

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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SENATE BILL 654  
Education/Higher Education Committee Substitute Adopted 4/28/21  
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House Committee Substitute Favorable 6/9/21  
House Committee Substitute #2 Favorable 6/9/21  
Proposed Conference Committee Substitute S654-PCCS15328-BE-3

Short Title: K-12 COVID-19 Provisions.

(Public)

Sponsors:

Referred to:

April 7, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE RELIEF TO PUBLIC SCHOOLS IN RESPONSE TO THE  
3 CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC.

4 The General Assembly of North Carolina enacts:

5  
6 **PART I. SCHOOL PERFORMANCE GRADES/ANNUAL REPORT CARDS**

7 **SECTION 1.1.** Display of School Performance Grades. – Notwithstanding  
8 G.S. 115C-12(9)c1. and G.S. 115C-83.15, the State Board of Education shall not calculate  
9 achievement, growth, and performance scores nor display performance scores, growth  
10 designations, and letter grades for schools for the 2021-2022 school year, based on data from the  
11 2020-2021 school year, but shall display a brief explanation that achievement, growth, and  
12 performance scores and letter grades were not calculated and assigned for the 2021-2022 school  
13 year because assessment data was heavily impacted by COVID-19 during the 2020-2021 school  
14 year.

15 **SECTION 1.2.(a)** Annual Report Cards. – Notwithstanding G.S. 115C-12(9)c1. and  
16 Part 1B of Article 8 of Chapter 115C of the General Statutes, the State Board of Education shall  
17 issue an annual report card for public school units for the 2021-2022 school year, based on data  
18 from the 2020-2021 school year, that only meets the minimum accountability, school  
19 identification, and related reporting requirements of the Elementary and Secondary Education  
20 Act of 1965 (ESEA), as amended, required under the federal waiver granted by the United States  
21 Department of Education to the State of North Carolina for the 2020-2021 school year, dated  
22 March 26, 2021.

23 **SECTION 1.2.(b)** Notwithstanding G.S. 115C-47(58), 115C-75.8(d)(7),  
24 115C-218.65, 115C-238.66(11), 116-239.8(b)(14), and subdivision 6(d)(2) of S.L. 2018-32, for  
25 the 2021-2022 school year, based on data from the 2020-2021 school year, public school units  
26 shall only be required to display the annual report card information issued by the State Board of  
27 Education pursuant to this Part.

28  
29 **PART II. LOW-PERFORMING SCHOOLS**

30 **SECTION 2.1.** Low-Performing Schools. – Notwithstanding G.S. 115C-105.37 and  
31 G.S. 115C-218.94(a), for the 2021-2022 school year, the following apply:



\* S 6 5 4 - P C C S 1 5 3 2 8 - B E - 3 \*

- 1 (1) The State Board shall not identify additional low-performing schools based  
2 on data from the 2020-2021 school year.
- 3 (2) Schools previously identified as low-performing based on data from the  
4 2018-2019 school year shall continue to be identified as low-performing.
- 5 (3) Previously identified low-performing schools shall continue to carry out the  
6 final plan approved by the local board of education pursuant to  
7 G.S. 115C-105.37(a1).
- 8 (4) The State Board and the local board of education shall continue to provide  
9 online access to each low-performing school's plan in accordance with  
10 G.S. 115C-105.37(a1)(5).
- 11 (5) The written parental notice required by G.S. 115C-105.37(b) is not required  
12 to be provided again, but local boards of education of low-performing schools  
13 shall include with their online final plans a brief explanation that  
14 low-performing identification continues pending assessment data from the  
15 2021-2022 school year.

