

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 1096

Short Title: UNC Omnibus Changes/UNC Funds. (Public)

Sponsors: Representatives Fraley, Clemmons, and Horn (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Appropriations, if favorable, Rules, Calendar, and Operations of the House

May 14, 2020

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES AND PROVIDE FOR FUNDS RELATED TO
3 THE UNIVERSITY OF NORTH CAROLINA SYSTEM.

4 The General Assembly of North Carolina enacts:

5
6 **PART I. NC PROMISE TUITION PLAN/FUTURE FUNDS**

7 **SECTION 1.** It is the intent of the General Assembly to appropriate from the General
8 Fund to the Board of Governors of The University of North Carolina the following additional
9 funds for the purpose of the "buy down" of any financial obligations incurred by Elizabeth City
10 State University, the University of North Carolina at Pembroke, and Western Carolina University
11 for the NC Promise Tuition Plan established pursuant to G.S. 116-143.11:

- 12 (1) For the 2021-2022 fiscal year, the sum of five million dollars (\$5,000,000) in
13 recurring funds.
14 (2) For the 2022-2023 fiscal year, the sum of four million dollars (\$4,000,000) in
15 recurring funds.
16 (3) For the 2023-2024 fiscal year, the sum of three million four hundred thousand
17 dollars (\$3,400,000) in recurring funds.
18 (4) For the 2024-2025 fiscal year, the sum of three million dollars (\$3,000,000)
19 in recurring funds.

20 For the 2024-2025 fiscal year and subsequent fiscal years, it is the intent of the
21 General Assembly that the net appropriation for the "buy down" of any financial obligations
22 incurred by Elizabeth City State University, the University of North Carolina at Pembroke, and
23 Western Carolina University for the NC Promise Tuition Plan established pursuant to
24 G.S. 116-143.11 shall not exceed the sum of eighty-one million four hundred thousand dollars
25 (\$81,400,000) in recurring funds.

26
27 **PART II. REPEAL BOG MANDATORY REVIEW OF CERTAIN UNC HUMAN**
28 **RESOURCES ACTIONS**

29 **SECTION 2.** G.S. 116-17.3 is repealed.

30
31 **PART III. UNC LABORATORY SCHOOL MODIFICATIONS/FUNDS**

32 **SECTION 3.(a)** G.S. 116-239.5(a) reads as rewritten:

33 "(a) The Board of Governors, upon recommendation by the President, shall designate ~~at~~
34 ~~least nine~~ constituent institutions to submit proposals to establish at least nine laboratory schools
35 in total to serve public school students in accordance with the provisions of this Article. The



1 Board of Governors shall select constituent institutions with high-quality educator preparation
2 programs as demonstrated by the annual performance measures reported by the constituent
3 institutions in accordance with G.S. 115C-296.35. The Board of Governors' Subcommittee on
4 Laboratory Schools established under G.S. 116-239.7 shall review the proposals and approve at
5 least nine of the proposals to establish laboratory schools. The Subcommittee may select a
6 constituent institution to operate more than one laboratory school. The Subcommittee shall
7 oversee the operations of those laboratory schools to meet the purposes set forth in this Article."

8 **SECTION 3.(b)** G.S. 116-239.5 is amended by adding a new subsection to read:

9 "(e) In addition to all other immunities provided to them by applicable State law, the
10 Subcommittee, chancellor, the constituent institution, an advisory board, and a laboratory school,
11 and their members, employees, and agents shall be entitled to the specific immunities provided
12 for in Chapter 115C of the General Statutes applying to the State Board of Education,
13 Superintendent of Public Instruction, a local board of education, a local school administrative
14 unit, and their members and employees. Any such immunity to liability established by this
15 subsection shall not extend to gross negligence, wanton conduct, or intentional wrongdoing that
16 would otherwise be actionable. Immunity established by this subsection shall be deemed to be
17 waived to the extent of indemnification under Article 31A and Article 31B of Chapter 143 of the
18 General Statutes and to the extent sovereign immunity is waived under the Tort Claims Act, as
19 set forth in Article 31 of Chapter 143 of the General Statutes."

20 **SECTION 3.(c)** G.S. 116-239.7 reads as rewritten:

21 "**§ 116-239.7. The Board of Governors' Subcommittee on Laboratory Schools; selection of**
22 **laboratory schools; creation of a laboratory school; dissolution.**

23 ...

24 (a1) Approval of Laboratory Schools. – The Board of Governors, upon the
25 recommendation of the President, shall designate ~~at least nine~~ constituent institutions to establish
26 and operate a total of at least nine laboratory schools. The chancellor of each constituent
27 institution shall adopt and submit to the Subcommittee a proposal to operate ~~a one or more~~
28 laboratory school-schools in a one or more local school administrative ~~unit-units~~ that ~~meets-meet~~
29 the minimum threshold for the number of low-performing schools located in ~~the a~~ unit under
30 G.S. 116-239.6(4). The proposal shall include the governance structure of the laboratory school.
31 The Subcommittee shall evaluate the proposals for approval or disapproval by considering the
32 design components and the strategic focus of the laboratory school and any other standards
33 developed by the Subcommittee to be applicable to all laboratory schools. The Subcommittee
34 shall also consider the location of each laboratory school so that, to the extent possible, there is
35 a geographically diverse distribution of the laboratory schools throughout the ~~State and a~~
36 ~~maximum of one laboratory school located in a qualifying local school administrative unit.~~ State.
37 From the proposals submitted to the Subcommittee, the Subcommittee shall approve the
38 establishment of at least nine laboratory schools.

