

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

S

5

SENATE BILL 692
Education/Higher Education Committee Substitute Adopted 4/19/23
Education/Higher Education Committee Substitute Adopted 5/1/23
Fourth Edition Engrossed 5/3/23
House Committee Substitute Favorable 9/21/23

Short Title: Changes in Education Laws.

(Public)

Sponsors:

Referred to:

April 10, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES TO EDUCATION LAWS.
3 The General Assembly of North Carolina enacts:

4
5 **PART I. NORTHEAST REGIONAL SCHOOL OF BIOTECHNOLOGY AND**
6 **AGRISCIENCE**

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

9 "Article 15A.

10 "Northeast Regional School of Biotechnology and Agriscience.

11 **"§ 115C-229.5. Purpose.**

12 (a) The purpose of this Article is to establish the Northeast Regional School of
13 Biotechnology and Agriscience as a school of choice that will expand student opportunities for
14 educational success through high-quality instructional programming in the northeastern region
15 of the State. The Northeast Regional School of Biotechnology and Agriscience may partner with
16 other education partners, including local boards of education, institutions of higher education, or
17 private businesses or organizations, and shall foster, encourage, and promote the development of
18 knowledge and skills in career clusters of critical importance to the region.

19 (b) The Northeast Regional School of Biotechnology and Agriscience shall be housed
20 administratively within the Department of Public Instruction for purposes of distribution of State
21 funds but shall operate independently with a board of directors as the governing body.

22 (c) Except as otherwise provided in this Article and Article 7B of this Chapter, the
23 Northeast Regional School of Biotechnology and Agriscience is exempt from statutes and rules
24 applicable to a local board of education or local school administrative unit.

25 **"§ 115C-229.10. Definitions.**

26 The following definitions apply in this Part:

- 27 (1) First-generation student. – A student who has no parent who has completed a
28 two- or four-year degree.
29 (2) Regional school. – The Northeast Regional School of Biotechnology and
30 Agriscience.
31 (3) Regional school board of directors or board of directors. – The governing
32 board of the Northeast Regional School of Biotechnology and Agriscience.



* S 6 9 2 - V - 5 *

1 (4) Regional school service area. – The counties of Beaufort, Bertie, Camden,
2 Currituck, Dare, Edenton, Edgecombe, Gates, Halifax, Hertford, Hyde,
3 Martin, Northampton, Pasquotank, Perquimans, Pitt, Tyrrell, and Washington.

4 **"§ 115C-229.15. Regional school boards of directors; appointment; terms of office.**

5 (a) The board of directors of the regional school shall consist of the following members.
6 Members shall serve four-year terms of office. Appointed members of the board of directors shall
7 be selected for their interest in and commitment to the importance of public education to regional
8 economic development and to the purposes of the regional school.

9 (1) The Superintendent of Public Instruction shall appoint three members who are
10 either a local board of education member or superintendent of a local school
11 administrative unit in a county where at least five percent (5%) of the students
12 enrolled in the regional school reside.

13 (2) The State Board of Education shall appoint five members as representatives
14 of the business community, upon the recommendation of the North Carolina
15 Economic Developers Association, who reside in a county where at least five
16 percent (5%) of the students enrolled in the regional school reside. At least
17 one of the appointees shall be a resident of the county in which the regional
18 school is located.

19 (3) The Parent Advisory Council established by G.S. 115C-229.20 shall appoint
20 one member to the board of directors from among the Council membership.
21 The seat shall be declared vacant if the child of the appointed parent no longer
22 attends the regional school.

23 (4) Any institution of higher education partner may appoint a representative of
24 the institution of higher education to serve as an ex officio member of the
25 board of directors.

26 (b) Whenever an appointed member of the board of directors ceases to meet the
27 qualifications for appointment or for any reason other than ill health or service in the interest of
28 the State or nation to be present at three successive regular meetings of the board of directors, his
29 or her place as a member of the board of directors shall be deemed vacant. Any member of the
30 board of directors may be removed from office by the appointing authority for misfeasance,
31 malfesance, or nonfeasance in office. All vacancies shall be filled by the appointing authority
32 for the remainder of the term of office by an individual meeting the qualifications for the vacated
33 seat.

34 **"§ 115C-229.20. Parent Advisory Council; purpose; appointments.**

35 (a) Purpose. – There shall be a Parent Advisory Council to serve as a resource and provide
36 input to the board of directors as to the operation of the regional school. The board of directors
37 shall consult the Parent Advisory Council when considering changes to the regional school's
38 operations that may significantly impact students attending the regional school.

39 (b) Appointment. – The Superintendent of Public Instruction shall appoint one member
40 from each county where at least five percent (5%) of the students enrolled in the regional school
41 reside to the Parent Advisory Council for a term of four years or until the member's child no
42 longer attends the regional school. Appointees shall be parents or guardians of students attending
43 the regional school and shall, to the extent possible, reflect the demographic composition of the
44 regional school.

45 **"§ 115C-229.25. Board of directors; meetings; rules of procedure; officers.**

46 (a) The board of directors shall meet at least four times a year and may hold special
47 meetings at any time at the call of the chair or upon petition addressed to the chair by a majority
48 of the members of the board of directors. All meetings of the board of directors shall be subject
49 to the requirements of Article 33C of Chapter 143 of the General Statutes.

50 (b) The board of directors shall elect a chair and a vice-chair from among its members,
51 who shall serve a two-year term.

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

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

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

8 **"§ 115C-229.30. Board of directors; corporate powers.**

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

21 (b) The board of directors shall be able and capable in law to bargain, sell, grant, alien,
22 or dispose of and convey and assure to the purchasers any and all such real and personal estate
23 and funds as it may lawfully acquire when the condition of the grant to it or the will of the devisor
24 does not forbid it; and shall be able and capable in law to sue and be sued in all courts whatsoever;
25 and shall have power to open and receive subscriptions; and in general may do all such things as
26 are usually done by bodies corporate and politic, or such as may be necessary for the promotion
27 of learning and virtue.

