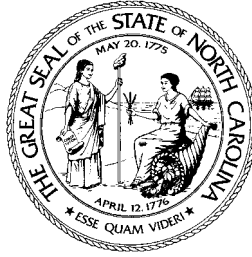


GENERAL ASSEMBLY OF NORTH CAROLINA



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MAY 23, 2012

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SPECIAL PROVISION



2012-DPI-H5-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

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

2 **SECTION #.** The State Board of Education shall allocate additional funds for
3 children with disabilities on the basis of three thousand seven hundred nine dollars (\$3,709) per
4 child. Each local school administrative unit shall receive funds for the lesser of (i) all children
5 who are identified as children with disabilities or (ii) twelve and five-tenths percent (12.5%) of
6 its 2012-2013 allocated average daily membership in the local school administrative unit. The
7 dollar amounts allocated under this section for children with disabilities shall also adjust in
8 accordance with legislative salary increments, retirement rate adjustments, and health benefit
9 adjustments for personnel who serve children with disabilities.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H6-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

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

2 **SECTION #.** The State Board of Education shall allocate additional funds for
3 academically or intellectually gifted children on the basis of one thousand two hundred
4 twenty-three dollars and ninety-nine cents (\$1,223.99) per child for fiscal year 2012-2013. A
5 local school administrative unit shall receive funds for a maximum of four percent (4%) of its
6 2012-2013 allocated average daily membership, regardless of the number of children identified
7 as academically or intellectually gifted in the unit. The dollar amounts allocated under this
8 section for academically or intellectually gifted children shall also adjust in accordance with
9 legislative salary increments, retirement rate adjustments, and health benefit adjustments for
10 personnel who serve academically or intellectually gifted children.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H7B-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 **SCHOOL IMPROVEMENT PLANS AT RESIDENTIAL SCHOOLS**

2 SECTION #.(a) In order to improve student performance, the Eastern North
3 Carolina School for the Deaf, the Governor Morehead School for the Blind, and the North
4 Carolina School for the Deaf each shall develop a school improvement plan that takes into
5 consideration the annual performance goal for that school that is set by the State Board of
6 Education. The principal of each school, instructional personnel and residential life personnel
7 assigned to that school, and a minimum of five parents of children enrolled in the school shall
8 constitute a school improvement team to develop a school improvement plan to improve
9 student performance.

10 Representatives of the instructional and residential life personnel shall be elected by
11 their respective groups by secret ballot.

12 Parents shall be elected by parents of children enrolled in the school in an election
13 conducted by the parent and teacher organization of the school or, if none exists, by the largest
14 organization of parents formed for this purpose. To the extent possible, parents serving on
15 school improvement teams shall reflect the composition of the students enrolled in that school.
16 No more than two parents may be employees of the school. Parental involvement is a critical
17 component of school success and positive student achievement; therefore, it is the intent of the
18 General Assembly that parents, along with instructional and residential life personnel, have a
19 substantial role in developing school improvement plans. To this end, school improvement
20 team meetings shall be held at a convenient time to assure substantial parent participation.
21 Parents who are elected to serve on school improvement teams and who are not employees of
22 the school shall receive travel and subsistence expenses in accordance with G.S. 138-5 and, if
23 appropriate, may receive a stipend.

24 All school improvement plans shall be, to the greatest extent possible, data driven.
25 School improvement teams shall use the Education Value Added Assessment System
26 (EVAAS), or a compatible and comparable system approved by the State Board of Education,
27 to analyze student data to identify root causes for problems and to determine actions to address
28 them. School improvement plans shall contain clear, unambiguous targets, explicit indicators
29 and actual measures, and expeditious time frames for meeting the measurement standards.

30 SECTION #.(b) The strategies for improving student performance shall include the
31 following:

- 32 (1) A plan for the use of staff development funds that may be made available to
33 the school to implement the school improvement plan. The plan may provide
34 that a portion of these funds is used for mentor training and for release time
35 and substitute teachers while teachers are meeting with mentors.
- 36 (2) A plan for preparing students to read at grade level by the time they enter
37 second grade. The plan shall require kindergarten and first grade teachers to
38 notify parents or guardians when a child is not reading at grade level and is
39 at risk of not reading at grade level by the time the child enters second grade.

1 The plan may include the use of assessments to monitor students' progress in
2 learning to read and strategies for teachers and parents to implement that will
3 help students improve and expand their reading ability, as well as provide
4 for the recognition of teachers and strategies that appear to be effective at
5 preparing students to read at grade level.

6 (3) A comprehensive plan to encourage parent involvement.

7 (4) A plan designed to provide that the school is safe, secure, and orderly; that
8 there is a climate of respect in the school; and that appropriate personal
9 conduct is a priority for all students and all residential school personnel.

10 (5) A plan that specifies the effective instructional practices and methods to be
11 used to improve the academic performance of students identified as at risk of
12 academic failure or at risk of dropping out of school.

13 **SECTION #.(c)** Support among affected staff members is essential to successful
14 implementation of a school improvement plan to address improved student performance at that
15 school. The principal of the school shall present the proposed school improvement plan to all of
16 the instructional personnel assigned to the school for their review and vote. The vote shall be
17 by secret ballot. The principal shall submit the school improvement plan to the State Board of
18 Education only if the proposed school improvement plan has the approval of a majority of the
19 instructional personnel who voted on the plan.

20 **SECTION #.(d)** The State Board of Education shall accept or reject the school
21 improvement plan within 60 days after the submission plan. If the State Board rejects a school
22 improvement plan, the State Board shall state with specificity the reasons for rejecting the plan
23 to the principal and shall direct that the principal work with the school improvement team to
24 resolve the disagreements. The school improvement team may then prepare another plan,
25 present it to the instructional personnel assigned to the school for a vote, and submit it to the
26 State Board to accept or reject. If there is no resolution within 30 days, then the State Board
27 may develop a school improvement plan for the school; however, the General Assembly urges
28 the State Board to utilize the school's proposed school improvement plan to the maximum
29 extent possible when developing this plan.

30 **SECTION #.(e)** A school improvement plan shall remain in effect for no more
31 than three years; however, the school improvement team may amend the plan as often as is
32 necessary or appropriate. If, at any time, any part of a school improvement plan becomes
33 unlawful or the State Board finds that a school improvement plan is impeding student
34 performance at a school, the State Board may vacate the relevant portion of the plan and may
35 direct the school to revise that portion. The procedures set out in this section shall apply to
36 amendments and revisions to school improvement plans.

37 **SECTION #.(f)** Any funds the State Board makes available to a school to meet the
38 goals for that school under the ABCs Program and to implement the school improvement plan
39 at that school shall be used in accordance with those goals and the school improvement plan.

40 **SECTION #.(g)** The State Board shall develop a list of recommended strategies
41 that it determines to be effective, which building-level committees may use to establish parent
42 involvement programs designed to meet the specific needs of their schools.

43 **SECTION #.(h)** Once the plan is developed, the principal shall ensure the plan is
44 available and accessible to parents and the school community.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H8-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 ***SCHOOL CALENDAR PILOT PROGRAM***

2 **SECTION #.** The State Board of Education shall establish a school calendar pilot
3 program in the Wilkes County Schools, the Montgomery County Schools, and the Stanly
4 County Schools. The purpose of the pilot program is to determine whether and to what extent a
5 local school administrative unit can save money during this extreme fiscal crisis by
6 consolidating the school calendar.

7 Notwithstanding G.S. 115C-84.2(a)(1), the school calendar for the 2012-2013
8 calendar year for the pilot school systems shall include a minimum of 180 days or 1,000 hours
9 of instruction covering at least nine calendar months.

10 If the local board of education in a pilot school system adds instructional hours to
11 previously scheduled days under this section, the local school administrative unit is deemed to
12 have a minimum of 180 days of instruction, and teachers employed for a 10-month term are
13 deemed to have been employed for the days being made up and shall be compensated as if they
14 had worked the days being made up.

15 The State Board of Education shall report to the Joint Legislative Education
16 Oversight Committee by March 15, 2013, on the administration of the pilot program, cost
17 savings realized by it, and its impact on student achievement.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H9-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

- 1 ***RESTORE TEACHING FELLOWS PROGRAM***
- 2 **SECTION #.** Section 1.38 of S.L. 2011-266 is repealed.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H10-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

- 1 ***REPEAL PROHIBITION ON TEACHER PREPAYMENT***
- 2 SECTION #. Section 5 of S.L. 2011-379 is repealed.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H11-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 **REPEAL INCREASE IN THE NUMBER OF INSTRUCTIONAL DAYS**

2 SECTION #.(a) G.S. 115C-84.2 reads as rewritten:

3 **"§ 115C-84.2. School calendar.**

4 (a) School Calendar. – Each local board of education shall adopt a school calendar
5 consisting of 215 days all of which shall fall within the fiscal year. A school calendar shall
6 include the following:

7 (1) **(See notes)** A minimum of ~~185~~180 days and ~~1,025~~1,000 hours of instruction
8 covering at least nine calendar months. The local board shall designate when
9 the ~~185~~180 instructional days shall occur. The number of instructional hours
10 in an instructional day may vary according to local board policy and does
11 not have to be uniform among the schools in the administrative unit. Local
12 boards may approve school improvement plans that include days with
13 varying amounts of instructional time. If school is closed early due to
14 inclement weather, the day and the scheduled amount of instructional hours
15 may count towards the required minimum to the extent allowed by State
16 Board policy. The school calendar shall include a plan for making up days
17 and instructional hours missed when schools are not opened due to
18 inclement weather.