39 (a2) Waiver for Certain Local School Administrative Units. – Notwithstanding subsection
40 (a1) of this section, a chancellor may submit a proposal to the Subcommittee to locate a
41 laboratory school in a local school administrative unit that does not meet the minimum threshold
42 for the number of low-performing schools located in the unit under G.S. 116-239.6(4) if the
43 proposal demonstrates that the laboratory school shall primarily serve students who did not meet
44 expected growth in the prior school year in accordance with G.S. 116-239.9(c1). The
45 Subcommittee may waive the requirement for the number of low-performing schools in a local
46 school administrative unit for the location of a laboratory school, for up to a total of ~~three-six~~
47 laboratory schools established under this Article, only if both of the following conditions are met
48 for the laboratory school:

49 (1) The proposal has been submitted jointly by the chancellor and the local school
50 administrative unit in which the laboratory school will be located.

1 (2) The Subcommittee determines that the proposed location would satisfy the
 2 purposes set forth in G.S. 116-239.5.
 3 (b) Resolution by the Subcommittee to Approve a Laboratory School. – The
 4 Subcommittee shall adopt a resolution upon the approval of each laboratory school, which shall
 5 include the following:

6 (1) Name of the laboratory school.

7 (2) The local school administrative unit in which the laboratory school shall be
 8 located.

9 (3) A term of operation for the laboratory school of five years from the date of
 10 initial operation. At the end of the initial five years of operation, the
 11 Subcommittee shall renew the term of operation for additional five-year
 12 periods under the resolution if the laboratory school is still located in a local
 13 school administrative unit that has twenty-five percent (25%) or more of the
 14 schools located in the unit identified as low-performing under
 15 G.S. 115C-105.37, or if the Subcommittee renews a waiver of this
 16 requirement under subsection (a2) of this section, ~~the resolution may be~~
 17 ~~renewed by the Subcommittee at the end of the term for an additional five~~
 18 ~~years.~~ section. If the laboratory school is no longer (i) located in a qualifying
 19 local school administrative unit or (ii) meeting the purposes of this Article
 20 under a waiver at the end of five years, the Subcommittee shall may renew the
 21 term of operation for additional five-year periods under the resolution if the
 22 Subcommittee finds the school is successfully meeting its mission to improve
 23 student performance and provide valuable exposure and training for teachers
 24 and principals in the constituent institution's educator preparation program.
 25 The Subcommittee may terminate operation of any laboratory school during
 26 the initial term of operation or during a five-year renewal period if the
 27 Subcommittee finds it is failing to meet expected progress toward meeting the
 28 mission of the school consistent with the requirements of this Article. The
 29 Subcommittee shall notify the Board of Governors of the end of the term of
 30 operation of a laboratory school and request designation of additional
 31 constituent institutions with educator preparation programs to establish a
 32 laboratory school in accordance with the provisions of this Article.

33"

34 **SECTION 3.(d)** G.S. 116-239.8(b)(4) reads as rewritten:

35 "(4) Food and transportation services. – The local school administrative unit in
 36 which the laboratory school is located shall provide ~~food services and~~
 37 ~~transportation to students attending who reside in the local school~~
 38 administrative unit and attend the laboratory school, including any
 39 students who are homeless and require assistance pursuant to 42 U.S.C. §
 40 11301, et seq., the McKinney-Vento Homeless Assistance Act. The
 41 requirement to provide transportation to students residing in the local school
 42 administrative unit shall (i) apply regardless of where a laboratory school
 43 student resides in the unit or how the unit's transportation policies and
 44 practices are applied to other students and (ii) include providing transportation
 45 of students and personnel for laboratory school extracurricular activities and
 46 educational trips in the same manner as other schools in the unit for that school
 47 year. The local school administrative unit in which the laboratory school is
 48 located shall ~~administer~~ administer, at its cost, the National School Lunch
 49 Program for the laboratory school in accordance with G.S. 115C-264. The
 50 chancellor shall arrange for the provision of these services from the local
 51 school administrative unit."

1 **SECTION 3.(e)** G.S. 116-239.9 reads as rewritten:

2 "**§ 116-239.9. Student admissions and assignment.**

3 (a) A child shall be eligible to attend a laboratory school if the child resides in the local
4 school administrative unit in which a laboratory school is located and meets at least one of the
5 following criteria:

6 (1) Is assigned to a low-performing school, as defined by G.S. 115C-105.37 at the
7 time of the student's application.

8 (2) Did not meet expected growth in the prior school year based on one or more
9 indicators listed in subsection (c1) of this section.

10 (3) Is the sibling of a child who is eligible under subdivision (1) or (2) of this
11 subsection.

12 (4) Is the child of a laboratory school employee.

13 (b) No local board of education shall require any student enrolled in the local school
14 administrative unit to attend a laboratory school.

15 (c) During each period of enrollment, the laboratory school shall enroll an eligible student
16 under subsection (a) of this section who submits a timely application, up to the capacity of a
17 program, class, grade level, or building, in the order in which applications are received. Once
18 enrolled, students are not required to reapply in subsequent enrollment periods. The laboratory
19 school may give enrollment priority to the sibling of an enrolled student who attended the
20 laboratory school in the prior school year.

21 (c1) For the purposes of this Article, any of the following shall serve as indicators that a
22 student did not meet expected student growth in the prior school year: (i) grades, (ii) observations,
23 (iii) diagnostic and formative assessments, (iv) State assessments, or (v) other factors, including
24 reading on grade level.

25 (c2) Notwithstanding the requirements of subsection (a) of this section, if a laboratory
26 school has not reached enrollment capacity in a program, class, grade level, or building by March
27 1, prior to the start of the next school year, the laboratory school may enroll children who reside
28 in the local school administrative unit in which the laboratory school is located but do not meet
29 one of the criteria set forth in subdivisions (1) through (4) of subsection (a) of this section for up
30 to twenty percent (20%) of the total capacity of the program, class, grade level, or building.