28 **"§ 115C-229.35. Board of directors; powers and duties.**

29 The board of directors shall have the following powers and duties:

30 (1) The board of directors shall establish the regional school's academic program
31 in accordance with the following:

32 a. The board of directors shall establish the standard course of study for
33 the regional school. This course of study shall set forth the subjects to
34 be taught in each grade and the texts and other educational materials
35 on each subject to be used in each grade. The board of directors shall
36 design its programs to meet at least the student performance standards
37 adopted by the State Board of Education and the student performance
38 standards contained in this Chapter.

39 b. The board of directors shall conduct student assessments required by
40 the State Board of Education.

41 c. The board of directors shall provide the opportunity to earn or obtain
42 credit toward degrees from a community college subject to Chapter
43 115D of the General Statutes or a constituent institution of The
44 University of North Carolina.

45 d. The board of directors shall adopt a school calendar consisting of a
46 minimum of 185 days or 1,025 hours of instruction covering at least
47 nine calendar months.

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

- 1 (2) The board of directors shall establish policies and standards for academic
2 performance, attendance, and conduct for students of the regional school. The
3 policies of the board of directors shall comply with Article 27 of this Chapter.
4 (3) Every parent, guardian, or other person in this State having charge or control
5 of a child who is enrolled in the regional school and who is less than 16 years
6 of age shall cause such child to attend school continuously for a period equal
7 to the time that the regional school shall be in session. No person shall
8 encourage, entice, or counsel any child to be unlawfully absent from the
9 regional school. Any person who aids or abets a student's unlawful absence
10 from the regional school shall, upon conviction, be guilty of a Class 1
11 misdemeanor. The principal shall be responsible for implementing such
12 additional policies concerning compulsory attendance as shall be adopted by
13 the board of directors, including regulations concerning lawful and unlawful
14 absences, permissible excuses for temporary absences, maintenance of
15 attendance records, and attendance counseling.
16 (4) The board of directors shall comply with the reporting requirements
17 established by the State Board of Education in the Uniform Education
18 Reporting System.
19 (5) The board of directors shall require compliance with laws and policies relating
20 to the education of children with disabilities. The school is subject to and shall
21 comply with Article 9 of Chapter 115C of the General Statutes and The
22 Individuals with Disabilities Education Improvements Act, 20 U.S.C. § 1400,
23 et seq., (2004), as amended.
24 (6) The board of directors shall require that the regional school meets the same
25 health and safety standards required of a local school administrative unit.
26 (7) The board of directors shall require the regional school to comply with
27 G.S. 115C-375.2A and shall provide the school with a supply of emergency
28 epinephrine auto-injectors necessary to carry out the provisions of that section.
29 (8) The regional school shall comply with the requirements for public school units
30 in Part 2 of Article 8C of this Chapter.
31 (9) The regional school shall implement the rule addressing student awareness of
32 child abuse and neglect, including sexual abuse, adopted by the State Board
33 of Education under G.S. 115C-12(47).
34 (10) The board of directors shall apply the rules and policies established by the
35 State Board of Education for issuance of driving eligibility certificates.
36 (11) The regional school shall comply with G.S. 115C-407.40 regarding cultural
37 expression at all graduation ceremonies.
38 (12) The regional school shall strive to ensure that one hundred percent (100%)
39 muscadine grape juice is made available to students as a part of the school's
40 nutrition program or through the operation of the school's vending facilities.
41 (13) If the regional school organizes athletic teams for middle or high school
42 students to participate in interscholastic or intramural athletic activities, those
43 teams shall be organized in accordance with G.S. 115C-12(23).
44 (14) The board of directors shall comply with the purchasing and contract statutes
45 and regulations applicable to local school administrative units.
46 (15) The board of directors shall be exempt from Chapter 150B of the General
47 Statutes, except final decisions of the board of directors in a contested case
48 shall be subject to judicial review in accordance with Article 4 of Chapter
49 150B of the General Statutes.
50 (16) The regional school shall ensure that the report card issued for it by the State
51 Board of Education receives wide distribution to the local press or is otherwise

1 provided to the public. A regional school shall ensure that the overall school
2 performance score and grade earned by the regional school for the current and
3 previous four school years is prominently displayed on the school website. If
4 a regional school earned an overall school performance grade of D or F, the
5 regional school shall provide notice of the grade in writing to the parent or
6 guardian of all students enrolled in that school.

7 (17) The board of directors is encouraged to adopt a policy against bullying or
8 harassing behavior, including cyberbullying, for the regional school that is
9 consistent with the provisions of Article 29C of this Chapter. If the board of
10 directors adopts a policy to prohibit bullying and harassing behavior, the
11 regional school shall, at the beginning of each school year, provide the policy
12 to staff, students, and parents as defined in G.S. 115C-390.1(b)(8).

13 (18) The regional school is encouraged to facilitate access for students to
14 participate in activities provided by any youth group listed in Title 36 of the
15 United States Code as a patriotic society, such as the Boy Scouts of America,
16 and its affiliated North Carolina groups and councils, and the Girl Scouts of
17 the United States of America, and its affiliated North Carolina groups and
18 councils. Student participation in any activities offered by these organizations
19 shall not interfere with instructional time during the school day for the
20 purposes of encouraging civic education.

21 (19) The board of directors shall comply with the requirements of G.S. 115C-523.1
22 and G.S. 115C-523.2 for any regional school building owned by the board of
23 directors.

