

Summary of 2010 North Carolina General Assembly Legislation

Low Revenues Lead to Speedy Adjournment, On-time Budget Completion

The challenges that greeted lawmakers in 2009 when the biennial session convened were no less daunting in 2010 at the commencement of the “short session.” Legislators committed to dealing almost exclusively with necessary budget adjustments, save for a few exceptions. The budget proved to be extremely difficult to develop as revenues continued to decline. The budget hole, which hovered around \$900 million, was a moving target because promised additional federal recovery and stimulus funds were in jeopardy throughout the budget’s development. In the end, lawmakers cut more than \$613 million in spending, of which more than \$222 million came from the Education budget. Other offsets came from shifts from trust funds and use of lottery revenues to avoid K-12 Education cuts and layoffs. As of August 5, Congressional leaders appeared to have the support necessary to deliver at least part of the promised funding, sparing further Medicaid cuts and teacher layoffs – at least for a while. Consequently, contingency authority and plans to trigger additional cuts in January, 2011 – including additional cuts to health care programs -- may go unused.

*As bad as the budget picture was for 2010, the landscape for North Carolina government in 2011 is worse. **Economists estimate that North Carolina’s 2011 budget deficit will exceed \$3 billion.** The economic safety net provided by the federal government will disappear in 2011. States will piece together budgets without federal supports. Lawmakers –most of whom are running for reelection in November -- will be under pressure to either raise taxes to continue current operations and avoid layoffs, or to cut programs’ budgets beyond those already made. Such choices will be made in the face of public sentiment that continually places job creation and education as the top priorities, as is evidenced by multiple public opinion polls from partisan and nonpartisan sources. Add legislative and congressional redistricting to the mix of pressing tasks and the political and economic gravity of 2011 comes into focus.*

PENC Diligent in Advocacy Efforts

In the face of these challenges, PENC worked hard to protect programs that serve teachers, students and families. Given the festering budget hole, preservation of current funding

levels and jobs were the measures of success. At the same time, PENC worked to ensure that teachers could continue to work without further impediments and red tape to get in the way of their core mission -- providing quality education to their students and to promote excellence in the education profession.

Given such results, PENC's advocacy clearly emerged as a tremendously valuable service supported by members' dues. Without PENC's advocacy efforts, teachers' salaries could have been cut rather than held steady. Without PENC's advocacy, teachers could have suffered further encroachments on protected teacher workdays for administrative purposes. Without PENC's advocacy, lawmakers would not have heard the voices of teachers opposed to collective bargaining and forced unionization.

PENC members must prepare for the turbulent 2011 political environment through vigorous support for PENC advocacy activities. You can be a part of advocacy that protects your profession, your schools and your students). Start by identifying and communicating with your legislators. Support PENC by inviting lawmakers to visit your workplace. Follow the activity of the General Assembly by visiting PENC's government relations link on the PENC website. Such simple acts can amplify PENC's advocacy message. For more information on participating in advocacy efforts, please contact Evelyn Hawthorne, PENC's Government Relations Consultant.

Thank you for all that you do to support PENC.

2010-2011 Budget

SB897, APPROPRIATIONS ACT OF 2010

Summary: An Act to Modify the Current Operations and Capital Improvements Appropriations Act of 2009 and for Other Purposes.

Web links: <http://www.ncleg.net/Sessions/2009/Bills/Senate/PDF/S897v8.pdf> and http://www.ncleg.net/sessions/2009/budget/2010/SB897_Joint%20Conference%20Committee%20Report%2006-28-10.pdf

The North Carolina Senate and House of Representatives June 29 and 30 gave final approval to the conference report **S897, Appropriations Act of 2010**. Gov. Bev Perdue signed the legislation into law June 30, making this the first budget since 2003 to meet the end of the fiscal year deadline.

As expected, no salary increases or one time bonuses were provided for teachers or for state employees. Salary increases for teachers with National Board certification and master's degrees were preserved, as was longevity. At the same time, State Health Plan premiums increased July 1 by almost 9 per cent as the result of last year's General Assembly action. Local school districts were given the authority for temporary furloughs in the event of further budget emergencies. The

State School Board must adopt rules for furlough use. The furlough provisions are listed below. They along with the teachers' and administrators' salary schedules can be found in Part XXIX of [SB897](#).

