



## LEGISLATIVE UPDATE

April 24, 2015

There was an explosion of committee activity this week as the Crossover Deadline of Thursday, April 30, approaches. Generally, any bills without finance or appropriations provisions that do not pass one chamber to the other by April 30 are no longer active this Session. Below is a list of 50+ education-related bills that have made Crossover thus far, with many more to come next week.

After Thursday's deadline, the House will have more time to devote to its budget proposal – hearing measures in specific Appropriations Committees (e.g., Education Appropriations), then in the full Appropriations Committee, and on to the chamber floor. Just this week, it was announced that budget shortfalls have dissolved, and the state has received \$257 million more than last year by April 15. House leaders hope to have their budget finalized in mid to late May.

### **Bills that made Crossover (as of today):**

1. [HB 13](#) Amend School Health Assessment
2. [HB 18](#) Planning Year for CIHSs
3. [HB 29](#) Technical Changes to Courses of Study Statute
4. [HB 35](#) Education Innovation Task Force
5. [HB 86](#) Utility Line Relocation/School Board
6. [HB 110](#) Cherokee/Rutherford Boards of Education Elections
7. [HB 111](#) Stanley County Board of Education Recall
8. [HB 112](#) Stanley County Board of Education Election Method
9. [HB 113](#) Protect Our Students
10. [HB 134](#) Soliciting Prostitution/Immunity for Minors
11. [HB 138](#) Arts Education Requirement
12. [HB 158](#) Jim Fulghum Teen Skin Cancer Prevention Act
13. [HB 162](#) Sudden Cardiac Arrest Education/Students
14. [HB 189](#) Rockingham County School Board
15. [HB 190](#) State Health Plan Modifications
16. [HB 216](#) Great Leaders for Great Schools Study
17. [HB 232](#) Study/Update Bicycle Safety Laws
18. [HB 233](#) Evidence Passed Vehicle is a School Bus
19. [HB 237](#) Repeal Personal Education Plans/Modify Transition Plans
20. [HB 255](#) Building Code Regulatory Reform
21. [HB 268](#) Amend Transportation Laws
22. [HB 274](#) Retirement Technical Corrections Act of 2015
23. [HB 276](#) Agency Participation Procedures Act of 2015
24. [HB 318](#) Protect North Carolina Workers Act
25. [HB 334](#) Charter School Extracurricular Activity Fees
26. [HB 349](#) Develop Broadband Connectivity Plan

27. [HB 358](#) School Performance Grade Scale
28. [HB 364](#) Clarify Laws on Executive Orders and Appointments
29. [HB 380](#) Statewide School Safety Management
30. [HB 383](#) Clarify Statutory Scheme/Sex Offenses
31. [HB 390](#) Beaufort County Community College/Washington County
32. [HB 401](#) Authorize Data Sharing for NCLDS
33. [HB 439](#) Competency-Based Assessments
34. [HB 474](#) Healthy Out-of-School Recognition Program
35. [HB 539](#) School Playgrounds Available to Public
36. [HB 559](#) Testing Feedback for Students/Teachers
37. [HB 561](#) School System Authority Regarding Legal Proceedings
38. [HB 581](#) Computer Coding Course Elective
39. [HB 584](#) Use of Position/Letters of Reference
40. [HB 632](#) Study Student Online Data Privacy
41. [HB 647](#) Epi Pens in All Child-Serving Businesses
42. [HB 667](#) Study Athletic Trainer/Health Coverage Option
43. [HB 878](#) Expand Bd. of Trustees/Sch. of Science & Math
44. [HB 879](#) Juvenile Code Reform
45. [SB 6](#) State Health Plan/Rehired Retiree Eligibility
46. [SB 15](#) Unemployment Insurance Law Changes
47. [SB 37](#) Waive Tuition/Fallen Officer Was Guardian
48. [SB 176](#) Charter School Grade Level Expansion
49. [SB 279](#) Amend Qualifications/Practice of Counseling
50. [SB 284](#) Infrastructure Assessments/Extend Sunset
51. [SB 298](#) School Bus Cameras/Civil Penalties
52. [SB 315](#) School Playgrounds Available to Public
53. [SB 534](#) Study Student Online Data Privacy
54. [SB 536](#) Students Know Before You Go
55. [SB 682](#) Modify Sunset Regarding Contingent Audits
56. [SB 698](#) State IT/Utility-Based Cloud Computing

### **Relevant Bills in Committee this Week:**

(in numerical order)

#### **HB 56** State Health Plan/Rehired Retiree Eligibility

On Wednesday, the House Committee on State Personnel amended and approved HB 56, and it will now go to the House Committee on Appropriations. This bill is the House's solution to the rehired retiree health coverage problem where individuals must opt for the "bronze" health plan coverage under certain conditions and are no longer entitled to the more comprehensive State Health Plan coverage. Much like the Senate solution in SB 6 (with the same bill title), this would allow rehired retirees to maintain their State Health Plan coverage even if they are working on a nonpermanent full-time basis under certain conditions. In education, the classic example is a rehired retiree who substitute teaches on a long-term, full-time basis. The Senate version, however, now requires the employing unit (e.g., LEA) to pay the employer premium for retirees who enroll under this new provision. This House bill differs in that the State Treasurer's Department, Retiree Health

Benefit Fund, reimburses the employing unit for the cost of these retirees' coverage, and notes that funds need to be appropriated by this General Assembly to do so.