24 (20) The board of directors shall adopt and implement a child sexual abuse and sex
25 trafficking training program in accordance with G.S. 115C-375.20.

26 (21) The regional school shall adopt a school-based mental health plan, including
27 a mental health training program and suicide risk referral protocol, in
28 accordance with G.S. 115C-376.5.

29 (22) The regional school shall annually report the information required by
30 G.S. 115C-12(48) to the State Board of Education, the Senate Appropriations
31 Committee on Education/Higher Education, and the House Appropriations
32 Committee on Education no later than September 15.

33 (23) The regional school shall annually update information to the digital learning
34 dashboard, as required by G.S. 115C-102.9.

35 (24) The board of directors shall develop a plan to provide transportation to the
36 students enrolled in the regional school, which may include entering in to
37 interlocal agreements with local school administrative units.

38 (25) The board of directors, to the extent practicable, shall provide school food
39 services to the regional school. School food services may be provided by
40 entering into an interlocal agreement with a local school administrative unit.
41 For purposes of federal funding through the National School Lunch Program
42 or other federally supported food service programs, a local school
43 administrative unit that has entered into an interlocal agreement with the
44 regional school for the purpose of providing school food services shall be
45 permitted to include eligible students enrolled in the regional school.

46 **§ 115C-229.40. Student admissions and assignment.**

47 (a) The regional school may serve grades seven through 12.

48 (b) A student domiciled in a county within the regional school service area is eligible to
49 attend the regional school. A student's eligibility to remain enrolled in the regional school shall
50 terminate at the end of any school year during which a student ceases to satisfy the residency
51 requirements.

1 (c) The board of directors shall establish criteria, standards, and procedures for admission
2 of students. The admission criteria may give priority to first generation students and shall include
3 the following:

- 4 (1) Demonstrated academic achievement.
5 (2) Demonstrated student interest in attendance.
6 (3) Documented parental support for student attendance.

7 (d) If the number of eligible students meeting the board of directors' admission criteria
8 exceeds the seats available, students shall be accepted by lot.

9 "**§ 115C-229.45. Employees.**

10 The board of directors shall appoint all certified and noncertified staff.

- 11 (1) The board of directors shall employ and contract with a principal for a term
12 not to exceed three years. The principal shall meet the requirements for
13 certification set out in G.S. 115C-284, unless waived by the State Board of
14 Education upon submission of a request by the board of directors. The
15 principal shall be responsible for school operations and shall exercise those
16 duties and powers delegated by the board of directors.
- 17 (2) The board of directors shall employ and contract with necessary teachers to
18 perform the particular service for which they are employed in the school. At
19 least fifty percent (50%) of teachers employed by the board of directors shall
20 hold teacher licensure, unless waived by the State Board of Education upon
21 submission of a request by the board of directors.
- 22 (3) If a teacher employed by a local school administrative unit makes a written
23 request for a leave of absence to teach at the regional school, the local school
24 administrative unit shall grant the leave for one year. For the initial year of the
25 regional school's operation, the local school administrative unit may require
26 that the request for a leave of absence be made up to 45 days before the teacher
27 would otherwise have to report for duty. After the initial year of the regional
28 school's operation, the local school administrative unit may require that the
29 request for a leave of absence be made up to 90 days before the teacher would
30 otherwise have to report for duty. A local board of education is not required
31 to grant a request for a leave of absence or a request to extend or renew a leave
32 of absence for a teacher who previously has received a leave of absence from
33 that school board under this subdivision. A teacher who has received a leave
34 of absence to teach at a regional school may return to a public school in the
35 local school administrative unit at the end of the leave of absence or upon the
36 end of employment at the regional school if an appropriate position is
37 available. If a teacher has career status under G.S. 115C-325 prior to receiving
38 a leave of absence to teach at the regional school, the teacher may return to a
39 public school in the local school administrative unit with career status at the
40 end of the leave of absence or upon the end of employment at the regional
41 school if an appropriate position is available. If an appropriate position is
42 unavailable, the teacher's name shall be placed on a list of available teachers
43 in accordance with G.S. 115C-325(e)(2).
- 44 (4) The board of directors also may employ necessary employees who are not
45 required to hold teacher licensure to perform duties other than teaching and
46 may contract for other services.
- 47 (5) An employee of the board of directors is not an employee of the local school
48 administrative unit in which the regional school is located. The board of
49 directors may discharge certified and noncertified employees according to the
50 terms of the employment contract.

- 1 (6) Employees of the board of directors shall participate in the Teachers' and State
2 Employees' Retirement System and the State Health Plan on the same terms
3 as employees employed by local boards of education.
4 (7) Employees of the board of directors shall be exempt from Chapter 126 of the
5 General Statutes, except for Articles 6 and 7 and G.S. 126-8.6.
6 (8) Teachers employed by the board of directors shall be eligible for paid parental
7 leave as provided in G.S. 126-8.6. The board of directors shall be eligible to
8 receive funds as provided in G.S. 115C-336.1(b).

9 **"§ 115C-229.50. Criminal history record checks.**

10 (a) As used in this section:

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

37 (2) "School personnel" means any of the following:

- 38 a. Member of the board of directors.
39 b. Employee of the regional school.
40 c. Independent contractor or employee of an independent contractor of
41 the regional school if the independent contractor carries out duties
42 customarily performed by school personnel, whether paid with federal,
43 State, local, or other funds, who has significant access to students or
44 who has responsibility for the fiscal management of the regional
45 school.

46 (b) The board of directors shall adopt a policy on whether and under what circumstances
47 school personnel shall be required to be checked for a criminal history. The board of directors
48 shall apply its policy uniformly in requiring school personnel to be checked for a criminal history.
49 The board of directors may grant conditional approval of an application while the board of
50 directors is checking a person's criminal history and making a decision based on the results of

1 the check. The board of directors shall not require school personnel to pay for the criminal history
2 record check authorized under this section.

