

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1181

Short Title: Transfer NCCAT to DPI. (Public)

Sponsors: Representative Haire.

Referred to: Education, if favorable, Appropriations.

April 8, 2009

A BILL TO BE ENTITLED

AN ACT TO TRANSFER THE NORTH CAROLINA CENTER FOR THE
ADVANCEMENT OF TEACHING TO THE DEPARTMENT OF PUBLIC
INSTRUCTION.

The General Assembly of North Carolina enacts:

SECTION 1. The North Carolina Center for the Advancement of Teaching is transferred from the Board of Governors of The University of North Carolina to the Department of Public Instruction. The Center shall be located administratively under the State Board of Education but shall exercise its powers and duties through its own board of trustees. The board of trustees shall have full authority regarding all aspects of employment and contracts for the North Carolina Center for the Advancement of Teaching in accordance with State personnel policies and contract procedures.

This transfer shall include (i) ownership, possession, and control of the properties located at Cullowhee and Ocracoke including buildings, grounds, personal property, vehicles, and equipment, and (ii) the resources, assets, liabilities, and operations maintained, possessed, or controlled by the North Carolina Center for the Advancement of Teaching prior to the transfer.

Upon the transfer, all duties and responsibilities of The University of North Carolina, including Western Carolina University, shall cease except as may be agreed upon by the parties.

Preferred status shall be granted to Western Carolina University for the transfer by the State of North Carolina of any real property located in Cullowhee that is no longer used or occupied by NCCAT after the transfer.

SECTION 2.(a) G.S. 116-74.6 is recodified as G.S. 115C-296.5.

SECTION 2.(b) G.S. 115C-296.5 reads as rewritten:

"§ **115C-296.5. North Carolina Center for the Advancement of Teaching established; Teaching; powers and duties of trustees.**

(a) ~~The Board of Governors of The University of North Carolina established the North Carolina Center for the Advancement of Teaching pursuant to Section 74 of S.L. 1985-479. The Center shall be a center of The University of North Carolina Board of Governors. It shall be the function of the The North Carolina Center for the Advancement of Teaching (hereinafter called "NCCAT"), through itself or agencies with which it may contract, to contract, shall:~~

(1) ~~provide~~ Provide career teachers with opportunities to study advanced topics in the sciences, arts, and humanities and to engage in informed discourse, assisted by able mentors and outstanding leaders from all walks of life; ~~and otherwise to offer opportunity and~~



1 (2) Offer opportunities for teachers to engage in scholarly pursuits,
2 ~~throughpursuits through~~ a center dedicated exclusively to the advancement
3 of teaching as an art and as a profession.

4 (b) NCCAT may also provide training and support for beginning teachers to enhance
5 their skills and in support of the State's effort to recruit and retain beginning teachers.

6 (c) ~~The Board of Governors of The University of North Carolina shall establish the~~
7 Board of Trustees of the North Carolina Center for the Advancement of Teaching ~~Board of~~
8 ~~Trustees and shall delegate to the Board of Trustees~~shall hold all the powers and duties ~~the~~
9 ~~Board of Governors considers~~ necessary or appropriate for the effective discharge of the
10 functions of NCCAT."

11 **SECTION 3.(a)** G.S. 116-74.7 is recodified as G.S. 115C-296.6.

12 **SECTION 3.(b)** G.S. 115C-296.6 reads as rewritten:

13 **"§ 115C-296.6. Composition of board of trustees; terms; officers.**

14 (a) The NCCAT Board of Trustees shall be composed of the following membership:

15 (1) ~~Three~~Two ex officio members: ~~the President of The University of North~~
16 ~~Carolina, the Chairman of the State Board of Education and the State~~
17 ~~Superintendent of Public Instruction, and the Chancellor of Western~~
18 ~~Carolina University, or their designees;~~

19 (2) Two members appointed by the General Assembly upon the
20 recommendation of the President Pro Tempore of the Senate;

21 (3) Two members appointed by the General Assembly upon the
22 recommendation of the Speaker of the House of Representatives; and

23 (4) Eight members appointed by the ~~Board of Governors, Governor,~~ one from
24 each of the eight educational regions.

25 The appointing authorities shall give consideration to assuring, through Board membership, the
26 statewide mission of NCCAT.

27 (b) Members of the NCCAT Board of Trustees shall serve four-year terms. Members
28 may serve two consecutive four-year terms. The Board shall elect a new ~~chairman~~chair every
29 two years from its membership. The ~~Chairman~~chair may serve two consecutive two-year terms
30 as ~~chairman~~chair.

31 (c) The chief administrative officer of NCCAT shall be an executive ~~director~~. ~~The~~
32 ~~Board of Governors of The University of North Carolina shall appoint the executive director~~
33 ~~and set the compensation of the executive director on the recommendation of the President of~~
34 ~~The University of North Carolina. The President shall recommend the executive director from a~~
35 ~~list of not fewer than two names nominated by the NCCAT Board of Trustees.~~

36 ~~The executive director shall report to and serve at the pleasure of the President of The~~
37 ~~University of North Carolina; provided that the President shall not terminate the employment of~~
38 ~~the executive director without prior consultation with the NCCAT Board of Trustees.~~director
39 who shall be appointed by the NCCAT Board of Trustees."

40 **SECTION 4.** G.S. 126-5(c1) is amended by adding a new subdivision to read:

41 "(29) The Executive Director, Deputy Director, all other directors, assistant, and
42 associate directors, and center fellows of the North Carolina Center for the
43 Advancement of Teaching."

44 **SECTION 5.** Existing appointed members of the NCCAT Board of Trustees shall
45 continue to serve until their current terms expire. Their successors shall be appointed as
46 provided in G.S. 115C-296.6, as rewritten by Section 3 of this act.

47 **SECTION 6.** This act becomes effective July 1, 2009.