

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**SENATE BILL 1007**

Short Title: Free Tuition/School Teachers' Children. (Public)

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Sponsors: Senators Hagan; Garrou and Malone.

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Referred to: Appropriations/Base Budget.

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March 24, 2005

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FULL TUITION FOR STUDENTS THAT ARE CHILDREN OF PUBLIC SCHOOL TEACHERS AND WHO ENROLL AT A CONSTITUENT INSTITUTION OR A COMMUNITY COLLEGE AND TO PROVIDE A PARTIAL TUITION GRANT FOR STUDENTS THAT ARE CHILDREN OF PUBLIC SCHOOL TEACHERS AND WHO ENROLL IN A PRIVATE INSTITUTION OF HIGHER EDUCATION IN THIS STATE.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 1 of Chapter 116 of the General Statutes is amended by adding the following new sections to read:

**"§ 116-43.10. Full tuition grants for children of public school teachers.**

(a) Definition. – For purposes of this section, the term "qualified teacher" means a person who is a public schoolteacher in North Carolina who has taught at least 15 years in the State public school system, or who is a retired public schoolteacher who had taught at least 15 years in the State public school system.

(b) Tuition Grant for Full-Time Student Enrolled in Constituent Institution. – There is granted to each State resident who is the child of a qualified teacher, who enrolls as a full-time student in a constituent institution of The University of North Carolina, and who is 26 years of age or younger, a sum to be determined by the General Assembly as a tuition grant. The tuition grant shall be for four consecutive academic years and shall cover the tuition cost at the constituent institution in which the student is enrolled. The tuition grant shall be distributed as provided by this section.

(c) Tuition Grant for Full-Time Student Enrolled in Community College. – There is granted to each State resident who is the child of a qualified teacher, who enrolls as a full-time student in a community college in North Carolina, and who is 26 years of age or younger, a sum to be determined by the General Assembly as a tuition grant. The tuition grant shall be for two consecutive academic years and shall cover the tuition cost at the community college in which the student is enrolled. The tuition grant shall be distributed as provided by this section.

1       (d) Tuition Grants Administered by State Education Assistance Authority. – The  
2 tuition grants provided for in this section shall be administered by the State Education  
3 Assistance Authority pursuant to rules adopted by the State Education Assistance  
4 Authority not inconsistent with this section. The State Education Assistance Authority  
5 shall not approve any grant until it receives proper certification from the appropriate  
6 constituent institution or community college that the student applying for the grant is an  
7 eligible student. Upon receipt of the certification, the State Education Assistance  
8 Authority shall remit at the times it prescribes the grant to the constituent institution or  
9 community college on behalf, and to the credit, of the student.

10       (e) Refund Grant if Student Does Not Carry Full Academic Load. – In the event  
11 a student on whose behalf a grant has been paid is not enrolled and carrying a minimum  
12 academic load as of the tenth classroom day following the beginning of the school term  
13 for which the grant was paid, the institution or community college shall refund the full  
14 amount of the grant to the State Education Assistance Authority.

15       (f) Pro Rata Grants if Funds Are Insufficient for Full Grants. – In the event there  
16 are not sufficient funds to provide each eligible student with a full grant:

17           (1) The Board of Governors of The University of North Carolina, with the  
18 approval of the Office of State Budget and Management, may transfer  
19 available funds to meet the needs of the programs provided by  
20 subsection (b) of this section, and the State Board of Community  
21 Colleges; with the approval of the Office of State Budget and  
22 Management, may transfer available funds to meet the needs of the  
23 programs provided by subsection (c) of this section, and

24           (2) Each eligible student shall receive a pro rata share of funds then  
25 available for the remainder of the academic year within the fiscal  
26 period covered by the current appropriation.

27       (g) Funds Revert to General Fund. – Any remaining funds shall revert to the  
28 General Fund.

