

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2022-71
HOUSE BILL 159**

AN ACT TO MAKE VARIOUS CHANGES TO EDUCATION LAWS.

The General Assembly of North Carolina enacts:

PART I. CHANGES TO PRE-K REQUIREMENTS

CREATE ADDITIONAL WAYS FOR INDIVIDUALS TO EARN A NORTH CAROLINA EARLY CHILDHOOD CREDENTIAL

SECTION 1.1.(a) Definitions. – As used in this section, "Commission" means the North Carolina Child Care Commission and "Credential Rule" means 10A NCAC 09 .0102(32).

SECTION 1.1.(b) Temporary Rule. – Until the effective date of the revised permanent rule the Commission is required to adopt pursuant to subsection (d) of this section, the Commission shall implement the Credential Rule, as provided in subsection (c) of this section.

SECTION 1.1.(c) Implementation. – The "North Carolina Early Childhood Credential" shall mean the State early childhood credential that is based on any of the following: (i) a North Carolina Early Childhood Credential based upon completion of required early childhood coursework taken at any North Carolina community college; (ii) a currently active Child Development Associate Credential from the Council for Professional Recognition, a Certified Child Care Professional Credential from the National Early Childhood Program Accreditation, or a Montessori Credential from any of the Montessori Accreditation Council for Teacher Education, American Montessori Society, National Center for Montessori Education, or Association Montessori Internationale; (iii) a passing score on a test developed by the early childhood faculty of the North Carolina Community College System designed to demonstrate an individual's mastery of the concepts taught in early childhood coursework taken at any North Carolina community college; or (iv) other equivalencies as determined by the Division of Child Development and Early Education, Department of Health and Human Services. Those other equivalencies shall earn the same education points in the Quality Rating Improvement System toward a Star Rating as the NC Early Childhood Credential.

SECTION 1.1.(d) Additional Rulemaking Authority. – The Commission shall adopt a rule to amend the Credential Rule consistent with subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in G.S. 150B-21.3(b2).

SECTION 1.1.(e) Applicability and Sunset. – This section expires when permanent rules adopted as required by subsection (d) of this section become effective.

MODIFY NC PRE-K TEACHER ASSISTANT QUALIFICATION REQUIREMENTS



SECTION 1.2.(a) Notwithstanding G.S. 110-85, G.S. 110-88, and any rule adopted pursuant to those statutes, the Division of Child Development and Early Education, Department of Health and Human Services, shall not require an individual working towards an associate degree to complete a minimum number of semester hours per year in order to be eligible for employment as a teacher assistant in the NC Prekindergarten (NC Pre-K) program.

SECTION 1.2.(b) This section expires December 31, 2023.

PROFESSIONAL DEVELOPMENT SUPPORT FOR TEACHERS OF CHILDREN WITH DISABILITIES AGES THREE THROUGH FIVE

SECTION 1.3. The Department of Public Instruction shall use funds received pursuant to section 619 of Part B of the Individuals with Disabilities Education Improvement Act (IDEA), 20 U.S.C. § 1400, et seq., in Budget Code 13510, Fund Code 1400 to add a minimum of 13 full-time employee (FTE) positions to provide professional development and support to teachers in public schools who work with students with disabilities ages 3 through 5, including preschool and kindergarten teachers.

PART II. VARIOUS K-12 EDUCATION CHANGES

REMOVE CODIFIED REFERENCE TO POWERSCHOOL

SECTION 2.1. G.S. 115C-12(18)e. reads as rewritten:

"e. When practicable, reporting requirements developed by the State Board of Education as part of the Uniform Education Reporting System under this subdivision shall be incorporated into the ~~PowerSchool application or any other component of the Instructional Improvement System~~ student information system to minimize duplicative reporting by local school administrative units."

MODIFY SCHOOL CRISIS KIT REQUIREMENTS

SECTION 2.2. G.S. 115C-105.52 reads as rewritten:

"§ 115C-105.52. School crisis kits.

The Center for Safer Schools, in consultation with the Department of Public Safety and the Department of Public Instruction, Division of School Operations, may develop and adopt policies on the placement of school crisis kits in schools and on the contents of those kits. The kits should include, at a minimum, basic first-aid ~~supplies, supplies and communications devices, and other items recommended by the International Association of Chiefs of Police.~~ devices.