31 (d) Notwithstanding any law to the contrary, a laboratory school may refuse admission
32 to any student who has been expelled or suspended from a public school under G.S. 115C-390.5
33 through G.S. 115C-390.11 until the period of suspension or expulsion has expired.

34 (e) Within one year after a laboratory school begins operation, the laboratory school shall
35 make reasonable efforts in the recruitment process for the population of the school to reasonably
36 reflect the racial, ethnic, and socioeconomic composition of the general population of the students
37 residing within the local school administrative unit in which the school is located. A laboratory
38 school shall not unlawfully discriminate when making admissions determinations."

39 **SECTION 3.(f)** Section 11.6(d) of S.L. 2016-94, as amended by Section 4 of S.L.
40 2017-117, reads as rewritten:

41 "**SECTION 11.6.(d)** Notwithstanding G.S. 116-239.5, (i) at least ~~nine~~ six laboratory schools
42 shall be established pursuant to Article 29A of Chapter 116 of the General Statutes, as enacted
43 by this section, and in operation by the beginning of the ~~2019-2020-2020-2021~~ school year and
44 (ii) at least an additional three laboratory schools shall be established pursuant to Article 29A of
45 Chapter 116 of the General Statutes and in operation by the beginning of the 2022-2023 school
46 year."

47 **SECTION 3.(g)** There is appropriated from the General Fund to the Board of
48 Governors of The University of North Carolina the sum of five hundred thousand dollars
49 (\$500,000) in recurring funds for the 2020-2021 fiscal year for administrative and technical
50 assistance related to the UNC Teacher and Principal Preparation Laboratory School Program for

1 support services. These funds shall not be used to create new positions or to hire additional
2 consultants for The University of North Carolina System Office.

3 **SECTION 3.(h)** Subsection (g) of this section becomes effective July 1, 2020. The
4 remainder of this section is effective when the act becomes law. Subsection (b) of this section
5 applies to an action or omission of an action occurring on or after the date this act becomes law.
6 Subsections (d) and (e) of this section apply beginning with the 2020-2021 school year.
7

8 **PART IV. EXTEND REPORT DATE FOR UNC BOARD OF GOVERNORS PLANNING** 9 **TASK FORCE**

10 **SECTION 4.** Section 36.6 of S.L. 2018-5 reads as rewritten:

11 **"SECTION 36.6.(a)** There is created the UNC Board of Governors Planning Task Force.
12 The Task Force shall consist of four current Board members appointed by the Board of
13 Governors, one of whom shall be designated as chair. These appointments shall be made no later
14 than August 1, 2018.

15 **"SECTION 36.6.(b)** The Task Force shall conduct a systemwide analysis of the capital
16 needs of the campuses of each constituent institution in relation to the Science Technology
17 Engineering and Mathematics (STEM) subject area, taking into account the strengths,
18 weaknesses, opportunities, and needs of each constituent institution, and any regional similarities
19 and differences. The Task Force shall also consider the impact of any relevant programmatic
20 planning elements being currently utilized that could be implemented as a best-practice among
21 other similar programmatic areas to encourage systemwide efficiencies. In particular, the Task
22 Force shall consider the capital needs relating to the Brody School of Medicine at East Carolina
23 University, the UNC Applied Physical Sciences and Institute for Convergent Science in Chapel
24 Hill, and other STEM projects to determine areas where capital funds may be used more
25 efficiently and effectively. The Task Force shall use the information gathered pursuant to this
26 subsection to compile a UNC System Plan.

27 **"SECTION 36.6.(c)** The three million dollars (\$3,000,000) appropriated to the Board of
28 Governors of The University of North Carolina in Section 36.2 of this act shall be used by the
29 Task Force in conducting the analysis described in subsection (b) of this section. On or before
30 ~~April 1, 2019, July 30, 2020,~~ the Task Force shall submit a report containing the UNC System
31 Plan and any legislative recommendations to the Joint Legislative Capital Improvements
32 Oversight Committee and the Fiscal Research Division."
33

34 **PART V. FUNDS FOR UNC-ASHEVILLE WOODS RESIDENCE HALL**

35 **SECTION 5.(a)** Notwithstanding Section 36.6(c) of S.L. 2018-5, as amended by
36 Section 4 of this act, of the funds appropriated to the Board of Governors of The University of
37 North Carolina for the UNC Board of Governors Planning Task Force for the 2018-2019 fiscal
38 year under Section 36.2 of S.L. 2018-5 that are unexpended and unencumbered at the end of the
39 2018-2019 fiscal year, the sum of up to seven hundred seventy-nine thousand dollars (\$779,000)
40 shall not revert to the General Fund at the end of the fiscal year, but instead, shall be allocated
41 by the Board of Governors to the University of North Carolina at Asheville (UNC-Asheville) for
42 the 2020-2021 fiscal year to cover the expenses incurred by UNC-Asheville related to meeting
43 the building requirements imposed by the Department of Insurance upon UNC-Asheville to allow
44 students to occupy the university's newly constructed Woods Residence Hall for the beginning
45 of the 2018-2019 academic year.

