

ORANGE COUNTY
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: April 22, 2013

AGENDA ITEM No. 12-04-(2)-15

ACTION ITEM: (Y/N) N

SUBJECT: State Legislative Discussion

INFO. CONTACT: Jonathan Blumberg, Attorney PHONE: 919-732-8126

ATTACHMENTS:

1. N.C. School Boards Association (NCSBA) Legislative Update – April 15, 2013.
 2. House Bill 443 – N.C. Public Charter School Board Analysis and Commentary.
 3. Major Categories of Legislation filed at the General Assembly – 2013.
 4. New Bills Tracked by NCSBA Filed April 1-5.
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PURPOSE: The purpose of this item is to provide the Board of Education an opportunity to publicly discuss the most recent public school-related legislation.

BACKGROUND: For the 2013 session of the N.C. General Assembly, there have been many new education-related bills introduced. The NCSBA is tracking these bills and a list is attached.

There are a number of bills which, if passed, will have major impact on public school finances, curriculum programs, and operations.

FINANCIAL IMPACT: The financial impact is unknown at this time.

RECOMMENDATION: The Superintendent recommends the Board of Education discuss 2013 legislative activity in the General Assembly and discuss advocacy activities.

NCSBA Legislative Update - April 15

1 message

NCSBA Legislative Alert <noreply@eboardsolutions.com>

Mon, Apr 15, 2013 at 6:18 PM

Reply-To: sholmes@ncsba.org

To: patricia.coleman@orange.k12.nc.us

NCSBA LEGISLATIVE UPDATE

APRIL 15, 2013

***NOTE THAT THIS UPDATE COVERS LEGISLATIVE ACTIVITY DURING THE WEEK OF APRIL 8-12**

SENATE EDUCATION COMMITTEE REVISES AND PASSES 2013 EXCELLENT PUBLIC SCHOOLS ACT

Senator Phil Berger's Excellent Public Schools Act of 2013 (SB 361) underwent some modifications before being passed by the Senate Education Committee during their meeting last Wednesday. Both the teacher contracts and school performance grading sections were modified.

Teacher Contracts. Implementation of teacher career status abolition was changed from immediate implementation to a staggered implementation schedule as follows:

May 1, 2013 – June 30, 2018: Current teachers who have not attained career status prior to the 2012-13 school year may **not** attain it during the 2012-13 school year and shall be employed through 1-year contracts (no grandfathering).

July 1, 2013 - June 30, 2014: Superintendents must conduct reviews of teachers employed by the LEA for at least three consecutive years and determine contract lengths of 1, 2, 3, or 4 years to be recommended to those teachers. The superintendent must recommend 25 percent of these teachers for 4-year contracts, and the local school board must review these recommendations and accept them or select other teachers as part of the 25 percent of the district's teachers to be offered 4-year contracts. Only teachers deemed effective as demonstrated by proficiency on their evaluation may be given the 4-year contract, and those same teachers will receive a \$500 annual pay raise for each year of the contract.

July 1, 2014: New teacher employment system without career status takes effect and applies to all teachers on contracts of 1 and 4 years.

July 1, 2014 – June 30, 2018: Existing teacher employment system remains in effect for career status teachers not awarded 4-year contracts.

July 1, 2018: New teacher employment system with no career status applies to **all** teachers. Contract terms of 1, 2, 3, or 4 years will be recommended by the superintendent and subject to approval of the local school board.

Other new additions to the teacher contract language include suggestions made by NCSBA that will allow school districts to better implement the new law. These provisions include: providing proper due process when a teacher is dismissed mid-contract, reinstatement of the standard of “arbitrary, capricious, discriminatory, or for personal or political reasons,” appeals, and clarification of several other pieces.

School Performance Grades. While changes were made to the school performance grading section, incorporation of school-wide growth remains a key omission. The approved changes added eighth grade scores in Algebra I/Integrated Math I, English II and Biology end-of-course tests to reflect in the calculation of their school’s letter grades, and clarified measures of college readiness to reflect only the math and reading components of the ACT rather than requiring that all four components count into the calculation of the high school’s letter grade.

Alamance-Burlington Board of Education member Jackie Cole spoke to the committee about concerns with omitting school-wide growth from the school performance grades and advocated for grandfathering teachers into the new teacher contract system. Dr. Mark Edwards, Superintendent of Mooresville Graded Schools and the 2013 National Superintendent of the Year, also spoke to the committee about the problems with omitting school-wide growth from school performance grades.

The legislation has been sent to the Senate Appropriations Committee.

[Click here to find NCSBA’s issue brief on teacher career status](#) and [click here to find NCSBA’s issue brief on school performance grades](#).

HOUSE MEMBERS OFFER ALTERNATIVE PUBLIC SCHOOL REFORM BILL

A bipartisan group of House members last week introduced a K-12 public education reform plan that offers a number of ideas different from those proposed in Senator Berger’s Excellent Public Schools Act. House Bill 719- the Education Improvement Act of 2013, was introduced Wednesday and referred to the House Education Committee.

Like the Excellent Public Schools Act HB 719 would reform teacher career status and school performance grades, except very different approaches would be taken on both issues. With regard to teacher career status, HB 719 would offer a system similar to one established in Colorado. Teachers would continue to be initially employed on probationary status for their first four years. A teacher would be automatically granted career status at the end of her fourth year if certain evaluation performance measures have been achieved during her probationary status. Teachers who have **not** reached specified evaluation performance measures during her four-year probationary status would be **ineligible** for career status and would be required continue to teaching on probationary status. Local school boards would be able to vote on granting career status to teachers who do not fall into either of the aforementioned categories. Career status teachers who do not achieve specified performance standards for two consecutive years would lose career status and would

have to serve two additional years on probationary status before being eligible for career status again. All teachers who currently have career status would retain it as long as they meet the performance criteria.

“It makes everyone stay on their toes from the day they step into the classroom,” said Rep. Bryan Holloway (R-Stokes), one of the bill’s primary sponsors. “If you do well, you’re fine. If you have a bad year, you have a year to fix it.”

NCSBA is in the process of analyzing the teacher contract portions of the bill.

HB 719 would also include language from HB 435 supported by NCSBA that incorporates a school-wide growth component into school performance grades.

Another provision in HB 719 would create a task force, comprised of teachers, parents, policymakers, and administrators, to review and propose ideas on teacher merit pay and other teacher incentive issues. The task force would include one local school board member recommended by NCSBA. “We need to look at pay as a whole issue,” said Rep. Rick Glazier (D-Cumberland), another primary sponsor of the bill. HB 719 also recommends expanding digital technology and out-of-the-classroom learning and changes to school improvement plans.

In response to the House measure, Sen. Berger was quoted as saying, “I think what we’ve put in the Senate bill are things that need to be addressed in K-12 education. I think dragging our feet on some of these issues is something that’s not productive in terms of improving our public schools.”

In addition to Reps. Holloway and Glazier, HB 719’s other primary sponsors are Reps. Hugh Blackwell (R-Burke) and Larry Hall (D-Durham). The bill will be considered by the House Education Committee on Tuesday.