The principal of each school, in coordination with the law enforcement agencies that are part of the local board of education's School Risk Management Plan, may place one or more crisis kits at appropriate locations in the school."

EXTEND CHARTER SCHOOL ENROLLMENT PRIORITY TO GRANDCHILDREN OF EMPLOYEES OR BOARD MEMBERS

SECTION 2.3.(a) G.S. 115C-218.45(f) reads as rewritten:

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

...

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

a. Children or grandchildren of persons (i) employed full time by the charter school or (ii) working full time in the daily operation of the charter school, including children of persons employed by an education management organization or charter management organization for the charter school.

- b. Children or grandchildren of the charter school's board of directors.

...."

SECTION 2.3.(b) This section applies beginning with applications and enrollments for the 2022-2023 school year.

SCHOOL NUTRITION CHANGES

SECTION 2.4.(a) The title of Part 2 of Article 17 of Chapter 115C of the General Statutes reads as rewritten:

"Part 2. ~~Food Service.~~School Nutrition."

SECTION 2.4.(b) G.S. 115C-263 reads as rewritten:

"§ 115C-263. ~~Required provision of School nutrition services.~~

(a) As a part of the function of the public school system, local boards of education shall provide to the extent practicable school ~~food-nutrition~~ services in the schools under their jurisdiction. All school ~~food-nutrition~~ services made available under this authority shall be provided in accordance with ~~standards and regulations recommended by the Superintendent of Public Instruction and approved by the State Board of Education.~~federal guidelines established by the Food and Nutrition Service of the United States Department of Agriculture.

(b) The State Board of Education may adopt rules regulating the provision of school nutrition services that impose additional restrictions that are not inconsistent with the federal guidelines."

SECTION 2.4.(c) G.S. 115C-264 reads as rewritten:

"§ 115C-264. ~~Operation.~~

(a) ~~In the operation of their public school nutrition programs, the public schools-~~Local boards of education operating school nutrition programs shall participate in the National School Lunch Program established by the federal government. The program-School nutrition programs shall be under the jurisdiction of the Division of School Support, Child Nutrition Services Nutrition of the Department of Public Instruction and in accordance with federal guidelines as established by the Food and Nutrition Service of the United States Department of Agriculture.Instruction.

(b) For nutritional purposes, ~~the public schools shall not (i) use~~do any of the following:

- (1) Use cooking oils in their school ~~food-nutrition~~ programs that contain trans-fatty acids or~~(ii) sell acids.~~
- (2) Sell processed foods containing trans-fatty acids that were formed during the commercial processing of the foods.

(c) All school ~~food-nutrition~~ services shall be operated on a nonprofit basis, and any earnings therefrom over and above the cost of operation as defined herein shall be used to reduce the cost of food, to serve ~~better~~more nutritious food, or to provide free or reduced-price ~~lunches~~meals to indigent economically disadvantaged children and for no other purpose. The term "cost of operation" means the actual cost incurred in the purchase and preparation of food, the salaries of all personnel directly engaged in providing ~~food-nutrition~~ services, and the cost of nonfood supplies as outlined under standards adopted by the State Board of Education. "Personnel" means ~~child-school~~ nutrition supervisors or directors, bookkeepers or other staff directly engaged in ~~food-service-nutrition services record keeping~~keeping, and those persons directly involved in preparing and serving food. Child-School nutrition personnel shall be paid from the funds of ~~food services-the school nutrition program~~ only for services rendered ~~in-on~~ behalf of the ~~child-school~~ nutrition program. Any cost incurred in the provisions and maintenance of school ~~food-nutrition~~ services over and beyond the cost of operation shall be included in the budget request filed annually by local boards of education with boards of county commissioners. ~~Public schools-~~Local boards of education are not required to comply with G.S. 115C-522(a) in the purchase of supplies and food for such school ~~food-nutrition~~ services."

SECTION 2.4.(d) G.S. 115C-264.2 reads as rewritten:

"§ 115C-264.2. Vending machine sales.

