



*PUBLIC EDUCATION: NORTH CAROLINA'S BEST INVESTMENT*

# 2023 Legislative Session Summary

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# 2023 Legislative Session Summary

## Table of Contents

### FY 2023-2025 Budget

<b>Money Report .....</b>	<b>4</b>
<b>Special Provisions.....</b>	<b>22</b>

### 2023 Statewide Public Bill Summaries

#### House

HB 2	2022 Budget Technical Corrections.....	53
HB 8	Various Statutory Changes.....	53
HB 11	Schools for the Deaf and Blind.....	54
HB 76	Access to Healthcare Options.....	54
HB 103	GSC Technical Corrections 2023.....	54
HB 142	Protect Our Students Act/Buncombe County Board of Education.....	55
HB 166	American Indians Graduating with Honors Act .....	56
HB 190	Dept. of Health and Human Services Revisions – AB.....	56
HB 201	Retirement Admin. Changes Act of 2023.....	56
HB 203	DST Technical Corrections.....	57
HB 219	Charter School Omnibus .....	57
HB 432	Principal Licensure Changes .....	58
HB 574	Fairness in Women’s Sports Act .....	59
HB 605	School Threat Assessment Teams.....	59
HB 618	Charter School Review Board.....	60
HB 750	Address ESG Factors.....	61

#### Senate

SB 20	Care for Women, Children, and Families Act .....	61
SB 41	Guarantee 2 <sup>nd</sup> Amend Freedom and Protections.....	61
SB 49	Parents’ Bill of Rights .....	62
SB 195	UNC Omnibus.....	64
SB 452	DOI & Ins Law Amd/Revise HS Athletics .....	64
SB 582	North Carolina Farm Act of 2023.....	65
SB 729	CBBC Working Group Changes.....	65

### 2023 Local Bill Summaries

#### House

HB 27	Elect Thomasville City Bd. Of Ed.....	66
HB 30	Reduce Length of Granville Bd. of Ed. Terms.....	67
HB 66	Board of Education Elections .....	67
HB 88	Omnibus Local Elections.....	68
HB 174	W-S/Forsyth Bd of Ed./Rural Hall Even-Year .....	68
HB 308	Alexander Co. Bd. of Ed. Referendum .....	69

HB 452	Franklin Co. Bd. of Ed. Election Method.....	70
<b>Senate</b>		
SB 9	Local Omnibus Changes .....	70
SB 17	Stanly Bd. of Comm/Bd. of Educ.....	71
SB 248	Nash Bd. of Educ/No. of Members/Districts.....	72
SB 286	Make Pamlico Bd. of Ed. Elect. Partisan.....	73

# **SUMMARY OF FY 2023-2025 APPROPRIATIONS**

## **HB 259 (S.L. 2023-134)**

### **MONEY REPORT**

<b>K-12 PUBLIC EDUCATION</b>	<b>FY 2023-24</b>		<b>FY 2024-25</b>	
Base Budget	\$11,153,715,156		\$11,153,715,156	
<b>Reserve for Salaries &amp; Benefits</b>				
<i>Teachers &amp; Instructional Support</i> Provides funding to implement a new teacher salary schedule for FY 2023-24 and an intended teacher salary schedule for FY 2024-25. The average raise with steps included is 7% over the biennium with increases ranging from 3.6% to 14.7%	\$176,355,943	R	\$304,066,604	R
<i>Assistant Principals</i> Provides funding to pay annual salary increases for Assistant Principals based on the teacher salary schedule plus 19%.	\$4,156,018	R	\$7,245,921	R
<i>Central Office Administration</i> Provides funding for an across-the-board salary increase for Central Office personnel equal to 4% in FY 2023-24 for most employees, or a 5.5% salary increase if the employee is paid on an experience-based salary schedule. There is an additional across-the-board salary increase of 3% in FY 2024-25.	\$5,528,941	R	\$9,675,647	R
<i>Principals</i> Provides funding for an across-the-board salary increase for Principals equal to 4% in FY 2023-24 for most employees, or a 5.5% salary increase if the employee is paid on an experience-based salary schedule, and an additional across-the-board salary increase of 3% in FY 2024-25.	\$11,379,301	R	\$19,913,777	R

<i>Noncertified Personnel</i> Provides funding for an across-the-board salary increase for noncertified personnel equal to 4% in FY 2023-24 for most employees, or a 5.5% salary increase if the employee is paid on an experience-based salary schedule, and an additional across-the-board salary increase of 3% in FY 2024-25.	\$64,183,128	R	\$112,320,473	R
<i>Bus Drivers</i> Provides funding for an average 2% salary increase for bus drivers in FY 2023-24 on top of the across-the-board raises.	\$4,716,932	R	\$4,716,932	R
<i>Teacher Supplement Assistance Allotment</i> Provides additional funding for the Teacher Supplement Assistance Allotment. The revised net appropriation for the program is \$200 million.	\$30,000,000	R	\$30,000,000	R
<i>State Superintendent Salary Adjustment</i> Provides funding to increase the State Superintendent of Public Instruction's salary from \$146,421 in FY 2022-23 to \$157,403 in FY 2023-24 (7.5% increase) and increase the salary to \$168,384 in FY 2024-25 (7% increase).	\$14,512	R	\$29,024	R
<i>State Retirement Contribution – District Personnel</i> Increases the State's contribution for school district personnel enrolled in the Teachers' and State Employees' Retirement System (TSERS) supported by the General Fund to fund the actuarially determined contribution and retiree medical premiums, and to provide one-time cost-of-living supplements to retirees of 4% in FY 2023-24 using receipts from the Retiree Supplement Reserve.	\$61,299,244 \$83,490,040 (83,490,040) \$61,299,244	R NR Receipts	\$76,624,055  \$76,624,055	R
<i>State Health Plan – School District Personnel</i> Provides additional funding to continue health benefit coverage for enrolled active school district personnel supported by the General Fund for the 2023-25 fiscal biennium.	\$ 24,435,457	R	\$ 106,606,961	R
<b>Technical Adjustments</b>				
<i>Average Salary Adjustment</i> Adjusts funding to reflect changes in the average salary of various public school positions based on actual salary data from December 2022. This adjustment does not reduce any salary paid to personnel, nor does it reduce the number of guaranteed State-funded positions.	(\$12,673,772)	R	(\$12,673,772)	R

<i>Non-Avg Daily Membership Adjustments</i> Adjusts the budgeted amounts for certain funds based on changes in costs not directly tied to ADM, such as changes in annual leave payout, worker's compensation, and student transportation.	(\$4,871,031)	R	(\$4,871,031)	R
<i>Special Population Headcount Adjustment</i> Adjusts funding budgeted for the Exceptional Children (EC) preschool and school-age allotments, as well as the Limited English Proficient (LEP) allotment, to reflect actual student headcount.	\$20,146,164	R	\$20,146,164	R
<i>Avg Daily Membership Adjustment</i> Provides funding for an allotted Average Daily Membership (ADM) of 1,549,792 students in FY 2023-24. This revision includes adjustments to multiple position, dollar, and categorical allotments. (The allotted ADM in FY 2022-23 was 1,548,485.)	\$ 20,120,864	R	\$ 20,120,864	R
<i>Low-Wealth &amp; At-Risk Technical Adjustments</i> Adjusts funding for the Low-Wealth Counties Supplemental Funding and At-Risk Student Services allotments resulting from changes in local factors like per-capita income and number of students living in poverty. The formulas for these allotments are unchanged from the prior year.	\$16,772,835	R	\$16,772,835	R
<b>State Public School Fund (SPSF)</b>				
<i>State Public School Fund (SPSF)</i> Modifies the budget to reflect additional <u>receipts</u> from the <u>Civil Penalty and Forfeiture Fund</u> to the SPSF and reduces the net General Fund appropriation by the same amount. Total requirements for the SPSF are not affected by this adjustment.	(\$19,000,000) (\$60,000,000) (\$79,000,000)	R NR	(\$19,000,000) (\$19,000,000)	R
<i>State Public School Fund</i> Modifies the budget to reflect additional <u>receipts</u> from the transfer of <u>Sales and Use Tax proceeds</u> from the Department of Revenue to the State Public School Fund (SPSF) as the transfer was established in S.L. 2005-276 and reduces the net General Fund appropriation by the same amount. Total requirements for the SPSF are not affected by this adjustment.	(\$20,000,000)	R	(\$20,000,000)	R

<i>Instructional Support School Health Personnel</i> Reduces the funding for the Instructional Support Allotment to reflect the transfer of 3,241 school nurse, school counselor, and school social worker positions to the School Psychologist Allotment, which will be redesignated as the School Health Personnel Allotment. The revised total requirements for this allotment, including technical adjustments, are \$265.9 million in each year of the biennium.	(\$295,830,060)	R	(\$295,830,060)	R
<i>School Health Personnel Allotment</i> Reflects the transfer of 3,241 school nurse, school counselor, and school social worker positions from the Instructional Support Allotment to the School Psychologist Allotment, which will be redesignated as the School Health Personnel Allotment. This item also provides funding to hire an additional 120 positions including a budgeted transfer of receipts from the ARPA Temporary Savings Fund in FY 2023-24. The revised total requirements for this allotment, including technical adjustments, are \$347.4 million in each year of the biennium.	<div> <div>\$295,830,060</div> <div>\$10,000,000</div> <div>(\$10,000,000)</div> <div>\$295,830,060</div> </div>	<div>R</div> <div>NR</div> <div>Receipts</div>	<div>\$305,830,060</div> <div>\$305,830,060</div>	R
<i>School Safety Grants</i> Provides continued funding for the school safety grants program to support students in crisis, school safety training, and the purchase of safety equipment. An additional <u>\$10 million is provided in FY 2023-24 from a transfer of projected interest earned from the State Fiscal Recovery Reserve.</u>	<div>\$35,000,000</div> <div>(\$10,000,000)</div> <div>\$25,000,000</div>	<div>NR</div> <div>Receipts</div>	<div>\$35,000,000</div> <div>\$35,000,000</div>	NR
<i>Salary Supplements for Advanced Teaching Roles</i> Provides funds for salary supplements for teachers serving in advanced roles in districts participating in the Advanced Teaching Roles program under G.S. 115C-311.	\$ 10,900,000	R	\$ 10,900,000	R
<i>Classroom Supplies</i> Budgets receipts transferred from the Indian Gaming Education Fund to increase the Classroom Materials/Instructional Supplies/Equipment Allotment. The revised total requirements for this allotment, including ADM adjustments, are \$58.5 million in FY 2023-24 and \$48.5 million in FY 2024-25.	<div>\$1,000,000</div> <div>\$10,000,000</div> <div>(from the Indian Gaming Education Fund)</div>	<div>R</div> <div>NR</div>	<div>\$1,000,000</div> <div>(from the Indian Gaming Education Fund)</div>	R

<i>Small County</i> Provides additional funds to increase all tiers of the Small County supplemental funding allotment. The total requirements of this allotment, including technical adjustments, are \$59.4 million in each year of the biennium.	\$ 4,749,449	R	\$ 4,749,449	R
<i>Reduced-Price Meal Copays</i> Provides funds to offset the copays for students eligible for reduced-price lunches and breakfasts in schools participating in the National School Lunch Program and the School Breakfast Program.	\$3,000,000 \$3,000,000 <hr/> \$6,000,000	R NR	\$3,000,000 <hr/> \$3,000,000	R
<i>Economically Disadvantaged School Support Funds</i> Provides funds for DPI to allot additional flexible funds to schools with a student population made up of more than 80% economically disadvantaged students that exceed growth on school-wide Education Value-Added Assessment System (EVAAS) measures.	\$4,000,000	R	\$4,000,000	R
<i>Digital Learning Plan</i> Increases funding for the digital learning plan as described in S.L. 2017-57, Sec. 7.23K. The revised net appropriation for this purpose is \$6.2 million in each year of the biennium.	\$2,188,957	R	\$2,188,957	R
<i>Advanced Teaching Roles</i> Provides additional funding to expand the Advanced Teaching Roles Program as established in G.S. 115C-311. The revised net appropriation for this program is \$5.5 million in each year of the biennium.	\$2,000,000	R	\$2,000,000	R
<i>CTE Modernization &amp; Expansion</i> Provides funds for a grant program to allow schools to purchase a digital Career and Technical Education (CTE) learning platform.	\$2,000,000	NR	\$2,000,000	NR
<i>Driver Training</i> Budgets additional <u>receipts from the Civil Penalty and Forfeiture Fund</u> for driver training. The total receipts budgeted for this purpose are \$31.5 million in FY 2023-24.	\$1,300,000 (\$1,300,000) <hr/> 0	R Receipts	\$1,300,000 (\$1,300,000) <hr/> 0	



<p><i>Uniform Education Reporting System</i> Increases funding for the Uniform Education Reporting System (UERS), which supports multiple software platforms provided to public school units, including a student information system. The revised net annual appropriation for UERS is \$11.5 million.</p>	\$ 1,211,623	R	\$1,211,623	R
<p><i>Teacher Apprentice Grant Program</i> Provides funds to create a Teacher Apprentice Grant Program for eligible teacher apprentices to receive funds to cover tuition for educator preparation programs and salary supplements if they become teachers.</p>	\$1,000,000	R	\$1,000,000	R
<p><i>Health Career Promotion</i> Budgets receipts transferred from the ARPA Temporary Savings Fund to DPI to create a competitive grant program for public school units to promote health careers to high school students and their families.</p>	\$1,000,000 (from the ARPA Temporary Savings Fund)	NR	\$1,000,000 (from the ARPA Temporary Savings Fund)	NR
<p><i>STEM Grants</i> Provides funds to DPI to create a competitive grant program for public school units to engage in experiential science, technology, engineering, and math (STEM) programs.</p>	\$1,000,000	NR		
<p><i>Natl Board for Professional Teaching Standards</i> Provides funds to cover fees for teachers pursuing National Board for Professional Teaching Standards (NBPTS) certification. These funds are in addition to \$1.0 million existing in federal Elementary and Secondary Schools Emergency Relief Fund (ESSERF) receipts in FY 2023-24.</p>			\$1,000,000	R
<p><i>TAs to Teachers</i> Provides additional funds for the TAs to Teachers program to reflect broadening the districts and number of TAs eligible for the program, which provides tuition expenses for TAs enrolled in coursework to earn a teaching license. The revised net appropriation for this program is \$875,815 in each year of the biennium.</p>	\$575,000	R	\$575,000	R

<i>Economics &amp; Personal Finance PD</i> Provides funds to DPI to support economics and personal finance professional development for teachers.	\$450,000	R	\$450,000	R
<i>Extended Stop Arm Grant</i> Provides funds to DPI to operate a competitive grant program to assist public school units in purchasing extended stop arms for school buses.	\$370,758	NR		
<i>Feminine Hygiene Products</i> Provides additional funds for the grant program to schools for feminine hygiene products for students pursuant to G.S. 115C-377. The revised net appropriation for this program is \$500,000 over the biennium.	\$250,000	R	\$250,000	R
<i>Homebuilding CTE</i> Provides funds for a grant program for the support of CTE programs for the purchase of ancillary items related to homebuilding courses.	\$200,000	R	\$200,000	R
<i>Transportation Res for Homeless &amp; Foster Children</i> Provides additional funds for the Transportation Reserve Fund for Homeless and Foster Children, established in G.S. 115C-250.5. The revised net appropriation for this program is \$3.0 million for each year of the biennium.	\$175,384	R	\$175,384	R
<i>Transportation Grant Program</i> Provides additional funds for the Charter School Transportation Grant Program, established in G.S. 115C-218.42. Charter schools with at least 50% of students qualifying for the free and reduced-priced lunch program can apply for reimbursement of up to 65% of their student transportation costs. The revised net appropriation for this program is \$2.5 million in each year of the biennium.	\$146,153	R	\$146,153	R

<b>Department of Public Instruction</b>				
<i>Innovative School District Administration</i> Eliminates administrative funding associated with the Innovative School District program, which was sunset effective June 30, 2023, pursuant to S.L. 2021-180, Section 7.14.	(\$470,236)	R	(\$470,236)	R

<i>Information Technology Rates</i> Adjusts funding based on FY 2023-24 and FY 2024-25 Department of Information Technology rates. This amount reflects the net impact of the change in subscription rates and the change in service delivery rates.	(\$157,832)	R	(\$157,832)	R
<i>School Connectivity Initiative – Advanced Email Threat Detection</i> Provides funds to acquire prevention, detection, and remediation services for advanced malware threats most commonly delivered to employees and students via email.	\$5,000,000	R	\$5,000,000	R
<i>School Connectivity Initiative – KnowBe4</i> Provides funds for additional cybersecurity awareness training for all public school unit staff and teachers to enhance safety around email, data, and systems. (KnowBe4 program)	\$600,000	R	\$600,000	R
<i>Classroom Safety &amp; Student Internet Use</i> Provides funds for DPI to contract with Gaggle.Net, Inc., and Liminex, Inc., d/b/a/ GoGuardian to provide technology and services to mitigate cyberbullying, monitor student internet activity, and assist with suicide prevention services. These funds are in addition to \$4.3 million in federal ESSERF receipts provided for this purpose in FY 2023-24. Total funds shall be divided equally between the contracts in each year.	\$100,000	R	\$4,400,000	R
<i>Scholarpath</i> Provides funds to DPI to contract with MyScholar, LLC to create a 12th-Grade Transition Pilot for all high school students.	\$2,500,000	NR	\$2,500,000	NR
<i>Betabox</i> Provides funds for DPI to contract with Betabox, Inc. to provide public school units with curriculum, instructional coaching, hands-on experiences, and other resources in STEM subjects. These funds are in addition to \$1.0 million provided in federal receipts from ESSERF in FY 2023-24.	\$1,000,000	NR	\$2,000,000	NR