3 (c) The board of directors shall require the person to be checked by the Department of
4 Public Safety (i) to be fingerprinted and to provide any additional information required by the
5 Department of Public Safety to a person designated by the board of directors or to the local sheriff
6 or the municipal police, whichever is more convenient for the person, and (ii) to sign a form
7 consenting to the check of the criminal record and to the use of fingerprints and other identifying
8 information required by the repositories. The board of directors shall consider refusal to consent
9 when making employment decisions and decisions with regard to independent contractors. The
10 fingerprints of the individual shall be forwarded to the State Bureau of Investigation for a search
11 of the State criminal history record file, and the State Bureau of Investigation shall forward a set
12 of fingerprints to the Federal Bureau of Investigation for a national criminal history record check.
13 The Department of Public Safety shall provide to the board of directors the criminal history from
14 the State and National Repositories of Criminal Histories of any school personnel for which the
15 board of directors requires a criminal history record check. The board of directors shall not
16 require school personnel to pay for the fingerprints authorized under this section.

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

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

31 (f) All of the information received by the board of directors through the checking of the
32 criminal history or by the State Board of Education in accordance with this section is privileged
33 information and is not a public record but is for the exclusive use of the board of directors or the
34 State Board of Education. The board of directors or the State Board of Education may destroy
35 the information after it is used for the purposes authorized by this section after one calendar year.

36 (g) There shall be no liability for negligence on the part of the board of directors, or its
37 employees, or the State Board of Education, the Superintendent of Public Instruction, or any of
38 their members or employees, individually or collectively, arising from any act taken or omission
39 by any of them in carrying out the provisions of this section. The immunity established by this
40 subsection shall not extend to gross negligence, wanton conduct, or intentional wrongdoing that
41 would otherwise be actionable. The immunity established by this subsection shall be deemed to
42 have been waived to the extent of indemnification by insurance, indemnification under Articles
43 31A and 31B of Chapter 143 of the General Statutes, and to the extent sovereign immunity is
44 waived under the Tort Claims Act, as set forth in Article 31 of Chapter 143 of the General
45 Statutes.

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

49 (i) The board of directors may adopt a policy providing for uniform periodic checks of
50 criminal history of employees. Boards of directors shall not require employees to pay for the
51 criminal history check authorized under this subsection. A board of directors shall indicate, upon

1 inquiry by any other local board of education, charter school, or regional school in the State, as
2 to the reason for an employee's resignation or dismissal. If a teacher's criminal history is relevant
3 to a teacher's resignation, the board of directors shall report to the State Board of Education the
4 reason for an employee's resignation.

5 **"§ 115C-229.55. Finance and budget.**

6 (a) The board of directors may contract with a local school administrative unit to serve
7 as the finance agent for the Board and shall provide reasonable compensation to the local school
8 administrative unit for this service. Upon such agreement, that local school administrative unit
9 shall have all the rights, duties, and obligations for receipt, accounting, and dispersing funds for
10 the board of directors, including all the rights, duties, and obligations specified in Article 31 of
11 this Chapter, which powers shall be exercised by the contracted local school administrative unit
12 for and on behalf of the board of directors.

13 (b) A regional school may request appropriations directly from a city, as authorized by
14 G.S. 160A-700.

15 (c) With respect to the receipt, deposit, and disbursement of moneys (i) required by law
16 to be deposited with the State Treasurer or (ii) made available for expenditure by warrants drawn
17 on the State Treasurer, regional schools are subject to Article 6A of Chapter 147 of the General
18 Statutes."

19 **SECTION 1.(b)** G.S. 14-458.2(a) reads as rewritten:

20 "(a) The following definitions apply in this section:

21 (1) School employee. – The term means any of the following:

- 22 a. An employee of a local board of education, a charter school authorized
23 under G.S. 115C-218.5, ~~a regional school created under~~
24 ~~G.S. 115C-238.62,~~ the regional school established by
25 G.S. 115C-229.5, a laboratory school created under G.S. 116-239.7,
26 or a nonpublic school which has filed intent to operate under Part 1 or
27 Part 2 of Article 39 of Chapter 115C of the General Statutes.
28 b. An independent contractor or an employee of an independent
29 contractor of a local board of education, a charter school authorized
30 under G.S. 115C-218.5, ~~a regional school created under~~
31 ~~G.S. 115C-238.62,~~ the regional school established by
32 G.S. 115C-229.5, a laboratory school created under G.S. 116-239.7,
33 or a nonpublic school which has filed intent to operate under Part 1 or
34 Part 2 of Article 39 of Chapter 115C of the General Statutes, if the
35 independent contractor carries out duties customarily performed by
36 employees of the school.

37 (2) Student. – A person who has been assigned to a school by a local board of
38 education as provided in G.S. 115C-366 or has enrolled in a charter school
39 authorized under G.S. 115C-218.5, ~~a regional school created under~~
40 ~~G.S. 115C-238.62,~~ the regional school established by G.S. 115C-229.5, a
41 laboratory school created under G.S. 116-239.7, or a nonpublic school which
42 has filed intent to operate under Part 1 or Part 2 of Article 39 of Chapter 115C
43 of the General Statutes, or a person who has been suspended or expelled from
44 any of those schools within the last year."

45 **SECTION 1.(c)** G.S. 58-31A-1(2) reads as rewritten:

46 "(2) Public education board. – A local board of education of a local school
47 administrative unit, as defined in G.S. 115C-5(5), ~~a board of trustees of a~~
48 ~~regional school, as defined in G.S. 115C-238.63,~~ the board of directors of the
49 regional school established by G.S. 115C-229.5, or a board of trustees of a
50 community college, as defined in G.S. 115D-12."