SCHOOL SAFETY LEGISLATION

The House Education Committee last week approved House Bill 452- 2013 School Safety Act, a comprehensive school safety bill crafted with input from NCSBA. The bill’s provisions include the following:

- Provide grants for LEAs to hire and/or train School Resource Officers.
- Provide grants for LEAs to hire additional school psychologists, school counselors and social workers.
- Codify the duties of a school counselor and require that they spend at least 80% of their work time providing direct services to students and designates that coordination of standardized testing does not constitute direct services to students.
- Require LEAs to adopt an emergency response plan.
- Require every public school to have a panic alarm system that connects with the nearest local law enforcement agency.
- Require an LEA, system-wide, school safety exercise every 2 years, and require a school to hold a school safety exercise at least every year.
- Require LEAs to prepare schematic diagrams of its school facilities and provide the diagrams and keys to the main entrance of all school facilities to local law enforcement agencies.

- Require each LEA to develop and operate an anonymous tip line to receive information on internal and external risks to school buildings and school-related activities.
- Require a school safety component as part of school improvement plans and require the superintendent to review the school safety components of the plan and make written recommendations on the plan to the LEA.
- Allow specifically qualified individuals to act as volunteer School Resource Officers as approved by local law enforcement.

The bill will now go to the House Appropriations Committee.

SENATE BILL 337

Senator Jerry Tillman's bill to establish an independent charter school oversight body and make other changes to charter school laws passed the Senate Finance Committee last week with no changes. SB 337- NC Public Charter School Board, is expected to be heard on the Senate floor this week.

SENATE BUDGET DELAY

Senator Pete Brunstetter (R-Forsyth), the Senate's senior budget chairman, said last week to WRAL in Raleigh that budget subcommittees are still weeks away from beginning their work on spending plans. Sen. Brunstetter was quoted as giving an early to mid-May timeframe. [Please click here to read the story.](#)

CONTACT YOUR LEGISLATORS ABOUT HB 443 AND SB 674

Please continue to contact your local legislative delegation members about the devastating funding impacts of Sections 2 and 1(h) of House Bill 443- NC Public Charter School Board. [Click here for more information.](#) This bill is sponsored by Reps. Mike Hager (R-Rutherford), Jon Hardister (R-Guilford), Linda Johnson (R-Cabarrus), and Edgar Starnes (R-Caldwell).

Please also continue to contact your members in opposition to Senate Bill 674- Prohibit Costly Local Government Litigation, which would abolish statutory procedures by which local school boards can contest the sufficiency of county commissions' local appropriations for public school operating and capital expenses. This bill has the potential to significantly alter the balance between school boards and county commissions. While historically, funding disputes typically do not reach the point of mediation and trial, the very threat of such incentivizes resolution of funding disputes. The bill also raises the question of how local boards of education will fulfill the obligation to provide an opportunity for a sound, basic education. This bill is sponsored by Senators Warren Daniel (R-Burke), Ralph Hise (R-Mitchell), and Harry Brown (R-Onslow).

UPCOMING LEGISLATIVE CALENDAR

Monday, April 15

7:00 PM – Senate convenes for session.

7:00 PM – House convenes for session.

Tuesday, April 16

10:00 AM – The House Education Committee will meet and consider the following bills:

HB 269- Children w/Disabilities Scholarship Grants

HB 587- OCS/ECS/Exemption From ACT

HB 588- Public School Report/Flexibility

HB 719- Education Improvement Act of 2013

11:00 AM – The Senate Commerce Committee will meet and consider the following bill:

SB 547- Energy Savings Contracting Amendments

Wednesday, April 17

10:00 AM – The House Judiciary Subcommittee B will meet and consider the following bills:

HB 497- Distribute Some Criminal Penalties Statewide

10:00 AM – The Senate Education Committee will meet and consider the following bills:

SB 374- NC Public Schools Budget Flexibility Act SB 243/HB 146- Back to Basics (for discussion only)

1:00 PM – The Senate Committee on Redistricting will meet and consider the following bills:

SB 317- Guilford School Election System

SB 325- Wake County School Board Districts

Thursday, April 18

11:00 AM – The Senate Commerce Committee will meet and consider the following bill:

SB 420- UI/Clarify Required Contributions

BILLS

See first attachment for a list of the public education bills filed last week that NCSBA is tracking.

See second attachment to find bills that had action last week.

Leanne E. Winner
Director of Governmental Relations
N.C. School Boards Association
(919)747-6686 direct dial



HB 443- NC PUBLIC CHARTER SCHOOL BOARD ANALYSIS AND COMMENTARY

PREPARED BY
THE NORTH CAROLINA SCHOOL BOARDS ASSOCIATION

For more information please contact:

Leanne E. Winner

Director of Governmental Relations

(919) 747-6688 lwinner@ncsba.org

Part I - Bill Analysis

HB 443– NC Public Charter School Board, differs significantly from the same titled bill in the Senate (SB 337). While NCSBA did not take a position on the Senate bill, **we are strongly opposed to HB 443**. There are two significantly different sections:

Section 2

In addition to making a number of pots of monies subject to potential sharing with charter schools (see below), it uses language that we know will only lead to protracted and expensive litigation in an area that after many years of litigation appears to be fairly settled. This section deletes the language that was added to state statute after the *Sugar Creek II* case and subsequently upheld in the *Thomas Jefferson* case. The deleted language made it clear which monies are not included in the charter school funding formula.

The following language replaces all of the language that was added in 2010: “In addition, other funds may be required to account for trust funds, federal grants restricted as to use, and special programs.” This language raises the following questions which can only be resolved by more LAWSUITS: (1) Who does the requiring? Is it the trust fund, federal grant, or special program? Or is the mere restriction of the use of the funds, like pre-K and ROTC, enough to exclude the money from the funding formula? (2) What is considered a special program? This issue has never been litigated and no one knows what the qualifications are for a “special program.” Again, is Pre-K a special program? ROTC? Medicaid reimbursement programs?

HB 443 would expose the fund categories listed below to potentially being included in the funding formula for charter schools. As our Court of Appeals recognized in *Thomas Jefferson*, when the source of revenue is restricted and cannot be “shared” the local school board must give-

up more of its County allocation to the charter school resulting in the very thing the statute was designed to avoid, unequal funding! Moreover, it is vital to remember that charter schools do not share ANY money with school boards no matter how they obtain the money.

Reimbursements: The removal of reimbursements would mean that funds for the following programs would be shared: Medicaid Administrative Claiming and Fee for Service –both of which are Medicaid programs for identification and actual services to students. It would also include indirect cost reimbursements for Free and Reduced Lunch Programs. There are others that are more LEA specific.

Fees for Actual Costs: Many school districts want to be good community partners and thus rent their facilities out to churches, community colleges, and other groups. LEAs charge rent to cover the actual costs (utilities, cleaning, etc.) and to compensate for wear and tear incurred on the property. This money would have to be shared with the charter schools per the language of this section. This would force many LEAs to suspend use of their facilities by outside groups. Is this good for our communities?

Tuition: Tuition may be charged for individual students' summer school, after school care, and out of unit enrollment.

Sales tax revenues distributed using the ad valorem method: This was approved by the voters of the district and should remain with the facilities within the taxing district.

Sales tax refunds: While charter schools receive a full state and local sales tax refund, LEAs are already at a significant disadvantage in that they only receive the local sales tax refund.

Gifts and grants restricted as to use: Unless a separate trust fund is established for a gift or donation then funds would have to be shared. It is unclear what the standard would be to require a trust or to classify as a special program.

Federal appropriations made directly to LEAs: There are federal programs, like ROTC, that are not "federal grants" and flow directly to the LEAs and are not captured in Fund 3.

