

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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HOUSE BILL 778

Short Title: Increase Resources/COVID-19/Local Bd. of Ed. (Public)

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

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

May 4, 2021

A BILL TO BE ENTITLED
AN ACT TO PROVIDE ADDITIONAL RESOURCES FOR LOCAL BOARDS OF
EDUCATION TO RESPOND TO COVID-19 IMPACTS FOR THE 2021-2022 FISCAL
YEAR.

Whereas, public schools are facing uncertainty for the 2021-2022 fiscal year from the impacts of the coronavirus disease 2019 (COVID-19) on the availability of State funding resources due to a variety of factors; and

Whereas, COVID-19 has created an unprecedented strain on public schools to use their existing resources to provide a safe and effective learning environment for students and personnel; and

Whereas, greater flexibility at the local level is necessary as public schools return to serving students with in-person instruction and as unexpected needs related to COVID-19 arise; Now, therefore,

The General Assembly of North Carolina enacts:

PART I. COVID-19 RESOURCES FOR LOCAL BOARDS OF EDUCATION

SECTION 1.1. Notwithstanding G.S. 115C-105.25 and any other provision of law, for the 2021-2022 fiscal year only, local boards of education may transfer and may approve transfers of funds in an allotment category to another allotment category to respond to the impacts of the coronavirus disease 2019 (COVID-19), subject to the following limitations:

- (1) Funds for career and technical education and other purposes may be transferred only as permitted by federal law and the conditions of federal grants or as provided through any rules that the State Board adopts to ensure compliance with federal regulations.
- (2) No funds shall be transferred out of the children with disabilities, students with limited English proficiency, and academically or intellectually gifted students categories.
- (3) No funds shall be transferred into the central office administration allotment category.
- (4) Funds from the teacher assistants allotment category may only be transferred into the instructional support allotment category.
- (5) Positions allocated for classroom teachers may be converted to dollar equivalents to contract for visiting international exchange teachers through a visiting international exchange teacher program approved by the State. These positions shall be converted at the statewide average salary for classroom



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1 teachers, including benefits. The converted funds shall be used only to provide
2 visiting international exchange teachers with salaries commensurate with their
3 experience levels, to provide any State-approved bonuses, and to cover the
4 costs associated with supporting visiting international exchange teachers
5 within the local school administrative unit, including programming and
6 related activities, background checks, medical coverage, and other program
7 administration services in accordance with the federal regulations for the
8 Exchange Visitor Program, 22 C.F.R. Part 62.

9 (6) Except as provided in subdivision (5) of this section, positions allocated for
10 classroom teachers and instructional support personnel may be converted to
11 dollar equivalents for any purpose authorized by the policies of the State
12 Board of Education. These positions shall be converted at the salary on the
13 first step of the "A" Teachers Salary Schedule. Certified position allotments
14 shall not be transferred to dollars to hire the same type of position.

15 (7) Funds allocated for school building administration may be converted for any
16 purpose authorized by the policies of the State Board of Education. For funds
17 related to principal positions, the salary transferred shall be based on the first
18 step of the Base column of the Principal Salary Schedule. For funds related to
19 assistant principal months of employment, the salary transferred shall be based
20 on the first step of the "A" Teachers Salary Schedule at the salary level for
21 assistant principals. Certified position allotments shall not be transferred to
22 dollars to hire the same type of position.

23 (8) Funds to carry out the elements of the Excellent Public Schools Act that are
24 contained in Section 7A.1 of S.L. 2012-142 shall not be transferred.

25 (9) Funds allotted for textbooks and digital resources shall be used only (i) for the
26 purchase of textbooks and digital resources or (ii) for a transfer to the
27 classroom materials/instructional supplies/equipment allotment category.

28 **SECTION 1.2.** Notwithstanding G.S. 20-88.03, G.S. 115C-215, and any other
29 provision of law, for the 2021-2022 fiscal year only, a local board of education may transfer
30 funds in the drivers education allotment category to another allotment category. This section shall
31 not apply to fees collected by a local board of education pursuant to G.S. 115C-216.
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33 **PART II. PERMIT LOCAL SCHOOL ADMINISTRATIVE UNITS TO CARRY** 34 **FORWARD UNEXPENDED STATE FUNDS**

35 **SECTION 2.(a)** Notwithstanding any other provision of law, any unexpended funds
36 in an allotment category for a local school administrative unit at the end of the fiscal year shall
37 not revert to the General Fund but shall remain available for expenditure for the purposes of that
38 allotment category until June 30, 2022. If a local board of education transferred funds in an
39 allotment category to another allotment category during the fiscal year and the funds were
40 unexpended at the end of the fiscal year, the funds shall remain in that allotment category until
41 expended.

42 **SECTION 2.(b)** This section becomes effective June 30, 2021.
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44 **PART III. EFFECTIVE DATE**

45 **SECTION 3.** Except as otherwise provided, this act becomes effective July 1, 2021.