<i>Plasma Games</i> Provides funds, including a budgeted transfer of receipts from the ARPA Temporary Savings Fund in FY 2023-24, for DPI to contract with Plasma Games, Inc., to make available to public school units STEM-focused educational software in STEM and CTE classes.	\$3,000,000 (\$3,000,000) <hr/> 0	NR Receipts	\$1,800,000 <hr/> \$1,800,000	R
<i>Failure Free Reading</i> Provides funds for DPI to contract with JFL Enterprises, Inc. to provide a program for reading remediation for middle school students. Additionally, DPI will use up to \$300,000 in unspent federal funds from ESSERF for this purpose in FY 2023-24.	\$1,700,000	NR		
<i>Amplio Learning Technologies</i> Provides funds for DPI to contract with Amplio Learning Technologies, Inc. to pilot a special education digital intervention software platform in Alamance, Catawba, and Nash County Schools.	\$975,000	NR	\$975,000	NR
<i>Center for Safer Schools</i> Provides funds to the Center for Safer Schools to conduct a school safety awareness campaign and continue contracts to conduct threat assessment team development.	\$900,000	NR		
<i>Anonymous Tip Line</i> Provides ongoing funding for the Center for Safer Schools' anonymous tip line, which facilitates anonymous reporting of school safety threats.	\$850,000	R	\$850,000	R
<i>Regional Literacy &amp; Early Learning Specialists</i> Provides additional funding for the 115 Early Learning Specialist positions created in S.L. 2022-74. These additional funds shall only be used to assist DPI in filling positions vacant as of July 1, 2023. The revised net appropriation for this purpose is \$14.8 million in each year of the biennium.	\$750,000	R	\$750,000	R
<i>Learning Recovery Studies</i> Provides funds for DPI to contract with SAS to analyze learning recovery data, student projections to pre-pandemic expected performance, and reporting on year-over-year modeling in the third year of learning recovery.	\$550,000	NR	\$550,000	NR

<i>Life Changing Experiences</i> Provides funds for DPI to contract with the Children and Parent Resource Group, Inc. for the Life Changing Experiences Program, a 3-dimensional and interactive multimedia education program that focuses on activities that negatively impact teenagers, including alcohol and drugs, dangerous driving, violence, and bullying.	\$500,000	NR	\$500,000	NR
<i>Computer Science PD</i> Provides funds for K-12 teachers across the State to receive training in computer science.			\$500,000	NR
<i>Student Analytics</i> Provides additional funds for DPI to contract with SAS for work on analytics, including student group reporting, topics related to student growth and teacher effectiveness, and the new North Carolina Leadership Dashboard.	\$465,000	R	\$465,000	R
<i>ST Math</i> Provides funds for DPI to contract with International MIND Education Institute, Inc., for their ST Math program to improve math proficiency for students.			\$300,000	NR
<i>Charter School Asst Director</i> Provides funds for a new Assistant Director position in the Office of Charter Schools at DPI, including operating costs.	\$101,938	R	\$130,382	R
<i>CTE Coordinator</i> Provides funds for a Program Coordinator III position, and associated operating costs, in the CTE division to coordinate CTE-related digital resources, including the CTE Modernization and Expansion Grant Program as well as the Scholarpath contract.	\$95,000	R	\$95,000	R
<b>NC Center for the Advancement of Teaching (NCCAT)</b>				
Provides funds for NCCAT to hire additional personnel and adjust current salaries to expand services to more teachers each year.	\$400,000	R	\$400,000	R
<b>Residential Schools for the Deaf and Blind</b>				
<i>Governor Moorehead School Maintenance</i> Provides funds to DPI to maintain the Governor Morehead School, which has 26 buildings totaling 260,000 square feet on 34 acres. The Department of Health and Human Services will also transfer 16 maintenance positions, and associated salaries and benefits, or their equivalent to DPI.			\$1,395,547	R

<b>Reserves and Transfers</b>				
<i>Community Eligibility Provision (CEP) Program</i> Provides funds for DPI to create a pilot program to increase the number of schools participating in the federal Community Eligibility Provision (CEP) Incentive program, which allows for free meals for all students in a participating school food authority. Funds in FY 2023-24 allow DPI to upgrade software and systems to be able to provide the pilot, which will begin in the second year of the biennium.	\$500,000	R	\$6,300,000	R
<i>Pre-K Early Literacy</i> Provides funds to DPI to select and purchase a supplemental assessment that adequately measures early literacy skills identified by the Science of Reading, accompanying assessment materials as applicable, and training for all pre-K teachers	\$969,000	R	\$969,000	R
<b>Pass-Through Grants</b>				
Provides funds to support the SparkNC Pilot Program, which is a partnership between SparkNC and public school units, to develop a pathway for students to complete modular learning experiences that provide a competency-based equivalency to a traditional elective course credit.	\$3,000,000	NR	\$3,000,000	NR
Provides a directed grant to NC Education Corps for the purpose of partnering with public school units to recruit, train, and deploy corps members to work as tutors and mentors with public school students.			\$3,000,000	NR
Provides additional funds for Communities in Schools of NC to continue programs, started with federal pandemic-relief funds, that provide students with assistance and enrichment activities, including over the summer. The revised net appropriation for Communities in Schools is \$2.5 million in FY 2023-24 and \$3.5 million in FY 2024-25. These funds are in addition to the \$1.0 million in federal ESSERF receipts provided for this purpose in FY 2023-24.			\$1,000,000	R
Provides additional funding as a pass-through grant to Beginnings for Parents of Children Who are Deaf or Hard of Hearing, Inc., a nonprofit that helps parents and families understand hearing loss and the diverse needs of children who are deaf or hard of hearing. The revised net appropriation for this purpose is \$1.5 million in each year of the biennium	\$500,000	R	\$500,000	R

Provides a directed grant in each year to Muddy Sneakers to support experiential learning programs that aim to improve the scientific aptitude of 5th graders through supplemental, hands-on field instruction of the State science standards.	\$500,000	NR	\$500,000	NR
Provides a directed grant to the Clarence Henderson Education Foundation to develop and implement a program to teach public school students about NC's Civil Rights history.	\$350,000	NR		
Provides a directed grant in each year of the biennium to Masonboro.org to expand its Masonboro Island Explorer Program. This program provides students with science-based learning opportunities on Masonboro Island.	\$100,000	NR	\$100,000	NR
Provides a directed grant in each year of the biennium to Best Buddies International, Inc. to assist individuals with developmental disabilities in overcoming social isolation and developing life skills.	\$100,000	NR	\$100,000	NR
<b>Public Instruction – Internal Service</b>				
<i>State Textbook Fund</i> Budgets the reduced transfer from the State Public School Fund (13510-1800), as reflected in the ADM adjustment, to support the State Textbook Fund.	(\$1,744,710) (\$1,744,710) 0	R Receipts	(\$1,744,710) (\$1,744,710) 0	R
<i>School Bus Replacement Fund</i> Budgets an increased transfer from the State Public School Fund (13510-1830), as reflected in the technical adjustments, to support school bus replacement.	\$11,173,069 (\$11,173,069) 0	R Receipts	\$11,173,069 (\$11,173,069) 0	R

<b>Other K-12 Related Spending</b>	<b>FY 2023-24</b>		<b>FY 2024-25</b>	
<b>Public School Building Fund</b>				
<i>Needs-Based Public School Capital Fund</i> Provides additional funding for the Needs-Based Public School Capital Fund. Including the statutory appropriation of prior year lottery surplus funds, the total amount available for new grants is \$254.3 million in FY 2023-24 and \$258.3M in FY 2024-25.	\$46,000,000	R	\$50,000,000	R

<b>UNC Board of Governors</b>				
<i>UNC Lab Schools</i> Adjusts funds provided to support the UNC laboratory school program in proportion to the decrease in the number of laboratory schools in operation, which will decline from 9 to 8 in FY 2023-24. The revised net appropriation for this purpose is \$4.0 million in each year of the biennium.	(\$500,000)	R	(\$500,000)	R
<i>NC New Teacher Support Program</i> Provides funds to increase support for the North Carolina New Teacher Support Program, which assists beginning teachers through coaching and mentorship activities. The revised net appropriation for this purpose is \$3.2 million in each year of the biennium.	\$1,000,000	R	\$1,000,000	R
<i>Opportunity Scholarship Grant Fund Reserve</i> Provides additional funds to the Opportunity Scholarship Grant Fund Reserve (Reserve), which supports awards for Opportunity Scholarship Program recipients. Funding provided for this purpose is intended to help prevent a waitlist for the program. The revised net appropriation to the Reserve is \$263.5 million in FY 2023-24 and \$354.5 million in FY 2024-25.	\$87,000,000	R	\$163,000,000	R
<i>NCSSM &amp; UNCSEA Tuition Grant Scale-up</i> Provides additional funds to support tuition grants for high school graduates of the North Carolina School of Science and Mathematics (NCSSM) and the University of North Carolina School of the Arts (UNCSEA) who attend a UNC constituent institution. Funding provided for this purpose is intended to support new high school graduating classes that are eligible to receive the 4-year award. The revised net appropriation for this purpose is \$5.1 million in FY 2023-24 and \$7.1 million in FY 2024-25.	\$1,550,000	R	\$3,600,000	R
<b>NC State University – Cooperative Extension</b>				
<i>Future Farmers of America (FFA) CTE Grants</i> Provides funds for a grant to the North Carolina Association of Future Farmers of America, Inc. (FFA). FFA shall administer grants to support agriculture education at middle and high school Career and Technical Education (CTE) programs.	\$2,000,000	NR	\$2,000,000	NR



<b>UNC at Greensboro</b>				
<i>UNCG Scholastic Esports League</i> Provides funds and budgets a transfer of projected interest earned from the State Fiscal Recovery Reserve to UNCG to form the UNCG Scholastic Esports Alliance, which will be a statewide esports league for North Carolina middle and high schools. UNCG may direct the nonrecurring funds provided for this purpose to the non-profit support corporation SERVE, Inc	\$1,450,000 \$7,000,000 (\$7,000,000) \$1,450,000	R NR Receipts	\$1,450,000 \$7,000,000 (\$7,000,000) \$1,450,000	R NR NR
<b>NC Community College System</b>				
<i>Career Academies for At-Risk Students</i> Provides funds for a partnership program between Cape Fear Community College (CFCC), New Hanover County Schools, and Pender County Schools to meet the needs of certain underserved students in 7th through 9th grades through career and technical education programs at CFCC. Funding provided for this purpose is intended for programming costs and for CFCC to hire career liaison positions.	\$500,000	NR	\$500,000	NR
<b>Dept. of Health and Human Services</b>				
<i>Natl Society to Prevent Blindness – NC Affiliate</i> Provides a directed grant to the National Society to Prevent Blindness – North Carolina Affiliate, Inc., a nonprofit, to fund services and screening for blindness for medically indigent children within the State's public and charter school systems.	\$461,997	NR	\$461,997	NR
<b>Dept. of Agriculture and Consumer Services</b>				
<i>Go Global</i> Provides funds to support the Global Teacher Fellowship. These funds will be matched with private donations for grants to teachers from all 100 counties.	\$1,000,000	NR		
<b>Dept. of Natural and Cultural Resources</b>				
<i>A+ Schools</i> Provides funding to match a grant from the Windgate Foundation for the A+ Schools program.	\$750,000	NR	\$750,000	NR

<b>Dept. of Public Safety</b>				
<i>School Safety Program Sustainment</i> Funds NC Emergency Management (NCEM) continuing operations of the statewide school mobile panic alarm program, the State Emergency Response Application, and the State Risk Management Portal. These programs help schools build emergency plans and make those plans available to first responders. The funding includes 3 FTE to support the programs: a program manager/system administrator, a web developer, and a training/outreach coordinator.	\$2,000,000	R	\$2,000,000	R
<i>Haywood County Schools</i> Budgets receipts from the federal State Emergency Response and Disaster Relief Fund (SERDRF) for a directed grant to Haywood County Schools for economic relief mitigating the impact of the Canton Mill closure.	\$3,000,000 (\$3,000,000) 0	NR Receipts		
<b>Budget and Management – Special Approp.</b>				
The following grants are made from the Regional Economic Development Reserve (REDR):				
Provides a directed grant to Alexander County Schools for turf field and stadium renovations.	\$2,500,000	NR		
Provides a directed grant to Alexander County Schools for capital improvements, including renovation of a fieldhouse.	\$100,000	NR		
Provides a directed grant to Ashe County Schools for the Ashe County High School ball field.	\$2,500,000	NR		
Provides a directed grant to the City of Wilson for Wilson County Schools for the Gentlemen’s Agreement Mentoring Program.	\$100,000	NR		
Provides a directed grant to Communities in Schools of Cape Fear, Inc.	\$500,000	NR		
Provides a directed grant to Communities of Robeson County, Inc. for STEAM programs.	\$20,000	NR		
Provides a directed grant to Davidson County Schools for athletic facility upgrades at Oak Grove High School.	\$250,000	NR		

Provides a directed grant to the Durham Public Schools Foundation for the Teacher's Industry Fellowship program.	\$25,000	NR		
Provides a directed grant to the Eastern Carolina Young Men's Christian Association, Inc. to fund a community pool project with Onslow County, the City of Jacksonville, and Onslow County Schools.	\$5,000,000	NR		
Provides a directed grant to the Foundation for Education, Inc. (Lincoln charter school)	\$2,000,000	NR		
Provides a directed grant to Gaston County Schools for repairs and renovations to the field turf at Stuart W. Cramer High School.	\$150,000	NR		
Provides a directed grant to Gates County Schools to participate in the Navy National Defense Cadet Corps training program for high school students.	\$200,000	NR		
Provides a directed grant to Gates County Schools for science equipment and supplies.	\$200,000	NR		
Provides a directed grant to Innovative Community Schools and Services, LLC for The School of Hope for autism.	\$30,000	NR		
Provides a directed grant to Iredell-Statesville Schools for athletic field improvements at South Iredell High School, North Iredell High School, and West Iredell High School.	\$2,000,000	NR		
Provides a directed grant to Lincoln County Schools for athletic facility upgrades.	\$2,000,000	NR		
Provides a directed grant to Lincoln County Schools for lighting improvements at athletic facilities at East Lincoln High School, Lincolnton High School, North Lincoln High School, and West Lincoln High School.	\$4,000,000	NR		
Provides a directed grant to Lincoln County Schools to support cultural and historic projects.	\$130,000	NR		
Provides a directed grant to Madison County Schools for the Madison High School stadium project.	\$2,600,000	NR		
Provides a directed grant to Mitchell County for capital improvements to the Mitchell High School athletics facilities.	\$14,500,000	NR		
Provides a directed grant to the Mooresville Graded School District for capital improvements or equipment for athletic facilities.	\$1,500,000	NR		

Provides a directed grant to Nash County for the Nash County Public Schools transition.	\$2,000,000	NR		
Provides a directed grant to Nash County for soccer field lights at Southern Nash High School.	\$100,000	NR		
Provides a directed grant to New Hanover County Schools for high impact tutoring at low-performing schools.	\$210,000	NR		
Provides a directed grant to Newton-Conover City Schools for capital and facilities improvements.	\$500,000	NR		
Provides a directed grant to Randolph County Schools for athletic facilities at Providence Grove High School.	\$100,000	NR		
Provides a directed grant to Rutherford County Schools for upgrades and equipment for athletic training facilities.	\$1,200,000	NR		
Provides a directed grant to the Surry County Schools for turf fields and tracks at county high schools.	\$3,750,000	NR		
Provides a directed grant to Surry County Schools for capital costs and equipment associated with traffic loop construction at North Surry High School.	\$835,972	NR		
Provides a directed grant to the Town of Waxhaw for crosswalk construction and related equipment needs for Cuthbertson High and Middle schools.	\$150,000	NR		
Provides a directed grant to Union County Schools for an athletic facility and related equipment.	\$8,000,000	NR		
Provides a directed grant to Union County Schools for artificial turf fields and related facilities at Parkwood High School.	\$1,500,000	NR		
Provides a directed grant to Union County Schools for the installation of lighting equipment at the Porter Ridge High baseball field.	\$300,000	NR		
Provides a directed grant to Wilkes County Schools for capital costs and related performing arts equipment.	\$848,000	NR		
Provides a directed grant to Wilkes County Schools for capital improvements and related equipment for county high school athletic facilities. These funds are to be used for: -Turf fields at all four county high schools, -Renovations for the West Wilkes High School field house, -Restroom at East Wilkes High School softball field, and -Tennis court at North Wilkes High School.	\$6,000,000	NR		

Provides a directed grant to Wilkes County Schools for improvements to athletic facilities at North Wilkes High School.	\$3,000,000	NR		
Provides a directed grant to the Winston-Salem/Forsyth County School system for repairs and renovations of athletic facilities at Parkland High School.	\$1,000,000	NR		
Provides a directed grant to Yadkin County Schools for turf fields, tracks, and stadium seating at county high schools.	\$5,000,000	NR		
<b>State Capital and Infrastructure Fund</b>				
Provides funding to the North Carolina Center for the Advancement of Teaching (NCCAT) for the renovation of a third hall of residence and the literacy building at its Professional Development Center.	\$7,000,000	NR		
Provides a grant to Sandhills Community College for capital improvements or equipment for a new vocation career path early college high school.	\$25,000,000	NR		
Provides a grant to Beaufort County for capital improvements or equipment for Washington High School athletic facilities.	\$600,000	NR		
Provides a grant to Wilkes County Schools for restroom facilities and related capital improvements or equipment at North Wilkes and East Wilkes high school athletic facilities.	\$150,000	NR		
<b>Statewide Reserves</b>				
<i>Education Enrollment Reserve</i> Reserves funding for education enrollment needs in FY 2024-25.			\$60,000,000	R
<i>Pending Legislation</i> Appropriates funds contingent on H.B. 640, Career Path Options Transparency Act, becoming law. If H.B. 640 does not become law, these funds shall not be spent and shall revert to the General Fund.	\$450,000	NR	\$450,000	NR

# **2023-25 State Budget Education Provision Summaries**

## **HB 259 (S.L. 2023-134)**

\*\*\*ALL SPECIAL PROVISIONS ARE EFFECTIVE **JULY 1, 2023**, UNLESS OTHERWISE NOTED\*\*\*

### **PART IV—OTHER AVAILABILITY AND APPROPRIATIONS**

#### **Section 4.3.(a) Education Lottery Funds *p. 18***

	<b>FY 2023-24</b>	<b>FY 2024-25</b>
Noninstructional Support Personnel	\$385,914,455	\$385,914,455
Public School Building Capital Fund	\$100,000,000	\$100,000,000
Needs-Based Public-School Capital Fund	\$254,252,612	\$258,252,612
Public School Repair & Renovation	\$50,000,000	\$50,000,000
LEA Transportation	\$21,386,090	\$21,386,090
<b>Subtotal: K-12 Related Programs</b>	<b>\$811,553,357</b>	<b>\$815,553,357</b>
Scholarship Reserve Fund for Public Colleges and Universities	\$41,194,733	\$41,194,733
Pre-K Program	\$78,252,110	\$78,252,110
<b>TOTAL LOTTERY ALLOCATION</b>	<b>\$931,000,000</b>	<b>\$935,000,000</b>

#### **Section 4.3.(b) Needs-Based Public School Capital Fund Changes *pp. 18-21***

- Increases the maximum grant awards as follows:
  - Up to \$42 million for an elementary school (was \$30 million)
  - Up to \$52 million for a middle school or a combination of an elementary and middle school (was \$40 million)
  - Up to \$62 million for a high school (was \$50 million)
- Addresses the effect of a county declining or forfeiting an awarded grant: (1) Prohibits the Department of Public Instruction (DPI) from awarding additional grants to that county for 24 months from the date the grant award was declined or forfeited; (2) Requires full repayment of awarded grant funds. Outlines the reasons for forfeiting a grant including project scope changes, delay in project initiation, false statements in the grant application, and reduced local funding commitment.
- Requires project construction to be initiated within 24 months of award of grant funds. Allows the State Superintendent to grant a 12-month extension under extraordinary circumstances. Permits DPI to allow grant recipients to deduct “reasonable” administrative costs from forfeited grant.