Pre-K funds: These funds, consisting of NC Pre-K dollars and Smart Start dollars, are restricted in their use to children below kindergarten. If these funds were added to the formula it would divert general operating revenues to cover these funds and thus lower the per pupil allocation for the regular K-12 students in the LEAs. This issue is especially pronounced in the LEAs that act as the fiscal agent for the entire county program instead of the Partnership for Children. In these instances the funds pass through the LEA to private providers and would also have to be shared. Many districts would face the difficult choice of eliminating Pre-K programs if these funds have to be shared. This could also have serious implications in the State's compliance with the Pre-K remedy in the *Leandro* lawsuit.

Special programs: This language is from the pre-2010 chart of accounts language. No one ever knew what it meant and it has never been litigated.

Fund balance: The monies that create the fund balance have already been shared in previous years with the charter school when the funds were originally appropriated. If this is struck charter schools would be double dipping. An additional concern if this is struck is both the financial and public policy implications if the *Charter Day School* case is upheld on appeal (see below). If that case is upheld a charter school would get unlimited bites at the same apple and there would be a real disincentive for an LEA to ever maintain a fund balance. A fund balance is necessary for both unforeseen circumstances and for cash flow because numerous funding sources reimburse school boards for expenditures after-the-fact.

Interest earned: These are monies earned on individual LEA investments.

Many of the funds that would now be subject to becoming part of the charter school funding formula are restricted as to use (such as early childhood programs). In order to make them part of the formula an equivalent amount would be taken out of county operating revenues for the schools. Many LEAs will have to choose between turning over these needed operating funds or eliminating the restricted program.

There is also the inclusion of language (same as the Senate bill) to specifically state that special funds of individual schools shall not be included in the calculation of local current expense funds. This is meant to hold harmless funds such as PTA and band boosters and athletic boosters. Will the courts interpret this the way it is intended that if funds are transferred from the individual school account through Fund 2 because of centralized purchase ordering, etc. that they are not to be used in the local current expense fund account or do they lose that designation upon transfer? Also, will charter schools sue claiming that school boards are using individual school accounts to fraudulently avoid the other statute?

Lastly, this section deletes the 3 year payback to charter schools.

Section 1(h)

This section strikes the language that supplemental taxes are only transferred to charter schools located in the tax district for students residing in the district. This language was added to the statute after the *Delaney* case (see below) because the voters of the special taxing district had voted to implement the tax to support schools within the taxing jurisdiction.

This section also contains language regarding attorneys' fees. It requires the court to award reasonable attorneys' fees and costs to the prevailing party, the charter school. While this language was included in the Senate version of the bill and concerned NCSBA, we concluded that this area was fairly well settled that it was unlikely that would be significant exposure due to litigation. **However, given the substantial changes in Section 2 of this bill this section is now extremely problematic.**

It appears to be written in a one sided fashion and would only apply to charter schools receiving attorneys' fees. Even though the language talks about the "prevailing party", it also states "reasonable attorneys' fees and costs incurred in bringing such an action..." The school system, the defendant, is not "bringing" the action. It appears that this section would apply to currently

pending cases. There is also no requirement that a charter school notify a school system that they disagree with the calculation and thus have an opportunity to rectify it before a lawsuit is filed. In short, the elimination of clarity in the current statutes and the one-sided changes related to attorneys' fees will encourage more lawsuits.

Part II - Background

When charter schools were authorized in 1995 they were entitled to the "amount equal to the per pupil local current expense appropriation." This was understood at the time to be the monies that flowed from the counties to the schools.

Litigation on the issue began with the case of *Frances B. Delaney vs. Asheville City Schools* over supplemental taxes and fines and forfeitures. Asheville lost the case. Because the General Assembly had failed to define "local current expense appropriation," the Court of Appeals opined that "*the phrase "local current expense appropriation" in the Charter School Funding Statute ... is synonymous with the phrase "local current expense fund" in the School Budget and Fiscal Control Act.*" This interpretation, which has never been reviewed by the NC Supreme Court, has led to many years of litigation. See the section on litigation for a more full review.

The *Thomas Jefferson* decision (see below) recognized that the inclusion of restricted funds in the formula resulted in charter schools receiving a higher share of county per pupil funding. The 2010 legislative change (see below) rectified that inequality.

Prior to the changes made by the legislature in 2010, school districts had the use of four accounts under the chart of accounts established by the SBE and DPI. Fund 1 is for K-12 State funds, Fund 2 is for local current expense funds, Fund 3 is for federal funds that flow through DPI, and Fund 7 was a local use fund with no specific guidance from DPI. Fund 2 became the convenient place for districts to place other funds besides those from the county commissioners including but not limited to state and federal restricted revenues.

Legislative Changes

In 2010, G.S. 115C-426(c), Uniform Budget Act, was amended in the 2010 Appropriations bill to essentially give clear legislative authority for the creation of Fund 8. It also allowed three years for the payback of previous years from liability incurred from the Sugar Creek decision because of the statute of limitations. *The other side stipulates that this undoes Sugar Creek which it does not. It actually allows what the Court of Appeals said was permissible which was to put these funds in a different fund.*

Significant Charter School Litigation

Litigation on the issue began with the case of *Frances B. Delaney vs. Asheville City Schools* over supplemental taxes and fines and forfeitures. Asheville lost the case. The Court of Appeals opined that "*the phrase "local current expense appropriation" in the Charter School Funding Statute ... is synonymous with the phrase "local current expense fund" in the School budget and Fiscal Control Act.*"

Sugar Creek I was the next case. In this case the issue was over the Bright Beginnings (4 year old early childhood) funds and Challenge Grants for underperforming high schools. These were specialty funds from the county commissioners to CMS. CMS lost this case.

This led to *Sugar Creek II*. In this case the charter school said that the local current expense appropriation equated to the local current expense fund (Fund 2 in the chart of accounts) and that they were entitled to everything that flowed through that account. The Court of Appeals said charter schools were entitled to any monies that flow through Fund 2; but further stipulated, "if donations or other moneys are intended for special programs, they should be held in a special fund. Because Defendants have held these moneys in their local current expense fund (Fund 2), they are required to share these moneys with the Plaintiff."

In December 2009, DPI and the Local Government Commission collaborated to create a new account in the chart of accounts. Called Fund 8, the fund was created so that monies not actually appropriated by the county could be deposited into another account per the language from *Sugar Creek II*. This led to a number of lawsuits with *Thomas Jefferson vs. Rutherford County Board of Education* being the most prominent. The Court of Appeals upheld the use of Fund 7 and 8 and that said funds had properly been placed in those funds starting in 2010 and that such funds did not have to be shared with the charter schools.

An additional case of note was decided at the Superior Court level in December 2012. *Charter Day School vs. New Hanover Board of Education* is currently on appeal. While *Thomas Jefferson* is noteworthy because it affirmed the use of additional Funds, there are many cases that are over the three years of exposure that remained. In this case the trial court judge decided that entire Fund balance, not just the expended fund balance, needed to be included in the calculation. If this case stands and the language as presented in Section 2 of HB 443 passes the public policy implications are huge.