#### [HB 162](#) Sudden Cardiac Arrest Education/Students

On Tuesday, the House Committee on Education/K-12 amended and approved HB 162, and the House passed it. It is now assigned to the Senate Committee on Rules and Operations. The bill would direct SBE to adopt guidelines and educational materials for LEAs to inform students, parents, and coaches on awareness, recognition, and management of sudden cardiac arrest. Each year, prior to participation of a student in an athletic activity, parents of student athletes must acknowledge to the child's school that they have received and reviewed an information sheet about sudden cardiac arrest symptoms and warning signs. Also, students would be required to complete a heart history questionnaire as part of the pre-participation physical exam. Schools are encouraged to hold informational meetings with physicians, pediatric cardiologists, and athletic trainers prior to each athletic season regarding the symptoms and warning signs of sudden cardiac arrest. Each year, coaches would be required to complete a sudden cardiac arrest training course offered by an approved provider. There are, at a minimum, 6,000 coaches who would require training under this legislation. Presently, a free course is available from Sports Safety International at: <http://www.sportsafetyinternational.org/cardiacwise-pats/>.

The bill also directs SBE to adopt rules requiring all coaches, school nurses, athletic directors, first responders, volunteers, student athletes, and the parents of those students to annually receive a concussion and head injury information sheet. School employees, first responders, volunteers, parents, and students must verify receipt before they can participate in interscholastic athletic activities. If a student athlete exhibits signs or symptoms consistent with concussion, the student would be removed from the activity immediately and could not return until evaluated and cleared for return in writing by a medical professional. Each school must maintain complete and accurate records of compliance with this provision.

Each middle school and high school would be required to develop a venue-specific emergency action plan to deal with serious injuries and acute medical conditions. This plan must be (i) in writing, (ii) reviewed by a licensed athletic trainer, (iii) approved by the principal, (iv) distributed to all appropriate personnel, (v) posted conspicuously at all venues, and (vi) reviewed and rehearsed annually by all licensed athletic trainers, first responders, coaches, school nurses, athletic directors, and volunteers for school athletic activities. These changes would apply beginning with the 2015-16 school year.

#### [HB 334](#) Charter School Extracurricular Activity Fees

On Tuesday, the House Committee on Education/K-12 amended and approved HB 334, and the House passed it. It is now assigned to the Senate Committee on Rules and Operations. The bill would require SBE and the Charter Schools Advisory Board (CSAB) to evaluate charter school applications for approval or rejection based upon the content and substance of the applications without respect to "format issues" that do not "impact the substantive review of the content of an application." SBE and CSAB must provide timely notification to

an applicant of any format issues or incompletions with the application and allow the applicant at least five business days to make corrections. All applicants would be allowed to address the CSAB regarding the application for at least ten minutes immediately prior to any final vote on an application. These changes would apply when the bill becomes law and apply to charter applications and renewals on or after that date.

The bill would also permit charter schools to charge any fees that are charged by the LEA where the charter school is located. Upon approval by the charter board of directors, the school may establish fees for extracurricular activities. Those fees could not exceed the fees for the same activities charged by the LEA in which 40% or more of the students enrolled in the charter school reside. The changes would apply beginning with the 2015-16 school year.

### [HB 380](#) Statewide School Safety Management

On Tuesday, the House Committee on Education/K-12 amended and approved HB 380, and the House passed it. It is now assigned to the Senate Committee on Rules and Operations. Under current law, LEAs, in coordination with local law enforcement, are required to adopt emergency response plans relating to incidents of school violence. The bill would replace the term "emergency response plans" with "School Risk Management Plans" (SRMP), would require coordination with emergency management agencies, and would utilize the School Risk and Response Management System (SRRMS) established under G.S. 115C-105.49A. Local boards would be required to adopt a SRMP by March 1, 2017. Charter schools and regional schools would not be required to adopt a SRMP, but are encouraged to do so.

Under current law, each LEA is encouraged to hold a full system-wide school safety and lockdown exercise with local law enforcement agencies at least once every two years, this bill would require a school-wide exercise once annually. Charter schools and regional schools would not be required to hold such an exercise, but are encouraged to do so. The NC Department of Public Safety (DPS) and the Center for Safer Schools (CSS) would be required to provide guidance and recommendations to LEAs on various hazards to plan and respond to, including intruders on school grounds. Additionally, DPS and CSS would be directed to construct and maintain this SRRMS, which should fully integrate and leverage existing data and applications that support school risk planning and exercise, monitoring, and emergency response, including the SRMP tool. Charter schools and regional schools are encouraged to utilize the SRRMS, but are not required to do so. All data and information acquired and stored in the SRRMS would not be considered public record.

Currently, LEAs are encouraged to develop and operate anonymous tip lines to receive tips on risks to school buildings and school-related activities; the bill would add "school population" to this list. DPS, in consultation with DPI, may develop standards and guidelines for the development, operation, and staffing of tip lines. DPS and CSS, in collaboration with DPI, would be required to implement and maintain an anonymous tip line application to receive anonymous student information on internal or external risks. DPS, CSS, DPI, and the NC 911 Board, would be required to implement and maintain a statewide panic alarm system to launch real-time 911 messaging. DPS, in consultation with

the DPI and the 911 Board, may develop standards and guidelines for the operations and use of the alarm tool. DPS would be required to ensure that the tip line application is integrated with and supports the statewide SRRMS. DPS is encouraged to implement a single solution supporting both the anonymous tip line and panic alarm system if technically feasible and cost-efficient. All data and information acquired and stored by the tip line application would not be considered public records and would not be subject to inspection or examination. DPS may collect the annual aggregate number and type of tips sent to the tip line. This data shall not have identifying information on the reporter, including the school where the incident was reported and the date the tip was reported. DPS would be required to implement the anonymous tip line application and statewide panic alarm system by July 1, 2016.