- Permits DPI to award an additional grant of up to \$12 million to a county that received an award for new construction during the 2022-2023 fiscal year, provided that the county has not yet begun construction on the project. Requires the county to apply for the additional funds by June 30, 2024, and provide actual bids or other documentation of cost increases based upon the original project scope. States that additional grant awards are subject to the same local matching requirement applicable when the previous grant was awarded. Requires all additional grant funds to be awarded no later than June 30, 2025. Requires DPI to publish guidelines for the Needs-Based Public School Capital Fund program by January 1, 2024.

*Amends: G.S. 115C-546.11; G.S. 115C-546.12*

#### **Section 4.4 Indian Gaming Education Revenue Fund Appropriation pp. 22-23**

- Allocates the following amounts from the Indian Gaming Education Revenue Fund for the fiscal biennium ending June 30, 2025:
  - FY 2023-24
    - \$10 million → Textbooks and Digital Resources Allotment
    - \$11 million → Classroom Materials
  - FY 2024-25
    - \$10 million → Textbooks and Digital Resources Allotment
    - \$1 million → Classroom Materials
- Changes the restrictions on this funding from expending the funds for “classroom teachers, teacher assistants, classroom materials or supplies, or textbooks” to expending the funds for the “sole purpose of educating children in the classroom.”

#### **Section 4.5 Civil Penalty and Forfeiture Fund p. 23**

Allocates the following amounts from the Civil Penalty and Forfeiture Fund for the fiscal biennium ending June 30, 2025:

	<b>FY 2023-24</b>	<b>FY 2024-25</b>
School Technology Fund	\$18,000,000	\$18,000,000
Drivers Education	\$31,493,768	\$31,493,768
State Public School Fund	\$226,041,640	\$166,041,640
<b>Total Appropriation</b>	<b>\$275,535,408</b>	<b>\$215,535,408</b>

[**Note:** The increase in excess receipts in the State Public School Fund of \$79 million in FY 2023-24 and \$19 million in FY 2024-25 is negated by a General Fund reduction of the same amounts. (See, Committee Report – p. B23, item 54)].

## PART V—GENERAL PROVISIONS

### **Section 5.1 Unexpended Directed Grants Appropriated in 2022-23 Fiscal Year Do Not Revert** *p. 54*

Allows nonrecurring directed grants from FY 2022-23 that have not been expended to remain available until the end of the 2023-24 fiscal year.

### **Section 5.1B Unexpended Directed Grants Appropriated in 2021-22** *p. 54*

Allows nonrecurring directed grants from FY 2021-22 that have not been expended to remain available until the end of the 2023-24 fiscal year.

### **Section 5.6.(g) Local Emergency Shelter Grant Program** *p. 60*

Requires the Division of Emergency Management to provide grants to support local communities in upgrading structures identified by the community as an emergency shelter location for the following purposes: (i) to meet weather-related structural requirements such as windspeed ratings of roofs and windows and (ii) to upgrade electrical systems of the structure to install emergency generators or provide for quick hookup locations for emergency generators.

### **Section 5.8 Medical Freedom/COVID-19 Vaccinations** *pp. 62-64*

- Prohibits public school units (PSUs), community colleges, UNC system institutions, private colleges, and the Commission for Public Health from requiring a student to provide proof of COVID-19 vaccination or to submit to a COVID-19 vaccination unless it is required for participating in a program of study or fulfilling education requirements in a facility certified by the Centers for Medicare and Medicaid Services (CMS). This becomes effective January 1, 2024.
- Prohibits State agencies, local governments, and political subdivisions of the State from discriminating against persons based on their refusal to provide proof of a COVID-19 vaccination or to submit to a COVID-19 vaccination unless it is required as a condition necessary to receive federal funding, is a federal requirement of CMS, or is required by the Department of Health and Human Services Division of State Operated Healthcare Facilities

***Amends:*** *G.S. 130A-152; Article 10 of Chapter 143*



## PART VI—COMMUNITY COLLEGE SYSTEM

### **Section 6.8 Extend RISE Up Training and Credentialing Program** *pp. 68-69*

Extends the RISE Up credentialing program through the 2023-25 fiscal biennium and requires reports on the program to the Joint Legislative Education Oversight Committee. This program provides students in community colleges and cooperative innovative high schools with credentials in (i) retail industry fundamentals, (ii) customer service and sales, (iii) operations and profits, and (iv) supply chain: warehouse, inventory, and logistics.

*Amends: Section 6.8 of S.L. 2021-180, as amended by Section 6.1 of S.L. 2022-74 by adding Sections 6.8(b1) and 6.8(d)*

### **Section 6.9A Career Academies for At-Risk Students** *pp. 70-71*

Extends state support for the program initiated in 2021 between Cape Fear Community College (CFCC), New Hanover County Schools, and Pender County Schools to meet the needs of underserved students in seventh through ninth grades through opportunities in various career and technical education (CTE) programs on CFCC's campus. Requires New Hanover County Schools and Pender County Schools to offer a summer career academy for up to 300 students and to hire career liaisons in time-limited positions in certain middle schools.

[**Note:** \$500,000 nonrecurring appropriated in each year of the biennium to the program. (*See*, Committee Report – p. B11, item 30)].

### **Section 6.10 Make Changes to the State Board of Community Colleges and Local Board of Trustees** *pp. 71-78*

Removes the authority of a local board of education to appoint members of the board of trustees of a local community college.

*Amends: G.S. 115D-12(a)*

## PART VII—PUBLIC INSTRUCTION

### Section 7.1 Codify Funding for Children with Disabilities p. 79

- Requires the State Board of Education to allocate funds for children with disabilities to each local school administrative unit on a per child basis.
- Requires each local school administrative unit to receive funds for the lesser of: (i) all children who are identified as children with disabilities or (ii) 13% of its allocated average daily membership in the local school administrative unit for the current school year.

*Amends: Part 1F of Article 9 of Chapter 115C of the General Statutes*

### Section 7.2(a) Codify Funding for Academically Intellectually Gifted Students pp. 79-80

- Requires the State Board of Education to allocate funds for academically or intellectually gifted students on a per child basis.
- Requires a local school administrative unit to receive funds for a maximum of 4% of its allocated average daily membership for the current school year, regardless of the number of students identified as academically or intellectually gifted in the unit.
- Requires the Department of Public Instruction to develop a statewide uniform definition for “academically or intellectually gifted student” prior to determining the allocation of funds for the 2024-25 school year.

*Amends: Article 9B of Chapter 115C of the General Statutes*

### Section 7.3 Codify Boilerplate pp. 80-85

Codifies the following: (1) Supplemental funding in low-wealth counties; (2) Small county school system supplemental funding; (3) Disadvantaged student supplemental funding.

*Amends: Chapter 115C of the General Statutes by adding Article 32F*

### Section 7.4 Reclassify DPI Positions p. 85

Requires the Department of Public Instruction (DPI) to reclassify a minimum of three full-time positions: (1) Teaching Compensation and Advanced Teaching Roles Consultant; (2) Read to Achieve Charter School Coordinator; and (3) Director of American Indian Education Services. Prohibits DPI from reducing funding, positions, or program-specific budgets when making changes.

### Section 7.5 Required Training to Count Toward Continuing Education Units pp. 85-86

- Allows mandatory training hours for all teachers to count towards continuing education credits if certain conditions are met.
- Amends the rules for licensure renewal by prohibiting the State Board of Education (SBE) from requiring the completion of continuing education credits solely related to digital teaching and learning but allows the SBE to require completion of up to two continuing

education credits that include pedagogy on digital teaching and learning as a component of a general or content-specific continuing education credit.

- Applies to licenses renewed on or after October 3, 2023.

***Amends:*** G.S. 115C-270.30

### **Section 7.7 Weighted Funding for EC Students p. 86**

Requires the Department of Public Instruction (DPI) to develop a model, based on a study required in previous session law, for funding children with disabilities services on the basis of the reported costs of the services provided. Requires DPI to report to the General Assembly by January 15, 2024, on the model of funding developed pursuant to this section and a comparison by PSUs of funds provided under the existing model and the model developed pursuant to this section.

### **Section 7.12 Abolish Certain Unfilled Positions p. 86**

Abolishes certain positions within the Department of Public Instruction (DPI) if they remain vacant for longer than two years and allows DPI to reestablish these positions as needed depending on availability of funds.

### **Section 7.13 Career Exploration and Development Plans pp. 86-88**

- Identical to *Senate Bill 193: Career Development Plans*
- Beginning with the 2024-25 school year, requires all middle and high school students enrolled in a LEA to create a career development plan (CDP) by the end of 7th grade and revise the plan by the end of 10th grade, otherwise those students will not be promoted beyond those grades. Requires local boards of education to ensure that CDPs are easily accessible to students and parents.
- Requires DPI and the local boards of education, as appropriate, to provide curriculum content for the course required in this section and professional development prior to the start of the 2024-25 school year. Requires the SBE to adopt rules to establish the minimum requirements for CDPs and sets out specific requirements to be included.
- Requires the SBE to establish a pilot of at least 20 local school administrative units during the 2023-24 school year.

***Amends:*** Part 1 of Article 8 of Chapter 115C by adding § 115C-81.12; Article 10 of Chapter 115C by adding Part 1A; G.S. 115C-218.75 by adding subsection (k)

### **Section 7.15 Remaining ESSER Funds for Various Programs pp. 88-89**

- Terminates the Department of Public Instruction's (DPI) obligation to use ESSER funds to contract with Gooru, Inc. for pandemic learning loss.
- Requires DPI to use remaining ESSER funds in the following ways:
  - Up to \$400,000 to NC Hospitality Education Foundation through FY 2024-25 to support CTE instructor and student training and testing in public school units and increase the State's skilled workforce in hospitality sectors.

- Up to \$300,000 to contract with JFL ENTERPRISES, INC., to continue the Failure Free Reading program to address pandemic learning loss and appropriates \$1,700,000 from the General Fund to assist DPI in continuing this program.
- Up to \$2,100,000 to contract with Liminex, Inc., d/b/a GoGuardian to provide technology and services to mitigate cyberbullying, monitor student internet activity, and assist with suicide prevention services.
- Up to \$2,200,000 to contract with Gaggie.Net, to provide technology and services to mitigate cyberbullying, monitor student internet activity, and assist with suicide prevention services.
- Up to \$1,000,000 to provide funds for the Educational and Competitive After-School Robotics Grant Program.
- Up to \$1,000,000 to continue to contract with Betabox, Inc., to mitigate learning loss in the areas of STEM by providing students with experiences, coaching, and other resources.
- Up to \$1,000,000 to Communities in Schools of North Carolina, to continue to provide services, expand services, or provide for the extension of nine-month contracts for its employees for the purpose of providing assistance and enrichment activities over the summers for students in K-12 experiencing pandemic learning loss.
- Up to \$1,000,000 to provide funds for the 2023-2024 fiscal year for the National Board for Professional Teaching Standards certification participation fee grant program.

***Repeals: Section 2.1 of S.L. 2023-11***

### **Section 7.17 Online Digital Instruction p. 89**

Eliminates the \$6,420,000 in recurring funds appropriated to the Department of Public Instruction (DPI) to accelerate implementation of the State's Digital Learning Plan (Plan) and instead requires DPI to use up to \$4,000,000 to continue contracting with Learning.com to implement the Plan, as set out in S.L. 2016-94, beginning with the 2023-24 fiscal year.

***Amends: Subsection (c) of Section 7.23K of S.L. 2017-57***

### **Section 7.19 CTE Grants for Homebuilding Programs pp. 89-90**

Requires the Department of Public Instruction to use up to \$200,000 in recurring funds to provide grants to assist public school units with program costs associated with CTE programs related to homebuilding. Sets out prioritization process and timelines for the Program.

### **Section 7.20 DPI Funding in Arrears p. 90**

- Requires the Department of Public Instruction (DPI) to fund public school units based on actual average daily membership (ADM) from the prior school year instead of projections for the upcoming school year beginning with the 2024-25 school year. Requires DPI to submit a model of the new funding structure to the Fiscal Research Division no later than February 15, 2024.
- State Board of Education will no longer reduce allotments based on discrepancies between anticipated and actual ADM.

*Repeals: Section 7.15(b) of S.L. 2007-323*

### **Section 7.22(a)-(f) Increasing Engagement in STEM pp. 90-92**

- Requires the State Superintendent to establish the Increasing Engagement in STEM Program for the 2023-24 fiscal year to provide grant funds to PSUs to engage in experiential science, technology, engineering, and math (STEM) education programs.
- Sets out timelines, application requirements, and reporting requirements
- Requires the State Superintendent to select applicants to receive grants for the Program

### **Section 7.23 After-School Robotics Grant Program pp. 92-93**

Establishes the Educational and Competitive After-School Robotics Grant Program to: (i) promote evidence-based, after-school programs for robotics education and competition and (ii) motivate students to pursue education and career opportunities in STEM while building critical life and work-related skills. All public school units are eligible to apply. Outlines criteria, guidelines, timeframes, and reporting requirements.

### **Section 7.26 Remote Charter Academies pp. 93-96**

- Allows new remote charter academy applications and charter modifications to include a remote charter academy to be submitted to the Charter School Review Board for approval beginning with the 2023-24 school year.
- Extends the pilot program for the State's two virtual charter schools from 10 to 11 years, ending the pilot with the 2025-26 school year.
- Authorizes increased student enrollment in each remaining year of the pilot program.
- Requires the Review Board to approve a minimum of two statewide remote charter academies beginning with the 2026-27 school year and thereafter.

*Amends: Article 14A of Chapter 115C of the General Statutes; G.S. 115C-84.3(c)*

### **Section 7.27 School Health Personnel Allotment pp. 96-98**

- Amends the duty of local school boards to ensure that each LEA employs at least one full-time, permanent school psychologist by mandating local boards of education to provide "school health support services." Reclassifies the funding allotment for school psychologists to "school health personnel." Defines "school health personnel" as school

psychologists, school counselors, school nurses, and school social workers. Prohibits school health personnel positions from being transferred out of this allotment except for contracted services directly related to school psychology, school counseling, school nursing, and school social work. Encourages LEAs to fill school health personnel positions with full-time, permanent employees. If LEAs are unable to fill the position, allows them to contract with a third party to provide the relevant services for an amount of hours equivalent to the hours a full-time position employee would provide.

- Allows the State Board of Education (SBE) to adopt rules to establish required qualifications and training to be hired or contracted as a certified school nurse. Prohibits SBE from requiring a nurse to obtain a four-year degree as a condition of employment. Eliminates the exemption permitting school nurses employed in public schools before July 1, 1998, from attaining the national certification requirement.
- Prohibits school counselors from assisting with the coordination or administration of standardized testing.

***Amends:*** G.S. 115C-47(67); G.S. 115C-105.25(b)(13); G.S. 115C-316.2; G.S. 115C-316.5; G.S. 115C-315; G.S. 115C-316.1; ***Repeals:*** G.S. 115C-315(d1)

### **Section 7.28 Support Program Reporting** *pp. 98-99*

Requires Communities in Schools of North Carolina, Inc., and Beginnings for Parents of Children Who are Deaf or Hard of Hearing, Inc. to report to the Joint Legislative Education Oversight Committee on various information from the prior fiscal year no later than December 31, 2023.

### **Section 7.30 Codify Use of Special State Reserve Funds for Transportation/Transportation Reserve Fund for Homeless and Foster Students** *p. 99*

Codifies this provision.

### **Section 7.31 School Health Personnel Profession Entry Report** *pp. 99-100*

Requires the State Superintendent to study and report information related to school health personnel to the General Assembly and Fiscal Research Division no later than January 15, 2024.

### **Section 7.33 Driver Education Administration Funds** *p. 100*

Eliminates the requirement for the Department of Public Instruction (DPI) to have a full-time director and other professional, administrative, technical, and clerical personnel as may be necessary for the statewide administration of the driver education program. Allows DPI to use up to \$164,690 to reflect legislative salary increments, retirement rate adjustments, and health benefit adjustments, for the direct costs for the statewide administration of the program, including any necessary positions.

