



LEGISLATIVE NEWSLETTER

September 26, 2016, Issue 644

What's Up

Charter Schools Applications: The North Carolina charter school office received 38 applications for new schools that want to open in 2018. As usual, most of the applications are for schools that would operate in urban areas. Seven applications are for schools in Wake, six are for schools in Charlotte-Mecklenburg and one is for a school in Durham. The latest round of applications now is closed.

History: In 2011, charter schools expanded quickly after the state eliminated the 100-school limit. The state now has 167 charter schools, with eight more ready to open in 2017. The student population is growing faster in charters than in traditional public schools. Still, the charter population is only a fraction of the traditional school population. The Charter School Advisory Board reviews applications and makes recommendations for approval to the State Board of Education.

Map Challenges: Another legal challenge was filed last week to boundaries for North Carolina's congressional seats drawn by Republicans who control the state legislature, with the plaintiffs again contending that politics played too great a role in coming up with the lines. But backers of the new litigation offer more — a method to gauge excessive partisanship, one that courts could use in the future. Similar allegations of illegal partisan gerrymandering surfaced in a federal lawsuit filed last month by the national election reform group Common Cause, the state Democratic Party and voters. Both lawsuits center on comments and actions taken by Republican lawmakers last February when they were ordered to redraw the boundaries because federal judges ruled two majority-black districts were racial gerrymanders.

Special Session Urged by Several GOP Lawmakers: Rep. Gary Pendleton of Raleigh is the third Republican lawmaker wanting to repeal parts of House Bill 2, saying he'd like to see a special legislative session within weeks to address the issue. Pendleton spoke to The News & Observer last week, days after the NCAA and ACC announced they'll move sporting events out of North Carolina in response to the controversial LGBT law. "I think we ought to go back into session for a day or two and definitely revisit it," he said, adding that any changes still must not allow men

to enter women's bathrooms. "I wouldn't vote to repeal it unless we passed a law that covered the safety of bathrooms and showers and all that." Pendleton joins Sen. Tamara Barringer of Cary and Sen. Rick Gunn of Burlington, who have made similar statements recently.

Pendleton says he's talked to other Republican lawmakers who'd support revising HB2, but he's not sure they represent a majority of the legislature. Pendleton didn't vote for or against HB2 in March, instead obtaining an excused absence from the special session along with two other Republicans.

Other News

Unemployment rates in U.S. presidential swing states, including North Carolina and Florida, mostly fell in August compared with a year ago. But they were up in some hotly contested states, such as Pennsylvania, where the rate jumped to 5.7 percent from 4.9 percent 12 months earlier, according to a report from the U.S. Labor Department. Florida's rate dropped to 4.7 percent from 5.2 percent a year ago, and North Carolina's plunged to 4.6 percent from 5.7 percent. Rates fell in four of seven swing states and rose in three. Typically, falling unemployment is good news for an incumbent party in a presidential election.

Local News

Unemployment: A North Carolina district attorney says he won't prosecute a high school teacher for stepping on an American flag during a lesson on the First Amendment. Cumberland County district attorney Billy West told The Fayetteville Observer last week that the state's misdemeanor flag-desecration charges are unenforceable because a 1989 U.S. Supreme Court ruling protects such actions.

Massey High Classical High School teacher Lee Francis says Monday's history lesson was about that case, which determined flag-burning is a form of protected speech. Francis was put on paid administrative leave last week. News outlets have quoted students as saying that Francis asked for a lighter or scissors, and when no one produced them, he put the flag on the floor and stomped on it. Francis says he stepped on the flag several times with his right foot.

Quote of the Week

"Well done is better than well said."

- NFL quarterback Tom Brady of the New England Patriots

Editor - Dave Simpson, NCACTE Lobbyist, P. O. Box 30998, Raleigh, N.C. 27609

Phone: (919) 781-3270, #5724; Email: dsimpson@carolinasagac.org