51 **SECTION 1.(d)** G.S. 115B-2(a)(6) reads as rewritten:

1 "(6) Any child enrolled in a regional school established pursuant to ~~Part 10 of~~
2 ~~Article 16~~ Article 15A of Chapter 115C of the General Statutes who enrolls
3 in classes at a constituent institution or community college which has a written
4 agreement with the regional school."

5 **SECTION 1.(e)** G.S. 115C-238.50A(1a)c. reads as rewritten:

6 "c. It is located on the campus of the partner institution of higher
7 education, unless the governing Board or the local board of trustees
8 for a private North Carolina college specifically waives the
9 requirement through adoption of a formal resolution. This criterion
10 shall not apply to a regional school established as provided in ~~Part 10~~
11 ~~of this Article.~~ Article 15A of this Chapter."

12 **SECTION 1.(f)** Part 10 of Article 16 of Chapter 115C of the General Statutes is
13 repealed.

14 **SECTION 1.(g)** G.S. 126-5(c1)(8a) reads as rewritten:

15 "(8a) Employees of a regional school established pursuant to ~~Part 10 of Article 16~~
16 Article 15A of Chapter 115C of the General Statutes."

17 **SECTION 1.(h)** G.S. 143B-931(b) reads as rewritten:

18 "(b) The Department of Public Safety may provide a criminal history record check to the
19 board of directors of a regional school of a person who is employed at ~~a the~~ regional school or of
20 a person who has applied for employment at ~~a the~~ regional school if the employee or applicant
21 consents to the record check. The Department may also provide a criminal history record check
22 of school personnel as defined in ~~G.S. 115C-238.73~~ G.S. 115C-229.50 by fingerprint card to the
23 board of directors of the regional school from the National Repositories of Criminal Histories, in
24 accordance with ~~G.S. 115C-238.73~~ G.S. 115C-229.50. The information shall be kept
25 confidential by the board of directors of the regional school as provided in
26 ~~G.S. 115C-238.73~~ G.S. 115C-229.50."

27 **SECTION 1.(i)** G.S. 160A-700(d)(5) reads as rewritten:

28 "(5) A regional school ~~created under Part 10 of Article 16~~ established by Article
29 15A of Chapter 115C of the General Statutes."

30 **SECTION 1.(j)** It is the intent of the General Assembly to provide funding to the
31 Northeast Regional School of Biotechnology and Agriscience beginning with the 2024-2025
32 school year.

33 **SECTION 1.(k)** Notwithstanding G.S. 115C-229.15, as enacted by this act, the
34 terms of members serving on the board of directors as of the date this act becomes law shall
35 terminate on June 30, 2025. Initial appointments to the board of directors in accordance with
36 G.S. 115C-229.15 shall be made for terms beginning July 1, 2025. The Superintendent of Public
37 Instruction shall appoint two members to two-year terms and one member to a four-year term
38 beginning July 1, 2025. The State Board of Education shall appoint two members to two-year
39 terms and three members to four-year terms beginning July 1, 2025. Thereafter, all appointees
40 shall serve four-year terms.

41 **SECTION 1.(l)** The title to and ownership of all property of the Northeast Regional
42 School of Biotechnology and Agriscience, established as provided in Part 10 of Article 16 of
43 Chapter 115C of the General Statutes, both real and personal of every kind and description, shall
44 be vested in the Northeast Regional School of Biotechnology and Agriscience, as established by
45 Article 15A of Chapter 115C of the General Statutes, as enacted by this act, by July 1, 2024. All
46 claims and demands of every kind related to the Northeast Regional School of Biotechnology
47 and Agriscience, established as provided in Part 10 of Article 16 of Chapter 115C of the General
48 Statutes, shall pass and be transferred to the Northeast Regional School of Biotechnology and
49 Agriscience, as established by Article 15A of Chapter 115C of the General Statutes, as enacted
50 by this act by July 1, 2024, and the board of directors of the Northeast Regional School of
51 Biotechnology and Agriscience shall have the same powers and authority to enforce said claims

1 and demands. Any obligations and liabilities related to the Northeast Regional School of
 2 Biotechnology and Agriscience, established as provided in Part 10 of Article 16 of Chapter 115C
 3 of the General Statutes, shall become the obligations of the Northeast Regional School of
 4 Biotechnology and Agriscience, as established by Article 15A of Chapter 115C of the General
 5 Statutes, as enacted by this act by July 1, 2024, and such obligations and liabilities may be
 6 enforced against the board of directors of the Northeast Regional School of Biotechnology and
 7 Agriscience thereafter to the same extent that they might have otherwise been enforced.

8 **SECTION 1.(m)** Subsections (a) through (i) of this section are effective July 1, 2024.
 9 The remainder of this section is effective when it becomes law.

10 **PART II. PROTECT NC EDUCATION SAVINGS AND INVESTMENT ACCOUNTS**

11 **SECTION 2.(a)** G.S. 116-209.25 is amended by adding a new subsection to read:

12 "(c2) NC Education Savings and Investment Accounts Protected. – Notwithstanding any
 13 other provision of law, funds located in an education savings and investment account of the
 14 Parental Savings Trust Fund or withdrawn from the account and used for purposes permitted
 15 under section 529 of the Internal Revenue Code shall not be subject to liens, attachment,
 16 garnishment, levy, seizure, any involuntary sale or assignment by operation or execution of law,
 17 or the enforcement of any other judgment or claim to pay any debt or liability of any account
 18 owner, beneficiary, or contributor to a plan. This subsection shall not affect any protection from
 19 creditors under G.S. 1C-1601(a)(10) for education savings and investment accounts that are not
 20 part of the Parental Savings Trust Fund."

