



2021-2022 General Assembly

# SENATE BILL 105: 2021 Appropriations Act, Sec. 8.24: Kitty Hawk Public-Private Partnership Project for Digital Learning and Career Development in Response to the COVID-19 Pandemic

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<b>Committee:</b>		<b>Date:</b>	February 23, 2022
<b>Introduced by:</b>		<b>Prepared by:</b>	Brian Gwyn
<b>Analysis of:</b>	Sec. 8.24 of S.L. 2021-180		Staff Attorney

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**OVERVIEW:** Section 8.24 of S.L. 2021-180 establishes Project Kitty Hawk as a public-private partnership to support digital learning and career development programs offered by constituent institutions of The University of North Carolina (UNC).

**Governance Structure – Project Kitty Hawk must be conducted by a nonprofit corporation which must include in its corporate bylaws that the organization will be governed by a board of directors consisting of nine voting members, as follows:**

- *The President of The University of North Carolina*
- *The Chair of the Board of Governors of The University of North Carolina (BOG).*
- *Seven members appointed by the BOG, in consultation with the President of The University of North Carolina, as follows:*
  - *Three members who are chancellors or chief academic officers of constituent institutions of The University of North Carolina.*
  - *Four members who have experience in business management, higher education, or both.*

**Reporting – Beginning March 1, 2022, and annually thereafter:**

- *The nonprofit corporation board of directors must report to the General Assembly on its activities, corporate performance, and any other relevant matters pertaining to its corporate mission.*
- *The University of North Carolina System Office must report to the Joint Legislative Education Oversight Committee and various other entities regarding Project Kitty Hawk and the progress made toward reaching the State digital learning attainment goals. The report must include information on the development and implementation of online degree programs in collaboration with constituent institutions, including the following:*
  - *Participation by constituent institutions.*
  - *Student demographics for course enrollment.*
  - *Tuition receipts and fees for online courses.*
  - *Completion of student degree programs through digital courses by institution.*

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*Other Funding Provisions – Digital learning student credit hours provided with the support of Project Kitty Hawk will not be included in enrollment change funding requests. Monies received as tuition for digital learning programs provided with the support of Project Kitty Hawk are considered "trust funds" for the purposes of the regulation of institutional trust funds under G.S. 116-36.1.*

*This section became effective July 1, 2021.*