19 (1a) Repealed by Session Laws 2004-180, s. 1, effective August 9, 2004.

20 (2) A minimum of 10 annual vacation leave days.

21 (3) The same or an equivalent number of legal holidays occurring within the
22 school calendar as those designated by the State Personnel Commission for
23 State employees.

24 (4) Repealed by Session Laws 2011-145, s. 7.29(a), effective July 1, 2011.

25 (4a) Five days, as designated by the local board, for use as teacher workdays.
26 These days shall be protected to allow teachers to complete instructional and
27 classroom administrative duties. The local school administrative unit shall
28 not impose any additional tasks on these days. The local board shall
29 schedule one of these days at the beginning of the school year and one at the
30 end of each academic quarter.

31 (5) The remaining days scheduled by the local board in consultation with each
32 school's principal for use as teacher workdays, additional instructional days,
33 or other lawful purposes. Before consulting with the local board, each
34 principal shall work with the school improvement team to determine the
35 days to be scheduled and the purposes for which they should be scheduled.
36 Days may be scheduled and planned for different purposes for different
37 personnel and there is no requirement to schedule the same dates for all
38 personnel. In order to make up days for school closing because of inclement
39 weather, the local board may designate any of the days in this subdivision as

1 additional make-up days to be scheduled after the last day of student
2 attendance.

3 ~~If the State Board of Education finds that it will enhance student performance to do so, the~~
4 ~~State Board may grant a local board of education a waiver to use up to five of the instructional~~
5 ~~days required by subdivision (1) of this subsection as teacher workdays. For each instructional~~
6 ~~day waived, the State Board shall waive an equivalent number of instructional hours.~~

7 Local boards and individual schools are encouraged to use the calendar flexibility in order
8 to meet the annual performance standards set by the State Board. Local boards of education
9 shall consult with parents and the employed public school personnel in the development of the
10 school calendar.

11 Local boards shall designate at least ~~two~~ seven days scheduled under ~~subdivision~~
12 ~~(5) subdivisions (4a) and (5)~~ of this subsection as days on which teachers may take accumulated
13 vacation leave. Local boards may designate the remaining days scheduled in ~~subdivision~~
14 ~~(5) subdivisions (4a) and (5)~~ of this subsection as days on which teachers may take accumulated
15 vacation leave, but local boards shall give teachers at least 14 calendar days' notice before
16 requiring a teacher to work instead of taking vacation leave on any of these days. A teacher
17 may elect to waive this notice requirement for one or more of these days.

18 (b) Limitations. – The following limitations apply when developing the school
19 calendar:

- 20 (1) The total number of teacher workdays for teachers employed for a 10 month
21 term shall not exceed 195 days.
- 22 (2) The calendar shall include at least 42 consecutive days when teacher
23 attendance is not required unless: (i) the school is a year-round school; or (ii)
24 the teacher is employed for a term in excess of 10 months. At the request of
25 the local board of education or of the principal of a school, a teacher may
26 elect to work on one of the 42 days when teacher attendance is not required
27 in lieu of another scheduled workday.
- 28 (3) School shall not be held on Sundays.
- 29 (4) Veterans Day shall be a holiday for all public school personnel and for all
30 students enrolled in the public schools.

31 (c) Emergency Conditions. – During any period of emergency in any section of the
32 State where emergency conditions make it necessary, the State Board of Education may order
33 general, and if necessary, extended recesses or adjournment of the public schools.

34 (d) Opening and Closing Dates. – Local boards of education shall determine the dates
35 of opening and closing the public schools under subdivision (a)(1) of this section. Except for
36 year-round schools, the opening date for students shall not be before August 25, and the closing
37 date for students shall not be after June 10. On a showing of good cause, the State Board of
38 Education may waive this requirement to the extent that school calendars are able to provide
39 sufficient days to accommodate anticipated makeup days due to school closings. A local board
40 may revise the scheduled closing date if necessary in order to comply with the minimum
41 requirements for instructional days or instructional time. For purposes of this subsection, the
42 term "good cause" means either that:

- 43 (1) Schools in any local school administrative unit in a county have been closed
44 eight days per year during any four of the last 10 years because of severe
45 weather conditions, energy shortages, power failures, or other emergency
46 situations; or
- 47 (2) Schools in any local school administrative unit in a county have been closed
48 for all or part of eight days per year during any four of the last 10 years
49 because of severe weather conditions. For purposes of this subdivision, a

1 school shall be deemed to be closed for part of a day if it is closed for two or
2 more hours.

3 The State Board also may waive this requirement for an educational purpose. The term
4 "educational purpose" means a local school administrative unit establishes a need to adopt a
5 different calendar for (i) a specific school to accommodate a special program offered generally
6 to the student body of that school, (ii) a school that primarily serves a special population of
7 students, or (iii) a defined program within a school. The State Board may grant the waiver for
8 an educational purpose for that specific school or defined program to the extent that the State
9 Board finds that the educational purpose is reasonable, the accommodation is necessary to
10 accomplish the educational purpose, and the request is not an attempt to circumvent the
11 opening and closing dates set forth in this subsection. The waiver requests for educational
12 purposes shall not be used to accommodate system-wide class scheduling preferences.

13 The required opening and closing dates under this subsection shall not apply to any school
14 that a local board designated as having a modified calendar for the 2003-2004 school year or to
15 any school that was part of a planned program in the 2003-2004 school year for a system of
16 modified calendar schools, so long as the school operates under a modified calendar.

17 (e) Nothing in this section prohibits a local board of education from offering
18 supplemental or additional educational programs or activities outside the calendar adopted
19 under this section."

20 **SECTION #.(b)** G.S. 115C-238.29F(d)(1) reads as rewritten:

21 "(1) **(See note)** The school shall provide instruction each year for at least ~~185~~180
22 days. ~~If the State Board of Education finds that it will enhance student~~
23 ~~performance to do so, the State Board may grant a charter school a waiver to~~
24 ~~use up to five of these instructional days as teacher workdays."~~

25 **SECTION #.(c)** G.S. 115C-238.66(1)d. reads as rewritten:

26 "d. The board of directors shall adopt a school calendar consisting of a
27 minimum of ~~185~~180 days of instruction covering at least nine
28 calendar months."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H12A-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 **RESIDENTIAL SCHOOLS**

2 **SECTION #.(a)** Section 7.25(a) of S.L. 2011-145 is repealed.

3 **SECTION #.(b)** The Department of Public Instruction shall not transfer any
4 school-based personnel from the residential schools to central office administrative positions.

5 **SECTION #.(c)** Notwithstanding G.S. 146-30, the Department of Public
6 Instruction shall retain all proceeds generated from the rental of building space on the Governor
7 Morehead School campus. The Department of Public Instruction shall use all receipts generated
8 from these leases to staff and operate the North Carolina School for the Deaf, the Eastern North
9 Carolina School for the Deaf, and the Governor Morehead School. These receipts shall not be
10 used to support administrative functions within the Department.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H13-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 ***LIABILITY INSURANCE FOR PUBLIC SCHOOL PERSONNEL***

2 **SECTION #.(a)** Within 60 days of the effective date of this section, the local
3 school administrative units shall provide written notification to all public school employees
4 regarding the coverage provided by the State-funded liability insurance policy for North
5 Carolina public school employees. Notification shall include information regarding policy
6 coverage details, instructions on reporting claims, contact information for additional questions,
7 and instructions on obtaining a copy of the policy.

8 **SECTION #.(b)** From the funds available for liability insurance for public school
9 personnel, the Department of Public Instruction shall distribute additional funds to local school
10 administrative units on the basis of average daily membership in order to implement the
11 requirements of subsection (a) of this section.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H4-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 ***PILOT COOPERATIVE INNOVATIVE HIGH SCHOOL***

2 **SECTION #.** Notwithstanding G.S. 115C-238.51, the State Board of Education
3 shall approve the establishment of a cooperative innovative high school pilot by the local
4 boards of education of the Davidson County Schools, Thomasville City Schools, and Lexington
5 City Schools and the local board of trustees of Davidson County Community College under
6 Part 9 of Article 16 of Chapter 115C of the General Statutes. The pilot shall be known as the
7 Yadkin Valley Regional Career Academy.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H14-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 *CLARIFYING COOPERATIVE INNOVATIVE HIGH SCHOOL STATUTES*

2 SECTION #.(a) G.S. 115C-238.50A reads as rewritten:

3 "§ 115C-238.50A. Definitions.