Major Categories of Legislation Filed at the General Assembly - 2013

**Unless otherwise noted the bills have not moved*

Voucher/Tax Credit Family

HB 144- Homeschool Education Income Tax Credit

Primary Sponsors: Reps. Larry Pittman (R-Cabarrus), Carl Ford (R-Rowan), Chris Malone (R-Wake), Jacqueline Schaffer (R-Mecklenburg)

NCSBA Position: Oppose

Brief synopsis: Allows parents of homeschooled children to receive an income tax credit of up to \$2,500/year if the child meets certain qualifications.

HB 269- Children with Disabilities Scholarship Grants

Primary Sponsors: Reps. Jonathan Jordan (R-Ashe), Marcus Brandon (D-Guilford), Bert Jones (R-Rockingham), Paul Stam (R-Wake)

NCSBA Position: Neutral

Brief synopsis: Converts the existing tuition tax credit program for children with disabilities to a voucher program with a cumulative annual cap of \$3 million.

Charter Schools

SB 337- NC Public Charter School Board

Primary sponsors: Senators Jerry Tillman (R-Randolph), Dan Soucek (R-Watauga)

NCSBA Position: Neutral

Brief synopsis: Establishes an independent oversight board to govern charter schools and review applications. Removes minimum required licensed teacher staffing levels in charter schools. Allows attorneys' fees to prevailing parties in actions to enforce local current expense fund sharing. Requires LEAs to provide charter schools with accounting of funds.

Has passed the Senate Education Committee. Currently in Senate Finance.

HB 443- NC Public Charter School Board

Primary Sponsors: Reps. Mike Hager (R-Rutherford), Jon Hardister (R-Guilford), Linda Johnson (R-Cabarrus), Edgar Starnes (R-Caldwell)

NCSBA Position: Oppose

Brief synopsis: Same as SB 337 except also eliminates statutory authority for Fund 8.

SB 575- Counties May Fund Charter School Capital

Primary Sponsor: Sen. Tommy Tucker (R-Union)

NCSBA Position: NCSBA is still assessing this bill.

Brief synopsis: Allows county commissions to provide charter school capital funding of up to \$250,000 per year. The charter school would have to be located within the county.

SB 10- Government Reorganization and Efficiency Act

Primary Sponsors: Senators Tom Apodaca (R-Henderson), Neal Hunt (R-Wake), and Bill Rabon (R-Brunswick)

NCSBA Position: Neutral

Brief synopsis: Section 2.13 would abolish the charter school advisory council.

Has passed House and Senate in different forms. Is in conference committee.

School Board/County Commission Relations

SB 236- Counties Responsible for School Construction

Primary Sponsors: Senators Neal Hunt (R-Wake), Pete Brunstetter (R-Forsyth), Tommy Tucker (R-Union)

NCSBA Position: Oppose

Brief synopsis: Allows county commissions to choose by resolution to assume any or all of various school property powers, including ownership, acquisition, construction, siting, equipping, expanding, improving, repairing, renovating.

SB 674- Prohibit Costly Local Government Litigation

Primary Sponsors: Senators Warren Daniel (R-Burke), Ralph Hise (R-Mitchell), and Harry Brown (R-Onslow)

NCSBA Position: Oppose

Brief synopsis: Empowers county commissions with sole authority to determine local public school funding adequacy. Abolishes procedures for local school boards to contest county commission public school funding decisions.

Homeschoolers/Extracurriculars

HB 228- Homeschoolers Participate in School Sports

Primary Sponsors: Reps. Pat McElraft (R-Carteret), George Cleveland (R-Onslow), Carl Ford (R-Rowan), Mark Brody (R-Union)

NCSBA Position: Oppose

Brief synopsis: Allows homeschooled children in certain LEAs to participate in school sports.

SB 569- Access to Sports/Extracurr. For All Students

Primary Sponsors: Sen. Andrew Brock (R-Davie)

NCSBA Position: Oppose

Brief synopsis: Allows students who attend a public school, private school, homeschool, or charter school without an interscholastic athletics program in a given sport or particular extracurricular activity to participate in that activity at a public high school.

Teacher Career Status, School Performance Grades, and School Reform Bills

SB 361- The Excellent Public Schools Act of 2013

Primary Sponsors: Senators Phil Berger (R-Rockingham), Jerry Tillman (R-Randolph), and Dan Soucek (R-Watauga)

NCSBA Position: Oppose

Brief synopsis: Eliminates teacher career status for all teachers with no grandfathering. Reforms school performance grading system without growth component. Makes other proposals included but not passed as part of the 2012 Excellent Public Schools Act.

Scheduled in Senate Education Wednesday, April 10.

HB 435- School Performance Grades

Primary Sponsors: Reps. James Langdon (R-Johnston), Linda Johnson (R-Cabarrus), Bryan Holloway (R-Stokes), Tricia Cotham (D-Mecklenburg)

NCSBA Position: Support

Brief synopsis: Adds growth as a component of school performance grades. Makes other changes to school performance grading system.

Has passed House

SB 564- Education Improvement Act of 2013

Primary Sponsor: Sen. Josh Stein (D-Wake)

NCSBA Position: Neutral

Brief synopsis: Reforms teacher career status to allow for career status revocation if teacher receives a rating below proficient on any evaluation standard. Ties other teacher employment provisions to teacher evaluations. Adds growth as a component of school performance grades. Makes other changes to public education statutes.

School Calendar Flexibility

Except for SB 595, NCSBA supports all school calendar flexibility legislation.

28 House Bills filed

26 local

2 statewide

4 Senate Bills filed

2 allows start/end date exemptions to align with community college calendars

1 allows greater flexibility to manage instructional time lost due to inclement weather

1 narrows calendar further (SB 595)

SB 595- School Calendars

Primary Sponsor: Sen. Tom Apodaca (R-Henderson)

NCSBA Position: Oppose

Brief synopsis: Further **narrows** the time during which school may be open by setting the earliest allowable start date at the first Tuesday after Labor Day and the latest allowable closing date at the last Friday before Memorial Day. Requires first semester coursework in K-12 schools and community colleges to conclude and all first semester final exams to be given before winter break.

School Safety

HB 452- 2013 School Safety Act

Primary Sponsors: Reps. Bryan Holloway (R-Stokes), Rick Glazier (D-Cumberland), John Faircloth (R-Guilford), and Marvin Lucas (D-Cumberland)

NCSBA Position: Support

Brief synopsis: Provides funds for SROs in elementary and middle schools. Provides funds for additional school psychologists, guidance counselors, and social workers. Requires development of a comprehensive developmental school counseling program in schools. Provides funds for panic alarm systems in schools. Requires LEAs to conduct system-wide school safety and school lockdown exercises every two years with local law enforcement agencies that are part of the school safety plan and develop and operate an anonymous tip line. Requires LEAs to prepare schematic diagrams of school facilities and provide those along with keys to the main entrance to local law enforcement agencies. Makes other changes to improve safety in schools.

HB 589- 2013 School Safety Act

Primary Sponsor: Sen. Josh Stein (D-Wake)

NCSBA Position: Support

Brief synopsis: Same as HB 452

SB 27- Public School Protection/Firearm Amendments

Primary Sponsor: Sen. Stan Bingham (R-Davidson)

NCSBA Position: Oppose

Brief synopsis: Allows local boards to employ schools safety marshals and exempts them from prohibitions on possessing or carrying firearms on educational property.

SB 59- Armed Security Guards in K-12

Primary Sponsor: Sen. Ronald Rabin (R-Harnett)

NCSBA Position: Oppose

Brief synopsis: Encourages local boards of education to provide an armed security guard at all elementary, middle, and high schools.

