

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 729
Committee Substitute Favorable 5/11/21

Short Title: Charter Schools Omnibus.

(Public)

Sponsors:

Referred to:

April 29, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CHANGES TO THE LAWS GOVERNING CHARTER SCHOOLS.
3 The General Assembly of North Carolina enacts:
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5 **PART I. CHARTER SCHOOLS MAY PROVIDE REMOTE INSTRUCTION**

6 **SECTION 1.(a)** G.S. 115C-218.85(a)(1) reads as rewritten:

7 "(1) The school shall provide instruction each year for at least 185 days or 1,025
8 hours over nine calendar months. The school may meet this requirement by
9 providing in-person or blended instruction. For purposes of this section, the
10 term "blended instruction" refers to a combination of remote and in-person
11 classroom instruction."

12 **SECTION 1.(b)** G.S. 115C-218.8 is amended by adding a new subdivision to read:

13 "(4) Provide blended instruction in accordance with G.S. 115C-218.85(a)(1)."
14

15 **PART II. AUTHORIZE COUNTIES TO PROVIDE CAPITAL FUNDS TO CHARTER**
16 **SCHOOLS**

17 **SECTION 2.(a)** G.S. 115C-218.100(b) reads as rewritten:

18 "(b) Distribution of Assets. – Upon dissolution of a charter school, all net assets of the
19 charter school purchased with public funds shall be deemed the property of the local school
20 administrative unit in which the charter school is ~~located~~located, except capital-sourced assets.
21 For purposes of this subsection, capital-sourced assets include (i) capital funds provided to a
22 charter school by one or more counties pursuant to G.S. 115C-218.105(b1) and (ii) net assets
23 purchased or improved with such funds, up to the total amount of the funds provided.
24 Capital-sourced assets shall be deemed the property of the county or counties providing the
25 funding and, if applicable, divided between the counties in proportion to the funds provided."

26 **SECTION 2.(b)** G.S. 115C-218.105 is amended by adding the following new
27 subsections to read:

28 "(b1) Counties may provide funds to charter schools by direct appropriation as set forth in
29 G.S. 153A-460. These funds shall be used only for the following purposes:

30 (1) The acquisition of real property for school purposes, including, but not limited
31 to, school sites, playgrounds, and athletic fields.

32 (2) The acquisition, construction, reconstruction, enlargement, renovation, or
33 replacement of buildings and other structures, including, but not limited to,
34 buildings for classrooms and laboratories, physical and vocational educational
35 purposes, libraries, auditoriums, and gymnasiums.



1 (3) The acquisition or replacement of furniture and furnishings, instructional
 2 apparatus, technology, data processing equipment, business machines, and
 3 similar items of furnishings and equipment.

4 (b2) If a charter school uses funds provided in subsection (b1) of this section to acquire or
 5 improve property, the amount provided by the county shall be evidenced by a promissory note
 6 and secured by a deed of trust on the property acquired or improved by the funds. The county
 7 may subordinate the deed of trust to other liens to facilitate the acquisition or improvement of
 8 the property secured by the deed of trust. In the event that a charter school repays the county in
 9 the amount of the capital funds provided, the county shall, for the property acquired or improved
 10 by the funds, execute and file a deed of release or other documentation of satisfaction showing
 11 the charter school repaid the county in the amount of the capital funds provided."

12 **SECTION 2.(c)** G.S. 153A-149(c) reads as rewritten:

13 (c) Each county may levy property taxes for one or more of the purposes listed in this
 14 subsection up to a combined rate of one dollar and fifty cents (\$1.50) on the one hundred dollars
 15 (\$100.00) appraised value of property subject to taxation. Authorized purposes subject to the rate
 16 limitation are:

17 ...

18 (8a) Charter Schools. – To provide capital funds for charter schools as authorized
 19 by G.S. 153A-460.

20 "

21 **SECTION 2.(d)** Article 23 of Chapter 153A of the General Statutes is amended by
 22 adding a new section to read:

23 "**§ 153A-460. Charter schools.**

24 Each county is authorized to appropriate funds and lease real property to schools chartered
 25 under Article 14A of Chapter 115C of the General Statutes. Counties may provide funds only for
 26 the purposes set forth in G.S. 115C-218.105(b1)."

28 **PART III. FUNDING COMPARABILITY AMONG CHARTER SCHOOLS AND** 29 **OTHER PUBLIC SCHOOL UNITS**

30 **SECTION 3.** Article 14A of Chapter 115C of the General Statutes is amended by
 31 adding a new section to read:

32 "**§ 115C-218.107. Charter school funding parity.**

33 It is the intent of the General Assembly to ensure that all State funds for public school students
 34 attending charter schools are provided in amounts on a basis comparable to funds provided for
 35 public school students attending other public school units."

37 **PART IV. PERMIT CHARTER SCHOOL TEACHERS TO RECEIVE RESIDENCY** 38 **LICENSURE**

39 **SECTION 4.(a)** G.S. 115C-270.20(a)(5) reads as rewritten:

40 (5) Residency License or RL. – A one-year license, renewable twice, that meets
 41 both of the following requirements:

- 42 a. Is requested by the local board of education governing board of a
 43 public school unit and accompanied by a certification of supervision
 44 from the recognized educator preparation program in which the
 45 individual is enrolled.
- 46 b. The individual for whom the license is requested meets all of the
 47 following requirements:
 - 48 1. Holds a bachelor's degree.
 - 49 2. Has either completed coursework relevant to the requested
 50 licensure area or passed the content area examination relevant

- 1 to the requested licensure area that has been approved by the
2 State Board.
3 3. Is enrolled in a recognized educator preparation program.
4 4. Meets all other requirements established by the State Board,
5 including completing preservice requirements prior to
6 teaching."

7 **SECTION 4.(b)** This section applies to individuals seeking licensure on or after the
8 effective date of this act.

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10 **PART V. EFFECTIVE DATE**

11 **SECTION 5.** This act is effective when it becomes law and, except as otherwise
12 provided, applies beginning with the 2021-2022 school year.