DPS and CSS would be required to report to the General Assembly on the implementation and anticipated annual costs of the SRRMS. Subject to available monies, the bill states intent to provide funds during the 2015-2017 fiscal biennium for grants to LEAs, regional schools, and charter schools for additional school psychologists, school counselors, and school social workers. Available funds would be provided on a match basis of \$1.00 in State funds for every \$1.00 in local funds. SBE would be required to include need-based considerations in its criteria for awarding these grants to LEAs and give lower priority to those that received a grant for school resource officers in the 2013 budget.

#### [HB 439](#) Competency-Based Assessments

On Tuesday, the House Committee on Education/K-12 approved HB 439, and the House passed it. It is now assigned to the Senate Committee on Rules and Operations. The bill states that it is the intent of the General Assembly to transition to a system of testing and assessments applicable for all elementary and secondary students that utilizes competency-based learning assessments to measure student performance and student growth, whenever practicable. The competency-based student assessment system should provide that:

1. Students advance upon mastery.
2. Competencies are broken down into explicit and measurable learning objectives.
3. Assessment is meaningful for students.
4. Students receive differentiated support based on their learning needs.
5. Learning outcomes emphasize competencies that include the application and creation of knowledge.

To develop the use of competency-based assessments, SBE is encouraged to evaluate the feasibility of integrating competency-based assessments as part of the statewide testing system for measuring student performance and growth. SBE is permitted to examine competency-based assessments in other states, including potential benefits and obstacles, and the relationship between competency-based assessments and innovative teaching methods utilized in North Carolina schools, such as blended learning models and digital teaching tools.

#### [HB 474](#) Healthy Out-of-School Recognition Program

On Tuesday, the House Committee on Education/K-12 amended and approved HB 474, and the House passed it. It is now assigned to the Senate Committee on Rules and Operations. The bill would amend G.S. 110-86 to add another exemption to the list of exemptions from the definition of “child care.” It clarifies that track out programs provided to school-age children when they are out of school on a year-round school calendar do not fall under the definition.

The bill would create G.S. 110-110.1, establishing the “Healthy Out-of-School Time” (HOST) Recognition Program. The Department of Health and Human Services (DHHS), Division of Child Development and Early Education, would administer the HOST Program. DHHS would be directed to develop a process for an out-of-school time program to be able to gain recognition as a HOST Program that meets National Out-of-School Time Healthy Eating and Physical Activity Standards (HEPA Standards). This process would give an out-of-school time program the option to create a certificate demonstrating the program’s extensive criteria.

The certificate issued for the HOST Program would be valid for one year and any program that wishes to create a new certificate for the next year must verify to DHHS that it continues to follow all of the requirements. DHHS must maintain and update a list of out-of-time school programs that qualify under this program and publish that list on its website.

#### [HB 539](#) School Playgrounds Available to Public

On Tuesday, the House Committee on Education/K-12 approved HB 539, and the House passed it on Wednesday. It is now assigned to the Senate Committee on Rules and Operations. This bill would give local boards of education the option to make outdoor school property available to the public for recreational purposes, subject to any terms and conditions each local board deems appropriate. The facilities could not be used when being used for school purposes or if use is inconsistent with preservation and care of the school property. The bill provides that no board of education or individual board member would be liable for personal injury suffered due to use of such school property.

#### [HB 559](#) Testing Feedback for Students and Teachers

On Tuesday, the House Committee on Education/K-12 amended and approved HB 559, and the House passed it. It is now assigned to the Senate Committee on Rules and Operations. The bill would extend the number of days from the end of the semester or year allowed to administer final exams. For year-long courses, it would extend from 10 to 15 days. For semester-long courses, the amount of time would extend from 5 to 10 days.

The bill would also require SBE to provide student performance data on each statewide assessment and test for dissemination to LEAs, teachers, parents, and students within 5 days of a student taking a test or assessment, if practicable, or at least within a reasonable amount of time. For a student, the student's parent, and the teacher of record for that student, the following information shall be disseminated:

- The standard to which the test item is linked.
- Indication of whether the student's response was correct or incorrect.

The teacher of record would receive the percentage and number of students who responded correctly on a test item and the corresponding standards to assist the teacher in identifying specific areas in need of improvement for adjustments to instruction and future lesson plans. This bill would apply beginning with the 2015-16 school year.

#### [HB 632](#) Study Student Online Data Privacy

On Wednesday, the House Committee on Rules, Calendar, and Operations approved HB 632, and the House passed it. It is now assigned to the Senate Committee on Rules and Operations. The bill would direct the Joint Legislative Education Oversight Committee (JLEOC) to study issues related to protecting elementary and secondary student data and personal information online, in cloud-based services, and in other electronic applications, which collect student data. The study would be required to include, but is not limited to, the use of elementary and secondary student data and personal information by third parties, sale of elementary and secondary student data and personal information, and transparency in disclosure of privacy policies in online, cloud-based, or electronic application services targeted at students in elementary and secondary schools. JLEOC would report its findings and any recommended legislation to the 2016 Session of the General Assembly.