***Amends:*** G.S. 115C-215(g)

### Section 7.36 School Safety Grants pp. 100-103

- Requires the Department of Public Instruction (DPI) to establish the 2023-25 biennium School Safety Grants Program, to include: (i) services for students in crisis, (ii) school safety training, (iii) safety equipment in schools, and (iv) subsidizing the School Resource Officer (SRO) Grant Program – if applications for SRO grants exceed the amount appropriated for those grants, the state Superintendent may use funds appropriated to DPI to cover the unmet need for SRO grants. Allows a public school unit (PSU) to submit multiple grant applications each year. Sets out application requirements. Establishes non supplant language. Requires the Superintendent of Public Instruction to develop criteria and guidelines by January 15, 2024.
- Requires DPI to allocate the following directed grants as part of an Artificial Intelligence School Safety Pilot Program: (i) \$3,200,000 to New Hanover County Schools and (ii) \$2,000,000 to Davidson County Schools for an AI School Safety Pilot Program. Sets out requirements for participating public school units.
- Prohibits the nonrecurring funds appropriated to DPI for School Safety Grants in the 2022-2023 fiscal year and the 2023-2025 biennium from reverting to the General Fund and requires those funds to remain available for the purposes for which they were appropriated until June 30, 2025. ***This non-revert provision is effective June 30, 2023.***

### Section 7.37 Life Changing Experiences pp. 103-104

- Requires the Department of Public Instruction (DPI) to use \$500,000 in nonrecurring funds for each year of the 2023-2025 fiscal biennium to contract with the Children and Parent Resource Group, Inc. Requires the Project to address dangerous life-and-community-threatening activities that negatively impact teenagers, including alcohol and other drugs, dangerous driving, violence, and bullying. Emphasizes that the goal of these theme-specific programs is to increase positive intentions and behavioral outcomes.
- Impacts students in grades six through eleven in at least the following LEAs: Cleveland County Schools, Greene County Schools, Lenoir County Public Schools, Lincoln County Schools, McDowell County Schools, Mitchell County Schools, and Pitt County Schools. Allows DPI to select one or more additional LEAs to participate if there are sufficient funds.

### Section 7.40 NBPTS Participation Fee Grant Program pp. 104-105

Requires the Department of Public Instruction to establish a grant program for qualifying public schools to improve teacher quality and mitigate learning loss by reimbursing teachers for the cost of the participation fee for National Board for Professional Teaching Standards (NBPTS) certification.

***Amends: Article 20 of Chapter 115C of the General Statutes***



### **Section 7.41 Conflicts of Interest Training for Certain Public School Employees p. 105**

- Requires all LEA employees involved in the making or administering of contracts to receive a minimum of two hours of conflicts of interest and ethical standards of conduct training as follows:
  - Within 90 days of assuming responsibility of making or administering contracts.
  - Subsequent trainings in every odd-numbered year thereafter.
- The training may be provided by any qualified source at the choice of the local board of education.

*Amends: Article 22 of Chapter 115C of the General Statutes*

### **Section 7.43 Combining of the Education and Workforce Innovation Commission Grant Programs pp. 106-110**

- Establishes the Education and Workforce Innovation and CTE Grade Expansion Program (Program) to foster innovation in education that will lead to more students graduating career and college ready. Expands the Program's objectives to prioritize and include sixth and seventh-grade students by awarding grants to selected local school administrative units and charter schools.
- Requires consideration of the needs of the State, as determined by the Commission when awarding competitive grants and establishes two types of competitive grants – innovation grants and CTE grade expansion grants. Allows CTE Grade Expansion Grants awarded to an LEA to be used for CTE programs at one or more schools in the unit. Prohibits awards for Innovation Grants to revert but requires the funds to be available until expended.

*Amends: Article 6C of Chapter 115C of the General Statutes*

### **Section 7.44 Teacher Assistant Tuition Reimbursement Program pp. 110-112**

- Requires the Department of Public Instruction (DPI) to establish the Teacher Assistant Tuition Reimbursement Grant Program (Program) for part-time or full-time coursework that will result in teacher licensure. Requires DPI to prioritize local school administrative units in the following order: (1) Local school administrative units that received funds under the Teacher Assistant Tuition Reimbursement Pilot Program; (2) Local school administrative units located, in whole or in part, in a county with at least one local school administrative unit that received low-wealth supplemental funding in the previous fiscal year; and (3) All other local school administrative units. Establishes additional Program criteria.
- Provides \$575,000 recurring to make \$875,815 available annually. Teacher assistants participating in the program shall be awarded up to \$4,600 per academic year, for up to four academic years to defray the costs of tuition and fees at an educator preparation program at an institution of higher education while employed in the local school administrative unit as a teacher assistant.



- Requires each local board of education participating in the Program to enter into a memorandum of understanding (MOU) with the relevant institution of higher education where a Program award recipient is enrolled and requires the MOU to incorporate a minimum set of procedures. Requires local boards of education participating in the Program to report information to DPI.
- *Effective beginning with the 2023-2024 school year.*

***Amends:*** Article 17D of Chapter 115C of the General Statutes; ***Repeals:*** Section 8.29 of S.L. 2016-94, as amended by Section 7.20 of S.L. 2017-57; Section 6(m) of S.L. 2017-189, and Section 7.21 of S.L. 2018-5

#### **Section 7.44A Teacher Apprentice Grant Program** *pp. 112-114*

Requires DPI to establish the Teacher Apprentice Grant Program. Eligible teacher apprentices shall receive awards of up to \$4,600 per academic semester, for up to four academic years to defray costs of tuition and fees for part-time or full-time coursework taken while employed in the local school administrative unit as an eligible teacher apprentice. Defines eligibility requirements and establishes additional criteria.

***Amends:*** Article 17D of Chapter 115C

#### **Section 7.45 Economically Disadvantaged Public School Support Funds** *pp. 114-115*

- Requires DPI to establish the Economically Disadvantaged Public Schools Support Program. Provides funds to support the efforts of qualifying economically disadvantaged public schools to continue to exceed expected growth in subsequent school years.
- States how governing bodies are to proportionately allocate the funds and what the funds are to be used for.
- Includes intent language that the funds are to supplement and not to supplant local funds.

#### **Section 7.47 Revise School Transportation Funds Requirements** *p. 115*

- Requires the SBE to allocate transportation funds based on the efficiency of the local school administrative units in transporting pupils. Sets out the way in which efficiency of the units is calculated. Requires the SBE to allocate transportation funds at the beginning of each fiscal year based on the most recently available data from a prior school year. Reduces the amount of school transportation funds DPI may reserve from 10% to 5%.
- Prior to April 1 of the fiscal year in which the funds are reserved, requires the reserved funds to be allocated only in the event of an emergency. If reserved funds remain by April 1 of the fiscal year, requires the SBE to allocate the remaining funds to all school districts based on the efficiency of the units in transporting students.

#### **Section 7.48 Twelfth Grade Transition Program/ScholarPath *pp. 115-116***

Requires the Department of Public Instruction to use up to \$2,500,000 in nonrecurring funds for each year of the 2023-25 fiscal biennium to contract with MyScholar, LLC, to use the ScholarPath platform to create the Twelfth Grade Transition Program for all high school students.

#### **Section 7.49 Study for Students with Extraordinary Costs/Report *p. 116***

Defines “Approved School” as a private school with approved nonpublic education programs providing special education for students with intensive needs. Requires the DPI to study a variety of issues, including educational options for students with intensive needs, costs associated, appropriate identification, methods to allow for additional reimbursement, potential pilot programs, etc. Requires DPI to report legislative recommendations to the General Assembly by January 15, 2024.

#### **Section 7.52 Leadership Dashboard and Learning Recovery/SAS *p. 116***

- Requires \$465,000 in recurring funds for each year of the 2023-2025 fiscal biennium to be used to continue partnering with SAS Institute, Inc. (SAS), to continue funding the North Carolina Leadership Dashboard and to support SAS as it expands analytics work in cooperation with the Department of Public Instruction.
- Requires \$550,000 in nonrecurring funds for each year of the 2023-2025 fiscal biennium to be used to continue to partner with SAS to fund learning recovery analysis, student projections to pre-pandemic expected performance, and web reporting on year-over-year modeling for learning recovery.

#### **Section 7.53 Special Needs Pilot Program *pp. 116-117***

Requires DPI to contract with Amplio Learning Technologies for \$975,000 nonrecurring in each year of the 2023-25 fiscal biennium to create a new pilot program for a special education digital intervention software platform in Alamance County Schools, Catawba County Schools, and Nash County Schools. Focuses primarily on students receiving interventions for speech language and reading development, to provide more optimized progress of the interventions. Goal is to provide more effective and efficient opportunities for Medicaid billing for speech language pathologists (SLP) services and dyslexia-related services. DPI is to report on the Program results to the General Assembly and the Fiscal Research Division by October 15, 2025.

#### **Section 7.54 Increase Amount for Developmental Day Centers/Carry Forward Grant Reserve/Report *pp. 117-118***

- Requires the Department of Public Instruction (DPI) to set the funding rate for each eligible student enrolled in a Center at up to a maximum of \$1,350 per month.
- Prohibits any unexpended and unencumbered funds at the end of each fiscal year from the funds available to the Developmental Day Center program from reverting to the General

Fund but requires the funds to be transferred by DPI to a reserve to establish a grant program for Developmental Day Centers. ***This provision is effective June 30, 2023.***

- Requires DPI to solicit applications from licensed, community-based Developmental Day Centers approved by DPI, Exceptional Children Division, for grants to the Developmental Day Center. report to the Joint Legislative Education Oversight Committee on various information by March 15 of each fiscal year.
- Requires DPI to report to the Joint Legislative Education Oversight Committee on various information related to Developmental Day Centers by October 15 of each year funds are received for Developmental Day Centers.

### **Section 7.55 CTE Modernization and Expansion p. 118**

- Requires up to \$2,000,000 in nonrecurring funds for each year of the 2023-2025 fiscal biennium to be used to create a grant program for modernization of Career Technical Education (CTE) programming, materials, training, and professional development for courses conducted in grades six through 12. Requires grant recipients to use the funds awarded to procure and implement an online digital CTE learning platform.
- Requires the Department of Public Instruction to select approved providers by December 15, 2023, to guarantee consistency throughout the State. Sets out various components the digital CTE platform must include.

### **Section 7.56 DPI Fund Code Flexibility pp. 118-119**

Requires the Department of Public Instruction, in consultation with the Office of State Budget and Management and the Fiscal Research Division, to redefine the fund codes composing the State Public School Fund as necessary to facilitate effective public school unit budgeting and cash management in preparation for the implementation of the North Carolina Financial System.

### **Section 7.57 Enhanced School Bus Stop Arm Grants p. 119**

Requires the State Superintendent to establish the Enhanced School Bus Stop Arm Grant Program for the 2023-2024 fiscal year to administer funds to public school units to add, upgrade, or replace mechanical stop signals on school buses with either illuminated mechanical stop signals or extended mechanical stop signals to increase the safety of students when disembarking or boarding the bus. Requires the State Superintendent to develop the application process for the Program and sets out reporting requirements.

### **Section 7.58 Eliminate Student Copay for Reduced-Price Meals p. 119**

Provides school breakfasts and lunches at no cost to students of all grades that qualify for reduced-price meals under the National School Lunch Program in the current school year.

### **Section 7.59 CEP Meal Program Incentive** *pp. 119-120*

- Requires the Department of Public Instruction to establish the CEP Meal Program Incentive for the 2023-2025 fiscal biennium to expand public school participation in the federal Community Eligibility Provision (CEP) program to increase the number of students with access to healthy, cost-free school breakfast and lunch.
- Requires DPI to develop applications by January 15, 2024. Requires public school units to submit applications by March 1, 2024. Requires DPI to determine eligible participants by April 30, 2024. Requires the incentive program to be available to public school units for the 2024-2025 fiscal year.
- Sets out eligibility and application requirements.
- Includes non-supplant language.

### **Section 7.60 No Administrative Penalty for Unpaid Meal Debt** *p. 121*

Prohibits governing bodies of public school units from imposing administrative penalties on a student for unpaid school meal debt and defines what constitutes an administrative penalty.

*Amends:* G.S. 115C-264

### **Section 7.61 High School Remote Instruction Flexibility Pilot** *pp. 121-122*

Requires the Superintendent of Public Instruction to select ten local school administrative units to participate in a remote instruction flexibility pilot. Requires the pilot to authorize local boards of education to establish a school calendar for high schools that uses up to five days or 30 hours of remote instruction to ensure that all final examinations for the fall semester are administered to students prior to December 31 of the school year. Requires each participating local board of education to annually report to the Superintendent of Public Instruction beginning July 15, 2024, and ending July 15, 2028, specified information.

### **Section 7.62 SparkNC Pilot for High-Tech Learning Accelerator Credit** *pp. 122-124*

- Authorizes SparkNC, in partnership with selected public school units, to develop a pathway through which students may select and complete modular learning experiences that, when aggregated, will provide a competency-based equivalency to a traditional elective course credit.
- Establishes various requirements for the pilot program.
- Lists 18 selected LEAs who may participate in the program during the 2023-24 & 2024-25 school years: Asheboro City Schools, Cabarrus County Schools, Chapel Hill-Carrboro City Schools, Chatham County Schools, Cumberland County Schools, Edgecombe County Schools, Elizabeth City-Pasquotank Public Schools, Granville County Schools, Guilford Country Schools, Guilford Country Schools, Lexington City Schools, Mt. Airy City Schools, New Hanover County Schools, Rockingham Country Schools, Rowan-Salisbury

Schools, Scotland Country Schools, Vance County Schools, Wake County Public School System, Warren County Schools.

### **Section 7.63 Extended Learning and Integrated Student Supports Competitive Grant Program** *pp. 124-125*

Requires the Department of Public Instruction (DPI) to use up to \$7,000,000 for each year of the 2023-25 biennium for the Extended Learning and Integrated Student Supports Competitive Grant Program (Program). Sets out various goals of Program, permissible uses of grant funds, and reporting requirements.

### **Section 7.64 Prohibition Against “Three-Cueing”** *pp. 125-126*

Prohibits the use of “three-cueing system” or a visual memory-based curriculum as the main method for teaching word recognition in NC Pre-K and in kindergarten through 3<sup>rd</sup> grade. Defines “three-cueing system” as a model of teaching students to read based on meaning, structure and syntax, and visual cues, also known as “MSV.” Effective October 3, 2023 and applies beginning with the 2023-24 school year.

***Amends:*** G.S. 115C-83.3; G.S. 115C-83.4B; Part 1A of Article 8 of Chapter 115C of the General Statutes

### **Section 7.65 Professional Development for Holocaust Education Funds Not to Revert** *p. 126*

- Prohibits the nonrecurring funds appropriated to the Department of Public Instruction in S.L. 2021-180 for the 2022-2023 fiscal year for Holocaust and genocide education from reverting to the General Fund at the end of the 2022-2023 fiscal year but requires the funds to remain available until the end of the 2023-2024 fiscal year.
- Effective June 30, 2023

### **Section 7.66 Salary Supplements for Teachers in Advanced Teaching Roles** *pp. 126-127*

- Requires the State Board of Education to award funds to local school administrative units for annual salary supplements for teachers and requires Advanced Teaching Roles units to designate:
  - Up to 15% of the teachers in each Advanced Teaching Roles school as adult leadership teachers and
  - 5% of the teachers in each Advanced Teaching Roles school as classroom excellence teachers
- Advanced Teaching Roles units shall provide salary supplements for those teachers as follows: (1) \$10,000 for adult leadership teachers (2) \$3,000 for classroom excellence teachers
- Sets out definitions and additional requirements that apply to salary supplements received under this section

***Amends:*** Article 20 of Chapter 115C of the General Statutes

### **Section 7.67 Realign Advanced Teaching Roles pp. 127-128**

- Requires the State Board of Education to issue a new Request for Proposal (RFP) for local school administrative units to participate in the Advanced Teaching Roles Program. Sets out requirements for the new RFP
- Requires the SBE to authorize New Hanover County Schools to participate in the Advanced Teaching Roles Program (Program) and, to the extent funds are available in the Program, award State funds to New Hanover County Schools for an initial term if certain factors are met.

### **Section 7.68 Daily Deposit Amount Adjustment p. 128**

Increases the minimum amount of money on hand required for deposits from \$250 to \$1,500

*Amends: G.S. 115C-445*

### **Section 7.69 Plasma Games Grant Program pp. 128-129**

- Requires the DPI to create a grant program for public school units (PSU) to apply for funds to contract with Plasma Games, Inc., for the use of educational software to be used in science, technology, engineering, and math (STEM) and career and technical education (CTE) courses.
- Requires DPI to make an application available to PSUs by November 15, 2023, and August 1 of each year thereafter that funds are made available. Requires PSUs to submit applications by January 15, 2024, and October 1 of each year thereafter that funds are available. Requires DPI to make determinations on grant recipients by March 15, 2024, and December 1 of each year thereafter that funds are made available.
- Requires DPI to prioritize issuing grants to PSUs that participated in the pilot program created to promote access to innovative digital and personalized learning solutions for high school students that bridge the gap between chemistry and physical science classes and career and technical education career pathways and are actively utilizing license grants pursuant to that pilot program.
- Requires DPI to report to the Joint Legislative Education Oversight Committee beginning May 15, 2024, and each year thereafter that funds are made available.

### **Section 7.70 NC Education Corps Reporting p. 129**

Requires the North Carolina Education Corps to report to the Joint Legislative Education Oversight Committee by February 15, 2024, on the results of the program requiring focus on accelerating COVID-19 learning recovery with students, families, and school personnel, particularly through high-impact literacy tutors grounded in the Science of Reading and reading instruction.

### Section 7.71 Allow Nonprofits to Provide Abuse/Sex Trafficking Training to Educators pp. 129-130

Expands the scope of entities authorized to offer abuse and sex trafficking training to educators by including nonprofit organizations with over 10 years of experience in providing research-based child sexual abuse prevention curriculum.

*Amends: G.S. 115C-375.20*

### Section 7.72 High School Diploma Endorsements pp. 130-133

- Requires the SBE to establish and make available arts proficiency and citizenship proficiency high school diploma endorsements to students graduating high school beginning with the 2023-2024 school year. Requires the SBE to develop accompanying criteria for receiving such endorsements.
- Makes various changes to the General Statutes. Requires the SBE to establish high school diploma endorsements as provided in G.S. 115C-83.32.
- Amends the graduation exit standards requirements by mandating the SBE to require certain exit standards and allowing the SBE to develop additional exit standards required for high school graduation.
- Requires charter schools to offer students the opportunity to earn a citizenship proficiency high school diploma endorsement and allows a charter student, if necessary, to take the civics test required to earn the endorsement at the nearest high school located within the LEA in which the charter school is located at the time that school is scheduled to offer the exam.
- Expands the SBE's reporting requirements to include the number of students receiving any high school diploma endorsement. ***This provision applies beginning with the report due to the Joint Legislative Education Oversight Committee on November 15, 2024.***

*Amends: Article 8 of Chapter 115C of the General Statutes; G.S. 115C-12(9d); G.S. 115C-12(40); G.S. 115C-218.85; G.S. 115C-156.2(b)*

### Section 7.73 Limited Teacher License Changes pp. 133-134

Changes the three-year limited teacher license from nonrenewable to renewable if certain listed requirements are met. Applies to renewal applications on or after October 3, 2023.