(a) Each school may, with the approval of the local board of education, sell to students beverages in vending machines during the school day ~~so long as if the following requirements are met:~~

- (1) Soft drinks are not sold (i) during the breakfast and lunch periods, (ii) at elementary schools, or (iii) contrary to the requirements of the National School Lunch Program; ~~Program.~~
- (2) Sugared carbonated soft drinks, including mid-calorie carbonated soft drinks, are not offered for sale ~~in middle schools;~~ until 30 minutes after the end of the school day.
- (3) ~~Not more than fifty percent (50%) of the offerings for sale to students in high schools are sugared carbonated soft drinks;~~
- (4) Diet carbonated soft drinks are not considered in the same category as sugared carbonated soft ~~drinks; and~~ drinks.
- (5) Bottled water products are available in every school that has beverage vending.

(b) Nothing in subsection (a) of this section prohibits a school from adopting stricter policies with respect to beverage vending.

(c) ~~Snack vending in all schools shall, by school year 2006-2007, shall meet the Proficient Level of the NC Eat Smart Nutrition Standards, such that in standards for competitive foods and beverages established by the Food and Nutrition Service of the United States Department of Agriculture. In elementary schools, no snack vending is shall not be available to students, and in middle and high schools, seventy-five percent (75%) of snack vending products have shall not have more than 200 calories per portion or snack vending package."~~

SECTION 2.4.(e) G.S. 115C-264.3 is repealed.

EXTENDING BENEFITS OF INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

SECTION 2.5.(a) Article 29B of Chapter 115C of the General Statutes reads as rewritten:

"Article 29B.

"Educational Opportunities for Military Children.

"Part 1. Interstate Compact on Educational Opportunity for Military Children.

...

"Part 2. Educational Opportunities for Children of National Guard and Reserve Members Not in Active Duty Status.

"§ 115C-407.12. Educational opportunities for children of National Guard and Reserve members not in active duty status.

(a) The following definitions apply in this Part:

- (1) Children of inactive members. – School-aged children, enrolled in kindergarten through twelfth grade, in the household of an inactive member.
- (2) Inactive member. – A member of the National Guard and Reserve of any branch of the uniformed services of the United States who is inactive and not on active duty orders pursuant to 10 U.S.C. § 12301, et seq., and 10 U.S.C. § 12401, et seq.
- (3) Local education agency. – A public authority legally constituted by the State as an administrative agency to provide control of and direction for kindergarten through twelfth grade public educational institutions.

(b) For intrastate transfers between local education agencies in this State, children of inactive members shall be provided the same services as provided for children of military families under Part 1 of this Article if the inactive member is required to move to perform military service–

related responsibilities and presents a copy of the official military transfer order to the school from which the services for the child are requested.

(c) For interstate transfers, if the inactive member is required to move to perform military service-related responsibilities and presents a copy of the official military transfer order to the school from which the services for the child are requested, the following shall apply:

- (1) Local education agencies in this State shall provide the same services as provided for children of military families under Part 1 of this Article to children of inactive members transferring to the State within the limitations established by subdivision (2) of this subsection.
- (2) Local education agencies in this State shall not require local education agencies outside of the State to provide services to children of inactive members transferring to or from the State. Local education agencies in the State shall make an attempt to coordinate on behalf of children of inactive members with local education agencies outside of the State."

SECTION 2.5.(b) This section applies beginning with the 2022-2023 academic school year.

REMOVE REFERENCE TO REGIONAL CASE MANAGERS

SECTION 2.6. Section 5(b) of S.L. 2021-8 reads as rewritten:

"SECTION 5.(b) ~~Regional case managers, directors,~~ or other appropriate staff as determined by the Department of Public Instruction, shall work to ensure that the standards developed by the State Board are implemented statewide by reviewing the curriculum and instruction methods of each local school administrative unit in each service area and by consulting with each local school administrative unit as needed to bring literacy instruction into compliance. Review and modification of all literacy instruction statewide shall be complete no later than November 15, 2023. Modifications shall be implemented into curriculum and instruction as soon as possible, and all curriculum and instruction as modified under this section shall be in place beginning with the 2024-2025 school year."