16 **SECTION 2.2.** Continually Low-Performing Schools. – Notwithstanding  
17 G.S. 115C-105.37A and G.S. 115C-218.94(b), for the 2021-2022 school year, the following  
18 apply:

- 19 (1) The State Board shall not identify additional continually low-performing  
20 schools based on data from the 2020-2021 school year.
- 21 (2) Schools previously identified as continually low-performing based on data  
22 from the 2018-2019 school year shall continue to be identified as continually  
23 low-performing.
- 24 (3) Previously identified continually low-performing schools shall continue to  
25 carry out the plan approved by the State Board pursuant to  
26 G.S. 115C-105.37A(a).
- 27 (4) Assistance and intervention levels provided for the 2019-2020 school year  
28 based on designation as low-performing for two years under  
29 G.S. 115C-105.37A(b) or low-performing for three years under  
30 G.S. 115C-105.37A(c) shall continue.
- 31 (5) Local boards of education may request to reform a continually  
32 low-performing school in accordance with G.S. 115C-105.37B.

33 **SECTION 2.3.** Low-Performing Local School Administrative Units. –  
34 Notwithstanding G.S. 115C-105.39A, for the 2021-2022 school year, the following apply:

- 35 (1) The State Board shall not identify additional low-performing local school  
36 administrative units based on data from the 2020-2021 school year.
- 37 (2) Local school administrative units previously identified as low-performing  
38 based on data from the 2018-2019 school year shall continue to be identified  
39 as low-performing.
- 40 (3) Previously identified low-performing local school administrative units shall  
41 continue to carry out the final plan approved by the local board of education  
42 pursuant to G.S. 115C-105.39A(b).
- 43 (4) The State Board and the local board of education shall continue to provide  
44 online access to each low-performing local school administrative unit's plan  
45 in accordance with G.S. 115C-105.39A(b)(5).
- 46 (5) The written parental notice required by G.S. 115C-105.39A(c) is not required  
47 to be provided again, but the local board of education shall include with its  
48 online final plan a brief explanation that low-performing identification  
49 continues pending assessment data from the 2021-2022 school year.
- 50 (6) The provisions of G.S. 115C-105.39(c) through (e) shall not apply.
- 51

1 **PART III. PUBLIC SCHOOL UNIT CALENDARS FOR THE 2021-2022 SCHOOL**  
2 **YEAR**

3 **SECTION 3.(a)** Part 2 of Article 8 of Chapter 115C of the General Statutes is  
4 amended by adding a new section to read:

5 **"§ 115C-84.3. Remote instruction.**

6 (a) Remote instruction means instruction delivered to students in a remote location  
7 outside of the school facility, whether synchronously or asynchronously. Instructional days or  
8 hours provided through any of the following shall not be considered remote instruction:

9 (1) North Carolina Virtual Public School courses.

10 (2) E-learning courses that meet the requirements of G.S. 115C-238.85.

11 (3) Institution of higher education courses, as provided in Article 16 of this  
12 Chapter or G.S. 115D-20(4).

13 (4) Homebound instruction required for a student by an individualized education  
14 program, as defined in G.S. 115C-106.3(8), or a section 504 (29 U.S.C. § 794)  
15 plan.

16 (5) Instruction provided to a student during a short- or long-term suspension.

17 (b) A public school unit in a county that has received a good cause waiver, as provided  
18 in G.S. 115C-84.2(d), for the school year may use up to 15 remote instruction days or 90 remote  
19 instruction hours when schools are unable to open due to severe weather conditions, energy  
20 shortages, power failures, or other emergency situations and may use that time towards the  
21 required instructional days or hours for the school calendar. All other public school units may  
22 use up to five remote instruction days or 30 remote instruction hours when schools are unable to  
23 open due to severe weather conditions, energy shortages, power failures, or other emergency  
24 situations and may use that time towards the required instructional days or hours for the school  
25 calendar.

26 (c) Except as provided in subsection (b) of this section, a public school unit shall not use  
27 remote instruction to satisfy the minimum required number of instructional days or hours for the  
28 school calendar.