Budget writers adopted a contingency plan of cuts that would be implemented should the federal government forgo extending the increase to the Medicaid funding formula (FMAP). Among the cuts proposed are a 1 per cent rate cut for most Medicaid providers as well as some shifts in funding from dedicated funds, such as unclaimed lottery receipts and the Rainy Day Fund. As of Aug. 5, however, Congress was poised to approve an FMAP adjustment extension and that could free up about \$300 million in additional funds to North Carolina's Medicaid program.

To read the entire the 2010-2011 Budget, see [S 897](#) and the [updated money report](#)

Money Report Items of Interest

Numbers on the left correspond to numbering in the report, which begins at Section F. Numbers in parentheses indicate cuts. Numbers not in parentheses means additional funds. "R" means recurring and "NR" means nonrecurring or one-time.

1 Average Daily Membership (\$4,980,046) R

Revises projected increase in ADM for FY 2010-11 to reflect 3,127 fewer students than originally projected. Dollar amount of adjustment includes revisions to all position, dollar, and categorical allotments. Total funded ADM for FY 2010-11 is 1,475,668, an increase of 10,754 over FY 2009-10. There was a temporary ADM reduction in FY 2009-10 precipitated by a change in the Kindergarten eligibility age.

2 Average Teacher Salary (\$44,950,676) R

Revises budgeted funding for certified personnel salaries based on actual salary data from December 2009. Adjustment does not reduce any salary paid to certified personnel.

3 Education Lottery Receipts (\$121,243,793) R

Adjusts the receipts budgeted for the Classroom Teachers allotment to reflect an updated distribution between the four Lottery programs, as well as the redirection of \$16.8 million in the Lottery Reserve.

4 Exceptional Children Headcount (\$12,077,255) R

Adjusts funding previously budgeted for the Children With Disabilities allotment to reflect actual student headcount and does not reduce funding per student. The continuation budget includes anticipated growth based on the projected headcount of children with disabilities.

This adjustment revises budgeted funding for both preschool and schoolage children with special needs to reflect the April 1, 2010 headcount.

5 Small County Supplemental Funding (\$2,400,000) R

Reduces funding to adjust for the expiration of Currituck County's funding eligibility in FY 2009-10 as well as a surplus of funding needed to fully fund the other eligible counties. The remaining \$44.1 million is sufficient to fully fund the 28 eligible counties.

9 Instructional Supplies (\$3,289,447) **R**
Reduces the Instructional Supplies allotment by 3.5%. \$90.9 million will remain for this purpose.

11 Mentoring (\$9,214,190) **NR**
Eliminates all State funding for LEA mentoring programs on a nonrecurring basis in FY 2010-11 only.

18 Eliminate Geometry End of Grade Test (\$585,459) **R**
Eliminates funding associated with the discontinued State-required Geometry End of Grade Test.

20 Connectivity (\$1,000,000) **R**
(\$3,000,000) **NR**
Reduces funding for the School Connectivity Initiative (SCI) as it is deployed in all LEAs and is in the operations and maintenance phase. This adjustment also includes a \$3 million nonrecurring reduction of the cash balance. The recurring cut of \$1 million represents a reduction to recurring appropriations of approximately 4.5%, and leaves recurring appropriations at \$21.0 million per year. The nonrecurring cut of \$3 million reduces initiative funding projected to be unexpended in FY 2009-10.

21 Education Value Added Assessment System (EVAAS) \$1,000,000 **R**
Provides \$250,000 to expand funding for EVAAS licenses that had previously been funded out of reversions and \$750,000 to purchase EVAAS Teacher Analysis.

22 Student Diagnostic and Intervention Initiative \$10,000,000 **R**
Provides recurring funding to extend the Student Diagnostic Pilot program an additional year in the existing 40 pilot schools. Additional funding will expand the pilot program to additional school sites while also supporting the training needed for teachers to properly implement the program.

26 Textbooks \$2,500,000 **NR**
Provides support on a nonrecurring basis for the purchase of replacement textbooks for emergency situations. The State Board of Education shall develop rules and guidelines for the allocation of these funds.

Provision of Interest

S 897, SL2010-0031 beginning on page 159

PART XXIX. SALARIES AND BENEFITS

FURLOUGHS AUTHORIZED/PUBLIC SCHOOLS

SECTION 29.1.(a) The General Assembly finds that:

- (1) North Carolina's citizens and businesses are suffering from the effects of a significant State financial crisis.
- (2) The financial crisis has resulted in large reductions in revenues projected to be available to fund the State's budget for the 2010-2011 fiscal year.
- (3) Each local school administrative unit is required to reduce its budget and should attempt to protect employees when possible.