4 The following definitions apply in this Part:

- 5 (1) Constituent institution. – A constituent institution as defined in
6 G.S. 116-2(4).
- 7 (1a) Cooperative innovative high school. – A high school that meets the
8 following criteria:
- 9 a. It has no more than 100 students per grade level.
10 b. It partners with an institution of higher education to enable students
11 to concurrently obtain a high school diploma and begin or complete
12 an associate degree program, master a certificate or vocational
13 program, or earn up to two years of college credit within five years.
14 c. It is located on the campus of the partner institution of higher
15 education, unless the governing ~~board~~ Board or the local board of
16 trustees for a private North Carolina college specifically waives the
17 requirement through adoption of a formal resolution.
- 18 (1b) Cooperative innovative high school allotment. – Funds appropriated by the
19 General Assembly to the Department of Public Instruction to provide
20 additional resources to approved cooperative innovative high schools.
- 21 (2) Education partner. – An education partner as provided in G.S. 115C-238.52.
- 22 (3) Governing ~~board~~ Board. – The ~~State Board of Education~~, the State Board of
23 Community ~~Colleges~~ Colleges or the Board of Governors of The University
24 of North ~~Carolina~~, or the ~~Board of the North Carolina Independent Colleges~~
25 and ~~Universities~~ Carolina.
- 26 (3a) Local board of education. – A local board as defined in G.S. 115C-5(5) or a
27 regional school board of directors as defined in G.S. 115C-238.61(5).
- 28 (4) Local board of trustees. – The board of trustees of a community college,
29 constituent institution of The University of North Carolina, or private
30 college located in North Carolina.
- 31 (5) Partner institution of higher education. – A community college, constituent
32 institution of The University of North Carolina, or private college located in
33 North Carolina."

34 SECTION #.(b) G.S. 115C-238.51 reads as rewritten:

35 "§ 115C-238.51. Application process.

- 36 (a) A local board of education and at least one local board of trustees shall jointly apply
37 to establish a cooperative innovative high school program under this Part.
- 38 (b) The application shall contain at least the following information:

- 1 (1) A description of a program that implements the purposes in
2 G.S. 115C-238.50.
- 3 (2) A statement of how the program relates to the Economic Vision Plan
4 adopted for the economic development region in which the ~~program~~
5 cooperative innovative high school is to be located.
- 6 (3) The facilities to be used by the ~~program~~cooperative innovative high school
7 and the manner in which administrative services of the ~~programs~~school are to
8 be provided.
- 9 (4) A description of student academic and vocational achievement goals and the
10 method of demonstrating that students have attained the skills and
11 knowledge specified for those goals.
- 12 (5) A description of how the ~~program~~cooperative innovative high school will be
13 operated, including budgeting, curriculum, transportation, and operating
14 procedures.
- 15 (6) The process to be followed by the ~~program~~cooperative innovative high
16 school to ensure parental involvement.
- 17 (7) The process by which students will be selected for and admitted to the
18 ~~program~~cooperative innovative high school.
- 19 (8) A description of the funds that will be used and a proposed budget for the
20 first five years of the implementation of the ~~program~~cooperative innovative
21 high school. This description shall identify how the average daily
22 membership (ADM) and full-time equivalent (FTE) students are counted. If
23 additional funds are requested, a description of how those additional funds
24 will be used shall be submitted. Additional funds may include an allotment
25 for a principal position, the cooperative innovative high school allotment,
26 and tuition payments. For cooperative innovative high schools that have a
27 community college as their partner institution of higher education, the
28 proposed budget shall include the cost of including their students in
29 calculations of budget full-time equivalent students for the North Carolina
30 Community College System.
- 31 (9) The qualifications required for individuals employed in the
32 ~~program~~cooperative innovative high school.
- 33 (10) The number of students to be served.
- 34 (11) A description of how the ~~program's~~cooperative innovative high school's
35 effectiveness in meeting the purposes in G.S. 115C-238.50 will be measured.

36 (c) The application shall be submitted to the State Board of Education and the
37 applicable governing ~~Boards~~Board. If the partner institution of higher education is a private
38 North Carolina college, the application shall be submitted solely to the State Board of
39 Education. The Boards shall appoint a joint advisory committee to review the applications and
40 to recommend to the Boards those programs that meet the requirements of this Part and that
41 achieve the purposes set out in G.S. 115C-238.50.

42 (d) ~~The Boards may approve programs recommended by the joint advisory committee~~
43 ~~or may approve other programs that were not recommended. The Boards shall approve all~~
44 ~~applications by June 30 of each year. No application shall be approved unless the State Board~~
45 ~~of Education and the applicable governing Board find that the application meets the~~
46 ~~requirements set out in this Part and that granting the application would achieve the purposes~~
47 ~~set out in G.S. 115C-238.50. Priority shall be given to applications that are most likely to~~
48 ~~further State education policies, to address the economic development needs of the economic~~
49 ~~development regions in which they are located, and to strengthen the educational programs~~
50 ~~offered in the local school administrative units in which they are located.~~

1 (e) No additional State funds shall be provided to approved programs unless
2 appropriated by the General Assembly."

3 SECTION #.(c) Part 9 of Article 16 of Chapter 115C of the General Statutes is
4 amended by adding a new section to read:

5 "**§ 115C-238.51A. Approval process.**

6 (a) Joint Advisory Committee. – The State Board of Education and the applicable
7 governing Board of the local board of trustees shall appoint a joint advisory committee to
8 review the applications and to recommend approval for those applications that meet the
9 requirements of this Part and achieve purposes set out in G.S. 115C-238.50. The
10 recommendation shall indicate whether additional funds were requested in the application.

11 (b) No Additional Funds. – For applications which have not requested additional funds,
12 the State Board of Education and the applicable governing Board may approve cooperative
13 innovative high schools. Approvals shall be made by June 30 of each year. No additional State
14 funds, position allotments, earning of budget full-time equivalent students, or payments of
15 tuition shall be provided to cooperative innovative high schools approved under this subsection.

16 (c) Additional Funds. – For applications which have requested additional funds, the
17 State Board of Education and the applicable governing Board may approve cooperative
18 innovative high schools contingent upon appropriation of the additional funds by the General
19 Assembly. Contingent approval shall be made by April 1 of each year. The contingent approval
20 shall expire if no appropriation is made by the General Assembly for the additional funds
21 within one calendar year. No cooperative innovative high school shall open prior to the
22 appropriation by the General Assembly of the full amount of the additional funds as requested
23 in the application for that school under G.S. 115C-238.51 for the upcoming fiscal year or fiscal
24 biennium, as appropriate."

25 SECTION #.(d) G.S. 115C-238.52 reads as rewritten:

26 "**§ 115C-238.52. Participation by other education partners.**

27 (a) Any or all of the following education partners may participate in the development of
28 a cooperative innovative ~~program~~ high school under this Part that is targeted to high school
29 students who would benefit from accelerated academic instruction:

- 30 (1), (2) Repealed by Session Laws 2005-276, s. 7.33(a), effective July 1, 2005.
31 (3) A private business or organization.
32 (4) The county board of commissioners in the county in which the ~~program~~
33 cooperative innovative high school is located.

34 (b) Any or all of the education partners listed in subsection (a) of this section that
35 participate shall:

- 36 (1) Jointly apply with the local board of education and the local board of
37 trustees to establish a cooperative innovative ~~program~~ high school under this
38 Part.
39 (2) Be identified in the application.
40 (3) Sign the written agreement under G.S. 115C-238.53(b)."

41 SECTION #.(e) G.S. 115C-238.53 reads as rewritten:

42 "**§ 115C-238.53. Program operation. Operation of cooperative innovative high schools.**

43 (a) A ~~program~~ cooperative innovative high school approved by the State is accountable
44 to the local board of education.

45 (b) A ~~program~~ cooperative innovative high school approved under this Part shall operate
46 under the terms of a written agreement signed by the local board of education, local board of
47 trustees, State Board of Education, and applicable governing Board. The agreement shall
48 incorporate the information provided in the application, as modified during the approval
49 process, and any terms and conditions imposed on the ~~program~~ school by the State Board of

1 Education and the applicable governing Board. The agreement may be for a term of no longer
2 than five school years.

3 (c) A ~~program~~cooperative innovative high school may be operated in a facility owned
4 or leased by the local board of education, the local board of trustees, or the education partner, if
5 any.

6 (d) A ~~program~~cooperative innovative high school approved under this Part shall provide
7 instruction each school year for at least ~~180~~185 days during nine calendar months, shall
8 comply with laws and policies relating to the education of students with disabilities, and shall
9 comply with Article 27 of this Chapter.

