



OFFICE OF THE STATE SUPERINTENDENT
North Carolina Department of Public Instruction

April 2023 Long Session Update

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April 5, 2023



LEGISLATIVE UPDATE

Jamey Falkenbury, Director of Government Affairs

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The Budget Process

*The House and Senate agreed to a total spend for the 2023-24 budget of **6.5%** growth in year one and **3.75%** in year two.
House Budget = **\$27.9 billion** - **10.5% increase** from the previous budget*

House of Representatives Appropriations

- [Rules for Considering Amendments](#)
- [2023 Money Report 4.3.23](#)
- [2023 Appropriations Act v2 4.3.23](#)

Joint House and Senate Appropriations on Education 2023

- [State General Fund Budget Overview and Outlook](#)
- [FY 2023-25 Consensus Revenue Forecast](#)
- [Introduction to the Budget](#)
- [Public School Funding](#)
- [North Carolina LEA Characteristics, FY 2021-22](#)
- [SBE and DPI Budget Request and Legislative Top Priorities](#)
- [Teacher Compensation and Beginning Teacher Pay](#)
- [FRD K-12 Committee Questions](#)



K-12 Education Legislation

[Bills Pending the Governor's Signature](#) | [Bills Signed by the Governor](#) | [Session Laws](#)

	Bill	Title	Current Status
1.	HB 2	2022 Budget Technical Corrections.	Ch. SL 2023-11
2.	HB 11	Schools for the Deaf and Blind.	Ch. SL 2023-10
3.	HB 27	Elect Thomasville City Bd. of Ed.	Ch. SL 2023-1
4.	HB 30	Reduce Length of Granville Bd. of Ed. Terms.	Ch. SL 2023-2
5.	HB 88	Omnibus Local Elections.	Ch. SL 2023-4
6.	HB 411	General Assembly Appointments.	Ch. SL 2023-9



House Bills in the Senate

K-12 Education Legislation

HB 142 Protect Our Students Act.-AB (4th Edition) | Bill Summary

Ref To Com On Rules and Operations of the Senate on 3/30/2023

- Updates penalties and definitions for certain sex offenses against a student
- Increases penalties for failing to report misconduct toward children
- Require the Center for Safer Schools to produce and distribute an informational video related to child abuse and neglect
- Treasurer's Amendment: Defines conduct directly related to the office or employment as it pertains to the forfeiture of retirement benefits



K-12 Education Legislation

HB 149 Remote & Virtual Charter/CC Pres Confirmation (3rd Edition) | Bill Summary

Ref To Com On Rules and Operations of the Senate on 4/4/2023

- Authorizes charter schools to provide remote instruction to students
 - SBE “shall review and approve a charter or charter modification for the creation of a remote charter academy that meets the requirements established for a term of five years.”
- SBE shall approve a minimum of two statewide remote charter academies
- Authorizes a one-year extension to the expiring virtual charter school pilot and provides enrollment growth and funding in the same manner as other charter schools for the remainder of the pilot.
- The SBE would be required to evaluate the success of remote charter academies based on school performance scores and grades, retention rates, attendance rates, and for grades 9-12, high school completion and dropout rates.



K-12 Education Legislation

HB 149 Remote & Virtual Charter/CC Pres Confirmation | Bill Summary

and by rewriting the short title to read: "Remote & Virtual Charter/CC Pres Confirmation."

- Three Senate Committee Amendments made this Tuesday:
 - Each approved remote charter academy shall receive a school code
- Reinstated the local funding cap back to \$790
- Confirmation of the President of the Community College System

"(b) Each approved remote charter academy shall receive a school code. A nonprofit that has a school code for in-person instruction in addition to a school code for a remote charter academy may provide all financial reporting for both school codes jointly in a form directed by the Department of Public Instruction.";

17 "PART III. CONFIRMATION OF THE PRESIDENT OF THE COMMUNITY
18 COLLEGE SYSTEM
19 SECTION 3.(a) G.S. 115D-3 reads as rewritten:
20 "§ 115D-3. President; Community Colleges System Office. Office; staff; reorganization
21 authority.
22 (a) The Community Colleges System Office shall be a principal administrative
23 department of State government under the direction of the State Board of Community Colleges,
24 and shall be separate from the free public school system of the State, the State Board of
25 Education, and the Department of Public Instruction. The State Board has authority to adopt and
26 administer all policies, regulations, and standards which it deems necessary for the operation of
27 the System Office.
28 (a1) Subject to confirmation by the General Assembly in accordance with G.S. 115D-3.1,
29 ~~The~~the State Board shall elect a President of the North Carolina System of Community Colleges



House Bills out of Committee

K-12 Education Legislation

HB 382 Registered Nurses in Schools. (2nd Edition) | Bill Summary

Ref To Com On Rules and Operations of the Senate on 4/3/2023

- Allows licensed registered nurses who have at least two years of experience in a hospital or health clinic to be employed as school nurses without being required to obtain any other certification or license.
- Committee Amendment included registered nurses employed as school nurses would be paid on the certified school nurse pay scale.
- Makes various clarifying and technical changes.