SB 124- Shoot Gun from Inside/To Harm or Incite Fear

Primary Sponsor: Sen. Pete Brunstetter (R-Forsyth)

NCSBA Position: Neutral

Brief synopsis: Makes it a Class E felony to discharge a firearm or attempt to discharge a firearm within any building, structure, etc. with the intent to do harm or incite fear.

SB 190- Gun on Ed. Prop./Stored in Locked Car

Primary Sponsors: Senators Bill Cook (R-Beaufort) and Andrew Brock (R-Davie)

NCSBA Position: Oppose

Brief synopsis: Allows an adult who has a concealed handgun permit to have a handgun on educational property provided the handgun is in a closed container in the adult's locked motor vehicle or is in a locked container attached to the motor vehicle and is removed only for defensive purposes.

SB 410- Enabling Heroes Act of 2013

Primary Sponsors: Senators Jeff Tarte (R-Mecklenburg), Shirley Randleman (R-Wilkes), and Andrew Brock (R-Davie)

NCSBA Position: Oppose

Brief synopsis: Expands the circumstances and situations where the prohibitions on weapons on educational property does not apply, adding 10 new exceptions, including individuals with a concealed handgun permit, civil and law enforcement officers of the US and officers and soldiers of the militia and the National Guard when called into actual service. Removes felony punishment for discharging firearms on educational property. Narrows definition of educational property to exclude property that is not used primarily for educational purposes.

SB 527- Trespass on School Grounds

Primary Sponsor: Sen. Stan Bingham (R-Davidson)

NCSBA Position: Support

Brief synopsis: Establishes a Class 1 misdemeanor for entering the premises of an elementary, middle, or secondary school during the period one hour before school starts and one after school ends, except in certain circumstances.

Curriculum

NCSBA does not typically take positions on curriculum bills unless they create significant programmatic issues or raise constitutional/legal concerns. We are still in the process of assessing these.

HB 127- Arts Education as Graduation Requirement

Primary Sponsors: Reps. Becky Carney (D-Mecklenburg) and Linda Johnson (R-Cabarrus)

Brief synopsis: Requires one arts education credit for graduation from high school. Requires SBE to establish procedures to provide equitable staffing allocations for small and low-wealth systems.

SB 68- Arts Education as Graduation Requirement

Primary Sponsor: Sen. Pete Brunstetter (R-Forsyth)

Brief Synopsis: Same as HB 127

HB 146- Back to Basics

Primary Sponsors: Reps. Pat Hurley (R-Randolph), Harry Warren (R-Rowan), and Phillip Shepard (R-Onslow)

Brief synopsis: Requires standard course of study to include instruction in cursive and require memorization of multiplication tables.

Has passed House.

SB 243- Back to Basics

Primary Sponsors: Sen. Austin Allran (R-Catawba)

Brief synopsis: Same as HB 146

HB 559- Teen Dating Violence Prevention Act

Primary Sponsor: Rep. Craig Horn (R-Union)

Brief synopsis: Requires LEAs to add teen dating violence and abuse to the health education program beginning 2014-15. Requires and specifies elements of LEA policies to be adopted regarding dating violence and abuse.

SB 132- Health Curriculum/Preterm Birth

Primary Sponsors: Senators Warren Daniel (R-Burke), Shirley Randleman (R-Wilkes), and Jerry Tillman (R-Randolph)

Brief synopsis: Requires that the health education program include a requirement on information about the preventable causes of preterm birth, including induced abortion as a cause of preterm birth in subsequent pregnancies.

SB 138- Bible Study Elective

Primary Sponsor: Sen. Stan Bingham (R-Davidson)

Brief synopsis: Allows local boards to offer students in grades 9-12 an elective course in bible study.

SB 404- Religious Study Credit

Primary Sponsor: Sen. Stan Bingham (R-Davidson)

Brief synopsis: Allows local boards of education to adopt policies allowing students to attend classes on religious instruction, conducted by a private entity, at an off-campus non-school property location during the day if the policies contain certain requirements. Students may earn no more than 2 elective credits for such courses.

State Board of Education Reform

SB 10- Government Reorganization and Efficiency Act

Primary Sponsors: Senators Tom Apodaca (R-Henderson), Neal Hunt (R-Wake), and Bill Rabon (R-Brunswick)

NCSBA Position: Neutral

Brief synopsis: Section 2.11 would allow the Governor to choose the State Board of Education Chairman.

SB 12- Appoint Superintendent of Public Instruction

Primary Sponsor: Sen. Jerry Tillman (R-Randolph)

NCSBA Position: Support

Brief synopsis: Constitutional amendment to allow the Governor to appoint the Superintendent of Public Instruction.

HB 251- Governance of Dept of Public Instruction

Primary Sponsors; Reps. Bryan Holloway (R-Stokes), Hugh Blackwell (R-Burke), Chris Malone (R-Wake), Jeffrey Elmore (R-Wilkes)

NCSBA Position: Support

Brief synopsis: Constitutional amendment to change composition of the State Board of Education to allow the General Assembly to appoint 4 members and the Governor to appoint 10. Would make the Superintendent of Public Instruction the Chair of the State Board to be appointed by the Governor.

New Bills Tracked by NCSBA Filed April 1 - 5

Bill: HB490
Sponsors: Stone (R51)
Title: LEE COUNTY ELECTIONS
Summary: An Act to Change the Manner of Election for the Lee County Board of Education and for the City of Sanford to Partisan.
Progress: 1st Chamber: Passed
Status: 04/04/2013 - Passed in the House
Position: Neutral

Bill: HB491
Sponsors: Stone (R51)
Title: SCHOOL RESOURCE OFFICERS/LEE COUNTY
Summary: An Act Directing the Lee County Sheriff to Provide School Resource Officers to the Lee County Schools.
Progress: 1st Chamber: Referred to Committee
Status: 04/02/2013 - House Committee On Education
Position: Oppose

Bill: HB494
Sponsors: Ford, C. (R76); Warren, H. (R77)
Title: ROWAN COUNTY DEFENSE OF RELIGION ACT OF 2013
Summary: A Joint Resolution to Proclaim the Rowan County, North Carolina, Defense of Religion Act of 2013.
Cospons: Collins (R25); Jordan (R93); Pittman (R82); Turner (R84); Presnell (R118); Conrad (R74); Whitmire (R113); McNeill (R78); Shepard (R15); Jones (R65); Burr (R67); Starnes (R87)
Progress: 1st Chamber: Referred to Committee
Status: 04/02/2013 - House Committee On Rules, Calendar, and Operations of the House
Position: Oppose

Bill: HB496
Sponsors: Brawley, C. (R95); Turner (R84)
Title: SCHOOL CALENDAR FLEXIBILITY/MOORESVILLE
Summary: An Act to Give the Mooresville Graded School District Board of Education Additional Flexibility in Setting the School Calendar.
Cospons: Harrison (D57); Jones (R65); Ford, C. (R76); Whitmire (R113); Presnell (R118); Riddell (R64); Lambeth (R75); Jordan (R93); Floyd (D43); Carney, B. (D102); Lucas, M. (D42)
Progress: 1st Chamber: Referred to Committee
Status: 04/02/2013 - House Committee On Commerce and Job Development
Position: Support