#### [HB 660](#) Transition to Personalized Digital Learning

On Thursday, the House Committee on Education/K-12 amended and approved HB 660, and it will now go to the House for a vote on Monday. This will be the main digital learning bill of the Session. It sets forth requirements for SBE to continue the transition to digital learning which will include, but is not limited to, the establishment of the “North Carolina Digital Learning Initiative,” where SBE will contract with the Friday Institute for Educational Innovation. Significantly, the bill notes “less than thirty percent (30%) of teachers in most local school administrative units report that they are sufficiently trained to fully utilize instructional technology.” (p. 1, lines 32-34). Other SBE responsibilities set forth in the bill include the following:

1. Expand the School Connectivity Initiative to support internal wired and wireless infrastructure in all public schools.
2. Establish a collaborative procurement service to coordinate acquisition of technology infrastructure, devices, content and professional services.
3. Provide access to digital learning resources to enable all public schools to meet the 2013 law regarding the use of digital resources by 2017 (Session Law 2013-12).
4. Provide professional development for education leaders in each LEA.
5. Establish a grant program to support the development and dissemination of “innovative local school administrative unit digital learning models.”

Currently, there is no appropriation set forth in the bill. However, it is anticipated that funding for this legislation will be addressed in the future House and Senate budget proposals and ultimately the final budget.

### [HB 661](#) Teacher Recruitment and Scholarships

On Thursday, the House Committee on Education/K-12 approved HB 661, and referred it to the House Committee on Appropriations. This bill is an outcome of the diligent efforts of the UNC Board of Governors and other teacher recruitment/hiring experts who have studied the challenge of ensuring that high quality candidates choose teaching as a profession in North Carolina. For example, multiple Schools of Education in the state have indicated that their enrollment rates have dropped 40-50% since 2010. This trend is highlighted in the bill: “the General Assembly recognizes that enrollment in the State’s traditional and nontraditional teacher preparation programs has declined significantly in recent years....” (p. 1, lines 9-10).

HB 661 would establish a new recruitment and scholarship program for talented North Carolina high school students, college students, and working professionals to pursue rigorous training to become a “teacher leader” in high-need positions and schools. This would be called the “North Carolina Competitive Teaching Scholarship Program” and is designed to award scholarships up to \$8,500 to at least 1,000 candidates per year. The bill currently appropriates \$1 million (recurring) for the 2016-17 fiscal year and other start-up/administrative funds. In the House Education Committee, one member asked how this compares to the Teaching Fellows Scholarship “which has been unfortunately ended.” One of the bill sponsors responded that this bill would allow multiple points of entry for the scholarship, rather than only attracting high caliber high school students.

### [HB 662](#) NC Elevating Educators Act of 2015

On Thursday, the House Committee on Education/K-12 amended and approved HB 662, and it will now go to the House for a vote. This nine-page bill presents a wholesale paradigm shift for LEAs and how administrators will make decisions about an individual teacher’s pay, should this become law. It would establish a multi-year program to provide for advanced teaching roles through an LEA’s use of existing appropriations essentially creating a differentiated pay plan for those LEAs that choose to respond to a Request for Proposal by a private nonprofit corporation (unspecified) that will contract with SBE by August 1, 2015. There is no new appropriation set forth in the bill. To the extent that funds are appropriated for this new program, they cannot be used to pay the teacher salary supplements (p. 6, lines 18-20).

### [HB 761](#) Charter School Capital Funds

On Wednesday, the House Committee on Local Government did not approve HB 761. This bill would have provided counties with the option to directly appropriate capital funds to charter schools or nonprofit organizations supporting charter schools. These funds would be required to be used only for:

1. The acquisition of real property for school purposes.
2. The acquisition, construction, reconstruction, enlargement, renovation, or replacement of buildings and other structures.
3. The acquisition or replacement of furniture and furnishings, instructional apparatus, and similar items of furnishings and equipment.

Furthermore, the bill would have required that upon dissolution of a charter school, all net assets of the charter school purchased with public funds be deemed the property of the LEA in which the charter school is located. In the event that one or more counties provided capital funds, the appropriate amount of the funds would be deemed the property of the county or counties providing the funding or proportionately divided amongst them. Also, the bill would have allowed each county to lease real property to charter schools.

#### [HB 878](#) Expand Board of Trustees for the School of Science and Mathematics

On Tuesday, the House Committee on Education/K-12 amended and approved HB 878, and the House passed it. It is now assigned to the Senate Committee on Rules and Operations. The bill would increase the membership of the Board of Trustees of the North Carolina School of Science and Mathematics from 27 members to a potential 30 members. The president of the student government would be an ex officio, nonvoting member and up to two additional nonvoting members may be selected at the discretion of the chancellor and the Board of Trustees, with terms expiring June 30 of each year.

#### [HB 902](#) Transforming Principal Preparation

On Thursday, the House Committee on Education/K-12 approved HB 661, and referred it to the House Committee on Appropriations. This bill would establish a competitive grant program administered by the State Education Assistance Authority (through a cooperative agreement with a private, nonprofit corporation) to provide funds for the preparation and support of highly effective future principals. For-profits, nonprofits, and institutions of higher education are all eligible to receive the competitive grants. There is no appropriation set forth in the bill. However, the provisions of the bill are subject to the availability of funds that may be set forth in the 2015-16 budget.