- (4) The implementation of furloughs may be necessary to balance local school administrative unit budgets for the 2010-2011 fiscal year.

SECTION 29.1.(b) In accordance with Section 7.13 of this act, local boards of education may implement furloughs of State-funded public school employees to offset the LEA funding flexibility adjustment.

SECTION 29.1.(c) The following definitions apply in this section:

- (1) Furlough. – A temporary period of leave from employment without pay that (i) is ordered by a local board of education and (ii) is not in connection with a demotion or other disciplinary action.
- (2) Public school employee. – Any person employed by a local school administrative unit. The term includes public officers.

SECTION 29.1.(d) The provisions of Section 26.14E(b) and (c) of S.L. 2009-451 apply to public school employees furloughed pursuant to the section.

SECTION 29.1.(e) Local school administrative units shall cooperate with the Department of Public Instruction in the implementation of a furlough, if required.

SECTION 29.1.(f) As soon as practicable, and no more than 30 calendar days from the effective date of this section, the State Board of Education shall adopt rules for the implementation of this section in accordance with G.S. 150B-21.1A, except that notwithstanding G.S. 150B-21.1A(d), those emergency rules may remain in effect until the expiration of this section. These rules shall be applied by local boards of education in designating the times public school employees may be subject to furlough. These rules shall provide, at a minimum, that:

- (1) Employees who work only on instructional days shall not be subject to furlough.
- (2) Employees who earn an annual salary of thirty-two thousand dollars (\$32,000) or less shall not be subject to furlough.
- (3) A furlough for other employees shall be for the same number of days for all such employees and shall be for a maximum of two days.
- (4) No teacher shall be subject to a furlough on an instructional day or a protected work day.
- (5) A local board of education shall have a public hearing and shall disclose the local school administrative unit's finances before the local board implements a furlough.
- (6) The local school administrative unit shall cut all bonus pay before it imposes a furlough.
- (7) A local school administrative unit may spread the salary or wage reduction for furloughed employees over the contract period in order to lessen the impact on the employees.
- (8) All savings realized as a result of a furlough shall be used to offset the LEA funding flexibility adjustment.
- (9) A county in which a local school administrative unit implements a furlough pursuant to this section shall not supplant existing local current expense funds for schools.
- (10) Each local board of education shall report to the State Board of Education on the details of any furlough implemented by the local school administrative unit and certify that the furlough complied with the provisions of this section and the rules adopted by the State Board.

SECTION 29.1.(g) The provisions of Section 26.14E(e) of S.L. 2009-451 apply to furloughs under this section.

SECTION 29.1.(h) A furlough as implemented by this section does not constitute demotion pursuant to Part 3 of Article 22 of Chapter 115C of the General Statutes or under any other personnel law or policy.

SECTION 29.1.(i) Notwithstanding G.S. 115C-273, 115C-285(b), 115C-302.1(h), and 115C-316(b), or any other provision of law, public school employees who are not paid out of State funds shall receive the same reduction in pay applicable to State-paid employees in the event a furlough is enacted by a local school administrative unit.

SECTION 29.1.(j) This section is effective when it becomes law and expires June 30, 2011.

PENC-Tracked Bills That Became Law

Education Policy Changes

HB593, MODIFY GOOD CAUSE WAIVERS

Summary: An Act to Modify the School Calendar Law Regarding Waivers for Good Cause Due to Inclement Weather or Emergency Conditions, and to Limit the Use of Public Funds by Counties, Municipalities, and Local Boards of Education to Endorse or Oppose a Referendum, Election, or Candidate for Office .

History: 07/20/2010 – G Signed by the Governor 7/20/2010.

07/20/2010 – R Chaptered Session Law 2010-114.

HB636, SCHOOL CALENDAR FLEXIBILITY/INCLEMENT WEATHER

Summary: An Act to Give Certain Local Boards of Education Additional Flexibility with Regard to Instructional Time Lost Due to Inclement Weather.

History: 06/23/2010 – G Signed by the Governor 6/23/2010.

06/23/2010 – R Chaptered Session Law 2010-10.