46 **SECTION 5.(b)** This section becomes effective June 30, 2019.
47

48 **PART VI. MODIFY FUTURE TEACHERS OF NORTH CAROLINA**

49 **SECTION 6.(a)** G.S. 116-41.30(b) reads as rewritten:

50 "(b) Program. – FTNC shall be a ~~program providing professional development and~~
51 ~~curricula for courses that provide~~ selective, application-based symposium for high school juniors

1 and seniors, offering a challenging introduction to teaching as a profession for high school
2 students through courses offered by participating high schools in conjunction with college
3 partners. FTNC courses shall include both content on pedagogy and the profession
4 of teaching and field experiences for high school students. provide instruction on pedagogy, ethics
5 and professionalism, child development, successful teaching strategies and classroom
6 management practices, effective lesson planning, assessment and intervention, and requirements
7 of teacher licensure. The FTNC Symposium should provide practical benefits to participating
8 students, which may include interaction with current educators, administrators, and educator
9 preparation program faculty members; a simulated student teaching experience; and information
10 about financial aid and scholarship opportunities."

11 SECTION 6.(b) G.S. 116-41.31 reads as rewritten:

12 "§ 116-41.31. Oversight of Future Teachers of North Carolina.

13 (a) FTNC General Administration. System Office. – FTNC shall be administratively
14 located in The University of North Carolina System Office. The President shall select three
15 constituent institutions with highly successful schools of education located in the western,
16 central, and eastern regions of the State, respectively, to collaborate on development of curricula
17 for FTNC and to provide professional development to high school teachers who will teach FTNC
18 courses. The three constituent institutions shall also work with other constituent institutions and
19 other institutions of higher education in the State to seek input in the development of curricula
20 and professional development for FTNC and to create a network of college faculty to provide
21 support to high schools offering FTNC courses. establish a Future Teachers of North Carolina
22 Advisory Council (FTNC Council) to oversee the FTNC program. At the President's discretion,
23 the FTNC Council shall coordinate with constituent institutions to utilize expertise from
24 administrators, faculty, and staff members of institutions of higher education in designing the
25 agenda and instructional content for the FTNC Symposium. The FTNC Council shall ensure
26 diverse representation of the educator preparation programs represented at the FTNC
27 Symposium. The FTNC Council shall also be responsible for creating an application process for
28 interested high school students, reviewing submitted applications, selecting students to attend,
29 and recruitment and outreach efforts.

30 (b) FTNC Site Applications. — All high schools in the State are encouraged to offer FTNC
31 courses to students. A high school shall apply to offer FTNC courses with the geographically
32 appropriate constituent institution overseeing FTNC and shall ensure that all teachers teaching
33 FTNC courses have received appropriate training. High schools shall also seek a partner
34 institution of higher education to provide support from college faculty. High schools participating
35 in the FTNC program shall report demographic, survey, and other available outcome data to The
36 University of North Carolina System Office as necessary for completion of the FTNC annual
37 report required by G.S. 116-41.32.

38 (c) FTNC Institution of Higher Education Partners. — Constituent institutions that partner
39 with high schools shall offer dual credit for high school students who successfully complete the
40 FTNC course with a grade of "B" or higher. Other institutions of higher education that partner
41 with high schools are encouraged to offer dual credit for high school students who successfully
42 complete the FTNC course with a grade of "B" or higher. Constituent institutions shall provide
43 annually to The University of North Carolina System Office data on students who have received
44 dual credit for completion of an FTNC course and students who applied for admission into an
45 educator preparation program at a constituent institution who indicated in the application for
46 admission that the student completed an FTNC course. Other institutions of higher education are
47 encouraged to provide annually to The University of North Carolina System Office data on
48 students who have received dual credit for completion of an FTNC course and students who
49 applied for admission into an educator preparation program at the institution of higher education
50 who indicated in the application for admission that the student completed an FTNC course."

51 SECTION 6.(c) G.S. 116-41.32 reads as rewritten:

1 **"§ 116-41.32. Future Teachers of North Carolina reporting.**

2 The University of North Carolina System Office shall report annually, beginning October 15,
3 ~~2019, 2021~~, on the following:

- 4 (1) ~~Total number and names of local school administrative units with List of high~~
5 ~~schools and local school administrative units represented by participating in~~
6 ~~FTNC, total number and names of high schools offering FTNC, partner~~
7 ~~institution of higher education for each high school, and number of sections~~
8 ~~of the course being offered at each high school students.~~
9 (1a) Number of students who submitted an application to attend the FTNC
10 Symposium.
11 (1b) Number of students attending the FTNC Symposium, including distribution
12 by region.
13 (2) ~~Demographic information of students enrolled in FTNC courses attending the~~
14 ~~FTNC Symposium.~~
15 (2a) Description of the event agenda and content.
16 (3) ~~Percentage of students who, after completing the course, attending the FTNC~~
17 ~~Symposium, reported the following:~~
18 a. The student plans to choose teaching as a profession.
19 a1. The student plans to enroll in a community college, a constituent
20 institution, a private postsecondary institution located in North
21 Carolina, or a postsecondary institution located in another state.
22 b. ~~The course FTNC Symposium~~ was very or somewhat effective in
23 helping the student formulate a positive perception of the education
24 profession.
25 c. ~~The coursework and activities FTNC Symposium~~ increased the
26 student's knowledge of the teaching profession and other careers in
27 education.
28 d. ~~The field experience helped the student understand the many factors~~
29 ~~that contribute to effective teaching.~~
30 (4) ~~Percentage of students who completed an FTNC course who received dual~~
31 ~~credit for successful completion of the course, by institution.~~
32 (5) ~~Percentage of students who completed an FTNC course who applied for~~
33 ~~admission into an educator preparation program, by institution.~~
34 (6) Number of teachers provided professional development for FTNC."
35

36 **PART VII. UMSTEAD ACT EXEMPTION/NC A&T STATE UNIVERSITY**

37 **SECTION 7.** G.S. 66-58(c) reads as rewritten:

