



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 257

AMENDMENT NO. A45
(to be filled in by
Principal Clerk)

S257-AMT-55 [v.3]

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Amends Title [NO]
Fifth Edition

Date _____, 2025

Representative von Haefen

moves to amend the bill on page 169, lines 16-17, by inserting between the lines the following:

"FUNDS FOR CHILDREN WITH DISABILITIES

SECTION 7.65.(a) G.S. 115C-111.05, as amended by Section 7.49 of this act, reads as rewritten:

"§ 115C-111.05. Funding for children with disabilities.

To the extent funds are made available for this purpose, the State Board shall allocate funds for children with disabilities to each local school administrative unit on a per child basis. Each local school administrative unit shall receive funds for the lesser of (i) all children who are identified as children with disabilities or (ii) thirteen and one-quarter percent (13.25%) of its allocated average daily membership in the local school administrative unit for the current school year-year on the basis of the reported cost of the services provided."

SECTION 7.65.(b) Notwithstanding any other provision of law or of the Committee Report referenced in Section 45.2 of this act to the contrary, the funds appropriated to the Department of Public Instruction shall be increased by eighty-nine million four hundred thousand dollars (\$89,400,000) in recurring funds for the 2025-2026 fiscal year and one hundred nine million two hundred thousand dollars (\$109,200,000) in nonrecurring funds for the 2025-2026 fiscal year to implement the plan for weighted funding for children with disabilities on the basis of the reported cost of services provided developed by the Department of Public Instruction pursuant to Section 7.7 of S.L. 2023-134. The Department shall begin distributing funds for children with disabilities based on this model beginning with the 2025-2026 school year. The nonrecurring funds appropriated to the Department by this section shall not revert but shall remain available until the end of the 2027-2028 fiscal year.

"PROVIDE BREAKFAST AND LUNCH IN PUBLIC SCHOOLS AT NO COST TO STUDENTS THROUGH AN ALLOCATION BASED ON SCHOOL FOOD AUTHORITY EVALUATIONS

SECTION 7.66.(a) G.S. 115C-263 reads as rewritten:

"§ 115C-263. School nutrition services.

(a) As a part of the function of the public school system, ~~local boards of education~~ public school units shall have a school food authority to provide to the extent practicable school nutrition services in the schools under their jurisdiction. The school food authority shall offer students two



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1 meals per day, breakfast and lunch, at no cost to the student. All school nutrition services made
2 available under this authority shall be provided in accordance with federal guidelines established
3 by the Food and Nutrition Service of the United States Department of Agriculture.

4 (b) The To the extent that funds are made available for the purpose, the State Board of
5 Education shall allocate funds to school food authorities at public school units for the purpose of
6 providing healthy nutrition services at no cost to students. In issuing the allocation, the Board
7 shall do the following:

8 (1) Determine the amount to allocate to each school food authority based on an
9 evaluation of the authority's nutrition services. The Board shall develop the
10 method and criteria for the evaluation, which, at a minimum, shall account for
11 the following:

12 a. The size of the schools served by the school food authority as
13 determined by Average Daily Membership.

14 b. The number of students that are eligible for free or reduced-price lunch
15 and the estimated receipts from the National School Lunch Program.

16 c. The funds actually expended in the prior year, which may be waived
17 if the school food authority was not in operation in the year prior.

18 d. The extent to which the nutrition services promote health and wellness
19 by providing food that is of high quality and nutrient content.

20 e. The extent to which the school food authority uses locally sourced
21 food and products.

22 f. Any other information the Board deems relevant to the cost and
23 operation of the nutrition services.

24 (2) Ensure the funds are distributed on a fair and equitable basis.

25 (3) Issue the allocation at the beginning of each fiscal year, except that the Board
26 may reserve for future allocation a reasonable amount, not to exceed ten
27 percent (10%) of the total funds available for providing nutrition services.

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

30 (d) Funds allocated pursuant to this section shall supplement and not supplant funds from
31 any other source provided for the same purpose."

32 **SECTION 7.66.(b)** G.S. 115C-264(a) reads as rewritten:

33 "(a) Local boards of education operating school nutrition programs shall participate in the
34 federal National School Lunch Program established by the federal government, and, if eligible,
35 the Community Eligibility Provision Program. School nutrition programs shall be under the
36 jurisdiction of the Division of School Nutrition of the Department of Public Instruction."

37 **SECTION 7.66.(c)** G.S. 115C-218.75 is amended by adding a new subsection to
38 read:

39 "(p) A charter school shall provide school nutrition services in accordance with
40 G.S. 115C-263 and G.S. 115C-264."

41 **SECTION 7.66.(d)** G.S. 115C-229.35(25), as enacted by section 7.55 of this act,
42 reads as rewritten:

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"(25) The board of ~~directors, to the extent practicable, directors~~ shall provide school ~~food~~ nutrition services to the regional ~~school~~ school in accordance with G.S. 115C-263 and G.S. 115C-264. School food services may be provided by entering into an interlocal agreement with a local school administrative unit. For purposes of federal funding through the National School Lunch Program or other federally supported food service programs, a local school administrative unit that has entered into an interlocal agreement with the regional school for the purpose of providing school food services shall be permitted to include eligible students enrolled in the regional school."