#### [SB 298](#) School Bus Cameras/Civil Penalties

On Tuesday, the Senate Judiciary II Committee amended and approved SB 298. On Wednesday, it was further amended on the Senate floor and passed. It will now go to the House. This bill would allow counties to adopt an ordinance for the civil enforcement (\$500) of passing a stopped and properly marked school bus by means of an automated school bus safety camera installed and operated on any school bus located within that county. The bill was amended in committee to provide a process for fining a person identified by the vehicle owner through affidavit as having had care, custody, or control of the vehicle at the time it passed the stopped school bus. Also, the committee added a penalty of \$100 for late payment or nonpayment of the fine, which would also waive the right to contest the citation. Counties would be prohibited from imposing a civil penalty against a driver charged criminally for the same act.

The bill was amended on the Senate floor to require participating counties to institute a non-judicial administrative hearing process to review objections to the assessed penalty. County employees, school system employees, or employees of school bus safety camera vendors would be forbidden from making decisions in such hearings.

### [SB 330](#) Change Orders on School Construction Projects

On Wednesday, the Senate Committee on Education/Higher Education amended and approved SB 330, and referred it to the Senate Committee on Finance. The bill would require all change orders involving school construction contracts to be approved by the local board of education, with only two exceptions as follows:

1. In a LEA that has had an average of at least \$50 million of school construction projects over the previous five years, the superintendent or superintendent's designee may approve a change order in an amount of up to \$100,000.
2. In a LEA that has had an average of less than \$50 million of school construction projects over the previous five years, the superintendent or superintendent's designee may approve a change order in an amount of up to \$25,000.

If a change order that requires approval by the local board must be approved before the next regularly scheduled board meeting, the chair or the chair's designee from among the other board members may approve the order at the request of the superintendent, at which time the superintendent would then be required to report the change order to the board at its next regularly scheduled meeting. If the chair of the board or the designee does not approve the change order, a special board meeting must be called. This bill would become effective October 1, 2015.

### [SB 401](#) Pilot/Sports for Students with Disabilities

On Wednesday, the Senate Committee on Education/Higher Education approved SB 401, and referred it to the Senate Committee on Appropriations/Base Budget. The bill would authorize DPI to use up to \$300,000 in each of the next two fiscal years to develop and implement a pilot program for an integrated community-based adapted sports program for students with disabilities in grades K-12. If funded, the pilot program would be required to be consistent with the "Dear Colleague" letter addressing equal access to extracurricular athletics for students with disabilities released by the U.S. Department of Education, Office for Civil Rights, on January 25, 2013. The pilot program would also include specific strategies to overcome barriers to participation in extracurricular athletics and incorporate a philosophy of personal empowerment. The pilot program may be conducted in one or more LEAs and provide for collaboration with universities, community colleges, and other community organizations to achieve the purposes of the program.

### [SB 488](#) Uniform Political Activity of Employees

On Wednesday, the Senate Committee on Education/Higher Education amended and approved SB 488, and referred it to the Senate Judiciary I Committee. The bill would establish new requirements for appropriate political activity of school employees while on duty, which essentially reflect the requirements for state employees. School employees would be prohibited from using public funds, supplies, equipment, or vehicles for partisan or political purposes, or to advocate for or against local, state, or federal policy issues, unless:

- The employee was invited by a governmental body to address that body on a specific issue.
- The school employee is a superintendent or principal.

- The employee's position was determined by the local board of education to involve advocacy on the board's behalf.
- If one of the stated job duties of the employee is to engage in advocacy.

School employees would not be prohibited from providing instruction about civic literacy and the democratic process, but cannot use the position to secure support for or oppose any candidate, party, or issue in an election, or to encourage student advocacy for or against issues of local, state, or federal policy. Failure to comply would be grounds for disciplinary action, which in the case of deliberate or repeated violations may include dismissal. An employee could not be required, as a duty or condition of employment, promotion, or tenure of office to contribute funds for political or partisan purposes.

No member of a local board of education or employee thereof that exercises supervisory authority may make, issue, or enforce any rule or policy to interfere with the right of any school employee as an individual to engage in political activity while not on duty or at times during which the employee is not performing official services. An employee who is or may be expected to perform duties on a 24-hour basis would not be prevented from engaging in political activity, except during regularly scheduled working hours or at other times when the employee is actually performing work duties. Willful violation of this section of the law would be a Class 1 misdemeanor.

#### [SB 534](#) Study Student Online Data Privacy

On Wednesday, the Senate Committee on Information Technology amended and approved SB 534, and the Senate passed it on Thursday. The bill would direct SBE to study issues related to protecting elementary and secondary student data and personal information online, in cloud-based services, and in other electronic applications, which collect student data. The study would include, but is not limited to, the use of elementary and secondary student data and personal information by third parties, sale of elementary and secondary student data and personal information, and transparency in disclosure of privacy policies in online, cloud-based, or electronic application services targeted at students in elementary and secondary schools. SBE would report its findings and any recommended legislation to JLEOC and the Joint Legislative Oversight Committee on Information Technology no later than February 15, 2016.