INCREASE FUNDING CAP ON TURNAROUND COACH FUNDING

SECTION 2.7. Section 3.5(a)(24) of S.L. 2021-25, as enacted by Section 7.27(a) of S.L. 2021-180, reads as written:

- "(24) \$18,000,000 to provide coaching support and professional development for principals and school improvement leadership teams in local school administrative units. Funds shall be used (i) to design and implement a leadership institute for principals employed in qualifying public schools and (ii) to provide grants to local school administrative units in which a majority of the public schools are qualifying public schools for flexible improvement and intervention options approved by the Department to address negative impacts of COVID-19. Up to ~~two million dollars (\$2,000,000)~~ twenty-five percent (25%) of these funds may be used for ~~20-28~~ time-limited or full-time equivalent positions for the Department to support the activities set forth in this subdivision. For the purposes of this subdivision, a qualifying public school is a school meeting the following criteria:
- a. For the most recent year for which data are available, has a school performance score in the lowest-performing five percent (5%) of all schools.
 - b. Receives funds under Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended.
 - c. Is governed by a local board of education.
 - d. Is not one of the following types of schools:

1. An alternative school.
2. A cooperative innovative high school.
3. A school that was in its first or second year of operation in the previous school year.
4. A newcomers school. For the purposes of this subdivision, a newcomers school is a school in which at least ninety percent (90%) of its students are enrolled for no more than one year on the basis of their status as recently arrived English language learners."

EXTEND PRINCIPAL LICENSE EXEMPTION

SECTION 2.8. Section 1(c) of S.L. 2021-170 reads as rewritten:

"SECTION 1.(c) To be eligible for the waiver in subsection (b) of this section, an individual shall meet the following criteria prior to being licensed as a school administrator:

- (1) Prior to ~~August 31, 2022, August 31, 2024,~~ the individual completed at least one course as part of a master's degree program or a post-master's certificate designed for school administrators that was offered by an educator preparation program approved by the State Board of Education.
- (2) The individual completed a master's degree program or a post-master's certificate designed for school administrators that is offered by an educator preparation program approved by the State Board of Education.
- (3) The individual meets all licensure requirements in State law, rule, or policy not otherwise waived by this section."

PART III. VARIOUS HIGHER EDUCATION CHANGES

CONFORM APPRENTICESHIP TO FEDERAL LAW

SECTION 3.1.(a) G.S. 115D-11.10 reads as rewritten:

"§ 115D-11.10. Definition of an apprentice.

The term "apprentice" means a person at least 16 years of age who is covered by a written apprenticeship agreement approved ~~by for the Apprenticeship Council, which Council by the Director. The~~ apprenticeship agreement ~~provides for not less than 2,000 hours of reasonably continuous employment for the person for his or her participation in an approved schedule of work experience shall provide for a term of apprenticeship measured by a time-based, competency-based, or hybrid approach, as required by 29 C.F.R. § 29.5, and for organized, related supplemental instruction in technical subjects related to the trade. A minimum of 144 hours of related supplemental instruction for each year of apprenticeship is recommended. The required hours measures for apprenticeship agreements and the recommended hours for related supplemental instruction may be decreased or increased in accordance with standards adopted by the apprenticeship committee or sponsor, subject to approval of the State Board of Community Colleges.~~ Colleges, consistent with the requirements of 29 C.F.R. Part 29."

SECTION 3.1.(b) G.S. 115D-11.11 reads as rewritten:

"§ 115D-11.11. Contents of agreement.

Every apprentice agreement entered into under this Article shall contain:

- (1) The names of the contracting parties.
- (2) The date of birth of the apprentice.
- (3) A statement of the trade, craft, or business which the apprentice is to be taught, and the time at which the apprenticeship will begin and end.
- (4) A statement showing (i) ~~the number of hours to be spent by the apprentice in work on the job term of apprenticeship and measurement approach, as required by 29 C.F.R. § 29.5,~~ and (ii) the number of hours to be spent in related

and supplemental instruction, which is recommended to be not less than 144 hours per year. In no case shall the combined weekly hours of work and of required related and supplemental instruction of the apprentice exceed the maximum number of hours of work prescribed by law for a person of the age of the apprentice.

