

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 242

AMENDMENT NO. A2
(to be filled in by
Principal Clerk)

H242-ARQ-67 [v.1]

Page 1 of 2

Amends Title [NO]
Fourth Edition

Date _____, 2016

Senator Krawiec

1 moves to amend the bill on page 7, lines 41-42, by inserting the following between those lines:

2
3 **"SECTION 1.8.** G.S. 115C-218.35 reads as rewritten:

4 **"§ 115C-218.35. Charter school facilities.**

5 (a) A charter school's specific location shall not be prescribed or limited by a local board
6 or other authority except a zoning authority. The school may lease space from a local board of
7 education or as is otherwise lawful in the local school administrative unit in which the charter
8 school is located. If a charter school leases space from a sectarian organization, the charter school
9 classes and students shall be physically separated from any parochial students, and there shall be
10 no religious artifacts, symbols, iconography, or materials on display in the charter school's
11 entrance, classrooms, or hallways. Furthermore, if a charter school leases space from a sectarian
12 organization, the charter school shall not use the name of that organization in the name of the
13 charter school.

14 (b) At the request of the charter school, the local board of education of the local school
15 administrative unit in which the charter school will be located shall lease any available building or
16 land to the charter school unless the board demonstrates that the lease is not economically or
17 practically feasible or that the local board does not have adequate classroom space to meet its
18 enrollment needs. For the purposes of this section, a building or land is available if it is closed,
19 vacant, or otherwise unused for classrooms, administrative offices, or extracurricular activities of
20 the schools of the local board of education. Notwithstanding any other law, a local board of
21 education may provide a school facility to a charter school free of charge; however, the charter
22 school is responsible for the maintenance of and insurance for the school facility.

23 (c) The local board of education shall make a decision on the charter's request to lease a
24 building or land within 90 days of the request. If the local board of education does not make a
25 decision within 90 days of the request of the charter school, the local board of education shall
26 provide a written explanation of its reasons for not acting on the request within the 90 day time
27 period to the North Carolina Charter Schools Advisory Board and the Joint Legislative Education
28 Oversight Committee.

29 (d) If a charter school has requested to lease available buildings or land and is unable to
30 reach an agreement with the local board of education, the charter school shall have the right to
31 appeal to the board of county commissioners in which the building or land is located. The board of



* H 2 4 2 - A R Q - 6 7 - V - 1 *

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 242

ADOPTED

AMENDMENT NO. A2
(to be filled in by
Principal Clerk)

H242-ARQ-67 [v.1]

Page 2 of 2

1 county commissioners shall have the final decision-making authority on the leasing of the
2 available building or land."";

3
4 And on page 8, lines 11-13 by rewriting the lines to read:

5
6 "replication process are completed ~~in less than 150 days, no later than October 15 of the year~~
7 immediately preceding the year of the proposed school opening. The State Board of Education
8 shall adopt rules".

9
10
11

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**