Bill: HB497
Sponsors: Richardson (D7); Turner (R84)
Title: DISTRIBUTE SOME CRIMINAL PENALTIES STATEWIDE
Summary: An Act Providing for the Statewide Distribution of the Clear Proceeds of Criminal Penalties in Certain Cases.
Cospons: Alexander, K. (D107); Jordan (R93); Martin (R8); Whitmire (R113); Floyd (D43); Harrison (D57); Lucas, M. (D42)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - First reading in the House
Position: Neutral

Bill: HB498
Sponsors: McGrady (R117); Murry (R41); Cotham (D100); Shepard (R15)
Title: MANDATE AUTISM HEALTH INSURANCE COVERAGE
Summary: An Act to Require Health Benefit Plans, Including the State Health Plan for Teachers and State Employees, to Provide Coverage for the Treatment of Autism Spectrum Disorders.
Cospons: Lucas, M. (D42); Glazier (D44); Fisher (D114); Harrison (D57); Samuelson (R104); Floyd (D43);

Graham, C. (D47); Hamilton (D18); Brawley, C. (R95); Lambeth (R75); Holley (D38); Tine (D6); Turner (R84); Ross, S. (R63); Graham, G. (D12); Conrad (R74); Jeter (R92); Richardson (D7); Terry (D71); Waddell (D46); Martin (R8); Whitmire (R113); Brown, B. (R9); Ramsey (R115); Baskerville (D32); Cunningham (D106); Jordan (R93); Hager (R112); Horn (R68); McElraft (R13); Hurley (R70); Wray (D27); Carney, B. (D102); Bell, L. (D21); Setzer (R89); Luebke (D30)

Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - House Committee On Insurance
Position: Neutral

Bill: HB503

Sponsors: Whitmire (R113)
Title: SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES
Summary: An Act to Provide Additional Flexibility to Certain County Boards of Education in Adopting the School Calendar.
Cospons: Carney, B. (D102); Floyd (D43); Jordan (R93); Ford, C. (R76); Riddell (R64); Lambeth (R75); Saine (R97); Jones (R65); Harrison (D57); Lucas, M. (D42); Insko (D56)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - House Committee On Commerce and Job Development
Position: Support

Bill: HB509

Sponsors: Cotham (D100); Jeter (R92); Brawley, W. (R103); Carney, B. (D102)
Title: SCHOOL CALENDAR FLEX/CHARLOTTE-MECK SCHOOLS
Summary: An Act to Provide Additional Flexibility to the Charlotte-Mecklenburg Board of Education in Adopting the School Calendar.
Cospons: Alexander, K. (D107); Jackson (D39); Jordan (R93); Lambeth (R75); Riddell (R64); Bryan (R88); Whitmire (R113); Moore, R. (D99); Jones (R65); Floyd (D43); Harrison (D57); Lucas, M. (D42)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - House Committee On Commerce and Job Development
Position: Support

Bill: HB510

Sponsors: Cotham (D100); Hardister (R59); Avila (R40); Jackson (D39)
Title: FOSTER CARE CHILDREN'S BILL OF RIGHTS
Summary: An Act Establishing the Foster Children's Bill of Rights.
Cospons: Glazier (D44); Wray (D27); Floyd (D43); Moore, R. (D99); Saine (R97); Baskerville (D32); Ramsey (R115); Turner (R84); Riddell (R64); Terry (D71); Martin (R8); Whitmire (R113); Brown, B. (R9); Holley (D38); Pittman (R82); Shepard (R15); Jordan (R93); Harrison (D57); Carney, B. (D102); Lucas, M. (D42); Luebke (D30)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - First reading in the House
Position: Neutral

Bill: HB518

Sponsors: Jones (R65); Holloway (R91); Brown, R. (R81); Millis (R16)
Title: SECOND AMENDMENT PROTECTION ACT
Summary: An Act Relating to Firearms and the Preservation of the Second Amendment to the United States Constitution.
Cospons: Hurley (R70); Iler (R17); Jordan (R93); Shepard (R15); Pittman (R82); Brawley, C. (R95); Bumgardner (R109); Bell, J. (R10); Riddell (R64); Martin (R8); Conrad (R74); Speciale (R3); Steinberg (R1); Brody (R55); Whitmire (R113); Brown, B. (R9); McNeill (R78); Stone (R51); Moffitt (R116); Collins (R25); McElraft (R13); Setzer (R89); Starnes (R87)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - First reading in the House
Position: Neutral

Bill: HB520

Sponsors: Jeter (R92); Brawley, W. (R103)
Title: CONVERT AIR CARRIER FUEL REFUND TO EXEMPTION

Summary: An Act to Convert the Sales Tax Refund for Certain Fuel Purchases of an Interstate Passenger Air Carrier into a Sales Tax Exemption.
Cosponsors: Brown, B. (R9); Pittman (R82)
Progress: 1st Chamber: Referred to Committee
Status: 04/04/2013 – House Committee On Finance
Position: Neutral

Bill: **HB521**
Sponsors: Holloway (R91); Blackwell (R86); Malone (R35); Elmore (R94)
Title: GOVERNANCE OF DEP'T OF PUBLIC INSTRUCTION
Summary: An Act to Amend the North Carolina Constitution to Change the Membership of the State Board of Education, to Change the Terms of Members of the State Board of Education, to Make the Superintendent of Public Instruction a Member of and Chair of the State Board of Education, to Authorize the Governor to Appoint the State Superintendent of Public Instruction, and to Make Conforming Changes to the General Statutes.

Cosponsors: Jones (R65); Shepard (R15); Lambeth (R75); Brown, B. (R9); Pittman (R82); Moffitt (R116); McGrady (R117); Hurley (R70)
Progress: 1st Chamber: Referred to Committee
Status: 04/04/2013 – House Committee On Education
Position: Support

Bill: **HB523**
Sponsors: Brown, B. (R9); Martin (R8)
Title: PITT CO. BD. OF EDUCATION
Summary: An Act to Reduce the Size of the Pitt County Board of Education from Twelve Members to Nine, to Add Three Members Elected from Combined Districts, to Provide for Four-Year Terms Rather Than Six-Year Terms, and to Shorten the Time Between the Election of Members of the Pitt County Board of Education and When Those Members Take Office.

Cosponsors: Lambeth (R75)
Progress: 1st Chamber: Referred to Committee
Status: 04/04/2013 – House Committee On Education
Position: Neutral

Bill: **HB537**
Sponsors: Steinberg (R1)
Title: EDENTON-CHOWAN SCH. BD. TERMS
Summary: An Act to Provide for Four-Year Terms Rather Than Six-Year Terms for the Members of the Edenton-Chowan Board of Education and Change the Election Schedule for One District Seat.
Progress: 1st Chamber: Referred to Committee
Status: 04/04/2013 – House Committee On Education
Position: Neutral

Bill: **HB546**
Sponsors: Wray (D27)
Title: ROANOKE RAPIDS GRADED SCHOOL DISTRICT
Summary: An Act to Provide for the Term of the Chairperson for the Board of Trustees of the Roanoke Rapids Graded School District.
Progress: 1st Chamber: Referred to Committee
Status: 04/04/2013 – First reading in the House
Position: Neutral

Bill: **HB547**
Sponsors: Wray (D27); Collins (R25)
Title: TAX & REGULATE VIDEO SWEEPSTAKES
Summary: An Act to Regulate and Impose an Excise Tax on Electronic Sweepstakes.
Cosponsors: Malone (R35); Richardson (D7); Szoka (R45); Floyd (D43); Lucas, M. (D42)
Progress: 1st Chamber: Referred to Committee
Status: 04/04/2013 – House Committee On Commerce and Job Development
Position: Neutral