HB1669, REQUIRE USE EVAAS IN SCHOOLS

Summary: An Act to Require School Improvement Teams to Use EVAAS or a Compatible and Comparable System Approved by the State Board of Education to Collect Diagnostic Information on Students and to Use that Information to Improve Student Achievement.

History: 07/20/2010 – G Signed by the Governor 7/20/2010.

07/20/2010 – R Chaptered Session Law 2010-110.

HB1682, CORP. PUNISH. FOR CHILDREN W/DISABILIT

Summary: An Act to Prohibit the Use of Corporal Punishment on a Student with a Disability as Defined in G.S. 115c-106.3(1) or Section 504 of the Federal Rehabilitation Act of 1973 Whose Parent or Guardian Has Stated in Writing that Corporal Punishment Shall not be Administered on that Student, and to Require Local Boards of Education to Report Occurrences of Corporal Punishment to the State Board of Education.

History: 07/23/2010 – G Signed by the Governor 7/23/2010.

07/23/2010 – R Chaptered Session Law 2010-159.

HB1757, FITNESS TESTING IN SCHOOLS

Summary: An Act to Direct the State Board of Education to Develop Guidelines for Public Schools to Use Evidence-Based Fitness Testing for Students Statewide in Grades Kindergarten Through Eight, as Recommended by the Legislative Task Force on Childhood Obesity.

History: 07/23/2010 – G Signed by the Governor 7/23/2010.

07/23/2010 – R Chaptered Session Law 2010-161.

HB1864, NO HIGH SCHOOL GRADUATION PROJ. REQUIRED

Summary: An Act Removing the High School Graduation Project as a Requirement for Graduation.

History: 07/01/2010 – G Signed by the Governor 7/1/2010.

07/01/2010 – R Chaptered Session Law 2010-33.

SB66, COMPREHENSIVE ARTS EDUCATION PLAN

Summary: An Act to Provide a Comprehensive Arts Education Plan.

History: 07/01/2010 – G Signed by the Governor 7/1/2010.

07/01/2010 – R Chaptered Session Law 2010-34.

SB1198, EDUCATION CABINET EST. STEM PRIORITY

Summary: An Act to Direct the Education Cabinet to Set as a Priority an Increase in the Number of Postsecondary Credentials in the Fields of Science, Technology, Engineering, and Mathematics and to Support Efforts to Achieve that Priority, as Recommended by the Joint Legislative Joining Our Businesses and Schools (JOBS) Study Commission.

History: 07/01/2010 – G Signed by the Governor 7/1/2010.

07/01/2010 – R Chaptered Session Law 2010-41.

SB1201, ADD'L FLEX./COOP. INNOVATIVE HIGH SCHOOLS

Summary: An Act to Provide Additional Operating Flexibility to Cooperative Innovative High Schools, as Recommended by the Joint Legislative Joining Our Businesses and Schools (JOBS) Study Commission.

History: 08/03/2010 – G Signed by the Governor 8/3/2010.

08/03/2010 – R Chaptered Session Law 2010-182.

SB1202, BUDGET TECHNICAL CORRECTIONS

Summary: An Act to Make Technical, Clarifying, and Other Modifications to the Current Operations and Capital Improvements Appropriations Acts.

History: 07/21/2010 – G Signed by the Governor 7/21/2010.

07/21/2010 – R Chaptered Session Law 2010-123.

SB1246, FOUR-YEAR COHORT GRADUATION RATE

Summary: An Act to Direct the State Board of Education to Develop a Growth Model for Establishing Short-Term Annual Goals for Improving the Four-Year Cohort Graduation Rate, to Establish a Long-Term Goal of Increasing the Statewide Four-Year Cohort Graduation Rate, and to Allow Military Dependents Whose Parents are Deployed to Attend School Before the Age of Five in North Carolina If Eligible in the State Where the Child's Parent is Permanently Stationed.

History: 07/20/2010 – G Signed by the Governor 7/20/2010.

07/20/2010 – R Chaptered Session Law 2010-111.

SB1248, EARLY IDENTIF. & INTERV. FOR AT-RISK STUDENTS

Summary: An Act to Require Local School Administrative Units to Identify Students at Risk of Academic Failure and not Successfully Progressing Toward Graduation No Later Than the Fourth Grade, to Provide Personal Education Plans for Those Students, to Require Local School Administrative Units to Certify Compliance Annually to the State Board of Education, and to Require the State Board of Education to Periodically Review Data on the Progress of Identified Students and Report to the Joint Legislative Education Oversight Committee .