House Bills Filed

K-12 Education Legislation

HB 432 Principal Licensure Changes. (1st Edition)

Ref to the Com on Education - K-12, if favorable, Rules, Calendar, and Operations of the House on 3/23/2023

Current Requirements and Duties:

- SBE shall have entire control of licensing of all applicants
- SBE shall adopt rules for the renewal and extension of all licenses

Applicants must:

- Submit a complete application to the SBE
- Pay the applicable fee
- Attain a bachelor's degree from an accredited college or accredited university
- Complete an accredited school administrator preparation program
 - *Grandfather clause for those already approved by SBE prior to January 1, 2023*
- Have at least four years of experience as a licensed professional educator & one of the following:
 - *Possesses MSA*
 - *Possesses a Master's of Education degree in Educational Leadership*
 - *Has completed an add-on licensure program if candidate holds master's in an education-related field*
- Submit a portfolio to the SBE for approval
- Candidates are required to complete an internship that is at least 1,000 hours in duration



K-12 Education Legislation

HB 219 Charter Omnibus. (1st Edition)

Ref to the Com on Education - K-12, if favorable, Rules, Calendar, and Operations of the House on 3/1/2023

Part I – Clarify Requirements of Charter Application and Renewal

- The SBE shall not consider impact statements when deciding whether to grant, renew, amend or terminate a charter.

Part II – Reclarifying material revisions on enrollment caps

- Redefining the maximum authorized enrollment for low-performing schools

Part III – Micro Schools

Part IV – Admission Preferences for Certain Pre-K programs and Military Families

Part V – Prohibit Discrimination of Charter School Students

Part VI – Authorize Counties to Provide Capital Funds to Charter Schools

Part VII – Comparable Per Student Funding



K-12 Education Legislation – House Bills

Crossover Deadline: Thursday, May 4

Bill	Title	Status	Bill	Status	Title
HB 8	Computer Sci. Grad. Requirement.	Senate Rules	HB 166	American Indians Graduating with Honors Act.	Senate Rules
HB 17	Elect the SBE/SPI as SBE Chair.	House Rules	HB 187	Equality in Education.	Senate Rules
HB 26	Education Omnibus.	Senate Rules	HB 188	Standards of Student Conduct.	House Rules
HB 136	Arts High School Diploma Endorsement.	Senate Rules	HB 207	Mandatory Training Contributing to CEUs.	Senate Rules
HB 142	Protect Our Students Act.-AB	Senate Rules	HB 282	Trade Schools Study.	Senate Rules
HB 149	Remote & Virtual Charter/CC Pres Confirmation.	Senate Rules	HB 382	Registered Nurses in Schools.	Senate Rules
HB 150	School Contracted Health Services.	Senate Rules	HB 432	Principal Licensure Changes.	House Ed K-12, if fav, House Rules



Senate Bills in the House

K-12 Education Legislation

SB 187 (=H280) Teacher Licensure Changes. (3rd Edition) | Bill Summary

Ref To Com On Rules, Calendar, and Operations of the House on 3/23/2023

Would make limited licenses renewable without having to pass a test

For a teacher to renew a limited license, an affidavit from the employing board of education, that is signed by both the principal and local superintendent, must state:

- The teacher is currently employed by the local board of education
- The teacher is an effective teacher
 - For teachers who have available growth data under EVAAS, the data must demonstrate that the teacher meets or exceeds expectations of growth.
- The teacher will be encouraged to continue to pursue a CPL



K-12 Education Legislation

SB 193 Career Development Plans. (1st Edition) | Bill Summary

Ref To Com On Rules, Calendar, and Operations of the House on 3/30/2023

Will require middle school students to complete CDP in 7th grade

Will require high school students to revisit their plan in 10th grade

- A self-assessment of the student's career interests and skills
- An exploration and identification of career pathways aligned with the student's self-assessment

Including but not limited information on education and training, most cost-efficient path to entry, and school opportunities to explore and prepare for the career.

