



# HOUSE BILL 159: Education Law Changes.

**This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.**

2021-2022 General Assembly

<b>Committee:</b>	Senate Finance. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	June 30, 2021
<b>Introduced by:</b>	Reps. Torbett, Blackwell	<b>Prepared by:</b>	Kara McCraw
<b>Analysis of:</b>	Sixth Edition		Staff Attorney

**OVERVIEW:** *The 6th edition of House Bill 159 would make the following education law changes:*

- *Authorization for local school administrative units to use payroll deduction plans to pay ten month employees in twelve month installments.*
- *Change the date for reporting on student meal debt.*
- *Require reporting by school nutrition programs on 3 years of data related to funds, balances, and costs associated with those programs.*
- *Establish the fee for charter applications and renewals as \$1000.*
- *Require the State Board of Education to use rulemaking to adopt standards for the standard course of study.*
- *Provide bonuses for teachers employed by the residential schools.*

**CURRENT LAW AND BILL ANALYSIS:**

**PART I: Flexibility to Receive Annual Salary in 12 Monthly Installments through a Payroll Deduction Plan**

**CURRENT LAW:** Teachers and school employees who are not employed in year-round schools may be paid in 12 monthly installments if they request so on or before the first day of the school year. Teachers employed for a period of less than 10 months cannot receive their salaries in 12 monthly installments.

**BILL ANALYSIS:** Local school administrative units (LEAs) would be required to fulfill requests by teachers and school employees to be paid in 12 monthly installments through a payroll deduction plan.

**PART II: Change Report Date for Student Meal Debt Report**

**CURRENT LAW and BILL ANALYSIS:** The State Board of Education (SBE) must report to the Joint Legislative Education Oversight Committee (JLEOC) on unpaid meal charges in LEAs by October 15, 2021. This Part would change the due date to October 15, 2023.

**PART III: School Nutrition Program Report**

**BILL ANALYSIS:** School nutrition programs would be required to report by September 15, 2021, to the Department of Public Instruction on information from the 2018-2019, 2019-2020, and 2020-2021 school years related to information about those programs, including funds, balances, and costs. The Department of Public Instruction would report this information to JLEOC by December 15, 2021.

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## **PART IV: Charter School Application Fee**

**CURRENT LAW and BILL ANALYSIS:** The SBE currently must establish reasonable fees between \$500 and \$1,000 for initial and renewal charter applications. This Part would establish a fee of \$1,000 to be charged for initial and renewal charter applications.

## **PART V: State Board of Education Required to Use Rulemaking to Adopt Standards for Standard Course of Study**

**CURRENT LAW:** Chapter 150B of the General Statutes is North Carolina's Administrative Procedure Act. Article 2A of Chapter 150B outlines the rulemaking process State agencies must follow.

G.S. 115C-81.5 requires the SBE to adopt a standard course of study, providing, among other things, "a set of competencies, by grade level, for each curriculum area." G.S. 115C-12(9c) goes into more detail about the process the SBE must follow to develop content standards, including surveying parents, teachers, and the public, and ensuring the standards meet certain criteria.

**BILL ANALYSIS:** This Part would expressly require the SBE to follow the rulemaking process in Chapter 150B of the General Statutes, including in the adoption of the standard course of study. Standards adopted prior to January 1, 2021, could be deemed permanent rules without following the standard rulemaking process, provided that the standards are submitted to the Codifier of Rules within 60 days of the effective date of the section. Standards that do not meet these criteria would need to follow the standard rulemaking process.

## **PART VI: Bonuses for Teachers and Instructional Personnel at Schools Governed under Article 9C**

**BILL ANALYSIS:** This Part would direct DPI to administer, within funds available, a bonus of \$350.00 to each individual who is employed as a teacher or instructional support personnel as of April 1, 2021, at a school governed under Article 9C of Chapter 115C of the General Statutes. These schools are: (i) the Governor Morehead School for the Blind; (ii) the Eastern North Carolina School for the Deaf; and (iii) the North Carolina School for the Deaf.

**EFFECTIVE DATE:** Except as provided in the bill, the bill becomes effective when it becomes law.

*\*This bill summary was substantially contributed to by Drupti Chauhan, Committee Counsel.*