29 (d) A governing board that chooses to use remote instruction as provided in subsection  
30 (b) of this section shall submit to the State Board, by July 1 annually, a remote instruction plan  
31 that provides a detailed framework for delivering quality remote instruction to students for the  
32 upcoming school year and information on the number of remote instruction days or hours used  
33 in the prior school year to satisfy instructional requirements, when applicable. At a minimum,  
34 the plans submitted by governing boards shall include the following:

35 (1) Identification of the resources that will be used to facilitate remote instruction.

36 (2) Communication with and training opportunities for teachers, administrators,  
37 instructional support staff, parents, and students on how to access and  
38 effectively use remote instruction resources, including regular opportunities  
39 for students to use those resources during nonremote instructional days to  
40 ensure student success during remote instruction.

41 (3) Establishment of methods for tracking and reporting attendance during remote  
42 instruction, including protocols for determining attendance, the reporting  
43 system to be used, and how attendance procedures will be communicated to  
44 parents before remote instruction begins.

45 (4) Establishment of staff roles and expectations for remote instruction days,  
46 including teacher workdays, teacher accessibility, and noncertified staff  
47 workdays and responsibilities.

48 (5) Communication of learning targets to students on each remote instruction day  
49 and development of measures to ensure that remote instruction time, practice,  
50 and application components support learning growth that continues towards  
51 mastery of the standard course of study.

1           (6) Development of remote instruction options appropriate for teachers and  
 2           students with limited connectivity capability, including the opportunity for  
 3           students to download remote instruction materials in advance when  
 4           practicable.

5           (7) Provision of remote instruction for students with disabilities in a manner  
 6           consistent with each student's individualized education program (IEP), as  
 7           defined in G.S. 115C-106.3, or section 504 (29 U.S.C. § 794) plan. Remote  
 8           instruction supports shall be considered and included, as appropriate for the  
 9           student, when an IEP or 504 plan is initially developed or at any subsequent  
 10           review or revision of an IEP or 504 plan.

11           (e) The State Board of Education shall report by September 15 annually to the Joint  
 12           Legislative Education Oversight Committee on the following information related to remote  
 13           instruction:

14           (1) A copy of each governing board's remote instruction plan.

15           (2) A summary document of the following:

16           a. The number of remote instruction days or hours used by each public  
 17           school unit in the prior school year.

18           b. Strengths, challenges, and trends noted by the State Board in its review  
 19           of how governing boards implement remote instruction.

20           c. Any other data deemed by the State Board to be useful to the Joint  
 21           Legislative Education Oversight Committee in evaluating the use and  
 22           delivery of remote instruction in emergency circumstances."

23           **SECTION 3.(b)** G.S. 115C-84.2(a) reads as rewritten:

24           "(a) School Calendar. – Each local board of education shall adopt a school calendar  
 25           consisting of 215 days all of which shall fall within the fiscal year. A school calendar shall include  
 26           the following:

27           (1) A minimum of 185 days or 1,025 hours of instruction covering at least nine  
 28           calendar months. The local board shall designate when the instructional days  
 29           shall occur. The number of instructional hours in an instructional day may  
 30           vary according to local board policy and does not have to be uniform among  
 31           the schools in the administrative unit. Local boards may approve school  
 32           improvement plans that include days with varying amounts of instructional  
 33           time. If school is closed early due to inclement weather, the day and the  
 34           scheduled amount of instructional hours may count towards the required  
 35           minimum to the extent allowed by State Board policy. The school calendar  
 36           shall include a plan for making up days and instructional hours missed when  
 37           schools are not opened due to inclement ~~weather~~.weather, and may include  
 38           the use of remote instruction in accordance with G.S. 115C-84.3.

39           ...."

40           **SECTION 3.(c)** G.S. 115C-218.85(a)(1) reads as rewritten:

41           "(1) The school shall provide instruction each year for at least 185 days or 1,025  
 42           hours over nine calendar ~~months~~.months, and may include the use of remote  
 43           instruction in accordance with G.S. 115C-84.3."