History: 07/23/2010 – G Signed by the Governor 7/23/2010.

07/23/2010 – R Chaptered Session Law 2010-162.

Employment and Benefit Changes**HB213, VSL NONFAMILY SICK LEAVE DONATIONS**

Summary: An Act to Require the Adoption of Rules and Policies for the Voluntary Shared Leave Program that will Permit the Donation of Sick Leave to a Nonfamily Member Recipient for State Employees Subject to the State Personnel Act and for Public School Employees, and to Require the State Personnel Commission, the State Board of Education, and the State Board of Community Colleges to Make an Annual Report on the Voluntary Shared Leave Program.

History: 07/21/2010 – G Signed by the Governor 7/21/2010.

07/21/2010 – R Chaptered Session Law 2010-139.

HB1377, SAFE SCHOOLS ACT

Summary: An Act to Enact the Safe Schools Act.

History: 07/30/2010 – G Signed by the Governor 7/30/2010.

07/30/2010 – R Chaptered Session Law 2010-163.

HB1676, SUBSTITUTE TEACHER UNEMPLOYMENT

Summary: An Act to Restore a Balance to the Law on Unemployment Compensation for Substitute Teachers as Recommended by the Joint Legislative Education Oversight Committee.

History: 07/08/2010 – G Signed by the Governor 7/8/2010.

07/08/2010 – R Chaptered Session Law 2010-71.

HB1707, SHP/ AGE-OUT DEPENDENTS; TOBACCO USE TESTING

Summary: An Act (1) to Allow Already Enrolled Dependent Children Under the Age of Twenty-Six Who are not Eligible for Employer-Based Health Care to Remain on the North Carolina State Health Plan for Teachers and State Employees for Plan Year 2010-2011 and (2) to Direct the State Health Plan to Consult with the Committee on Hospital and Medical Benefits Before Implementing Any Tobacco Use Testing Program.

History: 06/08/2010 – G Signed by the Governor 6/7/2010.

06/08/2010 – R Chaptered Session Law 2010-3.

HB1998, RECIPROCITY FOR ORP SERVICE

Summary: An Act to Authorize Reciprocity for Service in the Optional Retirement Program for Members of the Teachers and State Employees Retirement System.

History: 07/01/2010 – G Signed by the Governor 7/1/2010.

07/01/2010 – R Chaptered Session Law 2010-38.

HB2054, RETIREMENT TECHNICAL CORRECTIONS

Summary: An Act to Make Technical Corrections to the Statutes Governing the Teachers' and State Employees' Retirement System and the Local Governmental Employees' Retirement System.

History: 07/08/2010 – G Signed by the Governor 7/8/2010.

07/08/2010 – R Chaptered Session Law 2010-72.

HB2066, SPECIAL RETIREMENT ALLOWANCES

Summary: An Act to Authorize the Creation of Special Retirement Allowances for Retirees of the Teachers' and State Employees' Retirement System and the Local Governmental Employees' Retirement System.

History: 07/21/2010 – G Signed by the Governor 7/21/2010.

07/21/2010 – R Chaptered Session Law 2010-124.

SB1392, STATE HEALTH PLAN/COURT-ORDERED GUARDIANSHIPS

Summary: An Act to Allow State Employees to Enroll Children for Which They are Court-Appointed Guardians as Dependents in the North Carolina State Health Plan for Teachers and State Employees.

History: 07/20/2010 – G Signed by the Governor 7/20/2010.

07/20/2010 – R Chaptered Session Law 2010-120.

SB1251, STATE HEALTH PLAN/TREAT TEACHERS EQUITABLY

Summary: An Act to Grant the Same Health Benefit Coverage Currently Provided to Other State Employees to Teachers Who Have Worked a Full School Year and to not Provide Non-Contributory Health Benefit Coverage to Former State Employees Who are Provided Non-Contributory Health Benefit Coverage by a Subsequent Employer.

History: 07/21/2010 – G Signed by the Governor 7/21/2010.

07/21/2010 – R Chaptered Session Law 2010-136.

Studies**SB1152, STUDY CHILD NUTRITION PROGRAM**

Summary: An Act Authorizing the Joint Legislative Program Evaluation Oversight Committee to Direct the Program Evaluation Division to Study Indirect Costs Under Child Nutrition Programs.