10 (e) A ~~program~~cooperative innovative high school approved under this Part may use
11 State, federal, and local funds allocated to the local school administrative unit, to the applicable
12 governing Board, and to the ~~college or university~~partner institution of higher education to
13 implement ~~the~~its program. If there is an education partner and if it is a public body, the
14 ~~program~~cooperative innovative high school may use State, federal, and local funds allocated to
15 that body.

16 (f) Except as provided in this Part and under the terms of the ~~agreement~~agreement,
17 cooperative innovative high schools:

18 (1) ~~A program shall~~Shall have the same exemptions from statutes and rules as
19 charter schools operating under Part 6A of this Article, other than those
20 pertaining to personnel.

21 (2) ~~A program may~~May be exempted by the State Board of Education or by the
22 applicable governing Board from laws and rules applicable to a local board
23 of education, a local school administrative unit, a community college, a
24 constituent institution, or a local board of trustees."

25 **SECTION #.(f) G.S. 115C-238.54 reads as rewritten:**

26 **"§ 115C-238.54. Funds for ~~programs~~cooperative innovative high schools.**

27 (a) The Department of Public Instruction shall assign a school code for each
28 ~~program~~cooperative innovative high school that is approved under this Part. Notwithstanding
29 G.S. 115C-105.25, once the ~~program~~cooperative innovative high school has been assigned a
30 school code, the local board of education may use these funds for the ~~program~~school and may
31 transfer these funds between funding allotment categories.

32 (a1) Repealed by Session Laws 2011-145, s. 7.1A(j), effective January 1, 2012.

33 (b) The local board of trustees may allocate State and federal funds for a ~~program~~
34 cooperative innovative high school that is approved under this Part.

35 (c) An education partner under G.S. 115C-238.52 that is a public body may allocate
36 State, federal, and local funds for a ~~program~~cooperative innovative high school that is approved
37 under this Part.

38 (d) If not an education partner under G.S. 115C-238.52, a county board of
39 commissioners in a county where a ~~program~~cooperative innovative high school is located may
40 nevertheless appropriate funds to a ~~program~~the school approved under this Part.

41 (e) The local board of education and the local board of trustees are strongly encouraged
42 to seek funds from sources other than State, federal, and local appropriations. They are strongly
43 encouraged to seek funds the Education Cabinet identifies or obtains under G.S. 116C-4.

44 (f) Students in cooperative innovative high schools shall not be charged tuition for
45 courses taken through the partner institution of higher education.

46 (g) Students in cooperative innovative high schools that have a community college as
47 their partner institution of higher education and were approved under G.S. 115C-238.51A(c)
48 shall be included in calculations of budget full-time equivalent students for the North Carolina
49 Community College System. Students in cooperative innovative high schools that have a
50 community college as their partner institution of higher education and were approved under

1 G.S. 115C-238.51A(b) shall not be included in calculations of budget full-time equivalent
2 students for the North Carolina Community College System.

3 (h) The State Board of Education shall reimburse The University of North Carolina for
4 tuition for courses taken by students at cooperative innovative high schools that have a
5 constituent institution of The University of North Carolina as their partner institution of higher
6 education and were approved under G.S. 115C-238.51A(c). Tuition payments shall not exceed
7 the annual Board of Governors-approved undergraduate resident tuition rate calculated on a per
8 credit hour basis and shall not include fees. In addition, the cooperative innovative high school
9 students' credit hours shall be nonfundable under The University of North Carolina Semester
10 Credit Hour Enrollment Change Funding Model. The State Board of Education shall not
11 reimburse The University of North Carolina for tuition for courses taken by students at
12 cooperative innovative high schools that have a constituent institution of The University of
13 North Carolina as their partner institution of higher education approved under
14 G.S. 115C-238.51A(b).

15 (i) The State Board of Education shall reimburse private North Carolina colleges for
16 tuition for courses taken by students at cooperative innovative high schools that have a private
17 North Carolina college as their partner institution of higher education and were approved under
18 G.S. 115C-238.51A(c). Tuition payments shall not exceed the highest undergraduate resident
19 rate approved by the Board of Governors for the University of North Carolina constituent
20 institutions and shall not include fees. The State Board of Education shall not reimburse private
21 North Carolina colleges for tuition for courses taken by students at cooperative innovative high
22 schools that have a private North Carolina college as their partner institution of higher
23 education and were approved under G.S. 115C-238.51A(b)."

24 **SECTION #.(g)** G.S. 115C-238.55 reads as rewritten:

25 **"§ 115C-238.55. Evaluation of ~~programs~~ cooperative innovative high schools.**

26 The State Board of Education and the governing Boards shall evaluate the success of
27 students in ~~programs~~ cooperative innovative high schools approved under this Part. Success
28 shall be measured by high school retention rates, high school completion rates, high school
29 dropout rates, certification and associate degree completion, admission to four-year institutions,
30 postgraduation employment in career or study-related fields, and employer satisfaction of
31 employees who participated in and graduated from the ~~programs~~ schools. The Boards shall
32 jointly report by January 15 of each year to the Joint Legislative Education Oversight
33 Committee on the evaluation of these ~~programs~~ schools."

34 **SECTION #.(h)** Section 7.21(e) of S.L. 2010-31 is repealed.

35 **SECTION #.(i)** This section is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H15A-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 *NORTH CAROLINA VIRTUAL PUBLIC SCHOOLS*

2 SECTION #. Section 7.22(k) of S.L. 2012-145 reads as rewritten:

3 "SECTION 7.22.(k) ~~The State Board shall use only funds provided through the North~~
4 ~~Carolina Virtual Public Schools Allotment Formula and the NCVPS enrollment reserve as set~~
5 ~~forth in this section to fund instructional costs of NCVPS.~~ The only funds that may be used for
6 the instructional costs of NCVPS are the following:

- 7 (1) Funds provided through the North Carolina Virtual Public Schools
8 Allotment Formula.
9 (2) Funds provided through the NCVPS enrollment reserve as set forth in this
10 section.
11 (3) Local funds.
12 (4) Federal funds."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H18-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 **REPEAL OBSOLETE REPORTS**

2 **SECTION #.(a)** Section 7.19(d) of S.L. 2007-323 is repealed.

3 **SECTION #.(b)** Section 7.21 of S.L. 2007-323 is repealed.

4 **SECTION #.(c)** G.S. 115C-276(t) is repealed.

5 **SECTION#.(d)** Subsections (c) and (g) of Section 7.5 of S.L. 2010-31 are
6 repealed.

7 **SECTION #.(e)** Section 7.19(c) of S.L. 2010-31 is repealed.

8 **SECTION #.(f)** G.S. 115C-12(26) is repealed.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DPI-H17-P

Department of Public Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 **TEACHER/TEACHER ASSISTANT LEAVE ON INSTRUCTIONAL DAYS.**

2 **SECTION #.(a)** G.S. 115C-202.1(c) reads as rewritten:

3 "(c) Vacation. – Included within the 10-month term shall be annual vacation leave at the
4 same rate provided for State employees, computed at one-twelfth of the annual rate for State
5 employees for each month of employment. Local boards shall provide at least 10 days of
6 annual vacation leave at a time when students are not scheduled to be in regular attendance.
7 However, instructional personnel who do not require a substitute may use annual vacation leave
8 on days that students are in attendance. Vocational and technical education teachers who are
9 employed for 11 or 12 months may, with prior approval of the principal, work on annual
10 vacation leave days designated in the school calendar and may use those annual vacation leave
11 days during the eleventh or twelfth month of employment. Local boards of education may
12 adopt policies permitting instructional personnel employed for 11 or 12 months in year-round
13 schools to, with the approval of the principal, take vacation leave at a time when students are in
14 attendance; local funds shall be used to cover the cost of substitute teachers.

15 On a day that pupils are not required to attend school due to inclement weather, but
16 employees are required to report for a workday, a teacher may elect not to report due to
17 hazardous travel conditions and to take an annual vacation day or to make up the day at a time
18 agreed upon by the teacher and the teacher's immediate supervisor or principal. On a day that
19 school is closed to employees and pupils due to inclement weather, a teacher shall work on the
20 scheduled makeup day.

21 All vacation leave taken by the teacher will be upon the authorization of the teacher's
22 immediate supervisor and under policies established by the local board of education. Annual
23 vacation leave shall not be used to extend the term of employment.

24 Notwithstanding any provisions of this subsection to the contrary, no person shall be
25 entitled to pay for any vacation day not earned by that person."

