

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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HOUSE BILL 859*

Short Title: Classroom Supplies to Teachers. (Public)

Sponsors: Representatives Saine and Elmore (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - K-12, if favorable, Appropriations, Education, if favorable, Rules, Calendar, and Operations of the House

April 18, 2019

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT FUNDS IN THE CLASSROOM MATERIALS, INSTRUCTIONAL SUPPLIES, AND EQUIPMENT ALLOTMENT FOR THE PUBLIC SCHOOLS SHALL BE USED FOR THE NORTH CAROLINA CLASSROOM SUPPLY PROGRAM TO PERMIT TEACHERS TO PURCHASE CLASSROOM SUPPLIES THROUGH AN ELECTRONIC ACCOUNT.

The General Assembly of North Carolina enacts:

SECTION 1. Establishment of the Program. – Notwithstanding any other provision of law, beginning with the 2019-2020 fiscal year, funds appropriated from the General Fund to the Department of Public Instruction each fiscal year for the Classroom Materials/Instructional Supplies/Equipment allotment shall be used for the North Carolina Classroom Supply Program (Program) in accordance with this act. The Program shall provide for electronic access to funds for eligible classroom teachers to purchase supplies for their classrooms on behalf of public school units participating in the Program to support educational needs of the public school students assigned to those classroom teachers.

SECTION 2. Definitions. – For purposes of this act, the following definitions apply:

(1) Eligible classroom teacher. – Any school-based classroom teacher, including teachers for special student populations, such as exceptional children, reading resource, English language learners, and program enhancement courses, employed by a public school unit to teach students in grades kindergarten through twelfth grade. School personnel in central office positions, instructional support personnel, and school-based administrators shall not be deemed eligible. A classroom teacher must be employed as of August 31 of each fiscal year from any funds available to the public school unit to be eligible under this act. The public school unit may include classroom teachers employed after August 31 within funds available.

(2) Public school unit. – A local school administrative unit, a charter school, a regional school, and a school providing elementary or secondary instruction operated by the State Board of Education, including schools operated under Article 7A and Article 9C of Chapter 115C of the General Statutes, or by The University of North Carolina, including schools operated under Articles 4, 29, and 29A of Chapter 116 of the General Statutes.

SECTION 3. Allotment of Funds. – Of the funds allocated to local school administrative units from the Classroom Materials/Instructional Supplies/Equipment allotment



1 by the Department of Public Instruction each fiscal year, beginning with the 2019-2020 fiscal
2 year, each local school administrative unit shall transfer the sum of four hundred dollars
3 (\$400.00) per eligible classroom teacher as of August 31 each year to a program report code for
4 a classroom teacher electronic account administered pursuant to Section 4 of this act. A public
5 school unit, other than a local school administrative unit, may also opt in to the Program by
6 August 1 of the fiscal year using funds available to that public school unit. The local school
7 administrative unit operating a renewal school system plan pursuant to Section 6 of S.L. 2018-32
8 shall also not be required to participate in the Program but may opt in to the Program in
9 accordance with this section.

10 **SECTION 4.(a)** Program Administration. – The Department of Public Instruction
11 shall utilize the same administrative system used by the North Carolina State Education
12 Assistance Authority (Authority) to manage funds for the Personal Education Savings Account
13 Program pursuant to G.S. 115C-597 and shall model its contract in a manner that meets the
14 requirements of this act and includes capabilities for at least the following:

- 15 (1) The ability to restrict purchases, which may include an automated prior
16 authorization process for allowable purchases or reimbursement of allowable
17 purchases.
- 18 (2) Automation for the capture of purchase receipts, which shall be required for
19 the Department of Public Instruction and the teacher to store electronically for
20 a total of four years for reporting and audit purposes, and transparent
21 transactions, making accountability and tracking simple.
- 22 (3) Ability for teachers to crowd-fund for certain products.

23 **SECTION 4.(b)** In the event that the vendor contracted with the Authority is unable
24 to meet the requirements of the Program, then the Department shall contract with a vendor that
25 provides a virtual e-wallets platform and an e-commerce marketplace that enables teachers to
26 receive and spend funds online and includes the capabilities described in subsection (a) of this
27 section.

28 **SECTION 5.** Use of Funds for the Program. – The funds appropriated for the
29 Program shall be used to supplement the materials and supplies otherwise available to classroom
30 teachers. Classroom supply funds made available under the Program shall not be used to purchase
31 electronic devices, such as computers, or software and shall not be expended for administrative
32 purposes. Eligible classroom teachers shall utilize these funds in a manner that addresses
33 individual classroom needs and supports the overall goals of the school regarding supplies and
34 instructional materials. Any supplies purchased by teachers through the Program shall be the
35 property of the public school unit. Supplies not consumed during the school year shall be made
36 available to the teacher for the following school year or for other eligible classroom teachers as
37 appropriate. Any unexpended funds in the classroom teacher accounts established in Section 3
38 of this act shall revert to the General Fund at the end of each fiscal year.

39 **SECTION 6.** This act becomes effective July 1, 2019, and applies beginning with
40 the 2019-2020 school year.