



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

HOUSE BILL 878: Schools for the Deaf/Administration.

2021-2022 General Assembly

Committee:	House Education - K-12. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	May 11, 2021
Introduced by:	Reps. Blackwell, Cooper-Suggs, Rogers	Prepared by:	Kara McCraw
Analysis of:	PCS to First Edition H878-CSTC-36		Staff Attorney

OVERVIEW: HB 878 would create a board of trustees for each of the residential schools for the hearing impaired and provide for governance of those schools by those boards.

The PCS would make the following changes:

- Make technical changes to the statutory organization of the statutes.
- Clarify the staggering of terms of office to the boards of trustees for the residential schools for the hearing impaired.
- Clarify the powers and duties of the boards, including providing a direct admission process for parents.
- Exempt the boards of trustees from the rule-making process under the Administrative Procedures Act.

CURRENT LAW: Article 9C of Chapter 115C of the General Statutes establishes the State Board of Education (SBE) as the governing agency for the Governor Morehead School for the Blind, Eastern North Carolina School for the Deaf, and North Carolina School for the Deaf (Schools). The Superintendent of Public Instruction, through the Department of Public Instruction (DPI), is responsible for administration of the Schools, including staff appointments and oversight. The SBE adopts rules for governance of the Schools, including admissions criteria.

BILL ANALYSIS: HB 878 would establish a separate governance structure for the residential schools for students with hearing impairments – the Eastern North Carolina School for the Deaf and the North Carolina School for the Deaf (residential schools).

Sections 1 through 4

- Effective July 1, 2022, each residential school would have a board of trustees (board) responsible for appointing a director for the school to manage day-to-day operations. The 5 member board would consist of 2 members appointed by the General Assembly upon the recommendation of the Speaker of the House, 2 members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate, and 1 member appointed by the Governor, for 6 year staggered terms of office.
- Residential schools would be considered a local school administrative unit for the purposes of federal law and administration of State law.

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- The board would have the powers and duties of a local board of education, and would be required to establish rules for admissions and assignment to the residential school. The admissions process must include a means for parents to directly apply, as well as for public school units to recommend admissions. Public school units would be required to share current evaluation data and individualized education plans for students who apply. An admissions committee would determine acceptance to the schools.
- The board would be subject to rules adopted by the SBE, but would not be required to comply with the Administrative Procedures Act when adopting its own rules.
- HB 878 would reorganize the structure of the Article governing the Schools into 2 Parts (one for the school for the visually impaired and the other for the schools for the hearing impaired) and create similar language to current statutes related to tuition, room and board, and reporting of information from parents to the Schools into the new Part governing the residential schools. The bill would also make conforming changes.

Sections 5 and 6

- HB 878 would create a transition plan to allow DPI to continue administrative duties until the boards of trustees of the residential schools have successfully transitioned into the new administrative role. It would also require DPI to collaborate with residential school personnel in developing a transition plan for July 1, 2022. DPI would be required to report to the Joint Legislative Education Oversight Committee by December 15, 2021, on the transition plan and any legislative recommendations necessary for the transition.
- The remainder of the bill would create a staggered appointment process, and provide for the initial meeting of the boards.

EFFECTIVE DATE: Section 1 through 4 of the bill would become effective July 1, 2022. The remainder of the act would become effective when it becomes law.