

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1991**

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**SENATE BILL 945**

Short Title: State Corr. Ed. Dep. Study/Funds.

(Public)

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Sponsors: Senator Carter.

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Referred to: Appropriations.

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May 14, 1991

**A BILL TO BE ENTITLED**

**AN ACT TO CREATE THE STATE CORRECTIONAL EDUCATION STUDY  
COMMISSION.**

The General Assembly of North Carolina enacts:

Section 1. (a) The State Correctional Education Study Commission is created to study the issue of establishing a new State Department of Correctional Education, created from a unified school district/special local educational agency, composed of all academic and vocational educational programs that have juveniles adjudicated delinquent and committed to training school and adult inmates of the Department of Correction, in order to provide appropriate educational and vocational training to all committed juvenile and adult inmates, who have less than a high school diploma or its equivalent.

(b) The Commission shall consist of 16 members: four Senators appointed by the President Pro Tempore of the Senate, four Representatives appointed by the Speaker of the House of Representatives, four appointed by the Governor, and four ex officio members. The ex officio members shall be the Superintendent of Public Instruction or his designee, the President of the State Board of Education or his designee, the Secretary of the Department of Correction or his designee, and the Secretary of the Department of Human Resources or his designee.

(c) All members are voting members. Vacancies in the appointed membership shall be filled by the same appointing officer who made the initial appointment.

Sec. 2. The Commission shall meet initially no later than October 1, 1991, at the call of the President Pro Tempore of the Senate. At its first meeting, it shall elect a chairman and a vice-chairman.

1           Sec. 3. The Commission shall study the issue of establishing the State  
2 Department of Correctional Education, which shall be composed of all academic and  
3 vocational educational programs that have juveniles adjudicated delinquent and  
4 committed to training school and adult inmates of the Department of Correction, in  
5 order to provide appropriate educational and vocational training to all committed  
6 juvenile and adult inmates, who have less than a high school diploma or its equivalent.  
7 This study shall include:

- 8           (1) An examination of the need to educate and provide vocational  
9 education to adjudicated juveniles committed to training schools and to  
10 adult inmates, who have less than a high school diploma or its  
11 equivalent in a better, more unified manner than is now the case;
- 12           (2) An examination of the manner in which a unified school district should  
13 be established, of the components of the education provided and the  
14 standards imposed, and of the relation between the several components  
15 of the unified district and the State Department of Correctional  
16 Education;
- 17           (3) An examination, in detail, of the recommended governance of the  
18 State Department of Correctional Education, including:
  - 19           a. An examination of other states' initiatives in this area;
  - 20           b. An examination of the fiscal impact in the short term and the  
21 long term of the establishment and the operation of the  
22 Department, including fiscal impact on existing facilities and on  
23 the need for new facilities;
  - 24           c. An examination of existing law and rule, to determine what  
25 statutes need amendment and what policies need substantial  
26 reconsideration; and
  - 27           d. An examination of methods to track the relative success of the  
28 new Department's correctional education on an on-going basis  
29 and to provide full accountability to the Governor, the General  
30 Assembly, and the people of North Carolina; and
- 31           (4) An examination of any other related issues the Commission considers  
32 necessary to fulfill its mandate.

33           Sec. 4. The Commission shall submit a final report of its findings and  
34 recommendations, including all legislative proposals, to the General Assembly and to  
35 the Governor on or before the first day of the 1992 Regular Session of the 1991 General  
36 Assembly by filing the report with the President Pro Tempore of the Senate and the  
37 Speaker of the House of Representatives. Upon filing its final report, the Commission  
38 shall terminate.

39           Sec. 5. The Commission, while in the discharge of official duties, may  
40 exercise all the powers provided for under the provisions of G.S. 120-19, and G.S. 120-  
41 19.1 through G.S. 120-19.4. The Commission may meet at any time upon the call of the  
42 chairmen. With the approval of the Legislative Services Commission, the Commission  
43 may meet in the Legislative Building or the Legislative Office Building.

1           Sec. 6. Members of the Commission shall receive subsistence and travel  
2 expenses at the rates set forth in G.S. 120-3.1.

3           Sec. 7. The Commission may contract for professional, clerical, or consultant  
4 services as provided by G.S. 120-32.02. The Legislative Services Commission, through  
5 the Legislative Administrative Officer, shall assign professional staff to assist in the  
6 work of the Commission. The House of Representatives' and the Senate's Supervisors of  
7 Clerks shall assign clerical staff to the Commission or committee, upon the direction of  
8 the Legislative Services Commission. The expenses relating to clerical employees shall  
9 be borne by the Commission.

10          Sec. 8. All State departments and agencies and local governments and their  
11 subdivisions shall furnish the Commission with any information in their possession or  
12 available to them.

13          Sec. 9. There is appropriated from the General Fund to the General Assembly  
14 the sum of \$25,000 for the 1991-92 fiscal year and the sum of \$25,000 for the 1992-93  
15 fiscal year for the expenses of the Commission.

16          Sec. 10. This act becomes effective July 1, 1991.