SECTION 7.66.(e) G.S. 116-239.8(b)(4)c. reads as rewritten:

"c. ~~Food~~ Nutrition services. – The laboratory school shall strive to ensure that one hundred percent (100%) muscadine grape juice is made available to students as a part of the school's nutrition program or through the operation of the school's vending facilities. Laboratory schools shall provide school nutrition services in accordance with G.S. 115C-263 and G.S. 115C-264. Upon request, the local school administrative unit in which the laboratory school is located shall administer the National School Lunch Program for the laboratory ~~school in accordance with G.S. 115C-264.~~ school."

SECTION 7.66.(f) Notwithstanding any other provision of law or of the Committee Report referenced in Section 45.2 of this act to the contrary, the funds appropriated to the Department of Public Instruction shall be increased by one hundred forty-four million dollars (\$144,000,000) in recurring funds for the 2025-2026 fiscal year to provide nutrition services to students in public school units at no cost to the students in accordance with this section. Should this appropriation not be sufficient to fulfill the provisions of this section for the 2025-2026 fiscal year, the State Board of Education may use funds appropriated to State Aid for Public Schools for this purpose.

SECTION 7.66.(g) The State Board of Education has authority to adopt temporary rules to enact the provisions of this section until such a time as permanent rules can be adopted.

SECTION 7.66.(h) This section becomes effective July 1, 2025, and applies beginning with the 2025-2026 school year.

"PROVIDE FOR A ONE-TO-ONE DEVICE REFRESH

SECTION 7.67.(a) Part 3A of Article 8 of Chapter 115C is amended by adding a new section to read:

"§ 115C-102.10. Device refresh and replacement program.

(a) The State Board of Education shall adopt by rule standards for a one-to-one electronic device refresh and replacement program. The purpose of this program shall be to provide schools funds to update or replace electronic devices used directly by students and teachers for instruction. At a minimum, the standards shall include:

(1) A statewide schedule for routine replacement of electronic devices, based on the average operating lifecycle of the devices most commonly used.

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(2) A description of the lack or impairment of functionality a device must have in order to be eligible for replacement, including how functionality will be verified.

(3) Instructions on how to dispose of devices no longer in use, including whether those devices should be sold or recycled.

(b) Local school administrative units shall administer the one-to-one electronic device refresh and replacement program in accordance with the standards set by the State Board."

SECTION 7.67.(b) Notwithstanding any other provision of law or of the Committee Report referenced in Section 45.2 of this act to the contrary, the funds appropriated to the Department of Public Instruction shall be increased by one hundred fifty-two million six hundred twenty thousand dollars (\$152,620,000) in recurring funds for the 2025-2026 fiscal year for the Department to establish the one-to-one device refresh program, as enacted by this act.";

and on page 222, lines 7-8, by inserting between the lines the following:

"REDUCE FUNDS FOR OPPORTUNITY SCHOLARSHIPS

SECTION 8A.15.(a) G.S. 115C-562.8 reads as rewritten:

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

...

(b) ~~The General Assembly finds that, due to the critical need in this State to provide opportunity for school choice for North Carolina students, it is imperative that the State provide an increase of funds for 15 years to the Opportunity Scholarship Grant Fund Reserve. Therefore, there~~ There is appropriated from the General Fund to the Reserve the following amounts for each fiscal year to be used for the purposes set forth in this section:

Fiscal Year

Appropriation

...

2027-2028 \$700,000,000\$313,980,000

2028-2029 \$725,000,000\$338,980,000

2029-2030 \$750,000,000\$363,980,000

2030-2031 \$775,000,000\$388,980,000

2031-2032 \$800,000,000\$413,980,000

For the 2032-2033 fiscal year and each fiscal year thereafter, there is appropriated from the General Fund to the Reserve the sum of ~~eight hundred twenty-five million dollars (\$825,000,000)~~ four hundred thirty-eight million nine hundred eighty thousand dollars (\$438,980,000) to be used for the purposes set forth in this section. When developing the base budget, as defined by G.S. 143C-1-1, for each fiscal year specified in this subsection, the Director of the Budget shall include the appropriated amount specified in this subsection for that fiscal year.

...."

SECTION 8A.15.(b) Notwithstanding any other provision of law or of the Committee Report referenced in Section 45.2 of this act to the contrary, funds that were appropriated for the award of opportunity scholarship grants pursuant to Part 2A of Article 39 of Chapter 115C of the General Statutes for the 2025-2027 fiscal biennium are reduced as follows:

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- 1 (1) By the sum of three hundred eighty-six million twenty thousand dollars
2 (\$386,020,000) in recurring funds for each year of the 2025-2027 fiscal
3 biennium.
4 (2) By the sum of one hundred nine million two hundred thousand dollars
5 (\$109,200,000) in nonrecurring funds for the 2025-2026 fiscal year.
6 **SECTION 8A.15.(c)** This section applies beginning with the 2025-2026 school
7 year.";
8
9 and by adjusting the appropriate totals accordingly.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____