44           **SECTION 3.(d)** G.S. 115C-238.53(d) reads as rewritten:

45           "(d) A cooperative innovative high school approved under this Part shall do the following:

46           (1) ~~provide~~Provide instruction each school year for at least 185 days or 1,025  
 47           instructional hours during nine calendar months, and may include the use of  
 48           remote instruction in accordance with G.S. 115C-84.3. The requirements of  
 49           G.S. 115C-84.2 shall not apply to the school calendar of a program approved  
 50           under this Part.

- 1           (2) ~~shall comply~~ Comply with laws and policies relating to the education of  
2           students with ~~disabilities, disabilities.~~  
3           (3) ~~and shall comply~~ Comply with Article 27 of this Chapter. ~~The requirements~~  
4           of G.S. 115C-84.2 ~~shall not apply to the school calendar of a program~~  
5           approved under this Part."

6           **SECTION 3.(e)** G.S. 115C-238.66(1)d. reads as rewritten:

- 7           "d.     The board of directors shall adopt a school calendar consisting of a  
8           minimum of 185 days or 1,025 hours of instruction covering at least  
9           nine calendar ~~months~~ months, and may include the use of remote  
10          instruction in accordance with G.S. 115C-84.3."

11          **SECTION 3.(f)** G.S. 116-239.8(b)(2)c. reads as rewritten:

- 12          "c.     The chancellor shall adopt a school calendar consisting of a minimum  
13          of 185 days or 1,025 hours of instruction covering at least nine  
14          calendar ~~months~~ months, and may include the use of remote  
15          instruction in accordance with G.S. 115C-84.3."

16          **SECTION 3.(g)** Subdivision 6(e)(1) of S.L. 2018-32 reads as rewritten:

- 17          "(1)    Provide instruction each year for at least 185 days or 1,025 hours over nine  
18          calendar ~~months~~ months, and may include the use of remote instruction in  
19          accordance with G.S. 115C-84.3."

20          **SECTION 3.(h)** Section 6(d) of S.L. 2018-32 is amended by adding a new  
21          subdivision to read:

- 22          "(5a) G.S. 115C-84.3, Remote Instruction."

23          **SECTION 3.(i)** This section is effective when it becomes law and applies to the  
24          2021-2022 school year. This section is repealed June 30, 2022.

### 25          **PART IIIA. REMOTE INSTRUCTION FOR COVID-19 EMERGENCIES**

26          **SECTION 3A.** Notwithstanding G.S. 115C-84.3, as enacted by this act, a public  
27          school unit shall have the authority to make day-to-day decisions for the 2021-2022 school year  
28          concerning whether shifting individual schools or individual classrooms that are providing  
29          in-person instruction to temporary remote instruction is necessary due to COVID-19 exposures  
30          that result in insufficient school personnel or required student quarantines. A public school unit  
31          shall report any shift by a school or classroom from in-person to temporary remote instruction as  
32          provided in this section to the Department of Public Instruction within 72 hours of the shift and  
33          shall return to in-person instruction as soon as personnel are available or the required quarantines  
34          are complete.  
35

### 36          **PART IIIB. PLANNED VIRTUAL INSTRUCTION**

37          **SECTION 3B.(a)** Notwithstanding G.S. 115C-84.3, as enacted by this act, public  
38          school units shall be authorized to provide virtual instruction during the 2021-2022 school year  
39          to a student with the consent of that student's parent or legal guardian in accordance with a virtual  
40          instruction plan providing the information required by this subsection, if submitted by the  
41          governing board to the Department of Public Instruction by October 1, 2021. The Department of  
42          Public Instruction shall make available a copy of each governing board's virtual instruction plan  
43          to the Joint Legislative Education Oversight Committee and the Working Group on Virtual  
44          Academies, as enacted by Section 3C of this act, by October 15, 2021.  
45

46          **SECTION 3B.(b)** The virtual instruction plan required by subsection (a) of this  
47          section shall include the following:

- 48          (1)     The range of grades for which virtual instruction will be offered. The plan  
49          should note throughout the differences in delivery of virtual instruction for  
50          elementary, middle, and high school students.