Bill: HB559
Sponsors: Horn (R68)
Title: TEEN DATING VIOLENCE PREVENTION ACT
Summary: An Act to Provide for the Education of North Carolina High School Students About Teen Dating Violence and Abuse.
Cospons: Harrison (D57); Pittman (R82); Baskerville (D32); Jones (R65); Wray (D27); Glazier (D44)
Progress: 1st Chamber: Referred to Committee
Status: 04/04/2013 – House Committee On Education
Position: Neutral

Bill: HB560
Sponsors: Arp (R69); Floyd (D43); Lucas, M. (D42); Szoka (R45)
Title: ECONOMIC SCHOOL BUS REPLACEMENT CRITERIA
Summary: An Act to Establish Criteria for School Bus Replacement and to Provide Incentives to Local School Administrative Units that Operate Buses with Higher Mileage.
Cospons: Lambeth (R75); Steinberg (R1); Jones (R65); Glazier (D44)
Progress: 1st Chamber: Referred to Committee
Status: 04/04/2013 – House Committee On Appropriations
Position: Neutral

Bill: SB564
Sponsors: Stein (D16)
Title: EDUCATION IMPROVEMENT ACT OF 2013
Summary: An Act to Enact the Education Improvement Act of 2013.
Cospons: Robinson (D28); Davis, D. (D5)
Progress: 1st Chamber: Referred to Committee
Status: 04/02/2013 – Senate Committee On Rules and Operations of the Senate
Position: Neutral

Bill: SB569
Sponsors: Brock (R34)
Title: ACCESS TO SPORTS/EXTRACURR. FOR ALL STUDENTS
Summary: An Act to Permit Students Who Attend a Public School, Private School, Home School, or Charter School Without an Interscholastic Athletics Program in a Given Sport or Particular Extracurricular Activity to Participate in that Activity at a Public High School.
Cospons: Barringer (R17); Rabin (R12); Barefoot (R18); Hise (R47); Jackson (R10)
Progress: 1st Chamber: Referred to Committee
Status: 04/02/2013 – Senate Committee On Rules and Operations of the Senate
Position: Oppose

Bill: SB574
Sponsors: Randleman (R30)
Title: APPEARANCE BOND VALID FOR CERTAIN TIME PERIOD
Summary: An Act to Provide that an Appearance Bond for a Defendant Charged with Certain Misdemeanors is Only Valid for a Certain Period of Time.
Progress: 1st Chamber: Referred to Committee
Status: 04/02/2013 – Senate Committee On Judiciary II
Position: Neutral

Bill: SB575
Sponsors: Tucker (R35)
Title: COUNTIES MAY FUND CHARTER SCHOOL CAPITAL
Summary: An Act to Authorize County Governments to Provide Funds for Capital Expenses of Charter Schools.
Cospons: Goolsby (R9); Rabin (R12); Newton (R11); Hise (R47); Daniel (R46)
Progress: 1st Chamber: Referred to Committee
Status: 04/02/2013 – Senate Committee On Education/Higher Education

Bill: SB576
Sponsors: Clark (D21)
Title: HS CTE COURSE OPTIONS
Summary: An Act to Direct the Department of Public Instruction to Examine and Broaden, If Necessary, the Courses Offered to High School Students in Career and Technical Education.
Progress: 1st Chamber: Referred to Committee
Status: 04/02/2013 – Senate Committee On Education/Higher Education
Position: Neutral

Bill: SB577
Sponsors: Clark (D21)
Title: TAX RETURN SCHOOL DONATION TAX CHECKOFF
Summary: An Act to Allow Individuals to Contribute Tax Refunds to Certain Entities.
Cospons: Newton (R11); Daniel (R46)
Progress: 1st Chamber: Referred to Committee
Status: 04/02/2013 – Senate Committee On Rules and Operations of the Senate
Position: Neutral

Bill: SB586
Sponsors: Rabin (R12)
Title: STANDARDIZATION OF SCHOOL BUILDING DESIGN
Summary: An Act Directing Local Boards of Education Acquiring Sites for School Facilities or Erecting School Facilities to Plan for the Future Expansion of Those Facilities.
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Education/Higher Education
Position: Neutral

Bill: SB588
Sponsors: Hartsell (R36)
Title: DISTRIBUTION OF LOTTERY PROCEEDS
Summary: An Act Providing for the Allocation of Lottery Proceeds for Public Schools on a Point of Sale Basis.
Cospons: Jackson (R10)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Education/Higher Education
Position: Oppose

Bill: SB589
Sponsors: Stein (D16)
Title: 2013 SCHOOL SAFETY ACT
Summary: An Act to Ensure the Safety of Children in the Public Schools by Increasing the Number of School Resource Officers, by Enhancing the Effectiveness of School Resource Officers, and by Implementing Other Critical Measures to Enhance Campus Safety.
Cospons: Parmon (D32); Bryant (D4); McLaurin (D25); Barringer (R17)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Education/Higher Education
Position: Support

Bill: SB592
Sponsors: Bryant (D4); Hartsell (R36); Barringer (R17)
Title: OK TO ALIGN SCHOOL & COMM. COLL. CALENDARS
Summary: An Act Permitting Local Boards of Education to Align Their School Calendars with Those of Community Colleges Serving Their Communities.
Cospons: Barefoot (R18); Randleman (R30); Tarte (R41); Parmon (D32); Davis, D. (D5); Kinnaird (D23)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Rules and Operations of the Senate
Position: Support

Bill: SB593
Sponsors: Davis, J. (R50)
Title: CIVIL LITIGATION COSTS REFORM ACT OF 2013
Summary: An Act to Allow Presiding Judges in Civil Actions to Award Costs or Attorneys' Fees Upon Issuance of Written Findings of Fact.
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Judiciary I
Position: Neutral

Bill: SB595
Sponsors: Apodaca (R48)
Title: SCHOOL CALENDARS
Summary: An Act to Provide for the Calendars for the Public Schools and Community Colleges.
Cospons: Tarte (R41)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Education/Higher Education
Position: Oppose

Bill: SB597
Sponsors: Tarte (R41); Ford, J. (D38)
Title: DROPOUT PREVENTION AND RECOVERY PILOT
Summary: An Act to Provide for a Dropout Prevention and Recovery Pilot Program for Local Boards of Education and Charter Schools.
Cospons: Cook (R1); Bryant (D4); Parmon (D32); Kinnaird (D23)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Education/Higher Education
Position: Neutral

Bill: SB599
Sponsors: Apodaca (R48)
Title: RETIREMENT TECHNICAL CORRECTIONS
Summary: An Act to Make Technical and Conforming Changes to the Statutes Affecting the State Retirement Systems.
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Pensions & Retirement and Aging
Position: Neutral

Bill: SB600
Sponsors: Apodaca (R48)
Title: STATE HEALTH PLAN/STATUTORY CORRECTION
Summary: An Act to Make a Technical Change to the State Health Plan for Teachers and State Employees Statutes.
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – First reading in the Senate
Position: Neutral

Bill: SB608
Sponsors: Clark (D21)
Title: DIVERSITY SCHOLARSHIP TAX CREDIT
Summary: An Act to Create a Tax Credit for Corporations Making Donations to Fund Diversity Scholarships.
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Finance
Position: Neutral

Bill: SB611
Sponsors: Brown, H. (R6)
Title: PUBLIC CONTRACTS/PROJECT LABOR
Summary: An Act to Provide for Fair and Open Competition in Governmental Construction Contracts and to Prohibit

Requirements for Certain Terms in Government Contracts.

