

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 291

Short Title: NCVPS/Equal Access to Education. (Public)

Sponsors: Senators Lee, Clark, Krawiec (Primary Sponsors); Brock and Rabin.

Referred to: Rules and Operations of the Senate

March 16, 2017

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO PROVIDE EQUAL ACCESS FOR BOTH PUBLIC AND NONPUBLIC NORTH CAROLINA SCHOOL STUDENTS TO NORTH CAROLINA VIRTUAL PUBLIC SCHOOL COURSES.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Notwithstanding any other provision of law, the North Carolina Virtual Public School (NCVPS) program, as established in Section 7.22 of S.L. 2011-145 and as amended by Section 7.12 of S.L. 2012-142 and Section 8.9 of S.L. 2013-360, shall not establish a separate per student tuition rate for in-State nonpublic school students. Nonpublic school students enrolling in NCVPS courses during the school year shall not be charged tuition for those courses. The State Board of Education shall continue to establish a separate per student tuition for out-of-state students, which shall be adjusted upward from the in-State student fee structure by an amount determined appropriate by the State Board.

SECTION 1.(b) The Director of NCVPS shall include in the annual report on NCVPS submitted to the State Board of Education, pursuant to Section 7.22(h) of S.L. 2011-145, the enrollment number for nonpublic school students and associated instructional costs for each school year.

SECTION 1.(c) For the purposes of this act, the following definitions apply:

(1) Nonpublic school student. – A student enrolled in a school that meets the requirements of Part 1, 2, or 3 of Article 39 of Chapter 115C of the General Statutes as identified by the Division of Nonpublic Education, Department of Administration.

(2) Out-of-state student. – A student who is not qualified to be assigned to a public school in a local school administrative unit in North Carolina pursuant to G.S. 115C-366.

SECTION 2. G.S. 115C-551 reads as rewritten:

"§ 115C-551. Voluntary participation in the State programs.

(a) Any such school may, on a voluntary basis, participate in any State operated or sponsored program which would otherwise be available to such school, including but not limited to the high school competency testing and statewide testing programs.

(b) Any student enrolled in a school under this Part shall be eligible for courses and charged the same rate as a public school student by the North Carolina Virtual Public School (NCVPS) program."

SECTION 3. G.S. 115C-559 reads as rewritten:

"§ 115C-559. Voluntary participation in the State programs.



1 (a) Any such school may, on a voluntary basis, participate in any State operated or
2 sponsored program which would otherwise be available to such school, including but not limited
3 to the high school competency testing and statewide testing programs.

4 (b) Any student enrolled in a school under this Part shall be eligible for courses and
5 charged the same rate as a public school student by the North Carolina Virtual Public School
6 (NCVPS) program."

7 **SECTION 4.** Part 3 of Article 39 of Chapter 115C of the General Statutes is amended
8 by adding a new section to read:

9 "**§ 115C-565.1. Enrollment in North Carolina Virtual Public School courses.**

10 A student receiving academic instruction by a home school pursuant to this Part shall be
11 eligible for courses and charged the same rate as a public school student by the North Carolina
12 Virtual Public School (NCVPS) program."

13 **SECTION 5.** There is appropriated from the General Fund to the Department of
14 Public Instruction the sum of seven hundred thousand dollars (\$700,000) for the 2017-2018 fiscal
15 year in recurring funds to provide for increased enrollment in the North Carolina Virtual Public
16 School (NCVPS) program by nonpublic school students and to cover the instructional costs for
17 NCVPS courses per nonpublic school student for the school year as provided for in this act. If the
18 funds appropriated for the 2017-2018 fiscal year and subsequent fiscal years are insufficient, the
19 Department of Public Instruction may use other funds within the State Public School Fund for
20 these purposes.

21 **SECTION 6.** This act becomes effective July 1, 2017.