26 **SECTION #.(b)** G.S. 115C-316(3) reads as rewritten:

27 "(3) Notwithstanding any provisions of this section to the contrary no person
28 shall be entitled to pay for any vacation day not earned by that person. The
29 first 10 days of annual leave earned by a 10- or 11-month employee during
30 any fiscal year period shall be scheduled to be used in the school calendar
31 adopted by the respective local boards of education. Vacation days shall not
32 be used for extending the term of employment of individuals. Ten- or
33 11-month employees may accumulate annual vacation leave days as follows:
34 annual leave may be accumulated without any applicable maximum until
35 June 30 of each year. On June 30 of each year, any of these employees with
36 more than 30 days of accumulated leave shall have the excess accumulation
37 converted to sick leave so that only 30 days are carried forward to July 1 of
38 the same year. All vacation leave taken by these employees shall be upon the
39 authorization of their immediate supervisor and under policies established by

1 the local board of education. The policies may permit teacher assistants who
2 require a substitute and are employed for 11 or 12 months in year-round
3 schools to take vacation leave at a time when students are in attendance;
4 local funds shall be used to cover the cost of substitutes. Vacation leave for
5 instructional personnel who do not require a substitute shall not be restricted
6 to days that students are not in attendance. An employee shall be paid in a
7 lump sum for accumulated annual leave not to exceed a maximum of 240
8 hours or 30 days when separated from service due to resignation, dismissal,
9 reduction in force, death or service retirement. Upon separation from service
10 due to service retirement, any annual vacation leave over 30 days will
11 convert to sick leave and may be used for creditable service at retirement in
12 accordance with G.S. 135-4(e). If the last day of terminal leave falls on the
13 last workday in the month, payment shall be made for the remaining
14 nonworkdays in that month. Employees retiring on disability retirement may
15 exhaust annual leave rather than be paid in a lump sum. The provisions of
16 this subdivision shall be accomplished without additional State and local
17 funds being appropriated for this purpose. The State Board of Education
18 shall adopt rules and regulations for the administration of this subdivision."

19 **SECTION #.(c)** This section applies beginning with the 2012-2013 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DOCC-H1-P

North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education

Requested by: Representative

1 *ACQUISITION OF REAL PROPERTY BY LEASE PURCHASE*

2 SECTION #.(a) The catch line of G.S. 115D-58.15 reads as rewritten:

3 "§ 115D-58.15. Lease purchase and installment purchase contracts for ~~equipment~~real
4 and personal property."

5 SECTION #.(b) G.S. 115D-58.15(a) reads as rewritten:

6 "(a) Authority. – ~~The~~Notwithstanding any provisions of law to the contrary, the board of
7 trustees of a community college may use lease purchase or installment purchase contracts to
8 purchase or finance the purchase of ~~equipment~~real and personal property as provided in this
9 section. A college shall not have more than five State-funded contracts in effect at any one
10 time."

11 SECTION #.(c) G.S. 115D-20(11) reads as rewritten:

12 "(11) To enter into lease purchase and installment purchase contracts for
13 ~~equipment~~real and personal property under G.S. 115D-58.15."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DOCC-H8-P

North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education

Requested by: Representative

1 *CARRYFORWARD FOR EQUIPMENT*

2 SECTION #. In accordance with G.S. 115D-31, funds appropriated to the
3 Community Colleges System Office for equipment for the 2011-2012 fiscal year shall not
4 revert at the end of the fiscal year but shall be made available to the Community Colleges
5 System Office for equipment for the 2012-2013 fiscal year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DOCC-H2-P

North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education

Requested by: Representative

1 **REPEAL OBSOLETE REPORTS**

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

3 "~~(o) The General Assembly finds that additional data are needed to determine the~~
4 ~~adequacy of multicampus and off campus center funds; therefore, multicampus colleges and~~
5 ~~colleges with off campus centers shall report annually, beginning September 1, 2005, to the~~
6 ~~Community Colleges System Office on all expenditures by line item of funds used to support~~
7 ~~their multicampuses and off campus centers. The Community Colleges System Office shall~~
8 ~~report on these expenditures to the Education Appropriation Subcommittees of the House of~~
9 ~~Representatives and the Senate, the Office of State Budget and Management, and the Fiscal~~
10 ~~Research Division by December 1 of each year.~~

11 All multicampus centers approved by the State Board of Community Colleges shall receive
12 funding under the same formula. The State Board of Community Colleges shall not approve
13 any additional multicampus centers without identified recurring sources of funding."

14 **SECTION #.(b)** G.S. 116D-3(c) is repealed.

15 **SECTION #.(c)** Section 9.11(e) of S.L. 1999-237 is repealed.

16 **SECTION #.(d)** Section 4 of S.L. 2005-198, as amended by Section 35 of S.L.
17 2007-484, is repealed.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

**DRAFT
SPECIAL PROVISION**



2012-DOCC-H11-P

**North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education**

Requested by: Representative

- 1 ***REPEAL DUPLICATIVE AUDIT REQUIREMENT***
- 2 **SECTION #. G.S. 147-64.6A is repealed.**

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DOCC-H10-P

North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education

Requested by: Representative

1 **UPDATE COLLEGE PERFORMANCE MEASURES**

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

3 **"§ 115D-31.3. Institutional performance accountability.**

4 (a) Creation of Accountability Measures and Performance Standards. – The State Board
5 of Community Colleges shall create new accountability measures and performance standards
6 for the Community College System. ~~Survey results shall be used as a performance standard~~
7 ~~only if the survey is statistically valid.~~ The State Board of Community Colleges shall review
8 annually the accountability measures and performance standards to ensure that they are
9 appropriate for use in recognition of successful institutional performance.

10 (b) through (d) Repealed by Session Laws 2000-67, s. 9.7, effective July 1, 2000.

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

13 (1) Progress of basic skills ~~students~~students.

14 (2) Passing rate for ~~licensure and certification examinations~~General Educational
15 Development (GED) diploma examinations.

16 (3) Performance of students who transfer to a four-year ~~institution~~institution.

17 (4) ~~Passing~~Success rates ~~in~~of developmental ~~courses~~students in subsequent
18 college-level English courses.

19 (5) Success rates of developmental students in subsequent college-level
20 ~~courses~~math courses.

21 (5a) Progress of first-year curriculum students.

22 (6) ~~The level of satisfaction of students who complete programs and those who~~
23 ~~do not complete programs~~,

24 (7) Curriculum student retention and ~~graduation~~and graduation.

25 (8) ~~Client satisfaction with customized training~~.

26 (9) Passing rate for licensure and certification examinations.

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

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

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

33 (g) Recognition for Successful Institutional Performance. – For the purpose of
34 recognition for successful institutional performance, the State Board of Community Colleges
35 shall evaluate each college on the eight performance ~~standards~~measures. For each of these
36 eight performance ~~standards~~measures on which a college performs successfully, the college
37 may retain and carry forward into the next fiscal year one-fourth of one percent (¼ of 1%) of its
38 final fiscal year General Fund appropriations. ~~If a college demonstrates significant~~
39 ~~improvement on a standard that has been in use for three years or less, the college may also~~

1 ~~carry forward one fourth of one percent (1/4 of 1%) of its final fiscal year General Fund~~
2 ~~appropriations for that standard.~~

3 (h) Recognition for Exceptional Institutional Performance. – Funds not allocated to
4 colleges in accordance with subsection (g) of this section shall be used to reward exceptional
5 institutional performance. A college is deemed to have achieved exceptional institutional
6 performance if it succeeds on all eight performance measures. After all State aid budget
7 obligations have been met, the State Board of Community Colleges shall distribute the
8 remainder of these funds ~~equally~~ to colleges that ~~perform successfully on eight performance~~
9 ~~standards and meet the following criteria:~~achieve exceptional institutional performance status
10 based on the pro rata share of total full time equivalent (FTE) students served at each college.

11 (1) ~~The passing rate on all reported licensure and certification examinations for~~
12 ~~which the community colleges have authority over who sits for the~~
13 ~~examination must meet or exceed seventy percent (70%) for first time test~~
14 ~~takers; and~~

15 (2) ~~The percentage of college transfer students with a grade point average of at~~
16 ~~least 2.0 after two semesters at a four-year institution must equal or exceed~~
17 ~~the performance of students who began college at that four-year institution.~~

18 The State Board may withhold the portion of funds for which a college may qualify as an
19 exceptional institution while the college is under investigation by a State or federal agency or if
20 its performance does not meet the standards established by the Southern Association of
21 Colleges and Schools, the State Auditor's Office, or the State Board of Community Colleges.
22 The State Board may release the funds at such time as the investigations are complete and the
23 issues are resolved.

24 (i) Permissible Uses of Funds. – Funds retained by colleges or distributed to colleges
25 pursuant to this section shall be used for the purchase of equipment, initial program start-up
26 costs including faculty salaries for the first year of a program, and one-time faculty and staff
27 bonuses. These funds shall not be used for continuing salary increases or for other obligations
28 beyond the fiscal year into which they were carried forward. These funds shall be encumbered
29 within 12 months of the fiscal year into which they were carried forward.

30 (j) Use of funds in low-wealth counties. – Funds retained by colleges or distributed to
31 colleges pursuant to this section may be used to supplement local funding for maintenance of
32 plant if the college does not receive maintenance of plant funds pursuant to G.S. 115D-31.2,
33 and if the county in which the main campus of the community college is located meets all of
34 the following:

- 35 (1) Is designated as a Tier 1 county in accordance with G.S. 143B-437.08.
36 (2) Had an unemployment rate of at least two percent (2%) above the State
37 average or greater than seven percent (7%), whichever is higher, in the prior
38 calendar year.
39 (3) Is a county whose wealth, as calculated under the formula for distributing
40 supplemental funding for schools in low-wealth counties, is eighty percent
41 (80%) or less of the State average.