Cospons: Meredith (R19)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Commerce, Small Business and Entrepreneurship
Position: Neutral

Bill: **SB612**

Sponsors: Brown, H. (R6); Jackson (R10); Brock (R34)
Title: REGULATORY REFORM ACT OF 2013
Summary: An Act to Provide Regulatory Relief to the Citizens of North Carolina by Clarifying the Preemption of City Ordinances and Clarifying that Similar Rules Apply to County Ordinances; by Clarifying What Types of Debris May be Used as Structural Fill; by Clarifying the Laws Relating to Groundwater Compliance Boundaries; by Extending the Terms of Certain Environmental Permits; by Clarifying the Prohibition on Master Metering to Permit an All-Inclusive Lease; by Exempting Certain Properties from Riparian Buffer Rules; and by Providing the Rules Review Commission the Authority to Review Existing Rules.

Cospons: Tucker (R35); Randleman (R30); Cook (R1); Rabin (R12); Hise (R47); Soucek (R45)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Agriculture/Environment/Natural Resources
Position: Neutral

Bill: **SB614**

Sponsors: Brown, H. (R6)
Title: WC/OMNIBUS CHANGES
Summary: An Act to Amend the Insurance Laws Relating to the Notice Required for Cancellation of Workers' Compensation Insurance Policies and to Amend the Workers' Compensation Act Concerning the Status of Truck Drivers as Employees or Independent Contractors and Relating to Out-Of-State Accidents and State Reciprocity of Claims.

Cospons: Jackson (R10)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – First reading in the Senate
Position: Neutral

Bill: **SB617**

Sponsors: Tucker (R35)
Title: PUBLIC RECORDS/MINIMAL COST RECOVERY
Summary: An Act to Address the Costs of Reproducing Public Records by Allowing the Recovery of Personnel Costs Associated with Providing Copies.

Cospons: Goolsby (R9); Meredith (R19)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Judiciary I
Position: Support

Bill: **SB620**

Sponsors: McKissick (D20); Daniel (R46)
Title: ALLOW MORE THAN ONE EXPUNCTION
Summary: An Act to Provide that the Court, in Its Discretion, May Allow a Person Who Was Charged with a Nonviolent Crime When the Person Was Less Than 26 Years Old and Later Had the Charges Expunged and Who is Charged with a Subsequent Nonviolent Crime that Was Dismissed or for Which There are Findings of not Guilty to Expunge the Subsequent Criminal Charges.

Cospons: Goolsby (R9); Parmon (D32); Bryant (D4); Newton (R11); Meredith (R19); Jackson (R10)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Rules and Operations of the Senate
Position: Oppose

Bill: **SB621**

Sponsors: McKissick (D20); Daniel (R46)
Title: PROHIBIT EMP. DISC./POOR CREDIT HISTORY
Summary: An Act to Prohibit Employment Discrimination on the Basis of Credit History or Credit Rating.
Cospons: Bryant (D4); Parmon (D32)

Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - Senate Committee On Rules and Operations of the Senate
Position: Oppose

Bill: **SB645**
Sponsors: Hartsell (R36)
Title: UI/WORK SHARING OPTIONS FOR EMPLOYERS
Summary: An Act to Establish a Work Sharing Option for Employers Under the Unemployment Security Laws.
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - Senate Committee On Rules and Operations of the Senate
Position: Neutral

Bill: **SB654**
Sponsors: Parmon (D32); Robinson (D28)
Title: SALARY INCREASE FOR SCHOOL EMPLOYEES
Summary: An Act to Provide Salary Increases for Public School Employees.
Cospons: Kinnaird (D23)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - Senate Committee On Appropriations/Base Budget
Position: Neutral

Bill: **SB656**
Sponsors: Parmon (D32); Robinson (D28)
Title: ESSENTIAL FUNDING FOR PUBLIC SCHOOLS.-AB
Summary: An Act to Address Funding Deficiencies and Needed Enhancements in North Carolina's Public Schools.
Cospons: Bryant (D4)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - Senate Committee On Appropriations/Base Budget
Position: Support

Bill: **SB665**
Sponsors: Cook (R1); Pate (R7); Rabin (R12)
Title: STUDENT SAFETY/HEAT ILLNESS
Summary: An Act to Require the Development and Implementation of a Safety and Training Program for the Prevention and Treatment of Exertional Heat Illness in Students.
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - Senate Committee On Education/Higher Education
Position: Neutral

Bill: **SB669**
Sponsors: Rucho (R39); Rabon (R8); Berger, P. (R26)
Title: REDUCE THE INDIVIDUAL INCOME TAX RATE
Summary: An Act to Phase-In a Reduction of the Individual Income Tax Rate and to Direct the Revenue Laws Study Committee to Study an Elimination of the Individual Income Tax.
Cospons: Hunt (R15); Daniel (R46); Hise (R47); Newton (R11); Rabin (R12); Cook (R1); Barefoot (R18); Goolsby (R9); Soucek (R45); Pate (R7); Brock (R34); Apodaca (R48)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - Senate Committee On Finance
Position: Neutral

Bill: **SB671**
Sponsors: Tucker (R35); Davis, J. (R50)
Title: COMBINE LOBBYING AND ETHICS
Summary: An Act to Consolidate the Enforcement of the Lobbying Laws Under the Governance of the State Ethics Commission.
Cospons: Rabin (R12); Goolsby (R9); Brock (R34)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 - Senate Committee On Rules and Operations of the Senate

Position: Neutral

Bill: SB672
Sponsors: Tucker (R35)
Title: ECONOMICAL SCHOOL BUS REPLACEMENT CRITERIA
Summary: An Act to Establish Criteria for School Bus Replacement and to Provide Incentives to Local School Administrative Units that Operate Buses with Higher Mileage.
Cospons: Meredith (R19)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Education/Higher Education
Position: Neutral

Bill: SB673
Sponsors: Tucker (R35); Soucek (R45)
Title: STRUCTURED ENGLISH IMMERSION
Summary: An Act to Establish a Commission to Study the Implementation of a Structured English Immersion Program in the North Carolina Public Schools.
Cospons: Meredith (R19)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Education/Higher Education
Position: Neutral

Bill: SB674
Sponsors: Daniel (R46); Hise (R47); Brown, H. (R6)
Title: PROHIBIT COSTLY LOCAL GOVERNMENT LITIGATION
Summary: An Act to Prohibit Costly Litigation Between County Government and Local School Administrative Units.
Cospons: Cook (R1); Meredith (R19)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Education/Higher Education
Position: Oppose

Bill: SB700
Sponsors: Brock (R34)
Title: EPI PENS IN SCHOOLS
Summary: An Act to Require Local Boards of Education to Provide for a Supply of Emergency Epinephrine Auto-Injectors on School Property for Use in an Emergency.
Cospons: Tarte (R41); Cook (R1); Newton (R11); Jackson (R10)
Progress: 1st Chamber: Referred to Committee
Status: 04/03/2013 – Senate Committee On Health Care
Position: Neutral