*Amends: G.S. 115C-270.20(a)(4a); G.S. 115C-270.30(b)*

### Section 7.74 Out-of-State Teacher License Reciprocity p. 134

Modifies requirements for applicants with an out-of-state license. Requires the State Board of Education to grant a continuing professional license (CPL) to a teacher licensed in another state



with substantially similar licensure requirements who has at least three years of teaching experience and is in good standing with the other state.

*Amends: G.S. 115C-270.25*

#### **Section 7.75 Allow Home School Students to Sit For AP/PSAT Exams** *pp. 134-135*

- Requires a student enrolled in a home school to be allowed to participate in the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test or the Pre-ACT test as offered by the local administrative unit and sets out certain conditions, including that the student's parent shall be charged the cost of the test by the local school administrative unit.
- Requires a student enrolled in a home school to be allowed to take any advanced course examination offered by a local administrative unit and sets out certain conditions, including that the student's parent shall be charged the cost of the test by the local school administrative unit.

*Amends: G.S. 115C-174.18; G.S. 115C-174.26(a); Part 3 of Article 39 of Chapter 115C*

#### **Section 7.76 Searches of Student's Person** *pp. 135-136*

Requires searches of a student's person are conducted in private by one school official and one adult witness, both of whom shall be the same sex as the student. Provides exceptions to this requirement for searches conducted using a walk-through metal detector, handheld wand, or other similar minimally intrusive device designed to detect weapons and regularly used for security scanning.

*Amends: Article 27 of Chapter 115C of the General Statutes*

#### **Section 7.77 State of the School Administration Professional Report** *pp. 136-137*

Expands the State Board of Education's (SBE) duty to monitor the state of the teaching profession to include the "teaching and school administration professions" and consolidates those reports. Sets out reporting requirements for the "State of the School Administration Profession," including to analyze the relationship between reasons principals leave their position and student growth, student achievement, and school performance.

*Amends: G.S. 115C-12(22); Article 19 of Chapter 115C of the General Statutes; G.S. 115C-299.5*

#### **Section 7.78 Study Status and Cost of Carbon Monoxide Alarms and Radon Testing in Schools** *p. 137*

Requires the State Board of Education to study the status and cost of carbon monoxide alarms and radon testing in schools and sets out reporting requirements.



### **Section 7.79 Procedural Correction for S.L. 2023-107 p. 137**

Reenacts Subsection (c) of Section 6 of S.L. 2023-107 which allows each county to levy property taxes without restriction as to rate or amount for the purpose of providing capital funds to charter schools.

### **Section 7.80 Clarify That Nonpublic Schools May Provide Remote Instruction and That a Nonpublic School Shall Provide In-Person Instruction to be Eligible to Receive Students with Scholarship Grants pp. 137-138**

Requires nonpublic schools that accept eligible students receiving scholarship grants to maintain a school facility within the State where in-person instruction is provided.

*Amends: G.S. 115C-562.5(a)*

### **Section 7.81 Adjustments to S.L. 2023-106 (Senate Bill 49: Parents' Bill of Rights) pp. 138-139**

- Creates exemptions to create, share, or store a student's biometric scan without a parent's prior written consent. Creates an exemption with certain protected information surveys where parents are required to opt-out instead of having to opt-in.
- Modifies implementation deadlines for policies in Part II of the S.L. 2023-106 from applying beginning with the 2023-24 school year to the first day of school after January 1, 2024.
- Makes a modification allowing certain teachers and other school employees to provide medical care to students without prior parental consent in Part III.

*Amends: G.S. 114A-10(7) and G.S. 115C-76.65(c), as enacted by S.L. 2023-106*

### **Section 7.82 Opportunity Scholarship Financial Impact Report/Reinvestment in Public Schools pp. 139-140**

- Requires the Authority to provide outlined information to the Department of Public Instruction (DPI) no later than October 15 of each year.
- Requires DPI to report on the cumulative difference in the current school year between the scholarship grant award amount for each prior public school attendee enrolled in a nonpublic school and the average State per pupil allocation for average daily membership for a student in a public school unit to the General Assembly no later than April 1 of each year.

*Amends: G.S. 115C-562.7*

### **Section 7.83 Clarify Minimum Service Requirements for Paid Parental Leave p. 140**

Requires that the period of minimum service before becoming eligible for paid parental leave may be met by aggregating employment at any of the following: (1) State agencies, departments, and institutions, including The University of North Carolina; (2) Public school units that provide paid parental leave; or (3) Community colleges located in this State.

*Amends: G.S. 126-8.6(c1)*

### **Section 7.84 Limit Discretion to Withhold or Reduce Charter School Funding to Review Board and Superintendent of Public Instruction p. 141**

- Prohibits the State Board of Education (SBE) from withholding or reducing distribution of funds to a charter school for any reason except for additional allocations for children with disabilities
- Requires the SBE to withhold or reduce distribution of funds to a charter school if any of the following applies:
  - The change in funding is due to an annual adjustment based on enrollment or is a general adjustment to allocations that is not specific to the charter or actions of that charter school
  - The Review Board notifies the SBE that the charter school has materially violated a term of its charter, has violated a State statute or federal law, or has had its charter terminated or nonrenewed
  - The Superintendent of Public Instruction notifies the SBE that the charter school has failed to meet generally accepted standards of fiscal management or has violated a State or federal requirement for receipt of funds

*Amends: G.S. 115C-218.105, as amended by S.L. 2023-110*

## PART VII-A—COMPENSATION OF PUBLIC SCHOOL EMPLOYEES

### Section 7A.1 Teacher Salary Schedule *pp. 92-94*

- Provides funding to implement a new teacher salary schedule for fiscal year 2023-24 and an intended salary schedule for fiscal year 2024-25. Raises are retroactive to July 1, 2023.
- Teachers and other school employees paid on the Teacher A Salary Schedule will receive an average 7% raise over the biennium. Pay increases range from 3.6% to 14.7%.

### Teacher “A” Salary Schedule

Years of Exp.	<u>2022-23</u>	<u>2023-24</u>	%Increase over <u>2022-23</u>	<u>2024-25</u>	%Increase over <u>2023-24</u>
0	\$3,700	\$3,900	5.41%	\$4,100	5.13%
1	\$3,800	\$3,984	7.68%	\$4,175	7.05%
2	\$3,900	\$4,085	7.50%	\$4,250	6.68%
3	\$4,000	\$4,187	7.35%	\$4,325	5.88%
4	\$4,100	\$4,289	7.23%	\$4,400	5.09%
5	\$4,200	\$4,391	7.10%	\$4,475	4.34%
6	\$4,300	\$4,481	6.69%	\$4,572	4.12%
7	\$4,400	\$4,572	6.32%	\$4,663	4.06%
8	\$4,500	\$4,662	5.95%	\$4,753	3.95%
9	\$4,600	\$4,753	5.62%	\$4,844	3.90%
10	\$4,700	\$4,843	5.28%	\$4,935	3.83%
11	\$4,800	\$4,933	4.96%	\$5,025	3.76%
12	\$4,900	\$5,024	4.67%	\$5,116	3.70%
13	\$5,000	\$5,114	4.37%	\$5,206	3.62%
14	\$5,100	\$5,205	4.10%	\$5,297	3.58%
15	\$5,200	\$5,306	4.04%	\$5,388	3.51%
16	\$5,200	\$5,306	2.04%	\$5,388	1.54%
17	\$5,200	\$5,306	2.04%	\$5,388	1.54%
18	\$5,200	\$5,306	2.04%	\$5,388	1.54%
19	\$5,200	\$5,306	2.04%	\$5,388	1.54%
20	\$5,200	\$5,306	2.04%	\$5,388	1.54%
21	\$5,200	\$5,306	2.04%	\$5,388	1.54%
22	\$5,200	\$5,306	2.04%	\$5,388	1.54%
23	\$5,200	\$5,306	2.04%	\$5,388	1.54%
24	\$5,200	\$5,306	2.04%	\$5,388	1.54%
25	\$5,400	\$5,510	5.96%	\$5,595	5.45%
26+	\$5,400	\$5,510	2.04%	\$5,595	1.54%

## **Section 7A.1 Teacher Salary Schedule (cont.)** *pp. 92-94*

Salary supplements for teachers and other staff paid on this salary schedule have not changed.

## **Section 7A.3 Consolidated Teacher Bonus Program** *pp. 143-148*

Requires the Department of Public Instruction to administer bonus pay to qualifying teachers in January of 2024 and 2025, based on data from the 2022-23 and 2023-24 school years, respectively. Defines “eligible advanced course teacher,” “eligible career and technical education teacher,” “eligible growth teacher,” “qualifying teacher,” and “qualifying public school unit.” Sets out limitations and other criteria, including caps on the dollar amount and the number of bonuses awarded to teachers. Requires the SBE to study the effect of the program on teacher performance and retention and to report on its findings and the bonuses awarded by March 15 of each year of the 2023-2025 fiscal biennium.

### ***Advanced Course Bonuses***

Requires \$50 to qualifying advanced course teachers for each student taught in each advanced course who receives the following score:

- Advanced Placement (AP) courses - three or higher on the College Board AP Examination
- International Baccalaureate (IB) Diploma Programme courses - four or higher on the IB course examination
- Cambridge AICE program - "E" or higher on the Cambridge AICE program examinations

### ***CTE Bonuses***

Requires the following bonuses for qualifying career and technical education (CTE) teachers:

- \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification or credential with a \$25 value ranking as determined under subsection (e) of this section.
- \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification or credential with a \$50 value ranking as determined under subsection (e) of this section.

### ***CTE Course Value Ranking***

Requires the Department of Commerce, in consultation with the SBE, to assign a value ranking for each industry certification and credential based on academic rigor and employment value. Requires the ranking to be based on 50% of both academic rigor and employment value. Defines the basis for academic rigor and employment value.

### ***Statewide Growth Bonuses***

Requires bonuses to be provided to teachers who are both qualifying and eligible:

- \$5,000,000 distributed equally among the top 25% of teachers in the State based on the previous school year's EVAAS student growth index score for third grade reading.

- \$2,000 to each teacher in the top 25% of teachers in the State based on the previous school year's EVAAS student growth index score for fourth or fifth grade reading.
- \$2,000 to each teacher in the top 25% of teachers in the State based on previous year's EVAAS student growth index score for fourth, fifth, sixth, seventh, or eighth grade mathematics.

### *Local Growth Bonuses*

Requires bonuses to be provided to teachers as follows:

- \$5,000,000 allocated to eligible EVAAS teachers who: (1) are in the top 25% of teachers in the teacher's respective local school administrative unit according to the previous school year's EVAAS student growth index score for third grade reading; or (2) were employed by a local school administrative unit that employed in the previous school year three or fewer total teachers in that teacher's grade level as long as the teacher has an EVAAS student growth index score from the previous school year of exceeded expected growth in third grade reading.
  - These funds are required to be divided proportionally based on average daily membership in third grade for each local school administrative unit and then distributed equally among qualifying third grade reading teachers in each local school administrative unit.
- \$2,000 to each teacher that is both eligible and qualifying who: (1) is in the top 25% of teachers in the teacher's respective local school administrative unit according to the previous school year's EVAAS student growth index score for fourth or fifth grade reading; or (2) was employed by a local school administrative unit that employed in the previous school year three or fewer total teachers in that teacher's grade level as long as the teacher has an EVAAS student growth index score from the previous school year of exceeded expected growth in fourth or fifth grade reading.
- \$2,000 to each teacher that is both eligible and qualifying who: (1) is in the top 25% of teachers in the teacher's respective local school administrative unit according to the previous year's EVAAS student growth index score for fourth, fifth, sixth, seventh, or eighth grade mathematics; or (2) was employed by a local school administrative unit that employed in the previous school year three or fewer total teachers in that teacher's grade level as long as the teacher has an EVAAS student growth index score from the previous school year of exceeded expected growth in fourth, fifth, sixth, seventh, or eighth grade mathematics.

#### Section 7A.4 Supplemental Funds for Teacher Compensation *pp. 148-151*

- Allocates funds to eligible local school administrative units to provide salary supplements to teachers and qualifying school administrators in those units for each year of the 2023-25 biennium. Sets out eligibility requirements.
- Establishes a nonsupplant requirement and enforcement – if the State Board of Education (SBE) determines there is a violation the SBE shall do the following:
  - For the 2023-24 fiscal year, continue to allocate funds to the unit.
  - For the 2024-25 fiscal year, not allocate any funds under this section to the unit.
- Provides the local board of education of the eligible unit the discretion to determine allocation of salary supplements among teachers and qualifying school administrators with an exception that except no individual salary supplement shall exceed the per teacher funding amount awarded to that unit. Caps teacher supplement at \$5,000 for each applicable fiscal year.

#### Section 7A.5 Small County and Low-Wealth Signing Bonuses For Teachers *pp. 151-152*

- Sets out definitions for eligible employees and employers for small county and low wealth signing bonuses. Requires the Department of Public Instruction to establish and administer a signing bonus program for teachers and instructional support personnel. Requires signing bonuses to be provided each school year to all eligible employees who are employed by an eligible employer. Calls for a 1:1 local matching requirement up to \$1,000 in State funds.
- Prohibits a teacher who receives a signing bonus pursuant to this section to receive another or similar signing bonus for at least two full school years. Clarifies that this does not apply to any legislatively mandated bonuses received by teachers that are not signing bonuses. Requires the bonuses awarded pursuant to this section to be in addition to any regular wage or other bonus a teacher receives or is scheduled to receive. ***This section applies beginning with eligible employees who accept employment as a teacher with an eligible employer for the 2023-2024 school year.***

*Amends: Article 20 of Chapter 115C of the General Statutes*

#### Section 7A.6 Principal Salary Schedule *pp. 152*

- Provides a 4% raise in 2023-24 and a 3% raise in 2024-25 for principals.
- Includes a hold harmless provision on principal salary that is based on school growth scores.
- Continues to use ADM and school growth scores in the calculation of principal pay.
- Continues to build longevity payments into the salary schedule.
- Includes a hold harmless clause to ensure that for the 2023-24 fiscal year no principal's salary drops below the 2016-2017 level.

### 2023-2024 Principal Annual Salary Schedule

Avg. Daily Membership	Base	Met Growth	Exceeded Growth
0-200	\$75,526	\$83,078	\$90,631
201-400	\$79,302	\$87,232	\$95,162
401-700	\$83,078	\$91,386	\$99,694
701-1,000	\$86,855	\$95,540	\$104,226
1,001-1,600	\$90,631	\$99,694	\$108,757
1,601+	\$94,407	\$103,848	\$113,288

### 2024-2025 Principal Annual Salary Schedule

Avg. Daily Membership	Base	Met Growth	Exceeded Growth
0-200	\$77,792	\$85,570	\$93,350
201-400	\$81,681	\$89,849	\$98,017
401-700	\$85,570	\$94,128	\$102,685
701-1,000	\$89,461	\$98,406	\$107,353
1,001-1,600	\$93,350	\$102,685	\$112,020
1,601+	\$97,239	\$106,963	\$116,687

### Section 7A.7 Bonuses for Principals *p. 154*

Provides a bonus to principals of schools in the top 50% of statewide school growth during the 2023-24 school year as follows:

### 2023-2024 Principal Bonus Schedule

Statewide Growth Percentage	Bonus
Top 5%	\$15,000
Top 10%	\$10,000
Top 15%	\$5,000
Top 20%	\$2,500
Top 50%	\$1,000

### Section 7A.8 Assistant Principal Salaries *p. 155*

Maintains the assistant principal salary at 19% of the “A” teacher salary schedule.

### Section 7A.9 Central Office Salaries *p. 155*

Provides a 4% raise in 2023-2024 and a 3% raise in 2024-2025 for superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers.

#### **Section 7A.10 Noncertified Personnel Salaries** *p. 157*

- For the 2023-24 fiscal year and the 2024-25 fiscal year, the annual salary for noncertified public-school employees whose salaries are supported from State funds shall be increased as follows:
  - (1) For permanent, full-time employees on a 12-month contract, by 4%
  - (2) For the following employees, by an equitable amount based on the amount specified in subdivision (1) of this subsection:
    - Permanent, full-time employees on a contract for fewer than 12 months
    - Permanent, part-time employees
    - Temporary and permanent hourly employees
- An additional \$4,716,932 is appropriated for bus driver salaries equating to 2% on top of the 7%.



## PART VIII—THE UNIVERSITY OF NORTH CAROLINA SYSTEM

### Section 8A.4. Revise Teaching Fellows Program pp.182-186

- Expands the definition of qualifying licensure areas to also include elementary education (K-6) along with STEM and special education.
- Expands the number of participating institutions of higher education to “up to 10” (was up to 8). Establishes a new standard that selected educator preparation programs (EPP) must include training that is aligned with the Science of Reading in accordance with G.S. 115C-269.20. Requires the NC Teaching Fellows Commission to contract with a third-party to ensure this standard is met.
- Increases the awards for forgivable loans from \$4,125 to \$5,000 per semester (the number of semesters doesn’t change). Streamlines the loan forgiveness timeframe.
- Applies to applications for the award of funds beginning in the 2024-2025 academic year.

*Amends: G.S.116-209.60; 116-209.62; 116-209.63*

### Section 8.6 Reduce Number of Required UNC Laboratory Schools from Nine to Eight p. 162

Requires the UNC Board of Governors, upon recommendation by the President, to designate constituent institutions to establish and operate a total of at least eight laboratory schools (was 9).

[*Note:* A \$500,000 recurring reduction was made in the budget for this change. (*See*, Committee Report – p. B42, item 126)].