38 "(c) The provisions of subsection (a) shall not prohibit:

- 39 (1) The sale of products of experiment stations or test farms.
40 (1a) The sale of products raised or produced incident to the operation of a
41 community college or college viticulture/enology program as authorized by
42 G.S. 18B-1114.4 or the operation of a community college or college brewing,
43 distillation, or fermentation program as authorized by G.S. 18B-1114.6.
44 (1b) The sale by North Carolina State University at University-owned facilities of
45 dairy products, including ice cream, cheeses, milk-based beverages, and the
46 by-products of heavy cream, produced by the Dairy and Process Applications
47 Laboratory, so long as any profits are used to support the Department of Food
48 Science and College of Agriculture and Life Sciences at North Carolina State
49 University.
50 (1c) The sale by North Carolina Agricultural and Technical State University (NC
51 A&T State University) at University-owned facilities of dairy products,

1 including ice cream, cheeses, milk-based beverages, and the by-products of
2 heavy cream, produced by the University Farm at NC A&T State University,
3 so long as any profits are used to support the Agricultural Research Program
4 in the College of Agriculture and Environmental Sciences at NC A&T State
5 University.

6"
7

8 **PART VIII. NC SCHOOL OF SCIENCE AND MATHEMATICS TUITION GRANTS**

9 **SECTION 8.(a)** Article 23 of Chapter 116 of the General Statutes is amended by
10 adding a new Part to read:

11 "Part 6. Tuition Grant for Graduates of the North Carolina School of Science and Mathematics.

12 **"§ 116-209.90. Tuition grants for graduates to attend a constituent institution.**

13 (a) Program Established. – There is established the Tuition Grant for Graduates of the
14 North Carolina School of Science and Mathematics Program (Program). Within the funds made
15 available for the Program, a State resident who graduates from the North Carolina School of
16 Science and Mathematics (NCSSM) in each school year, beginning with the 2020-2021 school
17 year, and who enrolls as a full-time student in a constituent institution of The University of North
18 Carolina in the next academic year after graduation, shall be eligible for a tuition grant awarded
19 in accordance with this Part. Students who receive initial tuition grants as a cohort of a graduating
20 class of NCSSM shall also be eligible to apply for tuition grants for subsequent academic years
21 for up to a total of four academic years.

22 (b) Administration of Grants. – The Authority shall administer the tuition grants provided
23 for in this Part pursuant to guidelines and procedures established by the Authority consistent with
24 its practices for administering State-funded financial aid. The guidelines and procedures shall
25 include an application process and schedule, notification and disbursement procedures, standards
26 for reporting, and standards for return of tuition grants when a student withdraws. The Authority
27 shall not approve any grant until it receives proper certification from the appropriate constituent
28 institution that the student applying for the grant is an eligible student. Upon receipt of the
29 certification, the Authority shall remit, at the times it prescribes, the tuition grant to the
30 constituent institution on behalf, and to the credit, of the student. In the event a student on whose
31 behalf a tuition grant has been paid is not enrolled and carrying a minimum academic load as of
32 the tenth classroom day following the beginning of the school term for which the tuition grant
33 was paid, the constituent institution shall refund the full amount of the tuition grant to the
34 Authority.

35 (c) Award of Grants. – Except as provided in subsections (d) and (e) of this section, the
36 amount of the grant awarded to a student shall be the full tuition cost at the constituent institution
37 in which the student is enrolled. No tuition grant awarded to a student under this section shall
38 exceed the cost of attendance at the constituent institution for which the student is enrolled.

39 (d) Reduction of an Award Due to Other Aid. – If a student, who is eligible for a tuition
40 grant under this section, also receives a scholarship or other grant covering the cost of attendance
41 at the constituent institution for which the tuition grant is awarded, then the amount of the tuition
42 grant shall be reduced by an appropriate amount determined by the Authority so that the total
43 amount of scholarships and grants received by the student does not exceed the cost of attendance
44 for the institution. The cost of attendance shall be determined by the Authority for each
45 constituent institution.

46 (e) Pro Rata Amount. – In the event there are not sufficient funds available for the
47 Program to provide each eligible student with a full tuition grant as provided for by this Part,
48 each eligible student shall receive a pro rata share of funds available for that academic year.

49 (f) Continuous Enrollment. – A student shall be continuously enrolled in a constituent
50 institution after the award of the initial tuition grant to be eligible for tuition grants in subsequent
51 academic years. The Authority shall have the discretion to waive this requirement if the student

1 is able to demonstrate that any of the following have substantially disrupted or interrupted the
2 student's pursuit of a degree: (i) a military service obligation, (ii) serious medical debilitation,
3 (iii) a short-term or long-term disability, or (iv) other extraordinary hardship.

4 "**§ 116-209.91. North Carolina Tuition Grant Fund Reserve.**

5 The North Carolina Tuition Grant Fund Reserve is established as a reserve to be administered
6 by the Authority. All funds appropriated to or otherwise received by the Authority to provide
7 tuition grants under this Part, all returned tuition grant monies, and all interest earned on these
8 funds shall be placed in the Fund. The Fund shall be used for (i) tuition grants for the academic
9 year that begins in the fiscal year following the fiscal year in which the appropriation is made to
10 the Reserve and (ii) the administrative costs of the Authority, provided that no more than five
11 percent (5%) of the funds appropriated each fiscal year for tuition grants is expended for
12 administrative purposes."

