

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 779

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

H779-ARQ-18 [v.1]

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Amends Title [NO]
Third Edition

Date _____, 2017

Representative Brockman

1 moves to amend the bill on page 1, line 5, through page 2, line 4, by deleting those lines and
2 substituting the following:

3
4 **"PART I. EXPANSION OF GROWTH EXCEPTION FOR MATERIAL REVISIONS**
5 **OF CHARTERS**

6 **SECTION 1.(a)** G.S. 115C-218.7(b) reads as rewritten:

7 "(b) Enrollment growth of greater than twenty percent (20%) shall be considered a
8 material revision of the ~~charter~~ charter for any charter school identified as low-performing. The
9 State Board may approve such additional enrollment growth of greater than twenty percent
10 (20%) only if it finds all of the following:

- 11 (1) The actual enrollment of the charter school is within ten percent (10%) of its
12 maximum authorized enrollment.
- 13 (2) The charter school has commitments for ninety percent (90%) of the
14 requested maximum growth.
- 15 ~~(3) The charter school is not currently identified as low-performing.~~
- 16 (4) The charter school meets generally accepted standards of fiscal management.
- 17 (5) The charter school is, at the time of the request for the enrollment increase,
18 substantially in compliance with State law, federal law, the charter school's
19 own bylaws, and the provisions set forth in its charter granted by the State
20 Board."

21 **SECTION 1.(b)** G.S. 115C-217.7 is amended by adding a new subsection to read:

22 "(b1) Enrollment growth of greater than thirty percent (30%) shall be considered a
23 material revision of the charter for any charter school that is not identified as low-performing.
24 The State Board may approve such additional enrollment growth of greater than thirty percent
25 (30%) only if it finds all of the following:

- 26 (1) The actual enrollment of the charter school is within ten percent (10%) of its
27 maximum authorized enrollment.
- 28 (2) The charter school has commitments for ninety percent (90%) of the
29 requested maximum growth.
- 30 (3) The charter school meets generally accepted standards of fiscal management.
- 31 (4) The charter school is, at the time of the request for the enrollment increase,
32 substantially in compliance with State law, federal law, the charter school's



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1 own bylaws, and the provisions set forth in its charter granted by the State
2 Board."

3 **SECTION 1.(c)** G.S. 115C-218.8 reads as rewritten:

4 **"§ 115C-218.8. Nonmaterial revisions of charters.**

5 It shall not be considered a material revision of a charter and shall not require prior
6 approval of the State Board for a charter school to do any of the following:

7 (1) Increase its enrollment during the charter school's second year of operation
8 and annually thereafter ~~by up to twenty percent (20%) of the school's~~
9 ~~previous year's enrollment.~~ in accordance with G.S. 115C-218.7(b) or G.S.
10 115C-218.7(b1).

11 (2) Increase its enrollment during the charter school's second year of operation
12 and annually thereafter in accordance with planned growth as authorized in
13 its charter.

14 (3) Expand to offer one grade higher or lower than the charter school currently
15 offers if the charter school has (i) operated for at least three years, (ii) has
16 not been identified as continually low-performing as provided in
17 G.S. 115C-218.94, and (iii) has been in financial compliance as required by
18 the State Board."

19 **SECTION 1.(d)** This section is effective when it becomes law and applies to
20 approvals for material changes on or after that date."
21
22
23

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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