose scholarships were revoked and reasons for  
46 revocation.

47           (5) Other relevant information as determined by the Authority."

48       **SECTION #.(b)** For the 2019-2020 school year, the State Board of Education shall  
49 direct local boards of education to survey high school students in their senior year who meet the  
50 eligibility requirements of the High Achieving Tuition Scholarship Program to determine interest  
51 in the program, including numbers of students who intend to apply for the scholarship, and

1 reasons that eligible students may choose not to apply for the scholarship. The State Board of  
2 Education shall report to the Joint Legislative Education Oversight Committee no later than  
3 December 15, 2019, on the results of this survey.

4 **SECTION #.(c)** The Board of Governors of The University of North Carolina and  
5 the State Board of Community Colleges shall jointly identify and report to the Joint Legislative  
6 Education Oversight Committee by April 1, 2023, on potential issues related to the transition of  
7 High Achieving Tuition Scholarship recipients from community college to university enrollment  
8 and other recommendations to improve and expand the High Achieving Tuition Scholarship  
9 Program.

10 **SECTION #.(d)** Subsection (a) of this section applies to the award of scholarships  
11 beginning with the fall semester of the 2020-2021 academic year for students graduating from  
12 high school in the 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

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SPECIAL PROVISION



2019-UNCSEAA-H4A-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

1 *NC SCHOOL OF SCIENCE AND MATHEMATICS TUITION GRANTS*

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

4 "Part 6. Tuition Grant for Graduates of the North Carolina School of Science and Mathematics.  
5 **"§ 116-209.90. Tuition grants for graduates to attend a constituent institution of higher**  
6 **education.**

7 (a) Program Established. – There is established the Tuition Grant for Graduates of the  
8 North Carolina School of Science and Mathematics Program (Program). Within the funds made  
9 available for the Program, a State resident who graduates from the North Carolina School of  
10 Science and Mathematics (NCSSM) in each school year, beginning with the 2019-2020 school  
11 year, and who enrolls as a full-time student in a constituent institution of The University of North  
12 Carolina in the next academic year after graduation shall be eligible for a tuition grant awarded  
13 for that student's first academic year in accordance with this Part.

14 (b) Administration of Grants. – The Authority shall administer the tuition grants provided  
15 for in this Part pursuant to guidelines and procedures established by the Authority consistent with  
16 its practices for administering State-funded financial aid. The guidelines and procedures shall  
17 include an application process and schedule, notification and disbursement procedures, standards  
18 for reporting, and standards for return of tuition grants when a student withdraws. The Authority  
19 shall not approve any grant until it receives proper certification from the appropriate constituent  
20 institution that the student applying for the grant is an eligible student. Upon receipt of the  
21 certification, the Authority shall remit, at the times it prescribes, the tuition grant to the  
22 constituent institution on behalf, and to the credit, of the student. In the event a student on whose  
23 behalf a tuition grant has been paid is not enrolled and carrying a minimum academic load as of  
24 the tenth classroom day following the beginning of the school term for which the tuition grant  
25 was paid, the constituent institution shall refund the full amount of the tuition grant to the  
26 Authority.

27 (b) Award of Grants. – Except as provided in subsections (c) and (d) of this section, the  
28 amount of the grant awarded to a student shall be the full tuition cost at the constituent institution  
29 in which the student is enrolled for the student's first academic year. No tuition grant awarded to  
30 a student under this section shall exceed the cost of attendance at the constituent institution for  
31 which the student is enrolled.

32 (c) Reduction of an Award Due to Other Aid. – If a student, who is eligible for a tuition  
33 grant under this section, also receives a scholarship or other grant covering the cost of attendance  
34 at the constituent institution for which the tuition grant is awarded, then the amount of the tuition  
35 grant shall be reduced by an appropriate amount determined by the Authority so that the total  
36 amount of scholarships and grants received by the student does not exceed the cost of attendance  
37 for the institution. The cost of attendance shall be determined by the Authority for each  
38 constituent institution.

1       (d) Pro Rata Amount. – In the event there are not sufficient funds available for the  
2 Program to provide each eligible student with a full tuition grant as provided for by this Part,  
3 each eligible student shall receive a pro rata share of funds available for that academic year.

4 **"§ 116-209.91. North Carolina Tuition Grant Fund Reserve.**

5       The North Carolina Tuition Grant Fund Reserve shall be established as a reserve to be  
6 administered by the Authority. All funds appropriated to or otherwise received by the Authority  
7 to provide tuition grants under this Part, all returned tuition grant monies, and all interest earned  
8 on these funds shall be placed in the Fund. The Fund shall be used for (i) tuition grants for the  
9 academic year that begins in the fiscal year following the fiscal year in which the appropriation  
10 is made to the Reserve and (ii) the administrative costs of the Authority, provided that no more  
11 than five percent (5%) of the funds appropriated each fiscal year for tuition grants is expended  
12 for administrative purposes."

13       **SECTION #.(b)** This section applies beginning with the award of tuition grants to  
14 the North Carolina School of Science and Mathematics Program graduating class of the  
15 2019-2020 school year for the 2020-2021 academic year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNCSEAA-H6-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

1 **WASHINGTON CENTER INTERNSHIP SCHOLARSHIP PROGRAM**

2 **SECTION #.(a)** Scholarship program established. – From the funds appropriated by  
3 this act for the 2019-2021 fiscal biennium to the Board of Governors of The University of North  
4 Carolina to be allocated to the State Education Assistance Authority (Authority) for the  
5 Washington Center Internship Scholarship Program, the Authority shall award scholarship grants  
6 to students who are residents of North Carolina and are enrolled in their second year or higher in  
7 a constituent institution of The University of North Carolina to attend a semester or summer term  
8 internship program at the Washington Center for Internships and Academic Seminars  
9 (Washington Center) located in Washington, D.C. The Authority shall administer the scholarship  
10 program pursuant to guidelines and procedures established by the Authority consistent with its  
11 practices for administering State-funded financial aid. The guidelines and procedures shall  
12 include an application process and schedule, notification and disbursement procedures, standards  
13 for reporting, and standards for return of funds when a student withdraws from the program. A  
14 student who meets the eligibility criteria of the Washington Center to attend a semester or  
15 summer term internship program may apply to the Authority for a grant to cover costs related to  
16 the internship program in an amount of up to seven thousand dollars (\$7,000). The Authority  
17 shall award grants to students in the order in which applications are received.

