

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 1096  
May 14, 2020  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40587-MKa-228

Short Title: UNC Omnibus Changes/UNC Funds.

(Public)

Sponsors: Representative Fraley.

Referred to:

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

4 The General Assembly of North Carolina enacts:

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

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

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

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

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

29 **SECTION 2.** G.S. 116-17.3 is repealed.

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

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

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



\* D R H 4 0 5 8 7 - M K A - 2 2 8 \*

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

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

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

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

20 **"§ 116-239.7. The Board of Governors' Subcommittee on Laboratory Schools; selection of**  
 21 **laboratory schools; creation of a laboratory school; dissolution.**

22 ...

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

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

- 48 (1) The proposal has been submitted jointly by the chancellor and the local school  
 49 administrative unit in which the laboratory school will be located.
- 50 (2) The Subcommittee determines that the proposed location would satisfy the  
 51 purposes set forth in G.S. 116-239.5.

1 (b) Resolution by the Subcommittee to Approve a Laboratory School. – The  
2 Subcommittee shall adopt a resolution upon the approval of each laboratory school, which shall  
3 include the following:

4 (1) Name of the laboratory school.

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

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

31 ...."

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

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

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

51 "§ 116-239.9. Student admissions and assignment.

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

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

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

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

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

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

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

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

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

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

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

37 **SECTION 3.(f)** Section 11.6(d) of S.L. 2016-94, as amended by Section 4 of S.L.  
38 2017-117, reads as rewritten:

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

45 **SECTION 3.(g)** There is appropriated from the General Fund to the Board of  
46 Governors of The University of North Carolina the sum of five hundred thousand dollars  
47 (\$500,000) in recurring funds for the 2020-2021 fiscal year for administrative and technical  
48 assistance related to the UNC Teacher and Principal Preparation Laboratory School Program for  
49 support services. These funds shall not be used to create new positions or to hire additional  
50 consultants for The University of North Carolina System Office.

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

5  
6 **PART IV. EXTEND REPORT DATE FOR UNC BOARD OF GOVERNORS PLANNING**  
7 **TASK FORCE**

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

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

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

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

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

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

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

45  
46 **PART VI. MODIFY FUTURE TEACHERS OF NORTH CAROLINA**

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

48           "(b) Program. – FTNC shall be a ~~program providing professional development and~~  
49 ~~curricula for courses that provide~~ selective, application-based symposium for high school juniors  
50 and seniors, offering a challenging introduction to teaching as a profession for high school  
51 ~~students through courses offered by participating high schools in conjunction with college~~

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

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

10 **"§ 116-41.31. Oversight of Future Teachers of North Carolina.**

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

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

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

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

50 **"§ 116-41.32. Future Teachers of North Carolina reporting.**

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

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

## 35 PART VII. UMSTEAD ACT EXEMPTION/NC A&T STATE UNIVERSITY

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

- 37 "(c) The provisions of subsection (a) shall not prohibit:  
38 (1) The sale of products of experiment stations or test farms.  
39 (1a) The sale of products raised or produced incident to the operation of a  
40 community college or college viticulture/enology program as authorized by  
41 G.S. 18B-1114.4 or the operation of a community college or college brewing,  
42 distillation, or fermentation program as authorized by G.S. 18B-1114.6.  
43 (1b) The sale by North Carolina State University at University-owned facilities of  
44 dairy products, including ice cream, cheeses, milk-based beverages, and the  
45 by-products of heavy cream, produced by the Dairy and Process Applications  
46 Laboratory, so long as any profits are used to support the Department of Food  
47 Science and College of Agriculture and Life Sciences at North Carolina State  
48 University.  
49 (1c) The sale by North Carolina Agricultural and Technical State University (NC  
50 A&T State University) at University-owned facilities of dairy products,  
51 including ice cream, cheeses, milk-based beverages, and the by-products of

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

5 ...."  
6

## 7 PART VIII. NC SCHOOL OF SCIENCE AND MATHEMATICS TUITION GRANTS

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

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

### 11 **"§ 116-209.90. Tuition grants for graduates to attend a constituent institution.**

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

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

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

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

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

48 (f) Continuous Enrollment. – A student shall be continuously enrolled in a constituent  
49 institution after the award of the initial tuition grant to be eligible for tuition grants in subsequent  
50 academic years. The Authority shall have the discretion to waive this requirement if the student  
51 is able to demonstrate that any of the following have substantially disrupted or interrupted the



1 student's pursuit of a degree: (i) a military service obligation, (ii) serious medical debilitation,  
2 (iii) a short-term or long-term disability, or (iv) other extraordinary hardship.