21 **SECTION 2.(b)** G.S. 1C-1601 reads as rewritten:

22 "Article 16.

23 "Exempt Property.

24 **"§ 1C-1601. What property exempt; waiver; exceptions.**

25 (a) Exempt property. – Each individual, resident of this State, who is a debtor is entitled
 26 to retain free of the enforcement of the claims of creditors:

27 ...

28 (10) ~~Funds in a college savings plan~~ Except for funds in an education savings and
 29 investment account that is part of the Parental Savings Trust Fund, as provided
 30 in G.S. 116-209.25(c2), funds in an education savings and investment account
 31 qualified under section 529 of the Internal Revenue Code, not to exceed a
 32 cumulative limit of twenty-five thousand dollars (\$25,000), but excluding
 33 (\$25,000). This exemption excludes any funds placed in a college savings plan
 34 an education savings and investment account within the preceding 12 months
 35 (except to the extent any of the contributions were made in the ordinary course
 36 of the debtor's financial affairs and were consistent with the debtor's past
 37 pattern of contributions) and only to the extent that the funds are for a child of
 38 the debtor and will actually be used for the child's college or university
 39 expenses. ~~expenses of the child that are permitted under section 529 of the~~
 40 Internal Revenue Code.

41"

42 **SECTION 2.(c)** Article 6F of Chapter 147 of the General Statutes is amended by
 43 adding a new section to read:

44 **"§ 147-86.74. Exemption from garnishment, attachment, judgment.**

45 Notwithstanding any other provision of law, except as provided in this section, funds located
 46 in an ABLE account or withdrawn from the account and used for expenses permitted under
 47 section 529A of the Internal Revenue Code shall not be subject to liens, attachment, garnishment,
 48 levy, seizure, any involuntary sale or assignment by operation or execution of law, or the
 49 enforcement of any other judgment or claim to pay any debt or liability of any account owner,
 50 beneficiary, or contributor to a plan. This section does not prohibit the distribution of funds from
 51

1 the account following the death of the account owner under G.S. 147-86.73(e) or under section
2 529A(f) of the Internal Revenue Code."

3 **SECTION 2.(d)** This section becomes effective November 1, 2023, and applies to
4 actions filed on or after that date.

6 **PART III. ALLOW SCHOOLS IN CERTAIN ZONING DISTRICTS**

7 **SECTION 3.(a)** Part 1 of Article 9 of Chapter 160D of the General Statutes is
8 amended by adding a new section to read:

9 **"§ 160D-913.1. School sites in residential zones.**

10 (a) For purposes of this section, a "school" is a building or group of buildings that are
11 primarily used for the instruction of students in a pre-kindergarten program or in a grade from
12 kindergarten to grade 12 and includes both (i) schools within public school units, as defined in
13 G.S. 115C-5, and (ii) nonpublic schools operating in accordance with Part I or Part II of Article
14 39 of Chapter 115C of the General Statutes.

15 (b) Zoning regulations shall permit, by right, the siting of a school in an area zoned for
16 residential use if all of the following requirements are met:

17 (1) The site of the school is located on 30 or more contiguous acres of land, which
18 may be comprised of one or more parcels of land.

19 (2) The site of the school is not located within an existing residential subdivision,
20 as to cause discontinuity of the subdivision, but may be located adjacent to an
21 existing residential subdivision.

22 (3) The site of a school containing any combination of kindergarten through grade
23 eight has at least one boundary located along either a State-maintained road
24 or highway or a city-maintained street. The site of a school containing any
25 combination of grades nine through 12 has at least one boundary along a major
26 or minor thoroughfare, as designated by the thoroughfare plan approved by
27 the metropolitan planning organization or rural transportation planning
28 organization with jurisdiction over the area, that is maintained by either the
29 State or a city.

30 (4) The county in which the school is to be sited has a population of at least
31 200,000 residents as of the most recent decennial census.

32 (5) The county in which the school is to be sited has a population density of at
33 least 300 people per square mile as of the most recent decennial census.

34 (6) The county in which the school is to be sited has a land area of at least 200
35 square miles.

36 (c) Further expansion of a school sited under this section shall be subject to all applicable
37 zoning ordinances and shall not receive permitted use beyond the original boundaries.

38 (d) A governing body of a county or city that issues a permit for a school pursuant to this
39 section shall not impose any restrictions or requirements on the school beyond the restrictions
40 and requirements the same governing body imposes on a school permitted under any other law
41 or ordinance. These restrictions and requirements include site development standards,
42 architectural design standards, building size limitations, signage standards, and landscaping
43 standards. Once a school has been issued a permit pursuant to this section, the school shall not
44 be subject to any changes or additions made to the restrictions and requirements placed on
45 schools by the governing body for five years from the date the permit is issued.

46 (e) Prior to any application for any development approval under this section, the
47 governing entity of the school shall inquire, in writing, of the public water system, public sewer
48 system, or public water and sewer system, currently serving the site or closest to the site as to
49 whether that public system has capacity to serve the proposed school facility. The public system
50 shall respond to the governing entity of the school within a reasonable time, not to exceed 30
51 days as to whether that public system has capacity to serve the proposed school facility. Unless

1 the public system does not have capacity to serve the proposed school facility or is under a
2 moratorium precluding expansion, the public system shall reserve the necessary capacity for the
3 proposed school facility for 24 months from the date of the written inquiry from the governing
4 entity of the school, and the applicable local government shall not prohibit construction of the
5 infrastructure required to connect to the water or sewer system from which capacity is reserved.
6 Nothing herein shall be construed to waive requirements for construction or operation of water
7 or sewer connections to public water or wastewater systems applicable under State law."