### Section 8.9 CTE Grants for Agriculture p. 164

- Allocates \$2 million to the North Carolina Future Farmers of America (FFA) to provide grants to middle and high school agriculture education programs operated as a part of the Career and Technical Education (CTE) program.
- Requires the FFA to give priority to schools meeting the following criteria: (i) located, in whole or in part, in a county with at least one local school administrative unit that received low-wealth supplemental funding in the previous fiscal year and (ii) have a high population of at-risk students or students with disabilities. The FFA will have 30 days after passage of the budget bill to develop a grant application. Grant applicants have until June 15, 2024 to submit applications. Grant recipients will submit a report to the FFA on program outcomes by October 15, 2024. FFA will submit a summary of these reports to the General Assembly by December 15, 2024.

[*Note:* \$2 million nonrecurring appropriated in each year of the biennium to the program. (*See*, Committee Report – p. B54, item 173)].

## Section 8A.6 Expand Eligibility for Opportunity Scholarships, Require a Sequence of Courses for Early High School Graduation, and Establish the Early Graduate Scholarship Program *pp. 187-197*

- Provides priority order for distribution of grants. Lists the amounts students can be awarded in FY 2024-25. Expands eligibility for Opportunity Scholarships to all students by repealing the following:
  - Household income requirement of not in excess of 200% of the amount required for the student to qualify for the federal free or reduced-price lunch program.
  - Requirement for full-time attendance in a NC public school or Department of Defense school for third through twelfth graders in the prior school year.
- Requires the State Education Assistance Authority (SEAA) to work with various state agencies and officials to establish a domicile determination system to verify student residency. Authorizes the SEAA to seek verification of information on 4% of scholarship applications annually (current law is 6%). Requires the SEAA to report to the Joint Legislative Education Oversight Committee and Fiscal Research Division by April 1 each year.
- Requires students in grades 3-8 to take the nationally standardized test designated by the Authority. Requires Students in grade 11 to take the ACT. Changes the standardized testing
- Increases the appropriation to the Opportunity Scholarship Grant Fund Reserve each year from FY 2025-26 to FY 2032-33. The FY 2022-23 appropriation of \$94.84 million will rise to \$520.54 million in FY 2032-33.
- Requires the State Board of Education (SBE) to develop a sequence of courses to allow a student to complete the credits required for graduation in a three-year period.
- A local board of education shall not require any additional credits beyond those mandated by the SBE for high school graduation.
- Repeals the ability of a local board of education to require high school graduation projects if it reimburses economically disadvantaged students for their expenses (up to \$75).
- Establishes the Early Graduate Scholarship Program for those students who meet all of the following requirements:
  - Graduate from a NC public high school in three years
  - Qualify as a resident for tuition purposes
  - Meet enrollment standards at an eligible postsecondary institution
  - Submit a Free Application for Federal Student Aid
- The scholarship is for a maximum of two semesters. SEAA will determine the scholarship amount based on the student's financial need. Scholarships will be awarded beginning with the 2025-2026 academic year.

[**Note:** An additional \$87 million in recurring funds in FY 2023-24 and \$163 million in recurring funds for FY 2024-25 is appropriated to the Opportunity Scholarship Grant Fund Reserve. (*See, Committee Report – p. B45, item 141*)].

*Amends: G.S. 115C-562.1 by adding (3a); G.S. 115C-562.2; G.S. 115C-562.3; G.S. 115C-562.5; G.S. 115C-562.7; G.S. 115C-562.8; G.S. 115C-12(9d)a; G.S. 115C-47(54a); Article 23 of Chapter 116 by adding G.S. 116-209.100 through G.S. 116-209.104; **Repeals:** G.S. 115C-562.1(3), (3c), and (5c)*

### **Section 8A.11 Allow Preapproval of PESA Expenses in Lieu of Expense Reports, as Recommended by the Internal Auditor p. 201**

Repeals the expense reports filed by parents after utilizing funds in their Personal Education Student Accounts. SEAA will institute a preapproval process prior to the disbursement of funds.

*Amends: G.S. 115C-592(b2)*

### **Section 8A.13 Personal Education Student Account Unexpended Funds to Establish an Institutional Trust Fund pp. 202-203**

Authorizes SEAA to create an institutional trust fund for the Personal Education Student Account program and deposit in that fund all unexpended funds at the end of each fiscal year. All interest earned on these funds shall also be placed in the institutional trust fund. Requires SEAA to use these funds to award scholarship funds in any fiscal year that the funds required to award scholarships to eligible students for a school year exceed the funds available for the distribution of those awards. The cash balance in this institutional trust fund may not exceed \$10,000,000. When the cash balance in any fiscal year is greater than \$10,000,000, the surplus funds shall revert to the General Fund. Adds reporting requirements.

*Amends: G.S. 115C-600, adds new section (b); G.S. 115C-598, adds new section (b)*

### **Section 8A.15 Common Digital Transcript pp. 206-207**

- Allocates funds to SEAA to contract with the College Foundation, Inc. to create a common digital transcript in consultation with the Department of Public Instruction, the Community Colleges System Office, and The University of North Carolina System Office. Establishes minimum criteria. The transcript shall meet at least the following criteria:
- SEAA must report to Joint Legislative Education Oversight Committee by March 15, 2024 on the progress it has made on this project.

[**Note:** \$7 million nonrecurring from the IT Reserve is appropriated in FY 2023-24 to the program. (See, Committee Report – p. B45, item 147)].

## **PART IX—HEALTH AND HUMAN SERVICES (DHHS)**

### **Section 9B.6 Transfer of Positions to the Department of Public Instruction for the Care and Maintenance of Governor Morehead School for the Blind** *pp. 212-213*

Transfers 16 maintenance positions from the Department of Health and Human Services to the Department of Public Instruction in FY 2024-25.

## **PART XII—ENVIRONMENTAL QUALITY**

### **Section 12.2 Water and Sewer Infrastructure Funds** *p. 368*

Allocates \$600,000 to Pitt County water and wastewater projects for Pitt County Schools.

## **PART XXXIX—SALARIES AND BENEFITS**

### **Section 39.20 State Agency Teachers** *p. 578*

Ensures that employees of schools operated by the Department of Health and Human Services, the Department of Public Safety, and the State Board of Education are paid on the Teacher Salary Schedule authorized under the 2023 Appropriations Act.

### **Section 39.27 4% Cost of Living Supplements for Retirees of the Teachers’ and State Employees’ Retirement System, the Consolidated Judicial Retirement System, and the Legislative Retirement System** *p. 582*

Provides a 4% one-time cost-of-living supplement to retirees of the Teachers’ and State Employees’ Retirement System in the 2023-24 fiscal year.

*Amends: G.S. 135-5 by adding subsection (zzz); G.S. 135-65 by adding subsection (kk); G.S. 120-4.22 by adding subsection (ee)*

### **Section 39.28A Temporary Waiver of TSERS Reporting Requirements/Gaston County Public Schools** *p. 582*

Waives any penalty payment associated with reporting requirements for employee and employer contributions by Gaston County Public Schools from January 1, 2022, to June 30, 2023.

## **SUMMARIES OF K12-RELATED BILLS ENACTED DURING THE 2023 SESSION**

### **PUBLIC/STATEWIDE LEGISLATION**

#### **House Bills**

##### **HB 2: Budget Technical Corrections (S.L. 2023-11)**

Section 2.1. Allows the Department of Public Instruction (DPI) to use federal funds from a 2021 appropriation to contract with Gooru, Inc. for the Gooru Navigator software program to evaluate and improve student learning and performance.

*Amends: Section 3.5(a)(10) of S.L. 2021-25, as amended by S.L. 2021-180*

Effective July 1, 2022.

Section 2.2. Directs DPI to transfer \$160,000 in recurring funds (appropriated in FY 2022-23) from a contract with the Belk Center for Community College Leadership and Research at North Carolina State University to the purchase of attainment data from the National Student Clearinghouse. The data is to be shared annually with those as requested and approved by the Department.

*Amends: S.L. 2022-74 or the Committee Report described in Section 43.2 of that act*

Effective July 1, 2022.

Section 2.3. Mandates the \$583,500 in nonrecurring funds appropriated for each year of the 2021-2023 fiscal biennium to the Community Colleges System Office for Career Academies for At-Risk Students shall not revert at the end of the 2021-2023 fiscal biennium but remain available until expended. This program involves seventh through ninth grade students in the New Hanover County and Pender County school systems. This section is effective on June 30, 2023.

*Amends: Part VI of S.L. 2021-180, as amended by Section 2.1 of S.L. 2021-189*

Section 2.4. Revises the matching requirements for the National College Advising Corps Program from a 2:1 match of non-state funds for every dollar in federal funds to a 1:1 match. This program places college advisers in public high schools. The effective date of the act was changed from July 1, 2022 to July 1, 2021.

*Amends: Subdivision (18) of Section 3.5(a) of S.L. 2021-25, as enacted by Section 7.27(a) of S.L. 2021-180 and amended by Section 7.8 of S.L. 2022-74*

##### **HB 8: Various Statutory Changes (S.L. 2023-132)**

Section 1. Requires completion of a computer science course for graduation from high school. Reduces the number of required elective credits to graduate high school by one. Creates the following exemptions (i) for any student enrolling in a public high school in this state after completion of 11<sup>th</sup> grade (ii) for any student whose IEP states that the student's disability would prevent the completion of that requirement.

Section 2. Requires SBE to include instruction in computer science in the standard course of study for middle and high school students. Establishes course requirements public school units

must provide. Courses are required to be in-person when practicable. Provides a process for exemptions to offer computer science courses for the 2024-25 and 2025-26 school years only.

*Amends: G.S. 115C-12(9d) § 115C-83.31. G.S. 115C-218.85(a), Adds new section 115C-81.90*

Effective September 29, 2023.

#### HB 11: Schools for the Deaf and Blind (S.L. 2023-10)

Section 1. Amends the requirements for local Superintendents to report to schools for the deaf and blind as follows:

- Strikes “guardians” from the list of those requiring written consent to release contact information and information regarding a child’s hearing or vision status to the deaf and blind schools.
- Strikes from the annual report on deaf and blind students the “type of disability of each child”.
- Requires local superintendents to share with the directors of the deaf and blind schools all current evaluation data and current or proposed individualized education plan for any child enrolled in that public school unit who is identified as a child with a disability who is deaf, hard of hearing, blind, or visually impaired. This information will be transferred upon the written request of a parent or custodian of a student who has applied to a school for the deaf or school for the blind.

*Amends: G.S. 115C-150.15*

Effective July 1, 2024.

#### HB 76: Access to Healthcare Options (S.L. 2023-7)

Section 1.1 expands Medicaid coverage through North Carolina Health Works to adults aged 18-64 with incomes up to 133% of the federal poverty level

*Amends: Section 3 of S.L. 2013-5 is repealed; G.S. 108A-54.3A*

Effective beginning on the later of following dates: (i) the date the Current Operations Appropriations Act for the 2023-2024 fiscal year becomes law or (ii) the start date approved by the Centers for Medicare and Medicaid Services.

#### HB 103: GSC Technical Corrections 2023 (S.L. 2023-46)

Section 14. Removes obsolete references to the Governor’s Commission on Early Childhood Vision Care regarding vision screening required for children entering kindergarten. This Commission was repealed by S.L. 2011-266, Section 1.40 on July 1, 2011.

*Amends: G.S. 130A-440.1*

Effective June 16, 2023.

[HB 142: Protect Our Students Act/Buncombe County Bd of Ed \(S.L. 2023-128\)](#)

Section 1. Increases penalties for sex offenses by school personnel against a student. Modifies the definition of student to include a person enrolled in kindergarten, or in grades one through twelve in any school within six months of a sexual violation.

*Amends: G.S. 14-27.32, G.S. 14-202.4*

Effective December 1, 2023.

Section 2. Requires administrators including superintendents, assistant superintendents, associate superintendents, personnel administrators, and principals to report certain misconduct to the SBE. If the school employee in question resigns within 30 days of a complaint for misconduct or during an ongoing investigation of a complaint, the misconduct would be presumed to have resulted in the resignation. School personnel are prohibited from threatening, harassing, or retaliating against any person for making a required report. The SBE has the authority to adopt temporary rules to implement the requirements of this section, address disciplinary actions against professional educator licenses, and modify Standards of Professional Conduct. The SBE will adopt permanent rules by July 1, 2024.

*Amends: G.S. 115C-326.20*

Effective December 1, 2023, applies to offenses committed on or after that date.

Section 3. Requires public school units to show 6th-12 graders age-appropriate videos produced by the Center for Safer Schools which include information on sex abuse.

*Amends: G.S. 115C-105.57(c), G.S. 115C-12(47)*

Effective September 28, 2023 and applies beginning with 2024-2025 school year.

Section 3A. Requires school employees convicted of certain felonies involving a student to forfeit the portion of their state-funded retirement benefits

*Amends: G.S. 128-21, G.S. 135-1*

Effective July 1, 2023 and applies to offenses committed on or after that date.

Section 4. Moves deadline for Buncombe County Board of Education to establish new electoral districts from February 1, 2024 to June 30, 2024. Instructs the Buncombe County Board of Education and the Asheville City Board of Education to jointly study a merger of their two school systems.

*Amends: Section 6(e) of S.L. 2023-32; **Repeals** Section 6(d) of S.L. 2023-32*

Effective September 29, 2023.



[HB 166: American Indians Graduating with Honors Act \(S.L. 2023-43\)](#)

Sections 2-3. Requires public schools (including charters, lab schools, and regional schools) to allow enrolled members of a State or federally recognized Indian Tribe, and those eligible to be members, to wear objects of cultural significance as part of the graduating student's regalia at school graduation ceremonies.

*Amends: Article 29D of Chapter 115C of the General Statutes by adding G.S. 115C-407.40; G.S. 115C-218.75(k); G.S. 115C-238.66(19); G.S. 116-239.8(b)(22)*

Effective June 14, 2023.

[HB 190: Dept. of Health and Human Services Revisions – Agency Bill \(S.L. 2023-65\)](#)

Section 7.2. Removes a requirement for grades 6 through 12 that child abuse and neglect documents and posters list available resources and the anonymous safety tip line application. This change begins with the 2023-2024 school year.

*Amends: G.S. 115C-12(47)*

Section 13A.1. Makes technical and clarifying changes to paid parental leave. A new section was added stating that “To the extent funds are made available for this purpose, the Department of Public Instruction shall administer funds to public school units for the payment of substitute teachers for any public-school unit teacher using paid parental leave.” This section becomes effective July 1, 2023, and applies to requests for paid parental leave related to births occurring on or after that date.

*Amends: G.S. 115C-336.1 as amended by S.L. 2023-14*

[HB 201: Retirement Admin. Changes Act of 2023 \(S.L. 2023-105\)](#)

Section 1. Changes the recipient of a death benefit for members of the Teachers' and State Employees' Retirement System (TSERS) and other state/local retirement systems. Replaces the words “surviving spouses” or “beneficiary or spouse” to “beneficiary”.

*Amends: G.S. 135-5(l); G.S. 128-27(16); G.S. 120-4.27; G.S. 135-64(k)*

Section 2. Notifies employers paying short-term disability benefits that began before July 1, 2019, that the Disability Income Plan of North Carolina will not reimburse the second six months of short-term disability benefits related to notifications made on or after January 1, 2024.

*Amends: G.S. 135-105(d)*

Section 3. Changes the review and approval of short-term disability benefits from the Disability Income Plan of North Carolina to the Retirement Systems Division of the Department of State Treasurer.

*Amends: G.S. 135-5(a)(5)*

Section 4. Allows the extension of short-term disability benefits for an additional 365-day period if the beneficiary or participant makes an application for such benefit within 180 days after the short-term disability period ceases, salary continuation payments cease, or after monthly payments for Workers' Compensation cease, whichever is later.

*Amends: G.S. 135-105(g)*



Section 5. Changes the method for making permanent the choice of a retirement benefit payment option under TSERS and other state/local retirement systems. Currently, a member's choice of payment options is made permanent when the first retirement check is cashed, or it is the 25th of the month following the month the first check is mailed. This Part changes the permanence of retirement benefit payment options to when "the first payment date has occurred". This change allows the first check to be made by direct deposit.

***Amends:*** *G.S. 135-5(g); G.S. 128-27(g); G.S. 120-4.26*

Section 6. Clarifies that if a contingent beneficiary dies before receiving payment of the accumulated contributions in TSERS or other state/local retirement systems, the balance of funds shall be paid in a lump sum to the contingent beneficiary's legal representative.

***Amends:*** *G.S. 135-5(g1); G.S. 128-27(g1); G.S. 120-4.28*

Section 7. Changes the method of recovering funds overpaid to beneficiaries due to an error of the NC Retirement Systems Division. The Division may recoup repayment from monthly retirement checks at a rate between 8.5% and 25% of the net monthly benefit. (Currently there is no limit on the amount withheld from monthly retirement checks to repay overpayments.)

***Amends:*** *G.S. 128-31(c1); G.S. 135-9(c1)*

#### [HB 203: DST Technical Corrections \(S.L. 2023-89\)](#)

Part I. Makes changes to the Teachers' and State Employees' Retirement System (TSERS) as follows:

- Adds an additional means of repaying retirement benefits to TSERS for members who retired on an early or service retirement allowance then were reemployed on a part-time or temporary basis by an employer participating in TSERS, at any time during the six months immediately following the effective date of retirement.
  - Allows the member to elect to have the entirety of their monthly retirement benefit withheld until TSERS has recovered three times the amount of compensation earned during the six months immediately following the effective date of retirement.
- Amends the term "leave of absence" to "approved leave of absence" for purposes of determining creditable service in TSERS.
- Makes technical changes in the definition of the last day of actual service in the administration of the Death Benefit Plan.

***Amends:*** *G.S. 135-3(8)f; G.S. 135-4; G.S. 135-5(l)*

Effective January 1, 2024.

#### [HB 219: Charter School Omnibus \(S.L. 2023-107\)](#)

Part 1. Prohibits the Charter School Review Board (*See*, HB 618: Charter School Review Board, S.L. 2023-110) from considering any alleged impact on the local school administrative unit or units in the area served by a charter school when deciding whether to grant, renew, amend, or terminate a charter.

***Amends:*** *G.S. 115C-218.5(a)*

Part 2. Removes the prohibition of more than 20% enrollment growth by a low performing charter school. Removes all enrollment growth restrictions for charter schools that are not identified as low performing.