3 **"§ 116-209.91. North Carolina Tuition Grant Fund Reserve.**

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

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

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

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

36  
37 **PART IX. MODIFY NC TEACHING FELLOWS PROGRAM**

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

40 **"§ 116-209.62. North Carolina Teaching Fellows Program established; administration.**

41 ...

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

- 48 (1) Demonstrates high rates of educator effectiveness on value-added models and  
49 teacher evaluations, including using performance-based, subject-specific  
50 assessment and support systems, such as edTPA or other metrics of evaluating  
51 candidate effectiveness that have predictive validity.

- 1 (2) Demonstrates measurable impact of prior graduates on student learning,  
2 including impact of graduates teaching in STEM or special education  
3 licensure areas.
- 4 (3) Demonstrates high rates of graduates passing exams required for teacher  
5 licensure.
- 6 (4) Provides curricular and co-curricular enhancements in leadership, facilitates  
7 learning for diverse learners, and promotes community engagement,  
8 classroom management, and reflection and assessment.
- 9 (5) Requires at least a minor concentration of study in the subject area that the  
10 candidate may teach.
- 11 (6) Provides early and frequent internship or practical experiences, including the  
12 opportunity for participants to perform practicums in diverse school  
13 environments.
- 14 (7) Is approved by the State Board of Education as an educator preparation  
15 program.
- 16 (g) Awards of Forgivable Loans. – The Program shall provide forgivable loans to selected  
17 students to be used at ~~the five~~ up to eight selected institutions for completion of a program leading  
18 to initial teacher licensure as follows:

19 ...."

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

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

- 25 a. ~~Up in an amount of up to two thousand two hundred dollars (\$2,000)~~  
26 ~~(\$2,200) for each Program recipient-recipient. Funds shall be~~  
27 ~~prioritized for teachers serving as a teacher in a North Carolina public~~  
28 ~~school-schools identified as low-performing under G.S. 115C-105.37.~~
- 29 b. ~~Up to one thousand dollars (\$1,000) for each Program recipient~~  
30 ~~serving as a teacher in a North Carolina public school not identified as~~  
31 ~~low performing under G.S. 115C-105.37."~~

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

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

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

## 40 41 **PART X. COLLEGE ADVISING CORPS/COLLEGE ADVISERS IN THE PUBLIC** 42 **SCHOOLS**

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

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

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

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

21 (1) For the 2021-2022 fiscal year, an additional sum of six hundred eighteen  
22 thousand one hundred thirty-nine dollars (\$618,139) in recurring funds for a  
23 net appropriation of two million five hundred thousand dollars (\$2,500,000)  
24 in recurring funds.

25 (2) For the 2022-2023 fiscal year, an additional sum of three hundred thirty-three  
26 thousand three hundred thirty-three dollars (\$333,333) in recurring funds for  
27 a net appropriation of two million eight hundred thirty-three thousand three  
28 hundred thirty-three dollars (\$2,833,333) in recurring funds.

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

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

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

## 50 **PART XI. CERTAIN UNC CAPITAL PROJECTS**

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

1 **"§ 143C-8-13. Repairs and Renovations.**

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

11 ...

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

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

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

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

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

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

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

39  
40 **PART XII. EXEMPT UNC-OPERATED ELEMENTARY AND SECONDARY**  
41 **SCHOOLS FROM PUBLIC SCHOOL UNIT DEFINITION**

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

43 "(7a) Public school unit. – Any of the following:

- 44 a. A local school administrative unit.  
45 b. A charter school.  
46 c. A regional school.  
47 d. A school providing elementary or secondary instruction operated by  
48 one of the following:  
49 1. The State Board of Education, including schools operated  
50 under Article 7A and Article 9C of this Chapter.

2. ~~The University of North Carolina, including schools operated under Articles 4, 29, and 29A of Chapter 116 of the General Statutes."~~

**PART XIII. LEO/PUBLIC SAFETY OFFICER EXEMPTION**

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

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

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

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

**"§ 116-143.10. Cap on student fees.**

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

**PART XV. MILLENNIAL CAMPUS DESIGNATION FOR UNC-AFFILIATED INSTITUTIONS**

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

**"§ 116-198.33. Definitions.**

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

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

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

...."

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

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

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

10  
11 **PART XVI. NC ARBORETUM SPECIALTY PLATE**

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

13 "Q The North Carolina Arboretum."

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

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

19  
20 **PART XVII. APPLICABILITY OF HOUSE BILL 966, 2019 REGULAR SESSION**

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

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

27  
28 **PART XVIII. EFFECTIVE DATE**

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