13 **SECTION 8.(b)** There is appropriated from the General Fund to the Board of
14 Governors of The University of North Carolina the sum of three million three hundred
15 seventy-four thousand eight hundred fifty dollars (\$3,374,850) for the 2020-2021 fiscal year for
16 the North Carolina Tuition Grant Fund Reserve established pursuant to G.S. 116-209.91, as
17 enacted by this section, to be used to award tuition grants to graduates of the North Carolina
18 School of Science and Mathematics in accordance with Part 6 of Article 23 of Chapter 116 of the
19 General Statutes. It is the intent of the General Assembly to appropriate from the General Fund
20 to the Board of Governors of The University of North Carolina the sum of four million four
21 hundred ninety-nine thousand eight hundred dollars (\$4,499,800) in recurring funds for the
22 2021-2022 fiscal year for the North Carolina Tuition Grant Fund Reserve to be used to award
23 tuition grants to graduates of the North Carolina School of Science and Mathematics.

24 **SECTION 8.(c)** Notwithstanding G.S. 116-209.90, as enacted by this act, there is
25 appropriated from the General Fund to the Board of Governors of The University of North
26 Carolina the sum of two million dollars (\$2,000,000) in nonrecurring funds for the 2020-2021
27 fiscal year for the purpose of providing tuition grants for the 2020-2021 academic year to be
28 awarded and administered by the Authority in accordance with the provisions of G.S. 116-209.90
29 to students (i) graduating from the North Carolina School of Science and Mathematics at the end
30 of the 2019-2020 school year and (ii) who graduated from the North Carolina School of Science
31 and Mathematics at the end of the 2018-2019 school year and were awarded a tuition grant for
32 the 2019-2020 academic year in accordance with Section 10A.5 of S.L. 2018-5. Students who
33 receive grants in accordance with this section for the 2020-2021 academic year shall be eligible
34 to be awarded tuition grants under G.S. 116-209.90 for subsequent academic years beginning
35 with the 2021-2022 academic year.

36 **SECTION 8.(d)** This section becomes effective July 1, 2020.
37

38 **PART IX. MODIFY NC TEACHING FELLOWS PROGRAM**

39 **SECTION 9.(a)** G.S. 116-209.62, as amended by subsections (b) and (c) of this
40 section, reads as rewritten:

41 "**§ 116-209.62. North Carolina Teaching Fellows Program established; administration.**

42 ...

43 (f) Program Selection Criteria. – The Authority shall administer the Program in
44 cooperation with ~~five~~ up to eight institutions of higher education with approved educator
45 preparation programs selected by the Commission that represent a diverse selection of both
46 postsecondary constituent institutions of The University of North Carolina and private
47 postsecondary institutions operating in the State. The Commission shall adopt stringent standards
48 for selection of the most effective educator preparation programs, including the following:

- 49 (1) Demonstrates high rates of educator effectiveness on value-added models and
50 teacher evaluations, including using performance-based, subject-specific

- 1 assessment and support systems, such as edTPA or other metrics of evaluating
 2 candidate effectiveness that have predictive validity.
- 3 (2) Demonstrates measurable impact of prior graduates on student learning,
 4 including impact of graduates teaching in STEM or special education
 5 licensure areas.
- 6 (3) Demonstrates high rates of graduates passing exams required for teacher
 7 licensure.
- 8 (4) Provides curricular and co-curricular enhancements in leadership, facilitates
 9 learning for diverse learners, and promotes community engagement,
 10 classroom management, and reflection and assessment.
- 11 (5) Requires at least a minor concentration of study in the subject area that the
 12 candidate may teach.
- 13 (6) Provides early and frequent internship or practical experiences, including the
 14 opportunity for participants to perform practicums in diverse school
 15 environments.
- 16 (7) Is approved by the State Board of Education as an educator preparation
 17 program.

18 (g) Awards of Forgivable Loans. – The Program shall provide forgivable loans to selected
 19 students to be used at ~~the five~~ up to eight selected institutions for completion of a program leading
 20 to initial teacher licensure as follows:

21"

22 **SECTION 9.(b)** G.S. 116-209.62(c)(3) reads as rewritten:

23 "(3) The Authority shall provide the Commission with up to six hundred thousand
 24 dollars (\$600,000) from the Trust Fund in each fiscal year for the Commission
 25 to provide mentoring and coaching support to forgivable loan recipients
 26 through the North Carolina New Teacher Support Program ~~as follows:~~

- 27 a. ~~Up in an amount of up to two thousand two hundred dollars (\$2,000)~~
 28 ~~(\$2,200) for each Program recipient-recipient. Funds shall be~~
 29 ~~prioritized for teachers serving as a teacher in a North Carolina public~~
 30 ~~school-schools identified as low-performing under G.S. 115C-105.37.~~
- 31 b. ~~Up to one thousand dollars (\$1,000) for each Program recipient~~
 32 ~~serving as a teacher in a North Carolina public school not identified as~~
 33 ~~low performing under G.S. 115C-105.37."~~

34 **SECTION 9.(c)** G.S. 116-209.62(g)(4) reads as rewritten:

35 "(4) Students matriculating at institutions of higher education who are changing to
 36 ~~enrollment in an approved program of study at~~ a selected educator preparation
 37 program. – Forgivable loans of up to four thousand one hundred twenty-five
 38 dollars (\$4,125) per semester for up to four semesters."

39 **SECTION 9.(d)** Subsection (a) of this section applies to the award of forgivable
 40 loans beginning with the 2021-2022 academic year. Subsection (b) of this section becomes
 41 effective July 1, 2020.