#### [SB 560](#) GDAC Amendments

On Wednesday, the Senate Committee on Information Technology amended and approved SB 560, and it is scheduled for a vote in the Senate on Monday. This bill recodifies the newly created Government Data Analytics Center (GDAC) of 2013 and further amends the statute covering GDAC under a new statute: G.S. 147-33.77A. The bill would formally place GDAC in the Office of Information Technology Services. Among other things, GDAC could prevent the development of projects within a state agency that do not meet GDAC standards for business intelligence initiatives, and state agencies would be required to comply with certain data sharing provisions.

### **Relevant Bills with Action This Week:**

(duplicative of many bills above, but one comprehensive listing)

[HB 56](#) ([SB 6](#)) House State Health Plan/Rehired Retiree Eligibility (Holloway, L. Johnson, McGrady, Lucas)

- Favorable report from House Committee on State Personnel
- Re-referred to the House Committee on Appropriations

[HB 86](#) Utility Line Relocation/School Board (McNeill, Hurley, Shepard)

- Passed the House on Tuesday, April 21
- Referred to the Committee on Rules and Operations of the Senate

[HB 158](#) Jim Fulghum Teen Skin Cancer Prevention Act (Lambeth, Dollar, Hurley, McElraft)

- Withdrawn from the House Regulatory Reform Committee
- Passed the House on Tuesday, April 21
- Referred to the Committee on Rules and Operations of the Senate

[HB 162](#) Sudden Cardiac Arrest Education/Students (Carney, Horn, McGrady, Glazier)

- Withdrawn from the House Health Committee
- Passed the House on Tuesday, April 21
- Referred to the Committee on Rules and Operations of the Senate

[HB 190](#) State Health Plan Modifications (Pendleton)

- Referred to the Committee on Rules and Operations of the Senate

[HB 233](#) Evidence Passed Vehicle is a School Bus (Lambeth, Hanes)

- Favorable report from the House Transportation Committee
- Re-referred to the House Committee on Appropriations

[HB 276](#) Agency Participation Procedures Act of 2015 (Ross, Gill, Goodman, McNeill)

- Favorable report from Pensions and Retirement
- Passed the House on Tuesday, April 21
- Referred to the Committee on Rules and Operations of the Senate

[HB 318](#) Protect North Carolina Workers Act (Cleveland, Millis, Whitmire, Conrad)

- Favorable report from House Judiciary IV Committee
- Passed the House on Thursday, April 23

[HB 324](#) Partisan Board of Education Elections (Cleveland, Lambeth, Conrad, Shepard)

- Withdrawn from the House calendar
- Re-referred to the Rules, Calendar, and Operations of the House

[HB 334](#) Charter School Extracurricular Activity Fees (Jeter, Steinburg)

- Favorable report from the House Committee on Education – K-12
- Passed the House on Tuesday, April 21
- Referred to the Committee on Rules and Operations of the Senate

[HB 349](#) Develop Broadband Connectivity Plan (Tine, Saine, Hager, Hanes)

- Favorable report from House Committee on Public Utilities
- Passed the House on Wednesday, April 22
- Referred to the Committee on Rules and Operations of the Senate

[HB 380](#) Statewide School Safety Management (Holloway, Glazier, Blackwell, Faircloth)

- Favorable report from the House Committee on Education – K-12
- Withdrawn from the House Appropriations Committee
- Passed the House on Tuesday, April 21

- [HB 383](#) ([SB 561](#)) Clarify Statutory Scheme/Sex Offenses (Glazier, Stam, Jordan, Faircloth)

  - Referred to the Committee on Rules and Operations of the Senate
  - Favorable report from the House Judiciary II Committee
  - Passed the House on Tuesday, April 21
- [HB 390](#) Beaufort County Community College/Washington County (Tine)

  - Referred to the Committee on Rules and Operations of the Senate
  - Passed the House on Monday, April 20
- [HB 401](#) Authorize Data Sharing for NCLDS (Blackwell, Saine, Cleveland)

  - Referred to the Committee on Rules and Operations of the Senate
  - Withdrawn from the Committee on Rules, Calendar, and Operations of the House
  - Passed the House on Tuesday, April 21
- [HB 428](#) Permanent License Plates/Charter Schools (Riddell, Jones, Conrad, Hardister)

  - Referred to the Committee on Rules and Operations of the Senate
  - Favorable report from the House Transportation Committee
  - Re-referred to the House Finance Committee
- [HB 439](#) ([SB 530](#)) Competency-Based Assessments (S. Martin, Horn, Bryan)

  - Referred to the Committee on Rules and Operations of the Senate
  - Favorable report from the House Committee on Education – K-12
  - Passed the House on Tuesday, April 21
- [HB 465](#) 72 Hours Informed Consent by Person or Phone (Schaffer, McElraft, R. Turner, S. Martin)

  - Referred to the Committee on Rules and Operations of the Senate
  - Favorable report from House Committee on Health
  - Referral to Judiciary IV stricken
  - Passed the House on Thursday, April 23
- [HB 474](#) Healthy Out-of-School Recognition Program (Dobson, Whitmire, Hardister, B. Turner)

  - Referred to the Committee on Rules and Operations of the Senate
  - Favorable report from the House Committee on Education – K-12
  - Passed the House on Tuesday, April 21
- [HB 495](#) ([SB 663](#)) OSHR Modernization/Technical Changes (Collins, Hurley, Floyd)

  - Referred to the Committee on Rules and Operations of the Senate
  - Favorable report from House Committee on State Personnel
- [HB 536](#) ([SB 298](#)) School Bus Cameras/Civil Penalties (Hanes, Lambeth, Tine)