- An alignment of academic courses and extracurricular activities with the student's identified career interests
- Creation of a career portfolio for the student



K-12 Education Legislation – Senate Bills

Crossover Deadline: Thursday, May 4

Bill	Title	Status
<u>SB 49</u>	<u>Parents' Bill of Rights.</u>	House Rules
<u>SB 52</u>	<u>Open Meetings/Administering Organizations. (High School Athletics)</u>	House Rules
<u>SB 83</u>	<u>No High Risk Apps/Gov't Networks & Devices. (TikTok Bill)</u>	House Rules
<u>SB 90</u>	<u>Searches of Student's Person.</u>	House Rules
<u>SB 187</u>	<u>Teacher Licensure Changes.</u>	House Rules
<u>SB 193</u>	<u>Career Development Plans.</u>	House Rules
<u>SB 222</u>	<u>Charter Approval Process.</u>	Senate Rules
<u>SB 230</u>	<u>Approve American Leadership Academy Charter.</u>	Senate Rules
<u>SB 384</u>	<u>Carbon Monoxide Detectors/School Bldgs.</u>	Senate Ed/Higher Ed
<u>SB 406</u>	<u>Choose Your School, Choose Your Future. (Expanding Opportunity Schol.)</u>	Senate Ed/Higher Ed



HOUSE BUDGET

(HB 259)

Special Provisions (part 1)

School Safety and Workforce initiatives big winners

Modernize Selection of Instructional Materials

- Would repeal Textbook Commission and create new policies

Codify Funding for AIG Students

- All districts get 4% of ADM regardless of their AIG population

Required Training to Count Toward Continuing Education Units

Clarify PEPSC Role

- Develop and recommend to the SBE rules related to ~~to all aspects of professional standards for North Carolina educators to obtaining a teaching license~~
- Also struct through providing recommendations as requested to the SBE

Special Provisions (part 2)

37 **ABOLISH CERTAIN UNFILLED POSITIONS**

38 **SECTION 7.12.** The following positions vacant for longer than two years are
39 abolished as of July 1, 2023:

- 40 (1) 60009659.
- 41 (2) 60009654.
- 42 (3) 60009651.
- 43 (4) 60009667.

44 The Department may reestablish these or create substantially similar positions as
45 needed within funds available pursuant to G.S. 115C-546.2(e).

25 **MEDICAID REIMBURSEMENT REQUIRED FOR RESIDENTIAL SCHOOLS**

26 **SECTION 7.32.** Section 7.16(a) of S.L. 2021-180 reads as rewritten:

27 **"SECTION 7.16.(a)** The Department of Public Instruction shall enter into a contract with a
28 third-party entity for any administrative services necessary to receive maximum reimbursement
29 for medically necessary health care services for which payment is available under the North
30 Carolina Medicaid Program provided to eligible students attending the Governor Morehead
31 School for the Blind, the Eastern North Carolina School for the Deaf, and the North Carolina
32 School for the Deaf. The provisions of the contract shall ensure that the residential schools
33 receive reimbursement for these services in a timely manner. If the Department of Public
34 Instruction has not executed the contract required by this section by January 1, 2024, then the
35 estimated amount that would have been reimbursed on a monthly basis had the contract been
36 executed shall be deducted from the Department's budget and shall be appropriated directly to
37 the residential schools until the contract is executed. Funds shall be deducted from Budget Code
38 13510, Fund Code 1000 of the Department's budget, except any funds appropriated for the Center
39 for Safer Schools shall not be reduced, deducted, or transferred under this section."

40

Special Provisions (part 3)

41 **DRIVER EDUCATION ADMINISTRATION FUNDS**

42 **SECTION 7.33.** G.S. 115C-215(g) reads as rewritten:

43 ~~"(g) The Department of Public Instruction shall have a full-time director and other~~
44 ~~professional, administrative, technical, and clerical personnel as may be necessary for the~~
45 ~~statewide administration of the driver education program. Of the funds appropriated to the~~
46 ~~Department of Public Instruction each fiscal year pursuant to subsection (f) of this section, the~~
47 ~~Department may use up to two percent (2%) of those funds one hundred sixty-four thousand six~~
48 ~~hundred ninety dollars (\$164,690), as adjusted to reflect legislative salary increments, retirement~~
49 ~~rate adjustments, and health benefit adjustments, for the direct costs for the statewide~~
50 ~~administration of the program, including any necessary positions."~~