- (5) A statement setting forth a schedule of the processes in the trade or industry division in which the apprentice is to be taught and the approximate time to be spent at each process.
- (6) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated.
- (7) A statement providing for a period of probation of not more than 500 hours of employment and instruction extending over not more than four months, during which time the apprentice agreement shall be terminated by the Director at the request in writing of either party, and providing that after the probationary period the apprentice agreement may be terminated by the Director by mutual agreement of all parties or canceled by the Director for good and sufficient reason. The Council at the request of a joint apprentice committee may lengthen the period of probation.
- (8) A provision that all controversies or differences concerning the apprentice agreement which cannot be adjusted locally in accordance with G.S. 115D-11.9 shall be submitted to the Director for determination.
- (9) A provision that an employer who is unable to fulfill his or her obligation under the apprentice agreement may with the approval of the Director transfer the contract to any other employer; provided, that the apprentice consents and that the other employer agrees to assume the obligations of the apprentice agreement.
- (10) Any additional terms and conditions as may be prescribed or approved by the Director not inconsistent with the provisions of this Article."

PERMIT COMMUNITY COLLEGES TO COLLABORATE WITH PUBLIC AND NONPUBLIC SCHOOLS FOR CERTAIN PROGRAMS

SECTION 3.2. G.S. 115D-20(4) reads as rewritten:

- "(4) To apply the standards and requirements for admission and graduation of students and other standards established by the State Board of Community Colleges. Notwithstanding any law or administrative rule to the contrary, local community colleges are permitted to offer the following programs:
- a. Subject to the approval of the State Board of Community Colleges, local community colleges may collaborate with ~~local school administrative units~~ public school units and nonpublic schools to offer courses through the following programs:
 1. ~~Cooperative innovative high school programs as provided by Part 9 of Article 16 of Chapter 115C of the General Statutes.~~
 2. Academic transition pathways for qualified junior and senior high school students that lead to a career technical education certificate, diploma, or State or industry-recognized credential and academic transition pathways for qualified freshmen and sophomore high school students that lead to a career technical education certificate or diploma in (i) industrial and engineering technologies, (ii) agriculture and natural resources, (iii) transportation technology, (iv) construction, or (v) business technologies.

3. College transfer pathways requiring the successful completion of 30 semester credit hours of transfer courses, including English and mathematics, for the following students:
 - I. Qualified junior and senior high school students.
 - II. Qualified freshman and sophomore high school students, if all of the following requirements are met:
 - A. The student is determined to be academically gifted, have a demonstrated readiness for the course material, and have the maturity to justify admission to the community college by (i) the community college president, (ii) the student's high school principal or equivalent administrator, and (iii) the academically gifted coordinator, if one is employed by the high school or local school administrative unit.
 - B. The student participates in academic advising focused on the implications of being admitted to college early with representatives from the high school and the community college.
 - C. The student's parent or guardian has given consent for the student to participate.
- a1. Subject to the approval of the State Board of Community Colleges, local community colleges may collaborate with local school administrative units to offer cooperative innovative high school programs, as provided by Part 9 of Article 16 of Chapter 115C of the General Statutes.
- b. During the summer quarter, persons less than 16 years old may be permitted to take noncredit courses on a self-supporting basis, subject to rules of the State Board of Community Colleges.
- c. High school students may be permitted to take noncredit courses in safe driving on a self-supporting basis during the academic year or the summer.
- d. High school students 16 years and older may be permitted to take noncredit courses, except adult basic skills, subject to rules promulgated by the State Board of Community Colleges."

REVISE ALLOWABLE LITERACY FUND USES

SECTION 3.3. G.S. 115D-31(b1) reads as rewritten:

"(b1) A local community college may use all State funds allocated to it, except for Literacy funds and Customized Training funds, for any authorized purpose that is consistent with the college's Institutional Effectiveness Plan. ~~The State Board of Community Colleges may authorize a local community college to use up to twenty percent (20%) of the State Literacy funds allocated to it to provide employability skills, job-specific occupational and technical skills, and developmental education instruction to students concurrently enrolled in an eligible community college literacy course.~~ Each local community college shall include in its Institutional Effectiveness Plan a section on how funding flexibility allows the college to meet the demands of the local community and to maintain a presence in all previously funded categorical programs."