  - Referred to the Committee on Rules and Operations of the Senate
  - Withdrawn from the House Judiciary II Committee
  - Re-referred to the House Judiciary III Committee
- [HB 539](#) School Playgrounds Available to Public (Bryan, Bradford, B. Brown, Szoka)

  - Referred to the Committee on Rules and Operations of the Senate
  - Favorable report from the House Committee on Education – K-12
  - Passed the House on Wednesday, April 22
- [HB 559](#) Testing Feedback for Students/Teachers (Whitmire, Lucas, Riddell, Elmore)

  - Referred to the Committee on Rules and Operations of the Senate
  - Favorable report from the House Committee on Education – K-12
  - Passed the House on Tuesday, April 21

- [HB 569](#) Rural County Development Funds for Road Construction (Steinburg)
- Withdrawn from the House Transportation Committee
  - Re-referred to the House Transportation
- [HB 581](#) Computer Coding Course Elective (Cotham, Saine)
- Favorable report from the House Committee on Education – K-12
  - Passed the House on Tuesday, April 21
  - Referred to the Committee on Rules and Operations of the Senate
- [HB 584](#) Use of Position/Letters of Reference (Glazier, Faircloth, Daughtry, Harrison)
- Favorable report from the House Committee on Ethics
  - Passed the House on Thursday, April 23
- [HB 632](#) ([SB 534](#)) Study Student Online Data Privacy (Saine)
- Favorable report from the Committee on Rules, Calendar, and Operations of the House
  - Passed the House on Wednesday, April 22
  - Referred to the Committee on Rules and Operations of the Senate
- [HB 631](#) Notice Before Automatic Contact Renewal (Jackson)
- Withdrawn from the House Judiciary II Committee
  - Re-referred to the House Judiciary III Committee
- [HB 647](#) Epi Pens in All Child-Serving Businesses (McGrady, Avila, Stevens, Glazier)
- Passed 3<sup>rd</sup> reading in the House on Monday, April 20
  - Referred to the Committee on Rules and Operations of the Senate
- [HB 660](#) Transition to Personalized Digital Learning (Horn, Saine, Jeter, Fraley)
- Favorable report from House Education – K-12
  - Calendared in the House for Monday, April 27
  - Withdrawn from calendar, re-referred to Committee on Rules, Calendar, and Operations of the House
- [HB 667](#) Study Athletic Trainer/Health Coverage Option (Hager, Dobson)
- Favorable report from the House Committee on Insurance
  - Passed the House on Wednesday, April 22
  - Referred to the Committee on Rules and Operations of the Senate
- [HB 779](#) IT Procurement/Promote Competition (Saine)
- Favorable report from House Committee on Commerce and Job Development
  - Calendared in the House for Monday, April 27
- [HB 792](#) Privacy/Protection from Revenge Postings (Bryan, Bishop, Faircloth)
- Favorable report from the House Judiciary IV Committee
- [HB 794](#) Protection from Online Impersonation (Bryan, Bishop, Faircloth, S, Martin)
- Favorable report from the House Judiciary IV Committee
- [HB 835](#) Open Meetings/Three-Member Public Bodies (Robinson)
- Referred to House Judiciary II Committee
  - Re-referred to the House Judiciary I Committee
- [HB 856](#) ([SB 570](#)) Expunctions Changes (Fisher, Hardister, Harrison, B. Turner)
- Favorable report from the House Judiciary I Committee
  - Re-referred to the House Committee on Finance

- [HB 878](#) Expand Bd. of Trustees/Sch. of Science & Math
- Favorable report from the House Committee on Education – K-12
  - Passed the House on Tuesday, April 21
  - Referred to the Committee on Rules and Operations of the Senate
- [HB 879](#) Juvenile Code Reform (Jordan, Glazier, McGrady, Avila)
- Favorable report from House Judiciary II Committee
  - Passed the House on Wednesday, April 22
  - Referred to the Committee on Rules and Operations of the Senate
- [HB 916](#) Personal Education Savings/Disabled Students (Jones, Horn, Jordan, Stam)
- Referred to the House Committee on Appropriations
- [HB 917](#) Loan Repayment Assistance/Certain Teachers (Bryan, Horn, Hanes)
- Referred to the House Committee on Appropriations
- [HB 918](#) Teacher Education Preparation Redesign Pilot (Bryan, Cotham, Arp)
- Referred to the House Committee on Appropriations
- [HB 919](#) Funding for Driver Education (Hurley, L. Johnson, Carney, Torbett)
- Referred to the House Committee on Appropriations
- [HB 921](#) Education Opportunities for People with Disabilities (L. Johnson, Glazier, Malone, Avila)
- Referred to the House Committee on Appropriations
- [HB 926](#) Promoting Accelerated Student Success (Holloway, Blackwell, Glazier, Presnell)
- Referred to the House Committee on Appropriations
- [HB 933](#) Successful Transition/Foster Care Youth (Avila, Stevens, Dobson, Glazier)
- Referred to the House Committee on Appropriations
- [HB 936](#) STEM Scholarships Program (Pierce, Hanes, Richardson, C. Graham)
- Referred to the House Committee on Appropriations
- [HB 938](#) Comprehensive Gaming Reform (Warren)
- Referred to the House Committee on Finance
- [HB 940](#) 2015 Governor’s Budget (Dollar, L. Johnson, McGrady, Lambeth)
- Referred to the House Committee on Appropriations
- [SB 95](#) Performance-Based RIF/School Policy (Barefoot, Soucek)
- Withdrawn from the Committee on Rules and Operations of the Senate
  - Re-referred to the Senate Committee on Education/Higher Education
- [SB 136](#) Charter School In State Health Plan (Tarte)
- Withdrawn from the Committee on Rules and Operations of the Senate
  - Re-referred to Senate Committee on Insurance
- [SB 330](#) Change Orders on School Construction Projects (McInnis, Tillman)
- Favorable report from Senate Committee on Education/Higher Education
  - Re-referred to the Senate Committee on Finance
- [SB 298](#) ([HB 536](#)) School Bus Cameras/Civil Penalties (Alexander, McInnis)
- Favorable report from the Senate Committee on Judiciary II
  - Passed the Senate on Thursday, April 23
- [SB 333](#) Teacher Attrition Data (Soucek)
- Calendared on the Senate for Monday, April 27