18 **SECTION #.(b)** Limitations on grant amount. – If a student, who is eligible for a  
19 grant pursuant to this section, also receives a scholarship or other grant covering the cost of  
20 attendance for the program, then the amount of the State grant shall be reduced by an appropriate  
21 amount determined by the Authority. The Authority shall reduce the amount of the grant so that  
22 the sum of all grants and scholarship aid covering the cost of attendance shall not exceed the cost  
23 of attendance for the program, including program fees, housing, and incidental costs. The cost of  
24 attendance shall be established by the Authority in accordance with information provided to the  
25 Authority by the Washington Center.

26 **SECTION #.(c)** Internship activities. – A student participating in the Washington  
27 Center's program shall (i) intern four days a week with a nonprofit corporation, private company,  
28 federal agency, or a member of the United States Congress, (ii) take an academic class taught by  
29 the Washington Center's faculty, (iii) participate in academic seminars, (iv) participate in career  
30 readiness training programs, and (v) be responsible for a final portfolio project outlining work  
31 completed during the program. Students from all academic majors can participate and benefit  
32 from the program.

33 **SECTION #.(d)** Administrative costs. – The Authority may use up to one percent  
34 (1%) of the funds appropriated each fiscal year for the program for administrative costs.

35 **SECTION #.(e)** Reporting. – By March 1, 2021, the Authority, in consultation with  
36 the Washington Center, shall report to the Joint Legislative Education Oversight Committee, the  
37 chairs of the Senate Appropriations Committee on Education/Higher Education, and the chairs  
38 of the House of Representatives Appropriations Committee on Education on the implementation  
39 of the scholarship program, including the number of participating students and the amount of  
40 awards for each semester or summer term by constituent institution.



1                    **SECTION #.(f)** This section applies beginning with the award of scholarship grants  
2 for the 2020 spring academic semester.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

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SPECIAL PROVISION



2019-UNCSEAA-H5-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

1 ***NEED-BASED SCHOLARSHIPS FOR PRIVATE INSTITUTIONS/DEPENDENTS OF***  
2 ***VETERANS AND ACTIVE DUTY MILITARY***

3 **SECTION #.(a)** G.S. 116-281(3) reads as rewritten:

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

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

23 **SECTION #.(b)** This section applies beginning with the award of scholarships for  
24 the 2020-2021 academic year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

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SPECIAL PROVISION



2019-UNCSEAA-H7-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

1 **EDUCATION LOTTERY SCHOLARSHIP MODIFICATIONS**

2 **SECTION #.(a)** G.S. 115C-499.2 reads as rewritten:

3 **"§ 115C-499.2. Eligibility requirements for a scholarship.**

4 In order to be eligible to receive a scholarship under this Article, a student seeking a degree,  
5 diploma, or certificate at an eligible postsecondary institution must meet all of the following  
6 requirements:

- 7 (1) Only needy North Carolina students are eligible to receive scholarships. For  
8 purposes of this subsection, "needy North Carolina students" are those eligible  
9 students whose expected family contribution under the federal methodology  
10 does not exceed ~~five~~six thousand dollars (~~\$5,000~~)-(\$6,000).

11 ...."

12 **SECTION #.(b)** G.S. 115C-499.3(a) reads as rewritten:

13 "(a) Subject to the amount of net income available under G.S. 18C-164(b)(2), a  
14 scholarship awarded under this Article to a student at an eligible postsecondary institution shall  
15 be based upon the enrollment status and expected family contribution of the student and shall not  
16 exceed ~~four~~five thousand one hundred dollars (~~\$4,000~~)-(\$5,100) per academic year, including  
17 any federal Pell Grant, to be used for the costs of attendance as defined for federal Title IV  
18 programs."

19 **SECTION #.(c)** This section applies beginning with the award of scholarships for  
20 the 2020-2021 academic year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

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SPECIAL PROVISION



2019-UNCSEAA-H8-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

1 **MODIFY NC TEACHING FELLOWS PROGRAM**

2 **SECTION #.(a)** G.S. 116-209.62, as amended by subsection (b) of this section, reads  
3 as rewritten:

4 "**§ 116-209.62. North Carolina Teaching Fellows Program established; administration.**

5 ...

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

- 12 (1) Demonstrates high rates of educator effectiveness on value-added models and  
13 teacher evaluations, including using performance-based, subject-specific  
14 assessment and support systems, such as edTPA or other metrics of evaluating  
15 candidate effectiveness that have predictive validity.
- 16 (2) Demonstrates measurable impact of prior graduates on student learning,  
17 including impact of graduates teaching in STEM or special education  
18 licensure areas.
- 19 (3) Demonstrates high rates of graduates passing exams required for teacher  
20 licensure.
- 21 (4) Provides curricular and co-curricular enhancements in leadership, facilitates  
22 learning for diverse learners, and promotes community engagement,  
23 classroom management, and reflection and assessment.
- 24 (5) Requires at least a minor concentration of study in the subject area that the  
25 candidate may teach.
- 26 (6) Provides early and frequent internship or practical experiences, including the  
27 opportunity for participants to perform practicums in diverse school  
28 environments.
- 29 (7) Is approved by the State Board of Education as an educator preparation  
30 program.

31 (g) Awards of Forgivable Loans. – The Program shall provide forgivable loans to selected  
32 students to be used at the five-up to eight selected institutions for completion of a program leading  
33 to initial teacher licensure as follows:

34 ...."

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

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

1                    **SECTION #.(c)** Subsection (a) of this section applies to the award of forgivable  
2 loans beginning with the 2020-2021 academic year. Subsection (b) of this section applies to the  
3 award of forgivable loans beginning with the 2019-2020 academic year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNCSEAA-H2-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

1 **USE OF UNEXPENDED OPPORTUNITY SCHOLARSHIP FUNDS/INFORMATION ON**  
2 **NONPUBLIC SCHOOLS**

3 **SECTION #.(a)** G.S. 115C-562.8 reads as rewritten:

4 **"§ 115C-562.8. The Opportunity Scholarship Grant Fund Reserve.**

5 (a) The Opportunity Scholarship Grant Fund Reserve is established as a reserve to be  
6 administered by the Board of Governors of The University of North Carolina for the purpose of  
7 allocating funds to the Authority for the award of scholarship grants in accordance with this Part.  
8 The Reserve shall consist of monies appropriated from the General Fund to the Reserve by the  
9 General Assembly and any interest accrued to it thereon. These funds shall be used to award  
10 scholarship grants to eligible students for the school year that begins in the fiscal year following  
11 the fiscal year in which the appropriation is made to the Reserve. The Board of Governors shall  
12 only use monies in the Reserve in accordance with the purposes set forth in this section. Funds  
13 appropriated in a particular fiscal year to be used for the award of scholarships in the following  
14 fiscal year that are unexpended at the end of the fiscal year after the fiscal year in which the funds  
15 were appropriated shall be carried forward for one fiscal year and may be used for the purposes  
16 set forth in this section. The Authority shall not expend funds that are carried forward for a fiscal  
17 year until the funds from the prior year appropriation to be used to award scholarships are  
18 expended. Funds carried forward pursuant to this section that have not been spent within one  
19 fiscal year shall ~~revert to the General Fund~~ be used in accordance with subsection (d) of this  
20 section.