42 Funds may be used for this purpose only after all local funds appropriated for maintenance of
43 plant have been expended."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DOCC-H4-P

North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education

Requested by: Representative

1 ***MODIFY INSTITUTIONAL PERFORMANCE ACCOUNTABILITY FOR ONE YEAR***

2 **SECTION #.** Effective for the 2011-2012 reporting year, and notwithstanding
3 G.S. 115D-31.3, the State Board of Community Colleges shall not require a college to report its
4 performance on the progress of basic skills students as one of the mandatory performance
5 standards prescribed by G.S. 115D-31.3(e). A college shall not be evaluated on the progress of
6 basic skills students for the purpose of recognizing successful institutional performance or
7 exceptional institutional performance. For each of the remaining seven performance standards
8 on which a college performs successfully, the college may retain and carry forward into the
9 2013-2014 fiscal year two-sevenths of one percent (2/7 of 1%) of its final fiscal year General
10 Fund appropriations.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DOCC-H5C-P

North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education

Requested by: Representative

1 ***GATEWAY TO COLLEGE PILOT AT DURHAM TECHNICAL COMMUNITY COLLEGE***

2 **SECTION #.(a)** Notwithstanding Section 7.1A of S.L. 2011-145, as amended by
3 Section 13 of S.L. 2011-391, and any other provision of law, the State Board of Education and
4 the State Board of Community Colleges shall approve the Gateway to College program at
5 Durham Technical Community College as a Career and College pathway pilot program. This
6 program concurrently provides high school and college education to high school students who
7 have previously dropped out.

8 **SECTION #.(b)** The State Board of Community Colleges shall include curriculum
9 coursework, including developmental course work, associated with this program when
10 computing the budget FTE for Durham Technical Community College in the 2012-2013 fiscal
11 year.

12 **SECTION #.(c)** Durham Technical Community College shall report to the
13 Education Appropriation Subcommittees of the House of Representatives and the Senate by
14 March 1, 2013, on student outcomes under the program and on the actual cost of the program,
15 including administrative expenses incurred by Durham Public Schools and Durham Technical
16 Community College.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DOCC-H13A-P

North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education

Requested by: Representative

1 **COMMUNITY COLLEGE TUITION WAIVER**

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

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

- 12 (1) Persons not enrolled in elementary or secondary schools taking courses
13 leading to a high school diploma or equivalent certificate.
- 14 (2) Courses requested by the following entities that support the organizations'
15 training needs and are on a specialized course list approved by the State
16 Board of Community Colleges:
- 17 a. Volunteer fire departments.
 - 18 b. Municipal, county, or State fire departments.
 - 19 c. Volunteer EMS or rescue and lifesaving departments.
 - 20 d. Municipal, county, or State EMS or rescue and lifesaving
21 departments.
 - 22 d1. Law enforcement, fire, EMS or rescue and lifesaving entities serving
23 a lake authority that was created by a board of county 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 ~~(v) (vi) municipal county, or State law enforcement officers~~
 - 28 f. Municipal, county, or State law enforcement agencies.
 - 29 g. The Division of Adult Correction of the Department of Public Safety
30 for the training of full-time custodial employees and employees of
31 the Division's Section of Community Corrections of the Division of
32 Adult Correction required to be certified under Chapter 17C of the
33 General Statutes and the rules of the Criminal Justice and Training
34 Standards Commission.
 - 35 h. The Division of Juvenile Justice of the Department of Public Safety
36 for the training of employees required to be certified under Chapter
37 17C of the General Statutes and the rules of the Criminal Justice and
38 Training Standards Commission.

- 1 i. The Eastern Band of Cherokee Indians law enforcement, fire, EMS
2 or rescue and lifesaving tribal government departments or programs.
3 (3) Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1, 2011.
4 (4) Trainees enrolled in courses conducted under the Customized Training
5 Program.
6 (5) through (9) Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1,
7 2011.
8 (10) Elementary and secondary school employees enrolled in courses in first aid
9 or cardiopulmonary resuscitation (CPR).
10 (11) Up to six hours of credit instruction and one course of noncredit instruction
11 per academic semester for senior citizens age 65 or older who are qualified
12 as legal residents of North Carolina.
13 (12) All curriculum courses taken by high school students at community colleges,
14 in accordance with G.S. 115D-20(4) and this section.
15 (13) Human resources development courses for any individual who (i) is
16 unemployed; (ii) has received notification of a pending layoff; (iii) is
17 working and is eligible for the Federal Earned Income Tax Credit (FEITC);
18 or (iv) is working and earning wages at or below two hundred percent
19 (200%) of the federal poverty guidelines.
20 (14) Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1, 2011.
21 The State Board of Community Colleges shall not waive tuition and registration fees for
22 other individuals."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DOCC-H3-P

North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education

Requested by: Representative

1 **INCREASE MAXIMUM PARKING FINE**

2 SECTION #. G.S. 115D-21 reads as rewritten:

3 **"§ 115D-21. Traffic regulations; fines and penalties.**

4 (a) All of the provisions of Chapter 20 of the General Statutes relating to the use of
5 highways of the State of North Carolina and the operation of motor vehicles thereon shall apply
6 to the streets, roads, alleys and driveways on the campuses of all institutions in the North
7 Carolina Community College System. Any person violating any of the provisions of Chapter 20
8 of the General Statutes in or on the streets, roads, alleys and driveways on the campuses of
9 institutions in the North Carolina Community College System shall, upon conviction thereof,
10 be punished as prescribed in this section and as provided by Chapter 20 of the General Statutes
11 relating to motor vehicles. Nothing contained in this section shall be construed as in any way
12 interfering with the ownership and control of the streets, roads, alleys and driveways on the
13 campuses of institutions in the system as is now vested by law in the trustees of each individual
14 institution in the North Carolina Community College System.

15 (b) The trustees are authorized and empowered to make additional rules and regulations
16 and to adopt additional ordinances with respect to the use of the streets, roads, alleys and
17 driveways and to establish parking areas on or off the campuses not inconsistent with the
18 provisions of Chapter 20 of the General Statutes of North Carolina. Upon investigation, the
19 trustees may determine and fix speed limits on streets, roads, alleys, and driveways subject to
20 such rules, regulations, and ordinances, lower than those provided in G.S. 20-141. The trustees
21 may make reasonable provisions for the towing or removal of unattended vehicles found to be
22 in violation of rules, regulations and ordinances. All rules, regulations and ordinances adopted
23 pursuant to the authority of this section shall be recorded in the proceedings of the trustees;
24 shall be printed; and copies of such rules, regulations and ordinances shall be filed in the office
25 of the Secretary of State of North Carolina. Violation of any such rules, regulations, or
26 ordinances, is an infraction punishable by a penalty of not more than one hundred dollars
27 (\$100.00).

28 Regardless of whether an institution does its own removal and disposal of motor vehicles or
29 contracts with another person to do so, the institution shall provide a hearing procedure for the
30 owner. For purposes of this subsection, the definitions in G.S. 20-219.9 apply.

- 31 (1) If the institution operates in such a way that the person who tows the vehicle
32 is responsible for collecting towing fees, all provisions of Article 7A,
33 Chapter 20, apply.
- 34 (2) If the institution operates in such a way that it is responsible for collecting
35 towing fees, it shall:
- 36 a. Provide by contract or ordinance for a schedule of reasonable towing
37 fees,
 - 38 b. Provide a procedure for a prompt fair hearing to contest the towing,
 - 39 c. Provide for an appeal to district court from that hearing,

- 1 d. Authorize release of the vehicle at any time after towing by the
2 posting of a bond or paying of the fees due, and
3 e. If the institution chooses to enforce its authority by sale of the
4 vehicle, provide a sale procedure similar to that provided in
5 G.S. 44A-4, 44A-5, and 44A-6, except that no hearing in addition to
6 the probable cause hearing is required. If no one purchases the
7 vehicle at the sale and if the value of the vehicle is less than the
8 amount of the lien, the institution may destroy it.

9 (c) The trustees may by rules, regulations, or ordinances provide for a system of
10 registration of all motor vehicles where the owner or operator does park on the campus or keeps
11 said vehicle on the campus. The trustees shall cause to be posted at appropriate places on
12 campus notice to the public of applicable parking and traffic rules, regulations, and ordinances
13 governing the campus over which it has jurisdiction. The trustees may by rules, regulations, or
14 ordinances establish or cause to have established a system of citations that may be issued to
15 owners or operators of motor vehicles who violate established rules, regulations, or ordinances.
16 The trustees shall provide for the administration of said system of citations; establish or cause
17 to be established a system of fines to be levied for the violation of established rules, regulations
18 and ordinances; and enforce or cause to be enforced the collection of said fines. The fine for
19 each offense shall not exceed ~~five dollars (\$5.00), which funds shall be retained in the~~
20 ~~institution and expended in the discretion of the trustees.~~ twenty-five dollars (\$25.00). The
21 trustees shall be empowered to exercise the right to prohibit repeated violators of such rules,
22 regulations, or ordinances from parking on the campus.