42

43 **PART X. COLLEGE ADVISING CORPS/COLLEGE ADVISERS IN THE PUBLIC**

44 **SCHOOLS**

45 **SECTION 10.(a)** Purpose of the College Advising Corps Program. – The Board of
 46 Governors shall provide a directed grant to the National College Advising Corps, Inc., (CAC) to
 47 support an expansion of the placement of college advisers in North Carolina public schools
 48 through their program over a three-year period. CAC is a college access nonprofit organization
 49 with the mission to increase the number of underrepresented, low-income, or first-generation
 50 postsecondary degree or certificate students entering and completing their postsecondary
 51 education at community colleges and universities. In furthering this mission, CAC operates an

1 innovative model of partnering with schools, communities, families, and postsecondary
2 institutions, including providing for a two-year service opportunity to recent college graduates
3 as near-peer college advisers working full-time in the public schools, with an emphasis on
4 engaging college advisers who have similar backgrounds to the students the program seeks to
5 serve. Near-peer college advisers perform various services for those students that are key
6 components to the proven success of the program, including (i) attending postsecondary campus
7 visits, fairs, and workshops with students, (ii) assisting with registering for college entrance
8 exams, (iii) assisting with Free Application for Federal Student Aid (FAFSA) registrations and
9 completions, (iv) identifying available scholarships, (v) assisting with postsecondary
10 applications, and (vi) engaging with parents.

11 **SECTION 10.(b)** Due to the effectiveness of the innovative model operated by CAC
12 and the potential for significantly impacting the highest-need students as described in subsection
13 (a) of this section, there is appropriated from the General Fund to the Board of Governors of The
14 University of North Carolina the sum of one million eight hundred eighty-one thousand eight
15 hundred sixty-one dollars (\$1,881,861) in recurring funds for the 2020-2021 fiscal year to be
16 provided to CAC for the purpose of expanding the placement of college advisers in accordance
17 with the requirements of this act.

18 **SECTION 10.(c)** Funds for the Second and Third Year of the Program. – It is the
19 intent of the General Assembly to appropriate from the General Fund to the Board of Governors
20 of The University of North Carolina the following funds to be provided to CAC for the purpose
21 of expanding the placement of college advisers to all 100 counties of the State by the third year
22 of the expansion of the CAC program:

- 23 (1) For the 2021-2022 fiscal year, an additional sum of six hundred eighteen
24 thousand one hundred thirty-nine dollars (\$618,139) in recurring funds for a
25 net appropriation of two million five hundred thousand dollars (\$2,500,000)
26 in recurring funds.
- 27 (2) For the 2022-2023 fiscal year, an additional sum of three hundred thirty-three
28 thousand three hundred thirty-three dollars (\$333,333) in recurring funds for
29 a net appropriation of two million eight hundred thirty-three thousand three
30 hundred thirty-three dollars (\$2,833,333) in recurring funds.

31 **SECTION 10.(d)** Matching Funds. – Funds made available to CAC pursuant to this
32 section shall be matched by CAC on the basis of two dollars (\$2.00) in non-State funds for every
33 one dollar (\$1.00) in State funds. Availability of these matching funds shall not revert but shall
34 continue to be available for the purposes set forth in this section.

35 **SECTION 10.(e)** Use of Funds. – CAC shall focus the first two years of the
36 expansion of its program using the funds provided to it under this section by placing college
37 advisers in counties designated as tier one and tier two. For the third year of the expansion, CAC
38 shall use the funds provided to it to place college advisers in the remaining counties designated
39 as tier three in order to achieve placement of college advisers in all 100 counties of the State. In
40 addition, CAC shall select at least three additional postsecondary institutions to partner with in
41 order to increase the number of recent graduates working as near-peer college advisers to meet
42 the needs of the program expansion. Once CAC has reached the goal of placement of college
43 advisers in 100 counties, the funds provided to it for the program shall be used to continue the
44 mission of the program to increase access for North Carolina public school students to
45 postsecondary degree or certificate attainment at community colleges and universities.

46 **SECTION 10.(f)** Reporting Requirements. – CAC shall submit a report by June 1 of
47 each year in which CAC spends State funds made available to it pursuant to this section to the
48 Joint Legislative Education Oversight Committee and the Fiscal Research Division on the
49 progress of expanding the placement of college advisers, data on the effectiveness of the program
50 in increasing access for students to postsecondary education, and the use of State funds.

51

PART XI. CERTAIN UNC CAPITAL PROJECTS

SECTION 11. G.S. 143C-8-13 reads as rewritten:

"§ 143C-8-13. Repairs and Renovations.

(a) Use of Funds. – ~~Funds~~ Except as otherwise provided for in this section, funds for repairs and renovations shall be available for expenditure only upon an act of appropriation by the General Assembly. Funds appropriated for repairs and renovations shall be used only for State facilities and related infrastructure that are supported from the General Fund or the State Capital and Infrastructure Fund and for Department of Information Technology facilities and related infrastructure. Funds appropriated for repairs and renovations projects shall not be used for new construction or the expansion of the building area (sq. ft.) of an existing facility unless required in order to comply with federal or State codes or standards. Allowable projects include any of the following:

...

(c) Notwithstanding any provision of G.S. 143C-8-7 to the contrary, the chancellor of a constituent institution of The University of North Carolina may pay for projects for repairs and renovations with funds available to the constituent institution according to the following:

(1) The project meets all of the following requirements:

- a. The total project costs do not exceed one million dollars (\$1,000,000).
- b. The project is one of the types set forth in subdivisions (1) through (13) of subsection (a) of this section, regardless of whether the relevant facilities and related infrastructure are supported from the General Fund or the State Capital and Infrastructure Fund.

(2) The constituent institution reports on projects undertaken pursuant to this subsection to the Board of Governors of The University of North Carolina and the Fiscal Research Division on a quarterly basis. The report shall include all of the following information for each project:

- a. The facility at which the project is being undertaken.
- b. The nature and scope of the project.
- c. The source of funds for the project.
- d. The category of projects set forth in subsection (a) of this section that the project falls within.