8 **SECTION 3.(b)** Part 1 of Article 9 of Chapter 160D of the General Statutes is
9 amended by adding a new section to read:

10 **"§ 160D-917. Public school sites in commercial zones.**

11 In areas zoned for commercial use, zoning regulations shall permit, by right or by special use,
12 the siting of a school building that is primarily used for the instruction of students and is under
13 the control of a public school unit as defined in G.S. 115C-5."

14 **SECTION 3.(c)** This section is effective when it becomes law.

15
16 **PART IV. ADMISSIONS STANDARDS FOR HEALTH CARE PROGRAMS**

17 **SECTION 4.(a)** Article 1 of Chapter 116 of the General Statutes is amended by
18 adding a new section to read:

19 **"§ 116-33.10. Admissions standards for health care programs.**

20 (a) All constituent institutions offering degrees, certifications, or training related to health
21 care shall make publicly available the criteria by which applicants for admission to the institution
22 or program are evaluated. The publicly available information shall include a rubric that details
23 the weight placed upon each admissions criterion, including standardized test scores, grades,
24 class rigor, personal statements, interviews, and any other factors used to determine admission.

25 (b) By September 15 of each year, constituent institutions subject to subsection (a) of this
26 section shall submit to the Board of Governors a report on the prior year's applicants for
27 admission to programs related to health care. The report shall at least include the following
28 de-identified information separately for both applicants and admitted students, disaggregated by
29 race:

30 (1) Number of individuals.

31 (2) Standardized test scores.

32 (3) Grade point average.

33 (c) The Board of Governors shall establish an electronic dashboard of all reported
34 information that consolidates the information submitted by each constituent institution and shall
35 annually update the dashboard by November 15. The Board of Governors shall provide notice to
36 the Joint Legislative Education Oversight Committee when the dashboard has been updated.

37 (d) The Board of Governors shall designate the degrees, certifications, and training
38 offered by constituent institutions that relate to health care."

39 **SECTION 4.(b)** This section is effective when it becomes law and applies beginning
40 with reports due September 15, 2024.

41
42 **PART IV-A. CIVIC FOCUS WEEKS FOR PUBLIC SCHOOLS**

43 **SECTION 4A.(a)** G.S. 115C-81.45 is amended by adding a new subsection to read:

44 "(e) Civic Youth Group Presentations. –

45 (1) The following definitions apply in this subsection:

46 a. Civic focus week. – Either of the following:

47 1. The week of Patriot's Day, September 11, as established by 36
48 U.S.C. § 144.

49 2. The week of Constitution Day, September 17, as established
50 by 36 U.S.C. § 106.

- 1 b. Civic youth group. – One of the following youth membership
2 organizations located in North Carolina whose purpose includes the
3 promotion of civic and citizenship education as required by the
4 standard course of study among elementary, middle, and high school
5 students:
6 1. Big Brothers Big Sisters of America.
7 2. Boy Scouts of America.
8 3. Boys and Girls Clubs of America.
9 4. Future Farmers of America.
10 5. Girl Scouts of the United States of America.
11 (2) Local boards of education shall provide opportunities in each school within
12 the local school administrative unit for civic youth groups to address students
13 during a civic focus week that allow those groups to address how involvement
14 can further students' educational interests and civic participation to improve
15 their schools, communities, and themselves.
16 (3) A civic youth group must provide 30 days' written notice to the principal of a
17 school of the group's interest in addressing students during a civic focus week.
18 The principal shall provide written approval indicating the specific date and
19 time during the civic focus week for the civic youth group to address the
20 students and the location where the address may occur. The civic youth group
21 shall be provided at least 10 minutes during the instructional day to address
22 students.
23 (4) The principal of each school may designate a single event to observe a civic
24 focus week when all civic youth groups may address students, with time
25 allocated equally among the requesting civic youth groups. For an event
26 designated under this subdivision, a principal is not required to:
27 a. Allocate more than 50 minutes to the event.
28 b. Allow a civic youth group to speak more than once each school year."
29 **SECTION 4A.(b)** G.S. 115C-218.75 is amended by adding a new subsection to read:
30 "(n) Charter schools shall provide opportunities for civic youth groups to address students
31 during a civic focus week in accordance with the provisions of G.S. 115C-81.45(e)."
32 **SECTION 4A.(c)** G.S. 115C-238.66 is amended by adding a new subdivision to
33 read:
34 "(22) Civic youth groups. – Regional schools shall provide opportunities for civic
35 youth groups to address students during a civic focus week in accordance with
36 the provisions of G.S. 115C-81.45(e)."
37 **SECTION 4A.(d)** G.S. 116-239.8(b) is amended by adding a new subdivision to
38 read:
39 "(25) Civic youth groups. – Laboratory schools shall provide opportunities for civic
40 youth groups to address students during a civic focus week in accordance with
41 the provisions of G.S. 115C-81.45(e)."
42 **SECTION 4A.(e)** This section is effective when it becomes law and applies
43 beginning with the 2024-2025 school year.
44
45 **PART IV-B. STATE CHILDREN'S MUSEUM**
46 **SECTION 4B.(a)** Chapter 145 of the General Statutes is amended by adding a new
47 section to read:
48 "§ 145-52. State children's museum.
49 The Kidzu Children's Museum is adopted as the official children's museum of North
50 Carolina."
51 **SECTION 4B.(b)** This section is effective when it becomes law.

1
2 **PART IV-F. MODIFICATIONS TO THE POWERS AND DUTIES OF THE**
3 **SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE STATE BOARD OF**
4 **EDUCATION**

5 **SECTION 4F.(a)** G.S. 115C-12 reads as rewritten:

6 **"§ 115C-12. Powers and duties of the Board generally.**

7 The general supervision and administration of the free public school system shall be vested
8 in the State Board of Education. The State Board of Education shall establish all needed rules
9 and regulations for the system of free public schools, subject to laws enacted by the General
10 Assembly. In accordance with Sections 7 and 8 of Article III of the North Carolina Constitution,
11 the Superintendent of Public Instruction, as an elected officer and Council of State member, shall
12 administer all needed rules and regulations adopted by the State Board of Education through the
13 Department of Public Instruction. The powers and duties of the State Board of Education are
14 defined as follows:

15 (1) Financial Powers. – The financial powers of the Board are set forth in Article
16 30 of this Chapter.