- (2) The types of virtual instruction that will be made available, including whether virtual instruction will be full-time or blended instruction.
- (3) Whether the virtual instruction will be offered through a (i) school whose primary means of instruction is virtual instruction, (ii) school within a school, or (iii) customized offering unique to specific students.
- (4) The estimated numbers of students to be served with virtual instruction.
- (5) A means for identifying students participating in virtual instruction that will allow assessment of that subgroup's performance and EVAAS scores for students receiving virtual instruction in a school that does not exclusively provide virtual instruction.
- (6) Participation requirements, including student eligibility and agreements for participation from students and parents.
- (7) The methods by which enrollment, daily attendance, course credit accrual, progress toward graduation, and course completion will be monitored for students receiving virtual instruction.
- (8) Identification of the resources that will be used to facilitate virtual instruction.
- (9) The methods for communication with and training opportunities for teachers, administrators, instructional support staff, parents, and students engaged in virtual instruction.
- (10) Establishment of staff roles and expectations when providing virtual instruction, including teacher accessibility.
- (11) The measures used to ensure that both synchronous and asynchronous virtual instruction time, practice, and application components support learning growth that continues towards mastery of the standard course of study.
- (12) Any unique infrastructure necessary to support virtual instruction.
- (13) The methods for ensuring that virtual instruction for students with disabilities is delivered in a manner consistent with each student's individualized education program (IEP), as defined in G.S. 115C-106.3, or section 504 (29 U.S.C. § 794) plan. Remote instruction supports shall be considered and included, as appropriate for the student, when an IEP or 504 plan is initially developed or at any subsequent review or revision of an IEP or 504 plan.
- (14) Procedures to be used when making retention decisions for considering the appropriateness and effectiveness of continuing virtual instruction for students at risk of academic failure, including procedures for involving parents in these discussions.

**SECTION 3B.(c)** No public school unit shall use virtual instruction to satisfy the minimum required number of instructional days or hours after June 30, 2022, without express authorization from the General Assembly, except for local school administrative units that were assigned a school code to operate a school with virtual instruction as the primary means of instruction as of May 1, 2021.

### **PART IIIC. VIRTUAL ACADEMIES STUDY**

**SECTION 3C.** The Superintendent of Public Instruction shall establish a Working Group on Virtual Academies that includes interested stakeholders from, at a minimum, public school units, parents, and the State Board of Education to make recommendations related to virtual academies. The Working Group shall be chaired by the Superintendent or Superintendent's designee and shall review in its deliberations data and information gained from the 2020-2021 school year and from the virtual instruction plans submitted by public school units for the 2021-2022 school year. The Working Group shall report on the following to the Joint Legislative Education Oversight Committee no later than March 15, 2022:

- 1 (1) Definitions of virtual instruction and virtual academies, including any  
2 differences in the definitions for charter schools and other public school units.
- 3 (2) Requirements for authorization of virtual academies, including any  
4 differences in the requirements for charter schools and other public school  
5 units.
- 6 (3) Additional requirements for virtual academies, including, but not limited to:
  - 7 a. Infrastructure requirements, if any, such as access to internet  
8 connectivity, equipment, hardware, software, and technical support.
  - 9 b. Instructional requirements, including student monitoring, attendance  
10 and testing requirements, measures for completion of instructional  
11 days and hours requirements, synchronous instruction minimums, and  
12 measures of course credit accrual, progress toward graduation, and  
13 course completion.
  - 14 c. Personnel requirements, including professional development.
  - 15 d. Participation requirements, including student eligibility and  
16 agreements for participation from students and parents.
  - 17 e. Special education requirements.
  - 18 f. Term of years for approval for a virtual academy and criteria for initial  
19 approval and renewal.
  - 20 g. Distinctions in requirements for different types of public school units.
  - 21 h. A means for identifying students participating in virtual instruction  
22 that will allow assessment of that subgroup's performance and EVAAS  
23 scores for students receiving virtual instruction in a school that does  
24 not exclusively provide virtual instruction.