History: 07/20/2010 – G Signed by the Governor 7/20/2010.

07/20/2010 – R Chaptered Session Law 2010-115.

SB900, STUDIES ACT OF 2010

Summary: An Act to Provide for Studies by the Legislative Research Commission, Statutory Oversight Committees and Commissions, and Other Agencies, Committees, and Commissions.

History: 07/22/2010 – G Signed by the Governor 7/22/2010.

07/22/2010 – R Chaptered Session Law 2010-152.

Comment Legislators spend the interim between sessions studying a number of issues which required more time in deliberation than the legislative session allowed. S 900 enumerates those studies, although a number of standing commissions conduct studies without legislative

authorization. Issues of interest to PENC members that were described in the bill are listed below.

Provisions of Interest

SECTION 2.18. State Boards and Commissions – The Commission may study consolidation or elimination of State Boards and Commissions.

PART V. JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE STUDIES

SECTION 5.1. The Joint Legislative Education Oversight Committee may study the topics listed in this Part and report its findings, together with any recommended legislation, to the 2011 Regular Session of the General Assembly upon its convening.

SECTION 5.2. Virtual School of Engineering (Shaw) – The Committee may study the feasibility of establishing a Virtual School of Engineering. The purpose of the study is to determine the cost and feasibility of developing and maintaining a Virtual School of Engineering, including the effectiveness of linking the constituent institutions to the established UNC Schools of Engineering by offering engineering classes through satellite and online courses, whether an engineering curriculum lends itself to such a model, and any other related issues deemed relevant by the Committee.

SECTION 5.3. Graduation Disparity (S.B. 1417 – Graham) – The Committee may examine each of the following:

- (1) Minority graduation statistics.
- (2) National best practices for educating minority students.
- (3) Current statewide efforts to increase high school retention of minority students.
- (4) Teaching methodologies specifically designed for minority students.
- (5) Existing technical and career curriculum.
- (6) Innovative practices or solutions that have demonstrated success in other states.

The Committee may develop a comprehensive statewide plan and recommendations for increasing the number of minority individuals who complete high school.

SECTION 5.4. Maximum Age for Enrollment in Public Schools (H.J.R. 1948 – Fisher, Gill, Yongue, Farmer-Butterfield) – The Committee may study whether the maximum initial age for enrollment in the public schools shall be lowered from age seven to age six.

PART XIII. STATE BOARD OF EDUCATION TO STUDY ISSUES RELATED TO SPORTS INJURIES AT MIDDLE SCHOOL AND HIGH SCHOOL LEVELS (H.B. 1837 – Cotham, Fisher, Glazier, Rapp)

SECTION 13.1. The State Board of Education shall study issues relating to sports injuries for all sports at the middle school and high school levels, focusing on the prevention and treatment of injuries. In conducting the study, the Board should consult with school administrators, representatives of the North Carolina High School Athletic Association, high school athletic directors, middle school coaches, athletic trainers, and doctors with expertise in the area of sports medicine. All State departments and agencies and local governments and their subdivisions shall furnish the Board with any information in their possession or available to them.

SECTION 13.2. The State Board of Education shall submit a final report of the results of its study and its recommendations to the 2011 General Assembly upon its convening.

PART XIV. STATE BOARD OF EDUCATION TO ESTABLISH A BLUE RIBBON TASK FORCE TO STUDY THE IMPACTS OF RAISING THE COMPULSORY PUBLIC SCHOOL ATTENDANCE AGE (S.B. 1249 – Davis; H.B. 1879 – Parmon, Bryant, Hurley, Hall)

SECTION 14.1. The State Board of Education shall establish a Blue Ribbon Task Force to study the impacts of raising the compulsory public school attendance age prior to completion of a high school diploma from 16 to 17 or 18. In its study, the Board of Governors shall consider all of the following:

- (1) What impacts, including fiscal impacts, has raising the compulsory school attendance age had in states which have raised the compulsory school attendance age in the last 15 years.
- (2) What conclusions can be drawn as to the impact the compulsory school attendance age has made in the dropout and high school completion rates for states who require compulsory school attendance to ages 16, 17, and 18, respectively.
- (3) What best practices for working with at-risk populations of students who remain in school have been employed in states that have raised the compulsory attendance age in the last 15 years.
- (4) What would be the fiscal impact in raising the compulsory school attendance age from 16 to 17 and 16 to 18, respectively, for each local administrative school unit in North Carolina.