17 (1a) ~~To submit-Prepare a Budget Request to the Director of the Budget. Request.~~
18 – The Board shall submit-prepare a budget request for the Board and shall
19 provide the budget request to the Director of the Budget in accordance with
20 G.S. 143C-3-3. In addition to the information requested by the Director of the
21 Budget, the Superintendent of Public Instruction for submission to the
22 Director of the Budget in conjunction with the Superintendent's budget request
23 for the Department of Public Instruction. The Board shall provide an analysis
24 relating each of its requests for expansion funds to anticipated improvements
25 in student performance.

26 ...

27 (9c) Power to Develop Content Standards. –

28 a. The Board shall develop a comprehensive plan to revise content
29 standards and the standard course of study in the core academic areas
30 of reading, writing, mathematics, science, history, geography, and
31 civics. The Board shall involve and survey a representative sample of
32 parents, teachers, and the public to help determine academic content
33 standard priorities and usefulness of the content standards. A full
34 review of available and relevant academic content standards that are
35 rigorous, specific, sequenced, clear, focused, and measurable,
36 whenever possible, shall be a part of the process of the development
37 of content standards. The revised content standards developed in the
38 core academic areas shall (i) reflect high expectations for students and
39 an in-depth mastery of the content; (ii) be clearly grounded in the
40 content of each academic area; (iii) be defined grade-by-grade and
41 course-by-course; (iv) be understandable to parents and teachers; (v)
42 be developed in full recognition of the time available to teach the core
43 academic areas at each grade level; and (vi) be measurable, whenever
44 possible, in a reliable, valid, and efficient manner for accountability
45 purposes.

46 b. High school course content standards shall include the knowledge and
47 skills necessary to pursue further postsecondary education or to attain
48 employment in the 21st century economy. The high school course
49 content standards also shall be aligned with the minimum
50 undergraduate course requirements for admission to the constituent
51 institutions of The University of North Carolina.

c. The Board also shall develop and implement an ongoing process to align State programs ~~and support materials~~ with the revised academic content standards for each core academic area on a regular basis. Alignment shall include revising textbook criteria, ~~support materials~~, State tests, teacher and school administrator preparation, and ongoing professional development programs to be compatible with content standards. ~~The Board shall develop and make available to teachers and parents support materials, including teacher and parent guides, for academic content standards.~~ The State Board of Education shall work in collaboration with the Board of Governors of The University of North Carolina to ensure that teacher and school administrator degree programs, ongoing professional development, and other university activity in the State's public schools align with the State Board's priorities.

...
 (39) ~~Power to Accredite Schools. — Upon the request of a local board of education, the State Board of Education shall evaluate schools in local school administrative units to determine whether the education provided by those schools meets acceptable levels of quality. The State Board shall adopt rigorous and appropriate academic standards for accreditation after consideration of (i) the standards of regional and national accrediting agencies, (ii) the academic standards adopted in accordance with subdivision (9c) of this section, and (iii) other information it deems appropriate.~~

~~The local school administrative unit shall compensate the State Board for the actual costs of the accreditation process.~~

...."

SECTION 4F.(b) G.S. 115C-21(a) reads as rewritten:

"(a) Administrative Duties. – It shall be the duty of the Superintendent of Public Instruction:

...
 (10) To submit the consolidated budget request for the State Board of Education and the Department of Public Instruction to the Office of State Budget and Management. The Superintendent shall submit the budget request to the Director of the Budget in accordance with G.S. 143C-3-3, including an analysis relating each of the Superintendent's requests for expansion funds to anticipated improvements in student performance. The Superintendent shall not make substantive changes to the State Board of Education's portion of the budget request without approval by the Board.

(11) To enter into contracts for an amount equal to or less than two million five hundred thousand dollars (\$2,500,000).

(12) To review the comprehensive plan to revise content standards in the core academic areas of reading, writing, mathematics, science, history, geography, and civics, as developed by the Department of Public Instruction. The Superintendent shall provide a written recommendation for the comprehensive plan before the Department of Public Instruction presents it to the Board for consideration.

(13) To develop and make available to teachers and parents support materials, including teacher and parent guides, based on the revised academic content standards for each core academic area on a regular basis.

1 (14) To create advisory councils or commissions as the Department of Public
2 Instruction deems necessary for anything which the Superintendent may deem
3 appropriate without authorization by the State Board of Education."

4 **SECTION 4F.(c)** Article 30 of Chapter 115C of the General Statutes is amended by
5 adding a new section to read:

6 **"§ 115C-420. State Board approval of contracts.**

7 (a) Prior to entering into any contract for an amount greater than two million five hundred
8 thousand dollars (\$2,500,000), the Superintendent of Public Instruction shall present the contract
9 to the State Board of Education for approval. The Superintendent of Public Instruction shall not
10 enter into the contract until it is approved by the State Board of Education.

11 (b) The Superintendent of Public Instruction shall not be required to present a contract to
12 the State Board for approval if the amount of the contract is equal to or less than two million five
13 hundred thousand dollars (\$2,500,000).

14 (c) For the purposes of this section, the amount of a contract shall not be aggregated with
15 any other contract or written agreement."

16
17 **PART V. EFFECTIVE DATE**

18 **SECTION 5.** Except as otherwise provided, this act is effective when it becomes
19 law.