#### 25 **PART IV. PRINCIPAL RECRUITMENT SUPPLEMENT**

26 **SECTION 4.** Notwithstanding G.S. 115C-285.1, for purposes of administering the  
27 principal recruitment supplement in the 2021-2022 fiscal year, a school identified as an eligible  
28 school in the 2019-2020 and 2020-2021 school years pursuant to G.S. 115C-285.1(a)(2) and  
29 Section 2.13(a) of S.L. 2020-3, respectively, shall continue to be an eligible school in the  
30 2021-2022 school year.  
31

#### 32 **PART V. NOTIFICATION REQUIREMENT FOR TEACHER PERFORMANCE DATA**

33 **SECTION 5.** Notwithstanding G.S. 115C-333.2, for the 2021-2022 school year, to  
34 the extent the Education Value-Added Assessment System (EVAAS) data regarding a teacher's  
35 performance includes data from more than one school year, when a principal notifies a teacher  
36 that the teacher's EVAAS data has been updated, the principal shall provide the teacher with  
37 additional context regarding the years on which the data is based and the extent to which the  
38 students on which the data is based were taught by another teacher.  
39

#### 40 **PART VI. TEACHER EFFECTIVENESS REPORTING REQUIREMENTS**

41 **SECTION 6.** Notwithstanding G.S. 115C-299.5, for the 2021-2022 school year, to  
42 the extent teacher effectiveness data reported pursuant to G.S. 115C-299.5 is based on more than  
43 one school year, local school administrative units and the State Board of Education shall  
44 contextualize that data by specifying the years on which it is based and the extent to which it is  
45 not reflective of teacher performance because the students on which the data is based were taught  
46 by more than one teacher.  
47

#### 48 **PART VII. TEMPORARILY EXTEND CPR GRADUATION REQUIREMENT** 49 **CHANGES** 50

1           **SECTION 7.** Notwithstanding G.S. 115C-12(9d)a., for the 2020-2021 school year,  
2 any student in grade 12 who has not satisfied the requirement for completion of instruction in  
3 cardiopulmonary resuscitation shall be eligible to graduate if both of the following apply:

- 4           (1) Instruction in cardiopulmonary resuscitation cannot be completed due to the  
5 COVID-19 emergency.
- 6           (2) The student is eligible to graduate in all respects other than the statutory  
7 requirement described in this section, as determined by the principal of the  
8 school to which the student is assigned.

#### 10 **PART VIII. TEACHER LICENSURE REQUIREMENTS**

11           **SECTION 8.(a)** Notwithstanding G.S. 115C-270.15 and G.S. 115C-270.20,  
12 applicants for a continuing professional license holding a current initial professional license,  
13 residency license, lateral entry license, or limited license expiring June 30, 2021, who have not  
14 met the examination or coursework requirements established by the State Board as of June 30,  
15 2021, shall be provided an extension until December 31, 2021.

16           **SECTION 8.(b)** G.S. 115C-270.20(a)(5) reads as rewritten:

- 17           "(5) Residency License or RL. – A one-year license, renewable twice, that meets  
18 both of the following requirements:
- 19           a. Is requested by the local board of education and accompanied by a  
20 certification of supervision from the recognized educator preparation  
21 program in which the individual is enrolled.
  - 22           b. The individual for whom the license is requested meets all of the  
23 following requirements:
    - 24           1. ~~Holds a bachelor's degree.~~ at least one of the following:
      - 25           I. A bachelor's degree.
      - 26           II. An advanced degree.
    - 27           2. Has either completed coursework relevant to the requested  
28 licensure area or passed the content area examination relevant  
29 to the requested licensure area that has been approved by the  
30 State Board.
    - 31           3. Is enrolled in a recognized educator preparation program.
    - 32           4. Meets all other requirements established by the State Board,  
33 including completing preservice requirements prior to  
34 teaching."