21 ...

22 (d) Any unexpended funds at the end of a fiscal year from the funds carried forward for  
23 one fiscal year pursuant to subsection (a) of this section shall be used as follows:

24 (1) Up to two million five hundred thousand dollars (\$2,500,000) shall be  
25 transferred to the Department of Administration, Division of Nonpublic  
26 Education, for data collection from nonpublic schools and to maintain a Web  
27 site to provide information to students and parents to assist them in the  
28 selection of nonpublic schools pursuant to Part 5 of this Article.

29 (2) Up to five hundred thousand dollars (\$500,000) shall be used by the Authority  
30 to contract with a nonprofit corporation representing parents and families, for  
31 marketing, outreach, and scholarship application assistance for parents and  
32 students pursuant to Part 5 of this Article.

33 (3) Any remaining funds shall revert to the General Fund."

34 **SECTION #.(b)** Article 39 of Chapter 115C of the General Statutes is amended by  
35 adding a new Part to read:

36 "Part 5. Nonpublic School Information for Parents and Students.

37 **"§ 115C-567.5. Nonpublic School Information Dashboard.**

38 (a) Dashboard. – The Department of Administration, Division of Nonpublic Education,  
39 shall provide information on a Web site, under a section entitled "Nonpublic School Information

1 Dashboard" to students, parents, and the public on certain nonpublic schools located in North  
2 Carolina as provided in this section. The information shall be updated annually.

3 (b) Available Data. – The Division of Nonpublic Education shall, as data is made  
4 available, provide information under subsection (a) of this section on nonpublic schools,  
5 including any data made available for students enrolled in those nonpublic schools. For a  
6 nonpublic school who enrolls students whose tuition and fees are paid in whole or in part with a  
7 scholarship grant pursuant to G.S. 115C-562.5, the nonpublic school shall submit to the Division  
8 a brief summary of the school's standard testing protocol, including the specific tests and  
9 assessments used by the school, graduation rates of the students who receive scholarship grants  
10 as required by G.S. 115C-562.5, and information on the level of accreditation of the school to be  
11 posted on the Division's dashboard. Other nonpublic schools that meet the requirements of Part  
12 1 or Part 2 of this Article as identified by the Division of Nonpublic Education, including schools  
13 that enroll students receiving scholarship funds under Article 41 of this Chapter and Part 1H of  
14 Article 9 of this Chapter, may voluntarily submit data to also be included in the dashboard for  
15 the students enrolled in the nonpublic school. The State Education Assistance Authority shall  
16 provide information to the Division on the scholarship program it administers pursuant to Part  
17 2A of this Article. The information contained on the dashboard shall not include personally  
18 identifiable student data.

19 **"§ 115C-567.10. Outreach and assistance for parents and students.**

20 (a) The State Education Assistance Authority, in its administration of scholarship  
21 programs for eligible students to attend nonpublic schools pursuant to Part 2A of this Article,  
22 Article 41 of this Chapter, and Part 1H of Article 9 of this Chapter, may contract with a nonprofit  
23 corporation representing parents and families, for marketing, outreach, and scholarship  
24 application assistance for parents and students. The Authority shall issue a request for proposals  
25 in order to enter into a contract with a nonprofit corporation that meets the following  
26 requirements during the term of the contract:

- 27 (1) Be a nonprofit corporation organized pursuant to Chapter 55A of the General  
28 Statutes and comply at all times with the provisions of section 501(c)(3) of the  
29 Internal Revenue Code.
- 30 (2) Employ sufficient staff who have demonstrated a capacity to market and  
31 implement a scholarship grant program, including by doing the following:
  - 32 a. Direct mail marketing.
  - 33 b. Radio advertising.
  - 34 c. Targeted digital advertising.
  - 35 d. One-on-one parent and family engagement.
- 36 (3) Comply with the limitations on lobbying set forth in section 501(c)(3) of the  
37 Internal Revenue Code.
- 38 (4) Have no State officer or employee serving on the board of the nonprofit.
- 39 (5) Conduct at least quarterly meetings of the board of directors of the nonprofit  
40 at the call of its chair.

41 (b) The terms of the contract between the Authority and a nonprofit corporation shall  
42 require that the nonprofit maintains the confidentiality of any information provided by the  
43 Authority for parents and students as directed by the Authority and not disseminate information  
44 to third parties without written parental consent. During the term of the contract provided for in  
45 this section, the Authority shall include on scholarship applications a statement for parents to  
46 indicate nonconsent for sharing information with a nonprofit corporation.

47 (c) Notwithstanding any other provision of law, during the term of the contract provided  
48 for in this section, the Authority may share the name, address, e-mail, and telephone number of  
49 the parent of any student applicant, unless the parent indicates that the information should not be  
50 shared."

51 **SECTION #.(c) G.S. 115C-562.5 reads as rewritten:**

1 **"§ 115C-562.5. Obligations of nonpublic schools accepting eligible students receiving**  
2 **scholarship grants.**

3 (a) A nonpublic school that accepts eligible students receiving scholarship grants shall  
4 comply with the following:

- 5 (1) Provide to the Authority documentation for required tuition and fees charged  
6 to the student by the nonpublic school.
- 7 (2) Provide to the Authority a criminal background check conducted for the staff  
8 member with the highest decision-making authority, as defined by the bylaws,  
9 articles of incorporation, or other governing document, to ensure that person  
10 has not been convicted of any crime listed in G.S. 115C-332.
- 11 (3) Provide to the parent or guardian of an eligible student, whose tuition and fees  
12 are paid in whole or in part with a scholarship grant, an annual written  
13 explanation of the student's progress, including the student's scores on  
14 standardized achievement tests.
- 15 (4) Administer, at least once in each school year, a nationally standardized test or  
16 other nationally standardized equivalent measurement selected by the chief  
17 administrative officer of the nonpublic school to all eligible students whose  
18 tuition and fees are paid in whole or in part with a scholarship grant enrolled  
19 in grades three and higher. The nationally standardized test or other equivalent  
20 measurement selected must measure achievement in the areas of English  
21 grammar, reading, spelling, and mathematics. Test performance data shall be  
22 submitted to the Authority by July 15 of each year. Test performance data  
23 retained by the nonpublic school for at least a five-year period. The Authority  
24 may audit the test data retained by the school to ensure compliance with this  
25 subdivision. A brief summary of the nonpublic school's standard testing  
26 protocol, including the name of the tests or assessments used by the school,  
27 shall be reported to the Authority under this subdivision is not a public record  
28 under Chapter 132 of the General Statutes. Division in accordance with  
29 G.S. 115C-567.5.
- 30 (5) Provide to the Authority Division graduation rates of the students receiving  
31 scholarship grants in a manner consistent with nationally recognized  
32 standards, standards, in accordance with G.S. 115C-567.5.
- 33 (6) Contract with a certified public accountant to perform a financial review,  
34 consistent with generally accepted accounting principles, for each school year  
35 in which the school accepts students receiving more than three hundred  
36 thousand dollars (\$300,000) in scholarship grants awarded under this Part.