(3) Any funds from a General Fund appropriation that are contractually obligated for a project pursuant to this subsection shall not revert at the end of the fiscal year but shall remain available to fund the completion of the project.

(d) In making campus allocations of funds allocated to the Board of Governors of The University of North Carolina for the purposes described in subsection (a) of this section, the Board of Governors shall negatively weight the availability of non-State resources and carryforward funds available for repair and renovations and shall include information about the manner in which this subsection was complied with in any report submitted pursuant to this section."

PART XII. EXEMPT UNC-OPERATED ELEMENTARY AND SECONDARY SCHOOLS FROM PUBLIC SCHOOL UNIT DEFINITION

SECTION 12. G.S. 115C-5(7a) reads as rewritten:

"(7a) Public school unit. – Any of the following:

- a. A local school administrative unit.
- b. A charter school.
- c. A regional school.
- d. A school providing elementary or secondary instruction operated by one of the following:

- 1. The State Board of Education, including schools operated under Article 7A and Article 9C of this Chapter.
- 2. ~~The University of North Carolina, including schools operated under Articles 4, 29, and 29A of Chapter 116 of the General Statutes."~~

PART XIII. LEO/PUBLIC SAFETY OFFICER EXEMPTION

SECTION 13. G.S. 126-5 is amended by adding a new subdivision to read:

"(c16) Except as to the Articles of 6, 7, and 8 of this Chapter, the provisions of this Chapter shall not apply to commissioned police officer and police telecommunicator positions of the University of North Carolina. Employees in positions covered by this exception shall be eligible for all employment and retirement benefits provided to State law enforcement officers subject to this Chapter."

PART XIV. REMOVE DEBT SERVICE FEES FROM THE STUDENT FEE CAP DETERMINATION

SECTION 14. G.S. 116-143.10 reads as rewritten:

"§ 116-143.10. Cap on student fees.

Notwithstanding G.S. 116-143 and G.S. 116-11(7), the Board of Governors of The University of North Carolina and the Board of Trustees at each constituent institution may increase the cumulative total of all undergraduate student fees approved by either the Board of Governors or the Board of Trustees by no more than three percent (3%) per academic year. Debt service fees shall not be included in determining the cumulative total of all undergraduate student fees for the purposes of this section."

PART XV. MILLENNIAL CAMPUS DESIGNATION FOR UNC-AFFILIATED INSTITUTIONS

SECTION 15.(a) G.S. 116-198.33 reads as rewritten:

"§ 116-198.33. Definitions.

As used in this Article, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

...
(3) The word "Institution" shall mean North Carolina State University at Raleigh and the University of North Carolina at Chapel Hill, or a constituent institution or affiliated institution of The University of North Carolina with a Millennial Campus as defined by G.S. 116-198.33(4b).

...
(4b) The term "Millennial Campus" means all real property and appurtenant facilities designated by the Board of Governors as part of a Millennial Campus of a constituent institution or affiliated institution of The University of North Carolina other than North Carolina State University or the University of North Carolina at Chapel Hill. The properties designated by the Board of Governors do not have to be contiguous with the constituent institution or an affiliated institution to be designated as part of the institution's Millennial Campus.

...."
SECTION 15.(b) G.S. 116-198.34(8b) reads as rewritten:

"(8b) Acting on recommendation made by the President of The University of North Carolina after consultation by the President with the Chancellor and the Board of Trustees of a constituent institution, or by the President with the chief executive officer or equivalent executive position for an affiliated institution, to designate real property held by, or to be acquired by, a constituent

1 institution or an affiliated institution as a "Millennial Campus" of the
2 institution. That designation shall be based on an express finding by the Board
3 of Governors that the institution desiring to create a "Millennial Campus" has
4 the administrative and fiscal capability to create and maintain such a campus
5 and provided further, that the Board of Governors has found that the creation
6 of the constituent institution's or affiliated institution's "Millennial Campus"
7 will enhance the institution's research, teaching, and service missions as well
8 as enhance the economic development of the region served by the institution.
9 Upon formal request by the ~~constituent~~-institutions, the Board of Governors
10 may authorize two or more ~~constituent~~-institutions which meet the
11 requirements of this section to create a joint Millennial Campus."
12

13 **PART XVI. NC ARBORETUM SPECIALTY PLATE**

14 **SECTION 16.(a)** G.S. 20-63(b1) is amended by adding a new subdivision to read:

15 "Q The North Carolina Arboretum."

16 **SECTION 16.(b)** The Revisor of Statutes is authorized to alphabetize, number, and
17 renumber the special registration plates listed in G.S. 20-63(b1) to ensure that all the special
18 registration plates are listed in alphabetical order and numbered accordingly.

19 **SECTION 16.(c)** The plate authorized by this section is not subject to the
20 requirements to establish a new special registration plate in G.S. 20-79.3A.
21

22 **PART XVII. APPLICABILITY OF HOUSE BILL 966, 2019 REGULAR SESSION**

23 **SECTION 17.(a)** If House Bill 966, 2019 Regular Session, becomes law,
24 subsections (a) and (b) of Section 39.8 and Sections 8.2A, 8.3, 8.4, 8.5, 8.6, 8.10, 8.12, 8.14,
25 8A.2, and 8A.6 of that act are repealed.

26 **SECTION 17.(b)** If House Bill 966, 2019 Regular Session, becomes law, and any
27 provision of that act or a provision of the Committee Report described in Section 42.2 of that act
28 conflicts with this act, this act shall control.
29

30 **PART XVIII. EFFECTIVE DATE**

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