SECTION 14.2. No later than November 15, 2010, the State Board of Education shall submit a report of its study to the Joint Legislative Commission on Dropout Prevention and High School Graduation and the Joint Legislative Education Oversight Committee, including its findings and recommendations.

PART XXIX. AGRISCIENCE AND BIOTECHNOLOGY REGIONAL SCHOOL PLANNING COMMISSION (S.B. 1199 – Swindell)

SECTION 29.1. There is established the Agriscience and Biotechnology Regional School Planning Commission. The purpose of the Commission shall be to develop and plan a regional school of agriscience and biotechnology to open in the 2011-2012 school year. The Commission shall be located administratively in the Department of Public Instruction but shall exercise its powers and duties independently of the Department of Public Instruction. The Department of Public Instruction shall provide for the administrative costs of the Commission and shall provide staff to the Commission.

SECTION 29.2. The Commission shall consist of up to nine members appointed by the chair of the State Board of Education. Appointments shall be made no later than September 1, 2010.

SECTION 29.3. The Agriscience and Biotechnology Regional School Planning Commission shall develop a plan for a regional school of agriscience and biotechnology to open in the 2011-2012 school year and shall ensure that the model is replicable, sustainable, and scaleable. In the development of its plan, the Commission shall:

- (1) Consider the regional school's governance, funding for operational and capital needs, personnel, admissions and assignment of students, transportation, school food services, and other issues the Commission deems relevant.
- (2) Solicit proposals from interested regions seeking to host the school and identify a location for the regional school.
- (3) Identify potential business partners for the regional school.

- (4) Consult with North Carolina State University and the NC Research Campus and establish connections between those institutions and the regional school.

SECTION 29.4. The Agriscience and Biotechnology Regional School Planning Commission shall report on its recommended plan to the State Board of Education, the Joint Legislative Joining Our Businesses and Schools (JOBS) Study Commission, and the Joint Legislative Education Oversight Committee by January 1, 2011.

PART XXXIV. LEGISLATIVE COMMISSION ON DIVERSITY IN THE PUBLIC SCHOOLS (Dannelly, Michaux)

SECTION 34.1. There is created the Legislative Commission on Diversity in the Public Schools.

SECTION 34.2. The Commission shall consist of 15 members as follows:

- (1) Five members of the House of Representatives appointed by the Speaker of the House of Representatives.
- (2) Five members of the Senate appointed by the President Pro Tempore of the Senate.
- (3) Five public members appointed by the Governor.

SECTION 34.3. The Speaker of the House of Representatives shall designate one Representative as cochair, and the President Pro Tempore of the Senate shall designate one Senator as cochair. Vacancies on the Commission shall be filled by the same appointing authority that made the initial appointment. A quorum of the Commission shall be a majority of its members.

SECTION 34.4. The Commission shall study the effects of student diversity in public school enrollment. As part of this study, the Commission shall:

- (1) Consider whether schools in which students of various racial, ethnic, and socioeconomic characteristics are balanced improve the quality of the learning experience and the academic achievement of all students as compared to schools with more homogeneous student enrollments.
- (2) Examine whether diverse public schools are successful in closing the achievement gap.
- (3) Explore the level of parental involvement in schools with a diverse student population.
- (4) Examine best practices for creating and maintaining student diversity in schools and school systems in other states.
- (5) Consider whether diverse public schools improve student discipline.
- (6) Consider the fiscal impact and efficiency of State funding streams given the data accumulated in subdivisions (1) through (5) of this section.
- (7) Study any other issue the Commission considers relevant.

SECTION 34.5. The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call of the cochairs. The Commission may meet in the Legislative Building or the Legislative Office Building. With approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Directors of Legislative Assistants shall assign clerical staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. If the Commission hires a consultant, the consultant shall not be a State employee or a person currently under contract with the State to provide services.

All State departments and agencies and local governments and their subdivisions shall furnish the Commission with any information in their possession or available to them.

SECTION 34.6. The Commission shall submit a final report of the results of its study and its recommendations to the 2011 General Assembly. The Commission shall terminate on March 1, 2011, or upon the filing of its final report, whichever occurs first.

To identify your legislator or for more information about the North Carolina General Assembly, please visit www.ncleg.net .