NORTH CAROLINA PRINCIPAL FELLOWS AND NORTH CAROLINA TEACHING FELLOWS CHANGES

SECTION 3.4.(a) The title for Article 5C of Chapter 116 of the General Statutes reads as rewritten:

"North Carolina Principal Fellows ~~and Transforming Principal Preparation Program.~~"

SECTION 3.4.(b) G.S. 116-74.41 reads as rewritten:

"§ 116-74.41. North Carolina Principal Fellows ~~and TP3~~ Commission established; membership.

(a) There is established the North Carolina Principal Fellows ~~and TP3~~ Commission. The Commission shall exercise its powers and duties independently in its administration of the North Carolina Principal Fellows ~~and Transforming Principal Preparation Program~~ in accordance with this Article. The Director of the Program shall staff the Commission in accordance with G.S. 116-74.49. The State Education Assistance Authority as created in G.S. 116-203 shall be responsible for awarding grants upon selection of the recipients by the Commission in accordance with G.S. 116-74.46 and executing agreements for forgivable scholarship loans, cancelling through service, collecting, and otherwise enforcing the agreements under G.S. 116-74.48.

(a1) Repealed by Session Laws 2018-5, s. 10A.3(a), effective July 1, 2018.

(b) The Commission shall consist of 15 members appointed as follows:

...

(10) The ~~chairperson~~ chair of the Board of the State Education Assistance ~~Authority.~~ Authority, or the chair's designee.

...."

SECTION 3.4.(c) G.S. 116-74.41A reads as rewritten:

"§ 116-74.41A. Definitions.

For the purposes of this Article, the following definitions apply:

...

(2) Commission. – The North Carolina Principal Fellows ~~and TP3~~ Commission.

...

(9) Program. – The North Carolina Principal Fellows ~~and Transforming Principal Preparation Program~~ established pursuant to G.S. 116-74.44.

...

(13) Trust Fund. – The North Carolina Principal Fellows ~~and TP3~~ Trust Fund established pursuant to G.S. 116-74.41B."

SECTION 3.4.(d) G.S. 116-74.41B reads as rewritten:

"§ 116-74.41B. The North Carolina Principal Fellows ~~and TP3~~ Trust Fund.

(a) Trust Fund Established. – The North Carolina Principal Fellows ~~and TP3~~ Trust Fund shall be an institutional trust fund established pursuant to G.S. 116-36.1. All funds appropriated to, or otherwise received by, (i) the Program for the award of grants pursuant to G.S. 116-74.44, (ii) all funds received as repayment of scholarship loans, including under the former Principal Fellows Program administered under G.S. 116-74.42 and the Transforming Principal Preparation Program under G.S. 116-209.77, and (iii) all interest earned on these funds shall be placed in the Trust Fund.

...."

SECTION 3.4.(e) G.S. 116-74.44 reads as rewritten:

"§ 116-74.44. North Carolina Principal Fellows ~~and Transforming Principal Preparation Program~~ established; administration.

(a) Established. – There is established the North Carolina Principal Fellows ~~and Transforming Principal Preparation Program~~ as a competitive grant program for eligible entities for the purpose of elevating educators in North Carolina public schools by transforming the preparation of principals across the State and providing for forgivable scholarship loans to the participants of those school leader preparation programs. The Authority shall administer the North Carolina Principal Fellows ~~and Transforming Principal Preparation Program~~ in

collaboration with the Commission as set forth in this Article to provide funds for the preparation and support of highly effective future school principals in North Carolina.

...."

SECTION 3.4.(f) G.S. 116-74.49 reads as rewritten:

"§ 116-74.49. Staff to the Commission.

The Commission shall appoint a director of the North Carolina Principal Fellows ~~and Transforming Principal Preparation Program~~. The director shall chair and staff the Commission and shall administer the extracurricular enhancement activities of the Program. The University of North Carolina System Office shall provide office space for the Program. The office space shall not be located on the campus of a constituent institution."