23 (d) The clear proceeds of all civil penalties collected pursuant to this section shall be
24 remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DOCC-H16A-P

North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education

Requested by: Representative

- 1 *GASTON MULTICAMPUS*
- 2 SECTION #. Notwithstanding G.S. 115D-5(o), the State Board of Community
- 3 Colleges shall approve the [Kimbrell Campus](#) multicampus site of Gaston College.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-DOCC-H7-P

North Carolina Community Colleges Systems Office
Appropriations Subcommittee on Education

Requested by: Representative

1 **FINANCIAL AID PROGRAM ADMINISTRATIVE COSTS**

2 **SECTION #.(a)** Subsection (a) of Section 9.8 of S.L. 2011-145 reads as rewritten:

3 "SECTION 9.8.(a) There is appropriated from the Escheat Fund income to the Board of
4 Governors of The University of North Carolina the sum of thirty-two million one hundred
5 twenty-two thousand two hundred forty-two dollars (\$32,122,242) for the 2011-2012 fiscal
6 year and the sum of ~~thirty-two million one hundred twenty-two thousand two hundred~~
7 ~~forty-two dollars (\$32,122,242)~~ thirty-two million two hundred eighty-seven thousand two
8 hundred forty-two dollars (\$32,287,242) for the 2012-2013 fiscal year to be used for The
9 University of North Carolina Need-Based Financial Aid Program."

10 **SECTION #.(b)** Subsection (c) of Section 9.8 of S.L. 2011-145 reads as rewritten:

11 "SECTION 9.8.(c) There is appropriated from the Escheat Fund income to the State Board
12 of Community Colleges the sum of sixteen million five hundred thousand dollars (\$16,500,000)
13 for the 2011-2012 fiscal year and the sum of ~~sixteen million five hundred thousand dollars~~
14 ~~(\$16,500,000)~~ sixteen million three hundred thirty-five thousand dollars (\$16,335,000) for the
15 2012-2013 fiscal year to be used for community college grants."

16 **SECTION #.(c)** Of the funds appropriated by this act for the 2012-2013 fiscal year
17 to the Board of Governors of The University of North Carolina the sum of one hundred
18 sixty-five thousand dollars (\$165,000) shall be transferred to the State Board of Community
19 Colleges to be used for Community College grants. The General Assembly intends for this to
20 be a permanent transfer, and in future fiscal years it shall be reflected in the budget of the State
21 Board of Community Colleges.

22 **SECTION #.(d)** G.S. 115D-40.1(c) reads as rewritten:

23 "(c) Administration of Program. – The State Board shall adopt rules and policies for the
24 disbursement of the financial assistance provided in subsections (a) and (b) of this section.
25 Degree, diploma, and certificate students must complete a Free Application for Federal Student
26 Aid (FAFSA) to be eligible for financial assistance. The State Board may contract with the
27 State Education Assistance Authority for administration of these financial assistance funds.
28 These funds shall not revert at the end of each fiscal year but shall remain available until
29 expended for need-based financial assistance. The interest earned on the funds provided in
30 subsections (a) and (b) of this section may be used to support the costs of administering the
31 Community College Grant Program. If the interest earnings are not adequate to support the
32 administrative costs, up to one percent (1%) of funds provided in subsection (a) of this section
33 may be used to support the costs of administering the Community College Grant Program."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-UNC-H7-P

University of North Carolina and Private Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 ***STUDY TUITION COST FOR VETERANS***

2 **SECTION #.** The Joint Legislative Education Oversight Committee shall study the
3 tuition costs for veterans who enroll in the State's community colleges or in any constituent
4 institution of The University of North Carolina. As part of the study, the Committee shall
5 consider the current criteria for determining whether a veteran qualifies for the resident tuition
6 rate and how those criteria affect veterans who qualify for post-9/11 GI Bill benefits, as well as
7 other veterans. The Committee shall also consider the potential educational costs to the State of
8 veterans who attend any of the State's public institutions of higher education at the resident
9 tuition rate and ways to limit those costs. The Committee may consider any other issues
10 relevant to the study.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-UNC-H1-P

University of North Carolina and Private Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 **FORGIVABLE EDUCATION LOANS FOR SERVICE PROGRAM AND**
2 **FUND/TECHNICAL CORRECTIONS**

3 **SECTION #.(a)** G.S. 116-209.45(b)(1) reads as rewritten:

4 "(b) Definitions. – The following definitions apply in this section:

5 (1) Eligible Institution. – Notwithstanding G.S. 116-201(b)(5) and
6 G.S. 116-201(b)(6) and for purposes of this section only, an institution of
7 higher education that is any of the following:

8 a. A postsecondary constituent institution of The University of North
9 Carolina as defined in G.S. 116-2(4).

10 b. A community college as defined in G.S. 115D-2(2).

11 ~~c. A nonprofit postsecondary institution as defined in G.S. 116-22(1) or~~
12 ~~G.S. 116-43.5.~~

13 ~~d. A postsecondary institution owned or operated by a hospital~~
14 ~~authority as defined in G.S. 131E-16(14).~~

15 ~~e. A school of nursing affiliated with a nonprofit postsecondary~~
16 ~~institution as defined in G.S. 116-22(1).~~

17 f. Another public or nonprofit postsecondary institution offering a
18 program of study not otherwise available in North Carolina that is
19 deemed to be eligible under rules promulgated by the Authority.

20 g. An eligible private postsecondary institution as defined in
21 G.S. 116-280(3)."

22 **SECTION #.(b)** Section 9.18(d) of S.L. 2011-145 reads as rewritten:

23 "**SECTION 9.18.(d)** The State Education Assistance Authority shall report no later than
24 ~~June 1, 2013,~~September 1, 2013, to the Joint Legislative Education Oversight Committee
25 regarding the implementation of this section. The report shall contain, for the 2012-2013
26 academic year, the amount of scholarship and grant money disbursed, the number of students
27 eligible for the funds, the number of eligible students receiving the funds, and a breakdown of
28 the eligible private postsecondary institutions that received the funds."

29 **SECTION #.(c)** Section 9.18(i) of S.L. 2011-145 reads as rewritten:

30 "**SECTION 9.18.(i)** Subsections (a), (d), and (i) of this section become effective July 1,
31 2011. Article 34 of Chapter 116 of the General Statutes, as enacted by subsection (a) of this
32 section, applies to the 2012-2013 academic year and each subsequent academic year, except
33 that the rule-making authority for the State Education Assistance Authority under
34 G.S. 116-283(a) becomes effective immediately on July 1, 2011. Subsections (b), (c), (e), (f),
35 (g), and (h) of this section become effective July 1, ~~2012-2012,~~ except that the State Education
36 Assistance Authority may continue to make payments pursuant to G.S. 116-43.5 until August
37 1, 2012, to students who attended certain private institutions of higher education in the
38 2011-2012 academic year."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-UNC-H2-P

University of North Carolina and Private Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 **UNC/REPEAL OBSOLETE OR REDUNDANT REPORTING REQUIREMENTS**

2 SECTION #.(a) G.S. 116-11(10a) reads as rewritten:

3 "(10a) The Board of Governors, the State Board of Community Colleges, and the
4 State Board of Education, in consultation with nonprofit postsecondary
5 educational institutions shall plan a system to provide an exchange of
6 information among the public schools and institutions of higher education to
7 be implemented no later than June 30, 1995. As used in this section,
8 "institutions of higher education" shall mean (i) public higher education
9 institutions defined in G.S. 116-143.1(a)(3), and (ii) those nonprofit
10 postsecondary educational institutions as described in G.S. 116-280 that
11 choose to participate in the information exchange. The information shall
12 include:

- 13 a. The number of high school graduates who apply to, are admitted to,
14 and enroll in institutions of higher education;
- 15 b. College performance of high school graduates for the year
16 immediately following high school graduation including each
17 student's: need for remedial coursework at the institution of higher
18 education that the student attends; performance in standard freshmen
19 courses; and continued enrollment in a subsequent year in the same
20 or another institution of higher education in the State;
- 21 c. The progress of students from one institution of higher education to
22 another; and
- 23 d. Consistent and uniform public school course information including
24 course code, name, and description.

25 The Department of Public Instruction shall generate and the local school
26 administrative units shall use standardized transcripts in an automated
27 format for applicants to higher education institutions. The standardized
28 transcript shall include grade point average, class rank, end-of-course test
29 scores, and uniform course information including course code, name, units
30 earned toward graduation, and credits earned for admission from an
31 institution of higher education. The grade point average and class rank shall
32 be calculated by a standard method to be devised by the institutions of
33 higher education.