37 (b) A nonpublic school that accepts students receiving scholarship grants shall not require  
38 any additional fees based on the status of the student as a scholarship grant recipient.

39 ~~(c) A nonpublic school enrolling more than 25 students whose tuition and fees are paid~~  
40 ~~in whole or in part with a scholarship grant shall report to the Authority on the aggregate~~  
41 ~~standardized test performance of eligible students. Aggregate test performance data reported to~~  
42 ~~the Authority which does not contain personally identifiable student data shall be a public record~~  
43 ~~under Chapter 132 of the General Statutes. Test performance data may be shared with public or~~  
44 ~~private institutions of higher education located in North Carolina and shall be provided to an~~  
45 ~~independent research organization selected by the Authority for research purposes as permitted~~  
46 ~~by the Federal Education Rights and Privacy Act, 20 U.S.C. § 1232g.~~

47 ...."

48 **SECTION #.(d)** G.S. 115C-562.7(c) is repealed.

49 **SECTION #.(e)** Section 8.29(g) of S.L. 2013-360 reads as rewritten:

50 **"SECTION 8.29.(g)** ~~The Authority shall select an independent research organization, as~~  
51 ~~required by G.S. 115C-562.7, as enacted by this section, beginning with the 2017-2018 school~~



1 year. ~~The first learning gains report required by G.S. 115C-562.7, as enacted by this section, shall~~  
2 ~~not be due until December 1, 2018.~~ The first financial review for a nonpublic school that accepts  
3 scholarship grant funds, as required by G.S. 115C-562.5(a)(6), as enacted by this section, shall  
4 not be required until the 2015-2016 school year."

5 **SECTION #.(f)** Subsection (a) of this section becomes effective June 30, 2019. This  
6 section applies beginning with the 2019-2020 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNCSEAA-H13-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

1 ***EXPAND ELIGIBILITY FOR OPPORTUNITY SCHOLARSHIPS/PRIOR YEAR IN A***  
2 ***PUBLIC SCHOOL***

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

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

7 a. Meets one of the following criteria:

- 8 1. Was a full-time student (i) assigned to and attending a public  
9 school pursuant to G.S. 115C-366 or (ii) enrolled in a  
10 Department of Defense Elementary and Secondary School,  
11 established pursuant to 10 U.S.C. § 2164 and located in North  
12 Carolina, during the spring semester prior to the school year  
13 for which the student is applying.
- 14 2. Received a scholarship grant for the school year prior to the  
15 school year for which the student is applying.
- 16 3. Is entering either kindergarten or the first grade.
- 17 4. Is a child in foster care as defined in G.S. 131D-10.2(9).
- 18 5. Is a child whose adoption decree was entered not more than  
19 one year prior to submission of the scholarship grant  
20 application.
- 21 6. Is a child whose parent or legal guardian is on full-time duty  
22 status in the active uniformed service of the United States,  
23 including members of the National Guard and Reserve on  
24 active duty orders pursuant to 10 U.S.C. § 12301, et seq., and  
25 10 U.S.C. § 12401, et seq.
- 26 7. Is a child who meets both of the following:
  - 27 I. Was enrolled in a nonpublic school that meets the  
28 requirements of Part 1 and Part 2 of this Article during  
29 the spring semester prior to the school year for which  
30 the student is applying.
  - 31 II. Was enrolled for the entire school year immediately  
32 prior to the school year in which the student enrolled in  
33 the nonpublic school in one of the following:
    - 34 A. A North Carolina public school.
    - 35 B. A Department of Defense Elementary and  
36 Secondary School, established pursuant to 10  
37 U.S.C. § 2164 and located in North Carolina."

38 **SECTION #.(b)** G.S. 115C-562.7(b)(3) reads as rewritten:

1                   "(3)    Number of students previously enrolled in local school administrative units or  
2                   charter schools in the prior semester or prior school year by the previously  
3                   attended local school administrative unit or charter school."  
4                   **SECTION #.(c)** This section applies beginning with the award of scholarship grants  
5 for the 2020-2021 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNCSEAA-H10-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

1 **COMBINE K-12 SCHOLARSHIP PROGRAMS FOR CHILDREN WITH DISABILITIES**

2 SECTION #.(a) Article 41 of Chapter 115C of the General Statutes reads as  
3 rewritten:

4 "Article 41.

5 "Personal Education Savings Accounts, ~~Student Accounts for Children with Disabilities.~~

6 **"§ 115C-590. North Carolina Personal Education Savings Account Student Accounts for**  
7 **Children with Disabilities Program established.**

8 There is established the North Carolina Personal Education Savings ~~Student Accounts for~~  
9 Children with Disabilities Program to provide the option for a parent to better meet the individual  
10 educational needs of the parent's child.

11 **"§ 115C-591. Definitions.**

12 The following definitions apply in this Article:

- 13 (1) Authority. – Defined in G.S. 116-201.
- 14 (2) Division. – The Division of Nonpublic Education, Department of  
15 Administration.
- 16 (2a) Educational technology. – As defined annually by the Authority, an item,  
17 piece of equipment, material, product, or system which may be purchased  
18 commercially off the shelf, modified, or customized and that is used primarily  
19 for educational purposes for a child with a disability.
- 20 (3) Eligible student. – A student residing in North Carolina who has not yet  
21 received a high school diploma and who meets all of the following  
22 requirements:
- 23 a. Is eligible to attend a North Carolina public school pursuant to  
24 G.S. 115C-366.
- 25 b. Has not been enrolled in a postsecondary institution ~~in a matriculated~~  
26 ~~status eligible for enrollment for~~ as a full-time student taking at least  
27 12 hours of academic credit.
- 28 c. Is a child with a disability, as defined in ~~G.S. 115C-106.3(1),~~  
29 ~~including, for example, intellectual disability, hearing impairment,~~  
30 ~~speech or language impairment, visual impairment, serious emotional~~  
31 ~~disturbance, orthopedic impairment, autism, traumatic brain injury,~~  
32 ~~other health impairments, specific learning disability, or disability as~~  
33 ~~may be required to be included under IDEA.~~ G.S. 115C-106.3(1).
- 34 d. Has not been placed in a nonpublic school or facility by a public  
35 agency at public expense.
- 36 (4) Nonpublic school. – A school that meets the requirements of Part 1, 2, or 3 of  
37 Article 39 of this Chapter, as identified by the Division.
- 38 (5) Parent. – A parent, legal guardian, or legal custodian of an eligible student.