51

18 **RESET SCHOOL MEAL DEBT**

19 **SECTION 7.35.** Of the funds appropriated in this act to the Department of Public
20 Instruction in nonrecurring funds for the 2023-2024 fiscal year, the Department shall allocate up
21 to seven million eight hundred thousand dollars (\$7,800,000) to all school food authorities to
22 satisfy any outstanding school meal debt. If this amount is insufficient to satisfy all outstanding
23 school food authority debt by the end of the 2023-2024 fiscal year, the Department is authorized
24 to draw on the State Public School Fund in an amount needed to satisfy any remaining debt.

Special Provision: CCRG

46
47 CAREER AND COLLEGE READY GRADUATE PROGRAM
48 CHANGES/CODIFICATION
49 SECTION 7.42.(a) Article 8 of Chapter 115C of the General Statutes is amended by
50 adding a new section to read:
51 "§ 115C-81.90. Career and College Ready Graduate Program.

3 SECTION 7.42.(b) G.S. 115C-12(9d)a. reads as rewritten:
4 "a. The Board may develop exit standards that shall be required for high
5 school graduation. The Board shall require the following for high
6 school graduation:
7 1. Successful completion of instruction in cardiopulmonary
8 resuscitation as provided in G.S. 115C-81.25(c)(10).
9 2. A passing grade in the semester course on the Founding
10 Principles of the United States of America and the State of
11 North Carolina described in G.S. 115C-81.45(d)(1).
12 3. Participation in the Career and College Ready Graduate
13 Program for students who do not meet readiness indicators by
14 the beginning of their senior year unless qualifying for an
15 exemption prior to high school graduation pursuant to
16 G.S. 115C-81.90."

9 education program (IEP) process that the student participates. The program shall require at least
10 the following:
11 (1) Establishment by the State Board of Community Colleges of measures for
12 determining student readiness and preparation for college coursework by
13 using ACT scores, student grade point averages, or other measures used by
14 the State Board of Community Colleges to determine college readiness for
15 entering students. Exemptions based on student achievement and
16 postsecondary plans may be jointly recommended by the Department of
17 Public Instruction and the Community Colleges System Office to the State
18 Board of Community Colleges for their approval.
19 (2) Changes in curriculum, policy, and rules as needed by the State Board of
20 Community Colleges and the State Board of Education to make remedial
21 content mandatory for students who do not meet readiness indicators by the
22 beginning of their senior year or who do not qualify for an exemption prior to
23 high school graduation.
24 (3) High schools to use content approved by the State Board of Community
25 Colleges, in consultation with the State Board of Education.
26 (4) To ensure students shall not require remediation upon placement at a North
27 Carolina community college, the State Board of Community Colleges shall
28 establish the following for the program:
29 a. Appropriate measures of successful completion of the remedial
30 content to ensure students are prepared for coursework at a North
31 Carolina community college without need for further remediation in
32 mathematics or reading and English.
33 b. The length of time following high school graduation in which a student
34 who successfully completed high school remedial content will not be
35 required to enroll in developmental courses at a North Carolina
36 community college.
37 (5) Delivery of remedial content by high school faculty consistent with policies
38 adopted by the State Board of Community Colleges and the State Board of
39 Education. The policies shall include, at a minimum, the following
40 requirements:
41 a. High school faculty teaching the approved remedial content shall
42 successfully complete training requirements as determined by the
43 State Board of Community Colleges, in consultation with the State
44 Board of Education.

Special Provision: Charter School Review Board

12
13 **CHARTER SCHOOL REVIEW BOARD**
14 **SECTION 7.39.(a)** G.S. 115C-218 reads as rewritten:
15 "§ 115C-218. Purpose of charter schools; role of State Board of Education; establishment
16 of North Carolina Charter Schools ~~Advisory~~ Review Board and North Carolina
17 Office of Charter Schools.

- **The North Carolina Charter School Review Board becomes the initial authorizer of charter schools**
- **State Board of Education establish rules for the operation and approval of charter schools, but those rules must first be approved by the CSRB**
- **SBE hears appeals from decisions of the CSRB**
- **Appeals to the SBE may come from an applicant, charter school, or the State Superintendent**
- **SBE is the final decision-making authority on the approval of charter application, renewals, revocations, and amendments**

Questions?



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[K-12 Education Office of Government and Community Affairs Update](#)