SECTION 3.4.(g) G.S. 116-209.61(b)(3) reads as rewritten:

- "(3) The following five members shall serve as ex officio members to the Commission:
- a. The North Carolina Teacher of the Year.
 - b. The North Carolina Principal of the Year.
 - c. The North Carolina Superintendent of the Year.
 - d. The chair of the Board of the State Education Assistance ~~Authority~~. Authority, or the chair's designee.
 - e. The Director of the North Carolina Teaching Fellows Program."

EXPAND NCSSM BOARD OF TRUSTEES

SECTION 3.5.(a) G.S. 116-233(a) reads as rewritten:

"(a) Notwithstanding the provisions of G.S. 116-31(d), there shall be a Board of Trustees of the School, which shall consist of ~~up to 30 members as follows:~~ the following members:

- (1) ~~Thirteen members~~ A number of members equal to the membership of the House of Representatives of the Congress of the United States apportioned to the State by federal law, who shall be appointed by the Board of Governors of The University of North Carolina, one from each congressional district.
- (2) Four members without regard to residency who shall be appointed by the Board of Governors of The University of North Carolina.
- (3) Three members, ex officio, who shall be the chief academic officers, respectively, of constituent institutions or the members' designees. The Board of Governors shall in 1985 and quadrennially thereafter designate the three constituent institutions whose chief academic officers or officers' designees shall so serve, such designations to expire on June 30, 1989, and quadrennially thereafter.
- (4) The chief academic officer of a college or university in North Carolina other than a constituent institution, ex officio, or the chief academic officer's designee. The Board of Governors shall designate in 1985 and quadrennially thereafter which college or university whose chief academic officer or officer's designee shall so serve, such designation to expire on June 30, 1989, and quadrennially thereafter.
- (5) Three members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate in accordance with G.S. 120-121.
- (6) Three members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives in accordance with G.S. 120-121.
- (7) Repealed by Session Laws 2016-126, 4th Ex. Sess., s. 36, effective December 19, 2016. See editor's note for applicability.

- (8) The president of the student government, ex officio, who shall be a nonvoting member.
- (9) Up to two additional nonvoting members selected at the discretion of the chancellor and the Board of Trustees, with terms expiring June 30 of each year."

SECTION 3.5.(b) G.S. 116-233(d) reads as rewritten:

"(d) Members appointed under subdivisions (1) or (2) of subsection (a) of this section shall serve staggered four-year terms expiring June 30 of odd numbered years. The Board of Governors, in appointing a position created by Congressional reapportionment under subdivision (1) of subsection (a) of this section, may provide that appointment an initial term of two years if the Board determines the shorter term is necessary to maintain staggered terms for appointments under that subdivision."

SECTION 3.5.(c) This section becomes effective July 1, 2023. In accordance with G.S. 116-233(a), as amended by this section, the member appointed to the position created by this section shall be appointed to a term ending June 30, 2027.

CLARIFY ELIGIBILITY OF DISABLED VETERANS FOR PATRIOT STAR FAMILY SCHOLARSHIP PROGRAMS

SECTION 3.6.(a) Section 8.3(c)(3) of S.L. 2021-180, as amended by Section 2.8(a) of S.L. 2022-6, reads as rewritten:

"(3) Eligible disabled veteran. – Any person who is ~~(i) a parent of an eligible child pursuant to sub-sub-subdivision 3. of sub-subdivision b. of subdivision (2) of this subsection, (ii) a resident of North Carolina when scholarship documentation is completed, and (iii) is attending or has been accepted to enroll in an eligible postsecondary institution.~~ a veteran who meets the following criteria:

- a. Incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war, national emergency, or training in preparation for future conflicts, and the injuries, wounds, or illness are a direct result of service in the line of duty.
- b. Is receiving compensation of at least fifty percent (50%) as rated by the U.S. Department of Veterans Affairs for a disability connected to the injuries, wounds, or illness identified in accordance with sub-subdivision a. of this subdivision.
- c. Is a resident of North Carolina when scholarship documentation is completed.
- d. Is attending or has been accepted to enroll in an eligible postsecondary institution."