1 (5a) Part-time student. – A child enrolled part time in a public school and part time  
2 in a nonpublic school that exclusively provides services for children with  
3 disabilities.

4 (6) Personal Education ~~Savings~~ Student Account or PESA. – A bank account  
5 provided to a parent for the purpose of holding scholarship funds awarded by  
6 the Authority for an eligible student to be used for qualifying education  
7 expenses under G.S. 115C-595.

8 **"§ 115C-592. Award of scholarship funds for a personal education ~~savings~~ student account.**

9 (a) Application Selection. – The Authority shall make available no later than February 1  
10 of each year applications to eligible students for the award of scholarship funds for a personal  
11 education ~~savings~~ student account to be used for qualifying education expenses to attend a  
12 nonpublic school. Information about scholarship funds and the application process shall be made  
13 available on the Authority's Web site. Applications shall be submitted electronically. ~~Beginning~~  
14 ~~March 15, the~~ The Authority shall begin selecting recipients for award scholarships according to  
15 the following ~~criteria:~~ criteria for applications received by March 1 of each year:

16 (1) First priority shall be given to eligible students who were awarded scholarship  
17 funds for a PESA during the previous school year ~~if those students have~~  
18 ~~applied by March 1 year.~~

19 (2) After funds have been awarded to prior recipients as provided in subdivision  
20 (1) of this subsection, any remaining funds shall be used to award scholarship  
21 funds for a PESA for all other eligible students.

22 (b) Scholarship Awards. – ~~Scholarships~~ Except for eligible students who qualify for  
23 scholarship funds pursuant to subsection (b1) of this section, scholarships shall be awarded each  
24 year for an amount not to exceed ~~nine~~ (i) eight thousand dollars (\$9,000) (\$8,000) per eligible  
25 student for the ~~fiscal school year in for which the application is received, except received or (ii)~~  
26 for eligible part-time students, who shall be awarded scholarships each year for an amount not to  
27 exceed ~~students,~~ four thousand ~~five hundred~~ dollars (\$4,500) (\$4,000) per eligible student for the  
28 fiscal school year in for which the application is received. Any funds remaining on a debit card  
29 or in an electronic account provided under subsection (b2) of this section at the end of a school  
30 year for eligible students who qualify only under this subsection shall be returned to the  
31 Authority.

32 (b1) Scholarship Awards for Students with Certain Disabilities. – An eligible student may  
33 be awarded scholarship funds in an amount of up to seventeen thousand dollars (\$17,000) for  
34 each school year only if the student has been determined to have one or more of the following  
35 disabilities as a primary or secondary disability at the time of application for scholarship funds:

36 (1) Autism.

37 (2) Hearing impairment.

38 (3) Moderate or severe intellectual or developmental disability.

39 (4) Multiple, permanent orthopedic impairments.

40 (5) Visual impairment.

41 For eligible students who qualify for scholarship funds under this subsection, no more than  
42 four thousand five hundred dollars (\$4,500) of funds remaining on a debit card or in an electronic  
43 account at the end of a school year shall be carried forward until expended for each school year  
44 upon renewal of the account under subsection (b2) of this section. In no event shall the total  
45 amount of funds carried forward for an eligible student in a personal education student account  
46 exceed thirty thousand dollars (\$30,000). Any funds remaining on the card or in the electronic  
47 account if an agreement is not renewed under G.S. 115C-595 shall be returned to the Authority.

48 (b2) Disbursement and Deposit of Awards. – Scholarship funds shall be used only for  
49 tuition and qualifying education expenses as provided in G.S. 115C-595. Recipients shall receive  
50 the scholarship funds ~~deposited in two equal amounts to a PESA in~~ amounts, one-half in each  
51 quarter-semester of the ~~fiscal school year.~~ The first deposit of funds to a PESA shall be subject

1 to the execution of the parental agreement required by G.S. 115C-595. The parent shall then  
2 receive a debit card or an electronic account with the prepaid funds loaded on the card or in the  
3 electronic account at the beginning of the ~~fiscal~~ school year. After the initial disbursement of  
4 funds, each subsequent, ~~quarterly~~ semester disbursement of funds shall be subject to the  
5 submission by the parent of an expense report. The expense report shall be submitted  
6 electronically and shall include documentation that the student received an education, as  
7 described in G.S. 115C-595(a)(1), for no less than ~~35-70~~ days of the applicable ~~quarter~~ semester.  
8 The debit card or the electronic account shall be renewed upon the receipt of the parental  
9 agreement under G.S. 115C-595 for recipients awarded scholarship funds in subsequent ~~fiscal~~  
10 school years. ~~Any funds remaining on the card or in the electronic account at the end of the fiscal~~  
11 ~~year may be carried forward to the next fiscal year if the card or electronic account is renewed.~~  
12 ~~Any funds remaining on the card or in the electronic account if an agreement is not renewed shall~~  
13 ~~be returned to the Authority.~~

14 (c) ~~Eligibility for the other scholarship programs is provided for as follows:~~ Eligibility for  
15 Other Scholarship Programs. –

16 (1) ~~An eligible student under this Article may receive, in addition to a PESA, a~~  
17 ~~scholarship under Part 2A of Article 39 of this Chapter.~~

18 (2) ~~An eligible student under this Article may receive, in addition to a PESA and~~  
19 ~~a scholarship under Part 2A of Article 39 of this Chapter, a scholarship under~~  
20 ~~the special education scholarship program for children with disabilities~~  
21 ~~pursuant to Part 1H of Article 9 of this Chapter, only if that student has one or~~  
22 ~~more of the following disabilities:~~

- 23 a. ~~Autism.~~
- 24 b. ~~Developmental disability.~~
- 25 e. ~~Hearing impairment.~~
- 26 d. ~~Moderate or severe intellectual disability.~~
- 27 e. ~~Multiple, permanent orthopedic impairments.~~
- 28 f. ~~Visual impairment.~~

29 (d) Applications Not Public Records. – Applications for scholarship funds and personally  
30 identifiable information related to eligible students receiving funds shall not be a public record  
31 under Chapter 132 of the General Statutes. For the purposes of this section, personally  
32 identifiable information means any information directly related to a student or members of a  
33 student's household, including the name, birthdate, address, Social Security number, telephone  
34 number, e-mail address, or any other information or identification number that would provide  
35 information about a specific student or members of a specific student's household.