#### 36 **PART IX. CLARIFY THE DEFINITION OF YEAR-ROUND SCHOOL**

37           **SECTION 9.(a)** G.S. 115C-84.2(f)(5) reads as rewritten:

- 38           "(5) Year-round school. – A school with a single- or multi-track instructional  
39 calendar to provide instructional days throughout the entire school calendar  
40 year, beginning July 1 and ending June 30, by utilizing at least one of the  
41 following plans:
- 42           a. A plan dividing students into four groups and requiring each group to  
43 be in school for assigned and staggered quarters each school calendar  
44 year.
  - 45           b. A plan providing students be scheduled to attend 45-four quarters of  
46 between 43 and 47 instructional days followed by 15 days of vacation,  
47 repeated throughout the each school calendar year-year, with vacation  
48 periods for students of between 14 and 18 days separating each  
49 quarter.
  - 50           c. A plan dividing the school calendar year into five nine-week sessions  
51 of classes and requiring each student to attend four assigned and



1 staggered sessions out of the five nine-week sessions to complete the  
2 student's instructional year.

3 d. In a local school administrative unit with both single- and multi-track  
4 instructional calendars, a plan for a single-track instructional calendar  
5 that is identical to at least one track of a multi-track instructional  
6 calendar adopted by the local board that meets the requirements of  
7 either sub-subdivision a. or sub-subdivision c. of this subdivision."

8 **SECTION 9.(b)** This section is effective when it becomes law and applies beginning  
9 with the 2021-2022 school year.

## 10 **PART X. LOCAL FACE COVERING POLICIES**

11 **SECTION 10.** For the 2021-2022 school year, all public school units shall adopt a  
12 policy regarding the use of face coverings by employees and students. The governing body of  
13 the public school unit shall vote at least once a month on whether the face covering policy should  
14 be modified.  
15

## 16 **PART XI. TEMPORARILY WAIVE CERTAIN REQUIREMENTS THAT RELATE TO** 17 **DRIVING ELIGIBILITY CERTIFICATES**

18 **SECTION 11.(a)** Notwithstanding G.S. 20-11(n), 115C-12(28), 115C-218.70,  
19 115C-288(k), 115C-566, and 115D-5(a3), a person required to sign a driving eligibility certificate  
20 shall issue the driving eligibility certificate without requiring the person to whom it is issued to  
21 be making progress toward obtaining a high school diploma or its equivalent, and no school  
22 authority shall notify the Division of Motor Vehicles that a person no longer meets the  
23 requirements for a driving eligibility certificate because the person is not making progress toward  
24 obtaining a high school diploma or its equivalent.  
25

26 **SECTION 11.(b)** This section is effective when it becomes law and expires January  
27 30, 2022.  
28

## 29 **PART XII. RESTORE CERTAIN PERMITS AND PROVISIONAL LICENSES** 30 **REVOKED DUE TO CERTIFICATE INELIGIBILITY**

31 **SECTION 12.(a)** Past Performance Revocation Restoration. – The Division of  
32 Motor Vehicles shall restore the permit or license of any person whose permit or license was  
33 revoked by the Division under G.S. 20-13.2(c1) due to ineligibility for a driving eligibility  
34 certificate under G.S. 20-11(n)(1). For restorations granted under this section, the Division shall  
35 not charge a restoration fee and the Division must expunge any record of revocation from the  
36 person's driving record.

37 **SECTION 12.(b)** This section is effective when it becomes law and applies to  
38 revocations resulting from notifications of ineligibility received by the Division dated on or after  
39 March 1, 2020, through the effective date of this section.  
40

## 41 **PART XIII. EFFECTIVE DATE**

42 **SECTION 13.** Except as otherwise provided, this act is effective when it becomes  
43 law.