- [SB 401](#) ([HB 314](#)) Pilot/Sports for Students w/ Disabilities (Barringer, Tillman Woodard)
- Favorable report from the Senate Committee on Education/Higher Education
  - Re-referred to the Senate Committee on Appropriations/Base Budget
- [SB 419](#) Limit Revolving Door Employment (Hise)
- Favorable report from the Senate Committee on Judiciary II
- [SB 420](#) Accountability for Taxpayer Investment Board (Hise)
- Withdrawn from the Committee on Rules and Operations of the Senate
  - Re-referred to Information Technology, if favorable Appropriations/Base Budget
  - Favorable report from Senate Committee on Information Technology
  - Re-referred to Senate Committee on Appropriations/Base Budget
- [SB 423](#) ([HB 407](#)) Foster Care Family Act (Barringer, Harrington, Tucker)
- Favorable report from the Senate Committee on Insurance
  - Calendared in the Senate for Tuesday, April 28
- [SB 438](#) ([HB 428](#)) Permanent Plates/Charter Schools (Tucker)
- Withdrawn from the Committee on Rules and Operations of the Senate
  - Re-referred to Senate Committee on Transportation, if favorable, Finance
- [SB 453](#) Regulatory Reform Act of 2015 (Wade, Brock, Jackson)
- Withdrawn from the Committee on Rules and Operations of the Senate
  - Re-referred to Senate Committee on Agriculture/Environment/Natural Resources, if favorable re-referred to Finance
- [SB 480](#) Uniform Political Activity/Employees (Wells, Brock, Wade)
- Favorable report from the Senate Committee on Education/Higher Education
  - Re-referred to the Senate Committee on Judiciary I
- [SB 534](#) ([HB 632](#)) Study Student Online Data Privacy (Saine)
- Favorable report from the Senate Committee on Information Technology
  - Passed the Senate on Thursday, April 23
- [SB 536](#) Students Know Before You Go (Barefoot)
- Favorable report from the Senate Committee on Education/Higher Education
  - Passed the Senate on Thursday, April 23
- [SB 560](#) GDAC Amendments (Hise)
- Favorable report from the Senate Committee on Information Technology
  - Calendared in the Senate for Monday, April 27
- [SB 554](#) School Building Leasing Reform (Meredith, Curtis, Tillman)
- Withdrawn from the Committee on Rules and Operations of the Senate
  - Re-referred to the Senate Committee on Education/Higher Education, if favorable Finance
- [SB 649](#) Access to Sports/Extracurricular for All Students (Sanderson, Brock, Hise)
- Withdrawn from the Committee on Rules and Operations of the Senate
  - Re-referred to the Senate Committee on Education/Higher Education
- [SB 676](#) Autism Health Insurance Coverage (Apodaca, Krawiec)
- Favorable report from the Senate Committee on Insurance
  - Calendared in the Senate for Tuesday, April 28

- [SB 682](#) ([HB 542](#)) Modify Sunset Regarding Contingent Audits (Gunn, Clark)
- Referred to the House Committee on Local Government, if favorable, Finance
- [SB 698](#) State IT/Utility-Based Cloud Computing (Hise)
- Favorable report from the House Committee on Information Technology
  - Passed the Senate on Thursday, April 23
- [SB 713](#) 2015 Governor's Budget (Brown, Harrington, Jackson)
- Referred to the Senate Committee on Appropriations/Base Budget

### **Meetings April 27 - 30:**

#### Monday April 27

- 1:00 PM House Committee on Regulatory Reform, 544 LOB
  - HB 760 Regulatory Reform Act of 2015
- 3:00 PM Joint Legislative Program Evaluation Oversight Committee, 544 LOB
  - NCGEAR Hearing
- 3:00 PM House Committee on Health, 643 LOB
  - HB 768 Heat Stroke Prevention/Student Athletes
  - HB 847 Amend Laws Re: Medical Treatment for Minors

#### Tuesday, April 28

- 10:00 AM House Committee on Judiciary II, 1124/1224 LB
  - SB 343 Student Assault on Teachers/Felony Offense
  - SB 503 Sex Offense with Students/Charter Schools
- 10:00 AM House Education – K-12 (TBD)
- 11:00 AM House Education Committee – Community Colleges, 643 LOB
  - HB 754 Community College Remediation Pilot Project
  - HB 396 Community College Innovative Pilot Program

#### Wednesday, April 29

- 11:00 AM Senate Education/Higher Education (TBD)

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