36 (e) Establishment of Initial Eligibility. – An applicant may demonstrate for initial  
37 eligibility that the applicant is a child with a disability, as required by G.S. 115C-591(3)c., ~~in~~  
38 ~~either of the following ways:~~

39 (1) ~~The by having the child has been~~ assessed by a local education agency and  
40 ~~determined the local education agency determining the child~~ to be a child with  
41 a disability ~~and with~~ that outcome is verified by the local education agency on  
42 a form provided to the Authority.

43 (2) ~~The child was initially assessed by a local education agency and determined~~  
44 ~~to be a child with a disability and, following receipt of a scholarship awarded~~  
45 ~~pursuant to Part 1H of Article 9 of this Chapter, was determined to have~~  
46 ~~continuing eligibility, as provided in G.S. 115C-112.6(c)(2), by the assessing~~  
47 ~~psychologist or psychiatrist. Both the initial verification from the local~~  
48 ~~education agency and the continuing verification by the assessing~~  
49 ~~psychologist or psychiatrist shall be provided on a form to the Authority.~~

50 **"§ 115C-593. Student continuing eligibility.**

1 After the initial disbursement of funds, the Authority shall ensure that the student's continuing  
2 eligibility is assessed at least every three years by one of the following:

- 3 (1) The local education agency. – The local education agency shall assess if the  
4 student continues to be a child with a disability and verify the outcome on a  
5 form to be provided to the Authority.
- 6 (2) A licensed psychologist with a school psychology focus or a psychiatrist. –  
7 The psychologist or psychiatrist shall assess, after review of appropriate  
8 medical and educational records, if the education and related services received  
9 by the student in the nonpublic school setting have improved the child's  
10 educational performance and if the student would continue to benefit from  
11 placement in the nonpublic school setting. The psychologist or psychiatrist  
12 shall verify the outcome of the assessment on a form to be provided to the  
13 Authority.

14 **"§ 115C-594. Verification of eligibility.**

15 (a) Verification of Information. – The Authority may seek verification of information on  
16 any application for the award of scholarship funds for a personal education ~~savings-student~~  
17 ~~account. The Authority shall select and verify six percent (6%) of applications annually,~~  
18 ~~including those with apparent errors on the face of the application.~~ The Authority shall establish  
19 rules for the verification process. If a household fails to cooperate with verification efforts, the  
20 Authority shall revoke the award of scholarship funds for a PESA for the eligible student.

21 (b) Access to Information. – ~~Household members of applicants~~ Applicants for the award  
22 of scholarship funds for a PESA shall authorize the Authority to access information needed for  
23 verification efforts held by other State agencies, including the Department of Health and Human  
24 Services and the Department of Public Instruction.

25 **"§ 115C-595. Parental agreement; use of funds.**

26 (a) Parental Agreement. – The Authority shall provide the parent of a scholarship  
27 recipient with a written agreement, applicable for each year the eligible student receives  
28 scholarship funds under this Article, to be signed and returned to the Authority prior to receiving  
29 the scholarship funds. The agreement shall be submitted to the Authority electronically. The  
30 parent shall not designate any entity or individual to execute the agreement on the parent's behalf.  
31 A parent or eligible student's failure to comply with this section shall result in a forfeit of  
32 scholarship funds and those funds may be awarded to another eligible student. The parent shall  
33 agree to the following conditions in order to receive scholarship funds under this Article:

- 34 (1) Use at least a portion of the scholarship funds to provide an education to the  
35 eligible student in, at a minimum, the subjects of English language arts,  
36 mathematics, social studies, and science.
- 37 (2) Unless the student is a part-time eligible student, release a local education  
38 agency in which the student is eligible to attend under G.S. 115C-366 of all  
39 obligations to educate the eligible student while the eligible student is  
40 receiving scholarship funds under this Article. A parent of a student, other  
41 than a part-time eligible student, who decides to enroll the student into the  
42 local education agency or other North Carolina public school during the term  
43 of the agreement shall notify the Authority to request a release from the  
44 agreement and shall return any unexpended funds to the Authority.
- 45 (3) Use the scholarship funds deposited into a personal education ~~savings-student~~  
46 ~~account~~ only for the following qualifying education expenses of the eligible  
47 student:
  - 48 a. Tuition and fees for a nonpublic school that meets the requirements of  
49 Part 1 or Part 2 of Article 39 of this Chapter and is subject to the  
50 requirements of G.S. 115C-562.5. Tuition and fees may only be

1                    disbursed to the nonpublic school as provided in subdivision (1) of  
2                    subsection (a1) of this section.

- 3                    b. Textbooks required by a nonpublic school.
- 4                    c. Tutoring and teaching services provided by an individual or facility
- 5                    accredited by a State, regional, or national accrediting organization.
- 6                    d. Curricula.
- 7                    e. Fees for nationally standardized norm-referenced achievement tests,
- 8                    advanced placement tests, or nationally recognized college entrance
- 9                    exams.
- 10                  f. Fees charged to the account holder for the management of the PESA.
- 11                  g. Fees for services provided by a public school, including individual
- 12                  classes and extracurricular programs.
- 13                  h. Premiums charged to the account holder for any insurance or surety
- 14                  bonds required by the Authority.
- 15                  i. Educational therapies from a licensed or accredited practitioner or
- 16                  provider.
- 17                  j. Educational technology defined by the Authority as approved for use
- 18                  pursuant to ~~Part 1H of Article 9 of this Chapter~~.G.S. 115C-591(2a).
- 19                  k. Student transportation, pursuant to a contract with an entity that
- 20                  regularly provides student transportation, to and from (i) a provider of
- 21                  education or related services or (ii) an education activity.

22                  (3a) Use of scholarship funds for reimbursement of tuition. – Notwithstanding  
23                  sub-subdivision a. of subdivision (3) of this subsection, a parent of an eligible  
24                  student may pay tuition to certain schools with funds other than funds  
25                  available in the personal education student account and then request  
26                  reimbursement from the Authority from scholarship funds if the parent  
27                  complies with the provisions of subdivision (2) of subsection (a1) of this  
28                  section.