***Amends:*** *G.S. 115C-218.7*

Part 3. Allows charter schools to admit a limited number of out-of-state students and foreign exchange students.

***Amends:*** *G.S. 115C-218.45*

Effective August 16, 2023, and applies beginning with the admissions process for the 2024-2025 school year.

Part 4. Allows pre-lottery admissions to charters for: (i) certain preschools with agreements with the charter and (ii) children of active-duty military.

***Amends:*** *G.S. 115C-218.45(f)*

Part 5. Prohibits local boards of education from considering a student's current or prior enrollment in a charter school when determining eligibility or admission to any school or special program.

***Amends:*** *G.S. 115C-47*

Part 6. Allows counties to provide direct appropriations for capital funds. Counties would receive a security interest if charters used the funds to acquire or improve property. Counties could also lease real property to charters. If a charter dissolved, any assets purchased with county capital funds would be deemed the property of the contributing county or counties.

***Amends:*** *G.S. 115C-218.100(b); G.S. 115C-218.105; G.S. 153A-149(c); Article 23 of Chapter 153A of the General Statutes*

Except as otherwise provided, this act is effective August 16, 2023, and applies beginning with the 2023-2024 school year.

#### [HB 432: Principal Licensure Changes \(S.L. 2023-125\)](#)

Section 1. Modifies and clarifies the statutory requirements for principal licensure. The SBE is now required to adopt rules for two classes of administrator license: an administrator license and a provisional assistant principal license.

For a renewable five-year administrator license, eliminates the requirement that principals must have at least four years of classroom teaching experience and further clarify that the following requirements must be met:

- Bachelor's degree;
- Successful completion of an approved administrator preparation program (APP);
- At least 4 years of experience as a licensed professional educator;
- Portfolio approved by the SBE

Set parameters for approving APPs, which are defined as any entity that meets the following:

- Prepares, trains, and recommends candidates for administrator licensure.
- Leads to a Master's of School Administration (MSA) or Master's of Education in Educational Leadership unless the candidate already holds a master's or doctoral degree in an education-related field.
- Is accredited by a programmatic accrediting agency recognized by the Secretary of Education pursuant to federal law.

The SBE must adopt rules for granting approval to APPs that ensure the following:

- A rigorous approval process that requires statutory criteria are met.
- An application process, peer review, and technical assistance provided by the SBE.
- An approval period of 5 years and a process for renewal.

The SBE's required rules for approving APPs now require an internship of at least 500 hours rather than a year-long internship.

The SBE must develop rules for determining whether individuals who completed an out-of-state APP meet or exceed North Carolina requirements. The new licensure and APP requirements would not apply to individuals eligible for a principal license requirement waiver under current law.

***Amends:** G.S. 115C-270.1, G.S. 115C-270.20, G.S. 115C-270.30, G.S. 115C-284, G.S. 115C-284.1, G.S. 115C-238.68(1), G.S. 115C-287.1(h), G.S. 116-239.10(1)*

Section 1 is effective July 1, 2024.

Section 2. Requires the Professional Educator Preparation and Standards Commission to develop a portfolio-based assessment for prospective principals. Recommendations must be presented to SBE by June 15, 2024.

#### [HB 574: Fairness in Women's Sports Act \(S.L. 2023-109\)](#)

Part 1. Requires public school units (PSUs) to expressly designate each middle and high school interscholastic and intramural team by the biological sex of team participants. Prohibits biological male students from participating on teams designated for females, women, or girls.

***Amends:** G.S. 115C-12(23)*

Effective August 16, 2023, and applies beginning with the 2023-24 school year.

#### [HB 605: School Threat Assessment Teams \(S.L. 2023-78\)](#)

Section 2.(a) Requires public school units to establish threat assessment teams as follows:

- Requires the Center for Safer Schools (Center) to develop guidance for the threat assessment teams no later than December 31, 2023.
- Requires each governing body of a public school unit to adopt policies for threat assessment teams after consulting the Center's guidance. Public school units shall establish threat assessment teams no later than March 1, 2024.

- Requires these teams include persons with expertise in counseling, instruction, school administration, and law enforcement. When practicable, at least one school psychologist, one staff member knowledgeable about and experienced in working with students with special needs, and one staff member knowledgeable about and experienced in working with students with disabilities shall be assigned to the threat assessment team.
- Requires the governing body (e.g., school board) to develop policies for assessment and intervention at all grade levels, not just the individual threat assessment teams.
- Requires each threat assessment team to report quantitative data on its activities to the Center for Safer Schools.

**Amends:** *Article 8C of Chapter 115C of the General Statutes by adding G.S. 115C-105.6 G.S. 115C-105.57(c)(2)c; G.S. 122C-115.4(b)*

Section 3.(a)-(c) Requires local boards of education to establish peer-to-peer student support programs at all schools with grades 6 and higher by the 2024-2025 school year. These programs address areas such as conflict resolution, general health and wellness, and mentoring.

**Amends:** *G.S. 115C-47; G.S. 115C-316.1(a)*

Section 4.(a)-(e) Requires all public school units to participate in school safety exercises and programs. Also requires all public school units to provide local law enforcement with: (1) schematic diagrams and (2) keys to the main entrance of all school buildings.

**Amends:** *G.S. 115C-105.49; G.S. 115C-105.49A(b); G.S. 115C-105.52; G.S. 115C-105.53; G.S. 115C-105.54(a)*

Section 5. Encourages private schools to participate in school safety exercises and programs.

**Amends:** *G.S.115C-150.12C(17); G.S. 115C-551*

Except as otherwise provided, this act is effective July 7, 2023, and applies beginning with the 2024-2025 school year.

#### [HB 618: Charter School Review Board \(S.L. 2023-110\)](#)

Section 1.(a) Converts the North Carolina Charter Schools Advisory Board to the NC Charter Schools Review Board. Shifts the authority to approve or deny charter school applications, renewals, and revocations from the State Board of Education to a legislatively controlled Review Board with a right of appeal by an applicant, charter school, or the State Superintendent to the State Board of Education. *Effective August 16, 2023.*

**Amends:** *G.S. 115C-218; G.S. 115C-218.2; G.S. 115C-218.3; G.S. 115C-218.4; G.S. 115C-218.5; G.S. 115C-218.6; G.S. 115C-218.7; G.S. 115C-218.8; Article 14A of Chapter 115C; G.S. 115C-218.15; G.S. 115C-218.20(b); G.S. 115C-218.30; G.S. 115C-218.35(c); G.S. 115C-218.45; G.S. 115C-218.90; G.S. 115C-218.95; G.S. 115C-218.105; G.S. 115C-218.110(a); G.S. 115C-296.2(b)(1); G.S. 135-5.3(b1); G.S. 135-48.54(b)*

### [HB 750: Address ESG Factors \(S.L. 2023- 64\)](#)

Section 1. Prohibits state entities from creating or using environmental, social, and governance (ESG) or economically targeted investments (ETI) requirements when hiring, firing, or evaluating employees. State entities include political subdivisions of the State and a commission of any political subdivision of the State. In addition, no ESG or ETI criteria may be considered in the awarding of state contracts.

*Amends: Article 10 of Chapter 143 of the General Statutes by adding G.S. 143-162.6*

Effective June 27, 2023.

## **Senate Bills**

### [SB 20: Care for Women, Children, and Families Act \(S.L. 2023-14\)](#)

Section 5.1.(a) – (e) Grants permanent, full-time State employees (includes teachers and public-school employees) up to eight weeks of paid leave after giving birth to a child or up to four weeks of paid leave when they become a parent to a child. (Part-time employees receive a prorated amount not to exceed four weeks after giving birth, or paid leave after any other qualifying event, not to exceed two weeks) This paid parental leave is 1) available without exhaustion of the employee's sick and vacation leave and is awarded in addition to shared leave under G.S. 126-8.3, or other leave authorized by State or federal law; 2) has no cash value upon termination from employment; and 3) may not be used for calculating an employee's retirement benefits. In addition to this paid parental leave, a teacher or school employee may use annual leave, personal leave, or leave without pay to care for a newborn child or for a child placed with the teacher for adoption or foster care. The General Assembly appropriated \$10 million in recurring funds beginning in Fiscal Year 2023-24 to pay for this benefit.

*Amends: Article 2 of Chapter 126 of the General Statutes by adding G.S. 126-8.6; G.S. 126-5; G.S. 115C-302.1(j); G.S. 115C-336.1*

***This section was amended by S.L 2023-65, Section 13.A1 ([HB 190, Care for Women, Children, and Families Act](#))***

Effective July 1, 2023, and applies to requests for paid parental leave related to births occurring on or after that date.

### [SB 41: Guarantee 2nd Amend Freedom and Protections \(S.L. 2023-8\)](#)

*\*This bill explicitly excludes LEAs.*

Section 1. Creates a new exception to the prohibition of weapons on educational property of schools. An individual who has a valid concealed handgun permit may carry a handgun in a place of religious worship located on privately-owned educational property if all the following conditions apply:

- The property is not owned by a local board of education or county commission.
- The property is not a public or private institution of higher education.
- The property is not posted with a notice prohibiting carrying a concealed handgun on the premises.

- The handgun is only possessed and carried on the property outside of school operating hours.

School operating hours are defined as any time a curricular or extracurricular activity takes place on the premises, any time when the premises are used for educational, instructional, or school-sponsored activities, and any time the premises are being used for programs for minors by entities not affiliated with the religious institution.

*Amends: G.S. 14-269.2; G.S. 14-415.11(c)*

Effective December 1, 2023.

#### SB 49: Parents' Bill of Rights (S.L. 2023-106)

Part I. Establishes a Parents' Bill of Rights and enumerates certain rights of parents related to the education, health, privacy, and safety of their child.

*Amends: the General Statutes by adding Chapter 114A*

Part II. Requires public school units (PSU) to make the list of enumerated rights available to parents electronically or on the PSU website. Requires the State Board of Education (SBE) to develop minimum requirements for a parent guide PSUs are to provide to parents annually.

- Requires PSUs to inform parents of their legal rights and responsibilities regarding their child's education. Requires PSU governing bodies to develop and adopt policies to increase parental involvement, a parent guide to student achievement, and parental choices. Lists numerous requirements to be included.
- Requires PSUs at the beginning of each school year to provide parents, students, and school personnel a parent guide for student achievement and lists certain requirements.
- Requires PSU governing bodies, in consultation with parents, teachers, administrators, and community partners, to develop and adopt policies to promote parental involvement. Lists specific requirements.
- Establishes a process for parents to request information they have a right to access and an appeal process with timelines if the administration denies the request or does not respond.
- Requires PSU governing bodies to adopt procedures and establishes when parents are to be notified about the need for consent, rights pertaining to health care services, screenings, questionnaires, changes in services related to a child's mental, emotional, or physical health. Requires school personnel to encourage a child to discuss issues related to the child's well-being with his or her parents and/or facilitate discussion of the issue with the child's parents. Establishes certain procedures that governing bodies are prohibited from adopting regarding a child's health or well-being. Requires notification to a parent prior to any changes in the name or pronoun used for a student in school records or by school personnel.
- Prohibits PSUs from including instruction on gender identity, sexual activity, and sexuality in the curriculum for grades K-4. Creates a process for resolving parent concerns regarding a PSUs prohibition to include certain topics in the K-4 curriculum. Provides parents with timelines and the opportunity to appeal to a hearing officer appointed by the State Board of Education, or to seek a declaratory judgment in superior court.

Part 4. Requires the governing body of a PSU to adopt procedures to notify a parent of various enumerated events.

- Requires student support services training developed or provided by a PSU to school personnel to adhere to student services guidelines, standards, and frameworks established by the Department of Public Instruction.
- Prohibits instruction on gender identity, sexual activity, or sexuality from being included in the curriculum provided in grades kindergarten through fourth grade.
- Sets out remedies for parental concerns about PSU procedure or practice and a process for resolving these concerns.

Part 5. Establishes parental rights to opt-in to protected information surveys.

Part 6. Requires each PSU to report annually – by September 15 – the following information to the SBE in a format designated by the SBE: (a) The most current version of the policies and procedures adopted as required by Article 7B with any modifications of the policy or procedure from the prior year's submission clearly delineated (b) Various data from the prior school year. Requires the SBE to report annually – by November 15 – to the Joint Legislative Education Oversight Committee and the Joint Legislative Commission on Governmental Operations on specific, enumerated data and information.

*Amends: Subchapter III of Chapter 115C of the General Statutes by adding Article 7B.*

Section 2(e) requires local boards of education to annually provide parents, by a method reasonably designed to provide actual notice, information on parental rights under State and federal law with regards to student records and opt-out opportunities for disclosure of directory information.

*Amends: G.S. 115C-402.15*

Section 2(h) requires the Department of Public Instruction to review and update, as necessary, various information in accordance with this act by June 30, 2024.

*Amends: Subchapter III of Chapter 115C of the General Statutes by adding Article 7B.*

Part II is effective August 16, 2023, and applies beginning with the 2023-24 school year.

Part III. Sets out definitions, requires health practitioners, including school nurses and any other school employee, to obtain written consent from the parent of a minor child before providing treatment, and provides a fine of up to \$5,000 for violation of this section. Defines treatment to include any medical procedure or treatment, including use of an Epi-pen, AED, administration of drugs, use of anesthetics, and lab or other diagnostic procedures.

*Amends: Article 1A of Chapter 90 of the General Statutes by adding Part 3.*

Part III is effective December 1, 2023, and applies to violations committed on or after that date.

Except as otherwise provided, this act is effective August 15, 2023.



[SB 195: UNC Omnibus \(S.L. 2023-102\)](#)

Section 2. Staggers the terms of the appointed members of the North Carolina Teaching Fellows Commission as follows:

- Requires the UNC Board of Governors to appoint seven members to the commission in even-numbered years. (was odd-numbered years)
- Requires the General Assembly to appoint two members to the commission in odd-numbered years.
- Changes the expiration date of the two-year terms for appointees from July 1 to June 30.
- Changes the term expiration date for the appointments made by the Board of Governors from July 1, 2023, to June 30, 2024, notwithstanding G.S. 116-209.61

*Amends: G.S. 116-209.61*

Effective July 14, 2023 for terms beginning July 1, 2023.

[SB 452: DOI & Ins Law Amd/Revise HS Athletics \(S.L. 2023-133\)](#)

Section 17(a). Replaces the State Board of Education (SBE) with the Superintendent of Public Instruction as the entity that enters into the memorandum of understanding with the administering organization (NCHSAA). Adds “associated entity” to the list of defined terms under Article 29E. Prohibits the State Board of Education (SBE) from delegating the adoption of its rules governing interscholastic athletics to the administering organization (NCHSAA) and establishes mandatory criteria for the inclusion of student participation rules. Sets out an appeals process for students and parents. Amends the reporting rules for issues or concerns related to the administration of interscholastic athletics to include intimidation or harassment of the participating school or its employees or students by an administering organization. Compliance with open meeting requirements no longer have to be detailed in the in the memorandum of understanding (MOU). Administering organization must provide the SBE access to any audits of associated entities. Sets out various MOU requirements and allows the Superintendent to terminate or renew an MOU under certain conditions.

*Amends: Article 29E of Chapter 115C of the General Statutes; 115C-407.50., 115C-407.55., 115C-407.60., 115C-407.61., 115C-407.65., 115C-407.70., 115C-407.75*

Section 18 Requires the SBE to adopt rules that provide notifications and protocols on concussions and head injuries. Requires the State Board of Education to adopt a rule requiring each school to develop a venue-specific emergency action plan to deal with serious injuries and acute medical conditions in which the condition of the patient may deteriorate rapidly. Prohibits students who are recognized as males at birth from competing in female sports, provides students who are harmed from violations of this section legal recourse.

*Amends: Part 2 of Article 29E of Chapter 115C of the General Statutes*

Effective October 3, 2023, and applies for 2024-2025 school year.



[SB 582: North Carolina Farm Act of 2023 \(S.L. 2023-63\)](#)

Section 5 (a-e). Encourages public schools (including charters, lab schools, and regional schools) to make 100% muscadine grape juice available to students in every local school. Local boards of education must “strive to ensure that 100% muscadine grape juice is made available to students in every school in the local school administrative unit as a part of the school's nutrition program or through the operation of the school's vending facilities.”

***Amends:** Part 2 of Article 17 of Chapter 115C of the General Statutes by adding G.S. 115C-264.5; G.S. 115C-218.75(k); G.S. 115C-238.66 (19); G.S. 116-239.8(b)(4)c*

Effective June 27, 2023, and applies beginning with the 2023-2024 school year.

[SB 729: CBBC Working Group Changes \(S.L. 2023-48\)](#)

Section 1.(a) Provides relief to a public-school unit (PSU) who otherwise would be required to pay an additional contribution calculated under the contribution-based benefit cap (CBBC) purchase provision for the retirement of a public-school employee if the following conditions are met:

Step 1: (a) The retiree's service, during the period used to compute the retiree's average final compensation (AFC), was in a position(s) where State law or regulation mandates the specific dollar amount that must be paid from State funds to an employee OR

(b) the retiree served a minimum of 12 years in a position for which State law or regulation mandates a specific dollar amount that must be paid from State funds to an employee in that position(s).

Step 2: If one of the conditions in Step (1) is met, then relief will be provided based upon the local supplement paid to the retiree for a school year during the period used to calculate the employee's AFC:

<b>Local Supplement</b>	<b>Relief</b>
≤ 20% of salary paid	No additional contribution – 100% Relief
>20% but < 50%	Additional Contribution is 50%
≥50%	100% Additional Contribution – No Relief

In order to receive the aforementioned relief, the PSU must provide certification on a form to the State Treasurer's Office within 12 months of the assessment.

***Amends:** G.S. 135-8*

Effective July 1, 2023.

Section 2.(a) Authorizes the Department of State Treasurer to use the conditions in Section 1 to settle pending legal actions involving the anti-pension spiking CBBC . The section also prohibits the Retirement System from requesting an interception of State appropriations for unpaid contributions attributable to retirements that occurred between July 1, 2021, and June 30, 2023 until September 1, 2023.

Effective June 19, 2023.