34 ~~The Board of Governors shall coordinate a joint progress report on the~~
35 ~~implementation of the system to provide an exchange of information among~~
36 ~~the public and independent colleges and universities, the community~~
37 ~~colleges, and the public schools. The report shall be made to the Joint~~
38 ~~Legislative Education Oversight Committee no later than February 15, 1993,~~
39 ~~and annually thereafter."~~

1 **SECTION #.(b)** G.S. 116-11(12a) reads as rewritten:

2 "(12a) The Board of Governors of The University of North Carolina shall
3 implement, administer, and revise programs for meaningful professional
4 development for professional public school employees based upon the
5 evaluations and recommendations made by the State Board of Education
6 under G.S. 115C-12(26). The programs shall be aligned with State education
7 goals and directed toward improving student academic achievement. ~~The
8 Board of Governors shall submit to the State Board of Education an annual
9 report evaluating the professional development programs administered by
10 the Board of Governors."~~

11 **SECTION #.(c)** G.S. 116D-3(a)(1) is repealed.

12 **SECTION #.(d)** Section 7 of S.L. 1989-936, as amended by S.L. 1991-346, reads
13 as rewritten:

14 "Sec. 7. The Board of Governors of The University of North Carolina shall adopt standards
15 to create and enhance an organized program of public service and technical assistance to the
16 public schools. This program shall:

- 17 (1) Provide systematic access for public schools to consultation and advice
18 available from members of the faculties of the constituent institutions;
- 19 (2) Facilitate and encourage research in the public schools and the application of
20 the results of this research;
- 21 (3) Link the education faculties of the constituent institutions with public school
22 teachers and administrators through public service requirements for the
23 education faculties; and
- 24 (4) Create partnerships among all constituent institutions, their schools or
25 departments of education, and the maximum number of public schools that
26 could benefit from these partnerships.

27 ~~The Board of Governors shall report on an annual basis to the Joint Legislative
28 Commission on Governmental Operations on its progress in implementing the provisions of
29 this section."~~

30 **SECTION #.(e)** Section 1.1 of S.L. 2000-3 reads as rewritten:

31 "Section 1.1. The General Assembly finds that although The University of North Carolina
32 is one of the State's most valuable assets, the current facilities of the University have been
33 allowed to deteriorate due to decades of neglect and have unfortunately fallen into a state of
34 disrepair because of inadequate attention to maintenance. It is the intent of the General
35 Assembly to reverse this trend and to provide a mechanism to assure that the University's
36 capital assets are adequately maintained. The General Assembly commits to responsible
37 stewardship of these assets to protect their value over the years, as follows:

- 38 (1) The Board of Governors of The University of North Carolina shall require
39 each constituent and affiliated institution to monitor the condition of its
40 facilities and their needs or repair and renovation, and to assure that all
41 necessary maintenance is carried out within funds available.
- 42 ~~(2) The Board of Governors shall report annually to the Joint Legislative
43 Commission on Governmental Operations and the Joint Legislative
44 Education Oversight Committee on the condition of the University's capital
45 facilities, the repair, renovation, and maintenance projects being undertaken,
46 and all needs for additional funding to maintain the facilities.~~
- 47 (3) It is the intent of the General Assembly to assure that adequate oversight,
48 funding, and accountability are continually provided so that the capital
49 facilities of the University are properly maintained to preserve the level of
50 excellence the citizens of this State deserve. To this end, the Joint

1 Legislative Education Oversight Committee shall report to the General
2 Assembly annually its recommendations for legislative changes to
3 implement this policy."

4 **SECTION #.(f)** Section 6 of S.L. 2000-3 reads as rewritten:

5 "Section 6. Repair and Renovation Reports. – ~~The Board of Governors of The University~~
6 ~~of North Carolina shall report annually to the Joint Legislative Commission on Governmental~~
7 ~~Operations and the Joint Legislative Education Oversight Committee on the condition of all of~~
8 ~~the University's capital facilities, including a status report on all repair, renovation, and~~
9 ~~maintenance projects being undertaken and an assessment of needs for additional funding to~~
10 ~~repair, renovate, and maintain the facilities.~~

11 The Board of Governors of The University of North Carolina shall also study the repairs
12 and renovations formula currently utilized with respect to funding for the Repairs and
13 Renovations Reserve Account to determine whether it adequately takes into account all of the
14 appropriate maintenance needs of each constituent and affiliated institution, and shall
15 recommend to the Joint Legislative Commission on Governmental Operations and the Joint
16 Legislative Education Oversight Committee any changes necessary to improve the formula.
17 The Board shall make recommendations on the scope and adequacy of the methodology used to
18 calculate the funding for the repairs and renovations reserve as specified in G.S. 143-15.2."

19 **SECTION #.(g)** Section 13 of S.L. 2001-496 is repealed.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-UNC-H3-P

University of North Carolina and Private Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 *NC GRADUATES IN PRIMARY CARE CENTERS/CHANGE REPORT DATE*

2 SECTION #. G.S. 143-613(d) reads as rewritten:

3 "(d) The progress of the private and State-operated medical schools and State-operated
4 health professional schools towards increasing the number and proportion of graduates entering
5 primary care shall be monitored annually by the Board of Governors of The University of
6 North Carolina. Monitoring data shall include (i) the entry of State-supported graduates into
7 primary care residencies and clinical training programs, and (ii) the specialty practices by a
8 physician and each midlevel provider who were State-supported graduates as of a date five
9 years after graduation. The Board of Governors shall certify data on graduates, their residencies
10 and clinical training programs, and subsequent careers by ~~October 1~~ November 15 of each
11 calendar year, beginning in ~~October of 1995~~, November of 2011, to the Fiscal Research
12 Division of the Legislative Services Office and to the Joint Legislative Education Oversight
13 Committee."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-UNC-H4-P

University of North Carolina and Private Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 **UNC REPORT ON ENDOWMENT FUNDS**

2 SECTION #. Article 1 of Chapter 116 of the General Statutes is amended by
3 adding a new section to read:

4 "**§ 116-36.7. Report on endowment funds of The University of North Carolina.**

5 The Board of Governors shall report to the Joint Legislative Committee on Governmental
6 Operations and to the Fiscal Research Division beginning November 1, 2011, and annually
7 thereafter, regarding the endowment funds held by each special responsibility constituent
8 institution, the University of North Carolina Health Care System, and any other entity of the
9 University, including those endowments held for the benefit of the University as a whole. The
10 report shall provide an accounting of the amounts, uses, and public purposes of each
11 endowment fund and shall also include all of the following information (disaggregated by types
12 of institution) for each endowment fund:

- 13 (1) The average and range of (i) the outstanding balance of each endowment and
14 (ii) the growth of each endowment over the last 20 years.
15 (2) The amount and percentage of endowment assets distributed on an annual
16 basis for spending on education.
17 (3) The amount and percentage of endowment assets distributed on an annual
18 basis for financial aid or for the purpose of reducing the costs of tuition, fees,
19 textbooks, and room and board.
20 (4) The extent to which the funds in each endowment are restricted and the
21 restrictions placed upon such funds."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-UNC-H6-P

University of North Carolina and Private Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 *PERMANENT TRANSFER OF FUNDING FOR MILITARY ONE-STOP & BRAC*
2 *OUTREACH*

3 **SECTION #.** The Military One-Stop & BRAC Outreach program previously
4 vested in Fayetteville State University is transferred to The University of North Carolina
5 General Administration with all of the elements of a Type I transfer as defined in G.S. 143A-6.
6 The program transfer shall include the sum of two hundred fifty-one thousand five hundred
7 dollars (\$251,500).

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

DRAFT
SPECIAL PROVISION



2012-UNC-H8-P

University of North Carolina and Private Instruction
Appropriations Subcommittee on Education

Requested by: Representative

1 ***STUDY UNC TUITION SURCHARGE***

2 **SECTION #.** The Fiscal Research Division, in cooperation with The University of
3 North Carolina, shall study the tuition surcharge mandated by G.S. 116-143.7. As part of the
4 study, the Fiscal Research Division shall examine the surcharge's effect, if any, on the number
5 of credit hours taken by students at constituent institutions of The University of North Carolina
6 and the resulting effect on the timely achievement of graduation; the number of students subject
7 to the surcharge in each of the last five academic years; and the revenue generated by the
8 surcharge. In its study, the Fiscal Research Division shall also examine the methods that The
9 University of North Carolina employs to provide notice to a student that the student is
10 approaching the credit hour limit and will be charged the tuition surcharge if the student
11 exceeds that limit.

12 The Fiscal Research Division shall report its findings and recommendations,
13 including any legislative recommendations, by January 1, 2013, to the Joint Legislative
14 Education Oversight Committee and to the Education Appropriation Subcommittees of the
15 House of Representatives and the Senate.