- 29                  (4) Not use scholarship funds for any of the following purposes:
- 30                  a. Computer hardware or other technological devices not defined by the
  - 31                  Authority as educational technology approved for use pursuant to ~~Part~~
  - 32                  ~~1H of Article 9 of this Chapter~~.G.S. 115C-591(2a).
  - 33                  b. Consumable educational supplies, including paper, pen, or markers.
  - 34                  c. Tuition and fees at an institution of higher education, as defined in
  - 35                  G.S. 116-143.1, or a private postsecondary institution.
  - 36                  d. Tuition and fees for a nonpublic school that meets the requirements of
  - 37                  Part 3 of Article 39 of this Chapter.

38                  (a1) Disbursement of Funds for Tuition. – The Authority shall disburse scholarship funds  
39                  awarded to eligible students for tuition at a nonpublic school based upon the method selected by  
40                  the nonpublic school. A nonpublic school may elect to participate in the scholarship endorsement  
41                  for tuition option or the reimbursement for tuition option as set forth in this subsection.  
42                  Scholarship funds shall not be provided for tuition for home schooled students. Scholarship funds  
43                  for tuition shall be disbursed as follows:

- 44                  (1) Scholarship endorsement for tuition. – The Authority shall remit, at least two  
45                  times each school year, scholarship funds from the personal education student  
46                  account for eligible students who attend nonpublic schools who meet the  
47                  requirements of sub-subdivision a. of subdivision (3) of subsection (a) of this  
48                  section to the nonpublic school for endorsement by at least one of the student's  
49                  parents or guardians. The parent or guardian shall restrictively endorse the  
50                  scholarship funds awarded to the eligible student for deposit into the account  
51                  of the nonpublic school to the credit of the eligible student. The parent or



1 guardian shall not designate any entity or individual associated with the school  
2 as the parent's attorney-in-fact to endorse the scholarship funds. A parent's or  
3 guardian's failure to comply with this subdivision shall result in forfeiture of  
4 the scholarship funds for tuition. Scholarship funds forfeited for failure to  
5 comply with this subdivision shall be returned to the Authority to be awarded  
6 to another student.

7 (2) Reimbursement for tuition. – The parent or guardian of an eligible student  
8 who enrolls in a school that is (i) a North Carolina public school other than  
9 the public school to which that student would have been assigned as provided  
10 in G.S. 115C-366 or (ii) a nonpublic school that meets the requirements of  
11 Part 1 or Part 2 of Article 39 of this Chapter and is identified and deemed  
12 eligible by the Division but elects not to be subject to G.S. 115C-562.5, may  
13 pay tuition directly to the school with funds other than scholarship funds and  
14 request reimbursement with funds available in the personal education student  
15 account under subdivision (4) of subsection (a) of this section. However, the  
16 Authority shall not reimburse the parent or guardian prior to the midpoint of  
17 each semester. A parent or guardian may only receive reimbursement for  
18 tuition if the parent or guardian provides documentation to the Authority that  
19 the student is enrolled in the school.

20 (b) No Refunds to an Account Holder. – A nonpublic school or a provider of services  
21 purchased under subsection (a) of this section shall not refund or rebate any scholarship funds to  
22 a parent or eligible student in any manner. The parent shall notify the Authority if such a refund  
23 is required.

24 (c) Repealed by Session Laws 2018-5, s. 38.10(m), effective for taxable years beginning  
25 on or after January 1, 2018.

26 **"§ 115C-596. Identification of nonpublic schools and distribution of personal education**  
27 **savings-student account information.**

28 (a) List of Nonpublic Schools. – The Division shall provide annually by February 1 to  
29 the Authority a list of all nonpublic schools operating in the State that meet the requirements of  
30 Part 1, 2, or 3 of Article 39 of this Chapter.

31 (b) Information on PESAs to the Division. – The Authority shall provide information  
32 about personal education ~~savings-student~~ accounts to the Division. The Division shall provide  
33 information about PESAs to all qualified nonpublic schools on an annual basis.

34 **"§ 115C-597. Administration.**

35 (a) Rules and Regulations. – The Authority shall establish rules and regulations for the  
36 administration of the program, including the following:

- 37 (1) The administration and awarding of scholarship funds, including a lottery  
38 process for the selection of recipients within the criteria established by  
39 G.S. 115C-592(a), if necessary.
- 40 (2) Requiring a surety bond or insurance to be held by account holders.
- 41 (3) Use of the funds and the reporting of expenditures.
- 42 (4) Monitoring and control of spending scholarship funds deposited in a personal  
43 education savings account.

44 The Authority shall provide recipients of scholarship funds with the annual list of defined  
45 educational technology for which scholarship funds may be used.

46 (b) Contract for Management of PESAs. – The Authority may contract with a private  
47 financial management firm or institution to manage PESAs in accordance with this Article.

48 (c) Annual Audits. – The Authority shall conduct annual audits of PESAs and may audit  
49 a random sampling of PESAs as needed to ensure compliance with the requirements of this  
50 Article. The Authority may contract with an independent entity to conduct these audits. The  
51 Authority may remove a parent or eligible student from the program and close a personal

1 education ~~savings~~-student account for failure to comply with the terms of the parental agreement,  
2 for failure to comply with applicable laws, or because the student is no longer an eligible student.  
3 (d) Administration Costs. – Of the funds allocated to the Authority to award scholarship  
4 funds under this Article, the Authority may retain up to ~~two hundred fifty thousand dollars~~  
5 ~~(\$250,000)~~ four percent (4%) of the funds appropriated for the program each fiscal year for  
6 administrative costs associated with the program, including contracting with non-State entities  
7 for administration of certain components of the program.

8 **"§ 115C-598. Reporting requirements.**

9 The Authority shall report annually, no later than October 15, to the Joint Legislative  
10 Education Oversight Committee on the following information from the prior school year:

- 11 (1) Total number, grade level, race, ethnicity, and sex of eligible students  
12 receiving scholarship funds.
- 13 (2) Total amount of scholarship funding awarded.
- 14 (3) Number of students previously enrolled in public schools in the prior semester  
15 by the previously attended local education agency.
- 16 (4) Nonpublic schools in which scholarship recipients are enrolled, including  
17 numbers of scholarship recipients at each nonpublic school.
- 18 (5) The number of substantiated cases of fraud by recipients and the number of  
19 parents or students removed from the program for noncompliance with the  
20 provisions of this Article.

21 **"§ 115C-599. Duties of State agencies.**

22 (a) The State Board, as part of its duty to monitor all local education agencies to  
23 determine compliance with this Article and the Individuals with Disabilities Education  
24 Improvement Act (IDEA), 20 U.S.C. § 1400, et seq., (2004), as amended, and federal regulations  
25 adopted under this act, as provided in G.S. 115C-107.4, shall ensure that local education agencies  
26 do the following:

- 27 (1) Conduct evaluations requested by a child's parent or guardian of suspected  
28 children with disabilities, as defined in G.S. 115C-107.3, in a timely manner  
29 as required by IDEA.
- 30 (2) Provide assessments for continuing eligibility to identified children with  
31 disabilities receiving scholarship funds at the request of the parent or guardian  
32 to ensure compliance with G.S. 115C-593.