Section 3.(a) Allows the Treasurer to designate legal counsel, including private counsel, to represent the interests of the administration of benefit programs under Chapter 135 of the General Statutes.

*Amends: G.S. 135-6*

Effective July 1, 2023.

## **LOCAL LEGISLATION**

### **House Bills**

#### **[HB 27: Elect Thomasville City Bd. of Ed \(S.L. 2023-1\)](#)**

Section 1. Changes the terms of the five member Thomasville City Board of Education (Board) from staggered two-year terms to staggered four-year terms beginning in 2023.

Section 2. Changes the Board from one appointed by the Thomasville City Council to one elected in each odd-numbered year in accordance with the nonpartisan plurality method outlined in G.S. 163-292. All qualified voters residing in the Thomasville City Schools Administrative Unit shall be eligible to vote for all candidates.

Section 3. Schedules the election of Board members as follows:

- For the 2023 election, two members shall be elected to a two-year term and three members shall be elected to serve a four-year term. The three candidates receiving the highest number of votes shall be elected to serve a four-year term. The two candidates receiving the next highest number of votes shall be elected to a two-year term.
- In 2025, and every four years thereafter, two members shall be elected to serve a four-year term.
- In 2027, and every four years thereafter, three members shall be elected to serve a four-year term.

Section 4. Directs that members shall take office at the first regular meeting of the Board in December following the election, and the terms of their predecessors shall expire at that same time. Members shall serve until a successor has been elected and qualified. Vacancies for positions elected on the Board shall be filled in accordance with G.S. 115C-37(f).

Section 5. Mandates that the terms of appointed members serving at the time of the effective date of this act shall expire upon the qualification of members elected to the Board in 2023.

Section 6. Repeals the following acts:

- Section 8 of Chapter 262 of the Private Laws of 1901.
- Chapter 88 of the 1965 Session Laws.
- Section 504 of Article V of the Charter of the City of Thomasville as enacted by Chapter 211 of the 1981 Session Laws

Effective March 9, 2023, and applies to elections conducted on or after that date.

[HB 30: Reduce Length of Granville Bd. of Ed. Terms \(S.L. 2023-2\)](#)

Section 1. Changes the length of terms for members of the Granville County Board of Education from six-year terms four-year terms.

*Amends: Section 1 of Chapter 292 of the 1989 Session Laws*

Section 2. Schedules the election of Board members as follows:

- In 2024 and every four years thereafter, board members shall be elected from Districts 3 and 4.
- In 2026 and every four years thereafter, board members shall be elected from Districts 1, 2, and 6.
- In 2028 and every four years thereafter, board members shall be elected from Districts 5 and 7
- Effective March 9, 2023 and applies to elections for members of the Granville County Board of Education in 2024 and thereafter.

[HB 66: Boards of Education Elections \(S.L. 2023-32\)](#)

Sections 1-5. Changes the election for the members of the Catawba County Board of Education, the Hickory City Board of Education, the Newton-Conover City Board of Education, and the Polk County Board of Education from nonpartisan to partisan beginning with the 2024 election. For school board members elected in 2024 and thereafter, vacancies will be filled in accordance with G.S. 115C-37.1, which allows the county executive committee of the vacating member's political party to appoint a replacement if done within 30 days after the seat becomes vacant. For the Hickory City Board of Education and the Newton-Conover City Board of Education, the elections are changed from odd-numbered years to even-numbered years and the terms of the current Board members are extended by one year to make this change.

*Amends:*

- *Catawba: Section 1 of Chapter 874 of the 1969 Session Laws, as amended by Chapter 170 of the 1985 Session Laws*
- *Hickory City: Section 1 of Chapter 930 of the 1971 Session Laws; Repeals Sections 5 and 6 of Chapter 930 of the 1971 Session Laws*
- *Newton-Conover City: Chapter 200 of the Private Laws of 1935, as amended by Chapter the 1961 Session Laws and Chapter 81 of the 1967 Session Laws*
- *Polk: Repeals Chapter 230 of the 1965 Session Laws and Chapter 845 of the 1973 Session Laws, as amended by Chapter 584 of the 1985 Session Laws*

\*Changes in sections 1-5 same as sections 5-8 in [SB 248/S.L. 2023-37](#).

Section 6. Requires the Buncombe County Board of Education to establish new electoral districts for electing members beginning in 2024 to replace the current districts based on high school attendance zones. If the Board fails to act by February 1, 2024, the General Assembly will draw the new districts. Members of the Buncombe Board of Education are elected using the nonpartisan primary and election method beginning in 2026.

***Amends:*** *Section 1 of Chapter 532 of the 1975 Session Laws; Sections 1.1 and 4 of Chapter 532 of the 1975 Session Laws, as amended by Chapter 178 of the 1981 Session Laws and Chapter 93 of the 1995 Session Laws*

Except as otherwise provided, this act is effective June 8, 2023.

**HB 88: Omnibus Local Elections (S.L. 2023-4)**

Section 1. Changes the filling of vacancies on the Guilford County Board of Education (Board) from a vote of a majority of the remaining members of the Board present and voting to an appointment by the county executive committee of the vacating member's political party. If the county political party executive committee fails to make an appointment in writing to the Superintendent of Schools of Guilford County within 30 days of the occurrence of the vacancy, the Board may fill the vacancy by vote of a majority of its remaining members present and voting at the next regular meeting of the Board after 30 days of the occurrence of the vacancy.

***Amends:*** *Section 6 of Chapter 78 of the 1991 Session Laws, as amended by S.L. 2013-361*

Effective March 16, 2023, and applies to elections held on or after that date.

Sections 2-7. Changes the method of election of the Board of Education members in Ashe, Cabarrus, Henderson, McDowell, and Mitchell counties from nonpartisan to partisan, beginning December 1, 2024. Vacancies for members elected on a partisan basis would be filled in accordance with G.S. 115C-37.1, which allows the county executive committee of the vacating member's political party to appoint a replacement if done within 30 days after the seat becomes vacant. The term of any member appointed to fill a vacancy of a member elected on a nonpartisan basis in 2020 or 2022 is not affected and members will continue to serve until a successor has been elected or qualified.

***Amends:***

- *Ashe: Section 1 of Chapter 128 of the 1995 Session Laws, as amended by S.L. 2000-6*
- *Cabarrus: Sections 1 and 2 of Chapter 102 of the 1989 Session Laws, as amended by Chapter 583 of the 1993 Session Laws and S.L. 2009-430*
- *Henderson: A Plan for Merger of Hendersonville City Schools and Henderson County Schools adopted by the State Board of Education on March 5, 1992, and validated under Chapter 767 of the 1991 Session Laws (the Henderson Merger Plan)*
- *McDowell: Section 1 of Chapter 322 of the 1987 Session Laws, as rewritten by Chapter 107 of the 1995 Session Laws*
- *Mitchell: Chapter 55 of the 1987 Session Laws is repealed*

Effective December 1, 2024.

**HB 174: W-S/ Forsyth Bd. Of Ed./ Rural Hall Even Year (S.L. 2023-31)**

Section 1. Changes the election method of the Winston-Salem/Forsyth County Board of Education from electing all members in a single year to a staggered term system. The Board will continue to elect 2 members from District 1, 4 members from District 2, and 3 at-large members. Beginning in 2026, these members will be elected as follows to establish the staggered terms:

- District 1: The candidate receiving the highest number of votes serves a four-year term, and that seat shall be up for election in 2030 and every four years thereafter. The candidate receiving the second highest number of votes shall serve a two-year term, and that seat shall be up for election in 2028 and every four years thereafter.
- District 2: The two candidates receiving the first and second highest number of votes shall serve a four-year term, and those seats shall be up for election in 2030 and every four years thereafter. The candidates receiving the third and fourth highest number of votes shall serve a two-year term, and those seats shall be up for election in 2028 and every four years thereafter.
- At-large: The two candidates receiving the first and second highest number of votes shall serve a four-year term, and those seats shall be up for election in 2030 and every four years thereafter. The candidates receiving the third highest number of votes shall serve a two-year term, and those seats shall be up for election in 2028 and every four years thereafter.

Does not affect the terms of office of any person elected to the Board of Education in 2022

***Amends:** Section 2(a)(5)(ii) of Chapter 112 of the 1961 Session Laws, as rewritten by Chapter 466 of the 1985 Session Laws, and as amended by Chapter 696 of the 1991 Session Laws, S.L. 2009-72, and S.L. 2011-141*

#### HB 308: Alexander Co. Bd. of Ed. Referendum (S.L. 2023-41)

Section 1. Changes method of election for Alexander County Board of Education from nonpartisan to partisan in staggered terms.

Section 3. Requires Alexander County to hold a referendum during the 2024 general election to determine if their citizens want the changes outlined in Section 1.

***Amends:** If Section 1 is approved by referendum, Section 1, 3, 4 and 7 of Chapter 774 of the 1969 Session Laws and repeals Section 2,5,6 and 8 of Chapter 774 of the 1969 Session Laws*

If Section 1 is approved by referendum, it is effective for elections in 2026 and after.

Section 4. Makes the 2026 election partisan if the 2024 referendum is approved. The method for electing the new partisan board is outlined in Section 1 and the filling of vacancies on a partisan board is in Section 2 of the bill as follows:

- Changes the seven-member nonpartisan board elected from four districts in staggered terms to a seven-member partisan board elected from seven single-member electoral districts in staggered terms;
- Mandates that candidates for election to the Alexander County Board of Education (Board) be nominated at the same time and manner as other county officers;
- Vacancies for members elected on a partisan basis would be filled in accordance with G.S. 115C-37.1, which allows the county executive committee of the vacating member's political party to appoint a replacement if done within 30 days after the seat becomes vacant, for members elected on or after December 1, 2026.

If referendum is approved, Section 1 is effective for elections in 2026 and after.

[HB 452: Franklin Co. Bd. of Ed. Election Method \(S.L. 2023-17\)](#)

Section 1. Changes the method of election of the Franklin County Board of Education from a nonpartisan election and runoff method to a nonpartisan primary and election Method. If there are more than two candidates filing for a single office, there will be a primary election to narrow the field of candidates to two candidates. No primary is held if only one or two candidates file for a single office.

***Amends:** Section 6(b) of Chapter 341 of the 1993 Session Laws, as amended by S.L. 2005-80*

Effective May 24, 2023, and applies to elections held on or after that date.

**Senate Bills**

[SB 9: Local Omnibus Changes \(S.L. 2023-112\)](#)

Section 2.(a) Amends the process for filling vacancies on the Guilford County Board of Education as follows:

- Specifies that the existing provisions apply when the vacating board member was elected;
- Specifies that the existing provisions apply if the vacating Board member was elected as the nominee of a political party by countywide election or from an electoral district;
- Adds that whenever only the qualified voters of less than the entire county were eligible to vote for the vacating Board member, then the county political party executive committee must not be required to restrict voting to executive committee members who represent precincts all or part of which were within the territory of the vacating Board member;
- Makes a technical correction by changing who provides the name of an individual qualified to fill a vacancy from the “county executive committee of the political party of which the vacating Board member is a member” to the “county political party executive committee;”
- Alters the timeframe within which the Board can address a vacancy, should the county political party executive committee fail to submit a name. This alteration requires the Board to defer action until the next regular Board meeting that occurs more than 30 days after the occurrence of the vacancy;
- Sets out the following conditions that apply to vacancies on the Board when the vacating member was appointed by the Board:
  - Requires the individual appointed to fill a vacancy to be a qualified Guilford County voter;
  - Requires the individual appointed to fill a vacancy to be a resident of the district where the vacancy exists if the vacating Board member was appointed from within a single member district;
  - Requires the Board to consult with the county executive committee of the political party whose nominee was certified as elected to fill that seat if the vacating Board member was appointed by the Board and a nominee of a political party and certified as elected to fill that seat at the time of the last election and sets out the process and timeline to be followed in these circumstances;
  - Adds that whenever only the qualified voters of less than the entire county were eligible to vote for the vacating Board member, then the county political party executive committee must not be required to restrict voting to executive committee

members who represent precincts all or part of which were within the territory of the vacating Board member;

- Allows the Board to fill a vacancy at the next regular meeting of the Board occurring more than 30 days after the occurrence of the vacancy if the county political party executive committee fails to provide the name of a qualified individual
- Requires any person to fill a vacancy under these provisions to serve until the next election of Board members, at which time the remaining unexpired term of office in which the vacancy occurred must be filled by election.

***Amends:** Section 6 of Chapter 78 of the 1991 Session Laws, as amended by S.L. 2013-361 and S.L. 2023-4*

Except as otherwise provided, Section 2.(a) is effective August 16, 2023, and applies to vacancies existing on or after that date.

Section 3.(a) The term of office of any individual appointed by the Guilford County Board of Education to fill a vacancy occurring between December 1, 2022, and August 16, 2023 shall expire on August 16, 2023.

Section 3.(b) Notwithstanding Section 6(b)(3) of Chapter 78 of the 1991 Session Laws, as amended by S.L. 2013-361, S.L. 2023-4, and this act, for any vacancy occurring as a result of Section 3(a) of this act, the nominee of a county political party executive committee of that political party shall take the oath of office at the next regular meeting of the Guilford County Board of Education following submission of a nomination to the Superintendent of Schools of Guilford County if the individual is nominated by the county political party executive committee within 60 days of August 16, 2023.

**SB 17: Stanly Bd. of Comm/Bd. of Educ (S.L. 2023-19)**

Section 2. Modifies the staggering of terms for members of the Stanly County Board of Education. The current Board was elected as follows:

- One member each from District 2, District 3, District 4, and District 5, and one at-large member in 2020
- One member from District 1 and one at-large member in 2022

The new terms are as follows:

- One at-large member for a two-year term in 2024 only
- One member each from District 2, District 3, District 4, and District 5 for four-year terms in 2024 and every four years thereafter:
- One member from District 1 and two at-large members for four-year terms in 2026 and every four years thereafter:

***Amends:** Section 5(c) of S.L. 2013-361*

Effective May 25, 2023, and applies to elections held on or after that date.



[SB 248: Nash Bd. of Educ/No. of Members/Districts \(S.L. 2023-37\)](#)

Section 1. Makes the following changes to the Nash Board of Education: (1) decreases the size of the Board from eleven members to seven members; (2) aligns the Board's seven single member districts with the districts of Nash County Board of Commissioners; (3) permits all members elected to the Board in 2022 to serve until the end of their term but will not allow vacancies to be filled; (4) Creates staggered terms as follows:

- In 2024, and every four years thereafter, members from Districts 1, 3, and 4 shall be elected to serve a four-year term
- In 2024, members from Districts 2, 5, 6, and 7 shall be elected to serve a two-year term. In 2026, and every four years thereafter, members from Districts 2, 5, 6, and 7 shall be elected to serve a four-year term.

\*Elections remain nonpartisan

Section 2. Provides for the boundaries of the Nash School Administrative Unit to be identical to the boundaries of Nash County.

Effective July 1, 2024.

Section 3. Requires Nash and Edgecombe school boards and county commissioners to submit a written plan to the State Board of Education to transfer that portion of the Nash School Administrative Unit located in Edgecombe County to the Edgecombe County Public School System. If a written plan is not submitted by November 15, 2023, then the State Board of Education shall prepare a written plan no later than December 31, 2023.

***Amends:** Repeals S.L. 2016-14 (Merger and Consolidation of the school administrative units in Nash County and Rocky Mount)*

Section 4. Repeals the following: Chapter 391 of the 1991 Session Laws (Merger and Consolidation of the school administrative units in Nash County and Rocky Mount); Section 4 of S.L. 2003-346 (boundary between Nash/Rocky Mount and Edgecombe school systems); Section 1 of S.L. 2006-87 (election dates for Nash/Rocky Mount Board); S.L. 2007-316 (correction to boundary between Nash/Rocky Mount and Edgecombe school systems).

Sections 5-8. Changes the election for the members of the Catawba County Board of Education, the Hickory City Board of Education, and the Newton-Conover City Board of Education from nonpartisan to partisan beginning with the 2024 election.

- Beginning June 12, 2023 vacancies will be filled by the county executive committee of the vacating member's political party instead of by the remaining members of the Board.
- For the Hickory City Board of Education and the Newton-Conover City Board of Education, the elections are changed from odd-numbered years to even-numbered years and the terms of the current Board members are extended by one year to make this change. [Same as HB 66/S.L. 2023-32]
- Changes the filing of candidacy deadline for all three boards of education to line up with filing deadline for other county offices



***Amends:** Catawba: Section 1 of Chapter 874 of the 1969 Session Laws, as amended by Chapter 170 of the 1985 Session Laws; Hickory City: Section 1 of Chapter 930 of the 1971 Session Laws; Repeals Sections 5 and 6 of Chapter 930 of the 1971 Session Laws; Newton-Conover City: Chapter 200 of the Private Laws of 1935, as amended by Chapter the 1961 Session Laws and Chapter 81 of the 1967 Session Laws*

\*Changes in sections 5-8 same as sections 1-5 in [HB 66: Boards of Education Elections \(S.L. 2023-32\)](#)

[SB 286: Make Pamlico Bd. of Ed. Elect. Partisan \(S.L. 2023-22\)](#)

Section 2. Changes the method of election of the Pamlico County Board of Education from nonpartisan to partisan. The election of the Pamlico County Board of Education shall be held at the same time and manner as other county officers.

Section 4. The four-year staggered terms will be elected as follows:

- One member shall be elected from Districts 1, 2, 3, and 5 to serve four-year terms beginning in 2024.
- One member shall be elected from District 4 and two members shall be elected from the county at large to serve four-year terms beginning in 2026.

\*This act does not affect the terms of office of any person elected in 2020 or 2022 to the Pamlico County Board of Education.

Section 5. Adds the Pamlico County Board of Education to the list of counties that fill vacancies on partisan boards according to G.S. 115C-37.1. This section is effective December 1, 2024.

***Amends:** Section 8 of Chapter 939 of the 1987 Session Laws; repeals Chapter 551 of the 1981 Session Laws; repeals Section 10 of Chapter 939 of the 1987 Session Laws, as amended by S.L. 2005-305; repeals Sections 11 and 13 of Chapter 939 of the 1987 Session Laws*

Except as otherwise provided, this act is effective May 25, 2023, and applies to elections held on or after that date.

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