29       (h) Tuition Grant Shall Not Exceed Cost of Tuition. – Notwithstanding any other  
30 provision of this section, no tuition grant awarded to a student under this section shall  
31 exceed the cost of tuition of the constituent institution or the community college at  
32 which the student is enrolled. If a student, who is eligible for a tuition grant under this  
33 subsection, also receives a scholarship or other grant covering the cost of tuition at the  
34 constituent institution or community college for which the tuition grant is awarded, then  
35 the amount of the tuition grant shall be reduced by an appropriate amount determined by  
36 the State Education Assistance Authority. The State Education Assistance Authority  
37 shall reduce the amount of the tuition grant so that the sum of all grants and scholarship  
38 aid covering the cost of tuition received by the student, including the tuition grant under  
39 this section, shall not exceed the cost of tuition for the constituent institution or the  
40 community college at which the student is enrolled.

41       (i) Tuition Grant is Not Transferable. – A tuition grant awarded under this  
42 section is not transferable.

1 **"§ 116-43.11. Legislative tuition grants to aid eligible students who are children of**  
2 **public school teachers and who are attending private institutions of**  
3 **higher education.**

4 (a) Definition. – For purposes of this section, the term "qualified teacher" means  
5 a person who is a public schoolteacher in North Carolina who has taught at least 15  
6 years in the State public school system, or who is a retired public schoolteacher who had  
7 taught at least 15 years in the State public school system.

8 (b) Students Attending Most Private Institutions. – In addition to any funds  
9 appropriated pursuant to G.S. 116-19 and in addition to all other financial assistance  
10 made available to institutions, or to students attending these institutions, there is granted  
11 to each full-time North Carolina undergraduate student who is the child of a qualified  
12 teacher, who is attending an approved institution as defined in G.S. 116-22, and who is  
13 26 years of age or younger, a sum for each academic year, to be determined as follows:  
14 the sum shall equal the average of the tuition for all of the constituent institutions in The  
15 University of North Carolina for that academic year. The legislative tuition grant shall  
16 be distributed to the student in the same manner and method and subject to the same  
17 provisions, qualifications, and limitations as the tuition grants provided by  
18 G.S. 116-21.2.

19 (c) Students Attending Certain Other Private Institutions. – A student who is the  
20 child of a qualified teacher, who is eligible for a grant under G.S. 116-43.5, and who is  
21 26 years of age or younger, shall also receive an additional grant for each academic year  
22 in an amount to be determined as follows: the sum shall equal the average of the tuition  
23 for all of the constituent institutions in The University of North Carolina for that  
24 academic year. The grant provided under this subsection shall be distributed to the  
25 student in the same manner and method and subject to the same provisions,  
26 qualifications, and limitations as the grants provided by G.S. 116-43.5.

27 (d) Tuition Grant or Other Grant Not Transferable. – A tuition grant or other  
28 grant awarded under this section is not transferable."

29 **SECTION 2.** G.S. 116-21.4 reads as rewritten:

30 **"§ 116-21.4. Limitations on expenditures.**

31 (a) Expenditures made pursuant to G.S. 116-19, 116-20, 116-21.1, ~~or 116-21.2~~  
32 116-21.2, or 116-43.11(b) may be used only for secular educational purposes at  
33 nonprofit institutions of higher learning that meet the qualifications set out in  
34 G.S. 116-22.

35 (b) Expenditures made pursuant to G.S. 116-19, 116-20, 116-21.1, ~~or 116-21.2~~  
36 116-21.2, or 116-43.11 shall not be used for any student who:

- 37 (1) Is incarcerated in a State or federal correctional facility for committing  
38 a Class A, B, B1, or B2 felony; or  
39 (2) Is incarcerated in a State or federal correctional facility for committing  
40 a Class C through I felony and is not eligible for parole or release  
41 within 10 years."

42 **SECTION 3.** This act becomes effective July 1, 2007, and applies to the  
43 2007-2008 academic year and each subsequent academic year.