SECTION 3.6.(b) Section 8.19(c)(3) of S.L. 2021-180, as amended by Section 2.8(b) of S.L. 2022-6, reads as rewritten:

"(3) Eligible disabled veteran. – Any person who ~~(i) is a parent of an eligible child pursuant to sub-sub-subdivision 3. of sub-subdivision b. of subdivision (2) of this subsection and (ii) is a~~ veteran who meets the following criteria:

- a. Incurred traumatic injuries or wounds or sustained a major illness while a member of the Armed Forces during a period of war, national emergency, or training in preparation for future conflicts, and the injuries, wounds, or illness are a direct result of service in the line of duty.
- b. Is receiving compensation of at least fifty percent (50%) as rated by the U.S. Department of Veterans Affairs for a disability connected to

the injuries, wounds, or illness identified in accordance with sub-subdivision a. of this subdivision.

- c. Is a resident of North Carolina at the time of scholarship documentation completion."

SECTION 3.6.(c) This section is effective July 1, 2021, and applies to applications for scholarship awards submitted on or after that date.

PART IV. SCHOOL THREAT ASSESSMENT SURVEY

SECTION 4. No later than November 15, 2022, all public school units shall report to the Center for Safer Schools the information identified in subdivisions (1) through (5) of this section. No later than February 15, 2023, the Center for Safer Schools, in consultation with the Department of Public Instruction, shall report to the Joint Legislative Education Oversight Committee on recommendations to the General Assembly on a system to identify and address threats in schools that could be implemented by public school units statewide and any additional funding that would be required to support the system. The report shall also include the following information for each public school unit, as reported to the Center, and aggregated on a statewide level:

- (1) Whether the public school unit or any school in the public school unit has any systems, policies, procedures, or precautions in place to identify or address indications that a student may pose a risk of violence or other harm to themselves or others and, if so, a description of the system, policy, procedure, or precaution.
- (2) The number and nature of any threats identified under any system identified pursuant to subdivision (1) of this section. For purposes of this report, a threat includes a risk of violence or other harm to self or others.
- (3) The response to any identified threat and the result of that response.
- (4) Whether each school in the public school unit has a School Risk Management Plan and the number of drills conducted under the plan.
- (5) Any other systems, policies, procedures, or precautions the public school unit or a school in the public school unit undertakes with the purpose of minimizing violence and threats in schools.

PART V. ADVANCED TEACHING ROLE CHANGES

SECTION 5.(a) G.S. 115C-311(h) reads as rewritten:

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

- (1) Improvement in the quality of classroom instruction and increases in school-wide growth or the growth of teachers who are mentored or impacted by a teacher in an advanced teaching role.
- (2) An increase in the attractiveness of teaching.
- (3) Recognition, impact, and retention of high-quality classroom teachers.
- (4) Assistance to and retention of beginning classroom teachers.
- (5) Improvement in and expansion of the use of technology and digital learning.
- (6) Improvement in school culture based on school climate survey results.

The State Board shall contract with an independent research organization to perform this evaluation in the first two years of the program and provide reports ~~on October 15, 2021, and October 15, 2022. Beginning October 15, 2023, and annually thereafter, the~~ no later than October 15 in 2022, 2023, and 2024. The State Board shall perform the evaluation and provide the report. ~~report beginning October 15, 2025, and annually thereafter.~~ The State Board shall provide any report required in accordance with this subsection to the offices of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, the Senate Appropriations/Base

Budget Committee, the House Committee on Appropriations, the Senate Appropriations Committee on Education/Higher Education, the House Appropriations Committee on Education, the Fiscal Research Division, and the Joint Legislative Education Oversight Committee."

SECTION 5.(b) Of the funds appropriated to the Department of Public Instruction by S.L. 2021-180 for each year of the 2021-2023 biennium for the Advanced Teaching Roles Program as established in G.S. 115C-311, the Department of Public Instruction may use up to two hundred thousand dollars (\$200,000) in each fiscal year for the State Board of Education to contract with an independent research organization for the program evaluations required by G.S. 115C-311(h).

SECTION 5.(c) This section is effective June 30, 2022.

PART VI. EFFECTIVE DATE

SECTION 6. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 1st day of July, 2022.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 2:15 p.m. this 8th day of July, 2022