33 (b) The Authority shall analyze, in conjunction with the Department of Public Instruction,  
34 past trends in scholarship data on an annual basis to ensure that the amount of funds transferred  
35 each fiscal year by the Authority to the Department for reevaluations by local school  
36 administrative units of eligible students under G.S. 115C-593 are sufficient and based on actual  
37 annual cost requirements."

38 **SECTION #.(b)** Notwithstanding G.S. 115C-592, as amended by this act, a student  
39 who was awarded scholarship funds for a PESA pursuant to Article 41 of Chapter 115C of the  
40 General Statutes for the 2019-2020 school year or a student who received a scholarship pursuant  
41 to Part 1H of Article 9 of Chapter 115C of the General Statutes for the 2019-2020 school year  
42 shall receive priority in the award of scholarship funds under G.S. 115C-592 for a personal  
43 education student account for the 2020-2021 school year if the student applies by March 1, 2020.

44 **SECTION #.(c)** Part 1H of Article 9 of Chapter 115C of the General Statutes is  
45 repealed.

46 **SECTION #.(d)** G.S. 115C-555(4) reads as rewritten:

- 47 "(4) It receives no funding from the State of North Carolina. For the purposes of  
48 this Article, scholarship funds awarded pursuant to Part 2A of this ~~Article,~~  
49 ~~Article or Article 41 of this Chapter, or Part 1H of Article 9 of this Chapter~~ to  
50 eligible students attending a nonpublic school shall not be considered funding  
51 from the State of North Carolina."

1           **SECTION #.(e)** G.S. 115C-567.5(b), as enacted by Section # of this act, reads as  
2 rewritten:

3           "(b) Available Data. – The Division of Nonpublic Education shall, as data is made  
4 available, provide information under subsection (a) of this section on nonpublic schools,  
5 including any data made available for students enrolled in those nonpublic schools. For a  
6 nonpublic school who enrolls students whose tuition and fees are paid in whole or in part with a  
7 scholarship grant pursuant to G.S. 115C-562.5, the nonpublic school shall submit to the Division  
8 a brief summary of the school's standard testing protocol, including the specific tests and  
9 assessments used by the school, graduation rates of the students who receive scholarship grants  
10 as required by G.S. 115C-562.5, and information on the level of accreditation of the school to be  
11 posted on the Division's dashboard. Other nonpublic schools that meet the requirements of Part  
12 1 or 2 of this Article as identified by the Division of Nonpublic Education, including schools that  
13 enroll students receiving scholarship funds under Article 41 of this ~~Chapter and Part 1H of Article~~  
14 ~~9 of this Chapter~~, may voluntarily submit data to also be included in the dashboard for the  
15 students enrolled in the nonpublic school. The State Education Assistance Authority shall provide  
16 information to the Division on the scholarship program it administers pursuant to Part 2A of this  
17 Article. The information contained on the dashboard shall not include personally identifiable  
18 student data."

19           **SECTION #.(f)** G.S. 115C-597.10(a), as enacted by Section # of this act, reads as  
20 rewritten:

21           "(a) The State Education Assistance Authority, in its administration of scholarship  
22 programs for eligible students to attend nonpublic schools pursuant to Part 2A of this ~~Article,~~  
23 ~~Article and~~ Article 41 of this Chapter, ~~and Part 1H of Article 9 of this Chapter~~, may contract with  
24 a nonprofit corporation representing parents and families, for marketing, outreach, and  
25 scholarship application assistance for parents and students. The Authority shall issue a request  
26 for proposals in order to enter into a contract with a nonprofit corporation that meets the following  
27 requirements during the term of the contract:

- 28           (1) Be a nonprofit corporation organized pursuant to Chapter 55A of the General  
29 Statutes and comply at all times with the provisions of section 501(c)(3) of the  
30 Internal Revenue Code.
- 31           (2) Employ sufficient staff who have demonstrated a capacity to market and  
32 implement a scholarship grant program, including by doing the following:
  - 33           a. Direct mail marketing.
  - 34           b. Radio advertising.
  - 35           c. Targeted digital advertising.
  - 36           d. One-on-one parent and family engagement.
- 37           (3) Comply with the limitations on lobbying set forth in section 501(c)(3) of the  
38 Internal Revenue Code.
- 39           (4) Have no State officer or employee serving on the board of the nonprofit.
- 40           (5) Conduct at least quarterly meetings of the board of directors of the nonprofit  
41 at the call of its chair."

42           **SECTION #.(g)** Section 5(b) of S.L. 2013-364, as rewritten by Section 3.2 of S.L.  
43 2013-363 and as amended by Section 11.18 of S.L. 2015-241, is repealed.

44           **SECTION #.(h)** G.S. 105-153.5(b)(12) reads as rewritten:

45           "(12) The amount deposited during the taxable year to a personal education ~~savings~~  
46 ~~student~~ account under Article 41 of Chapter 115C of the General Statutes."

47           **SECTION #.(i)** This section does not affect the rights or liabilities of the State, a  
48 taxpayer, or another person arising under a statute amended by this section before the effective  
49 date of its amendment, nor does it affect the right to any refund or credit of a tax that accrued  
50 under the amended statute before the effective date of its amendment.

1                   **SECTION #.(j)** Subsection (a) of this section applies beginning with scholarship  
2 funds awarded for the 2020-2021 school year. Subsections (c) through (g) of this section become  
3 effective July 1, 2020. Subsection (h) of this section applies to taxable years beginning on or after  
4 January 1, 2020.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2019

Proofed  
SPECIAL PROVISION



2019-UNCSEAA-H11-P

State Education Assistance Authority  
House Appropriations, Education

Requested by

1 ***REPEAL THE TRANSFER OF ADMINISTRATION OF THE TRANSFORMING***  
2 ***PRINCIPAL PREP PROGRAM TO THE PRINCIPAL FELLOWS COMMISSION***

3 **SECTION #.(a)** Subsections (a) through (d) of Section 2 of S.L. 2018-145 are  
4 repealed.

5 **SECTION #.(b)** Subsections (f) and (g) of Section 2 of S.L. 2018-145 are repealed.

6 **SECTION #.(c)** Subsection (a) of this section is effective June 30, 2019. The  
7 remainder of this section is effective the date this act becomes law.