



SENATE BILL 654: K-12 COVID-19 Provisions.

2021-2022 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	April 28, 2021
Introduced by:	Sens. Ballard, Davis, Lee	Prepared by:	Kara McCraw
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *SB 654 would make changes for the 2020-2021 and 2021-2022 school years to address the impact of COVID-19 in public schools.*

CURRENT LAW and BILL ANALYSIS:

Part I: Under current law, the State Board of Education is required to annually calculate scores for schools in achievement, growth, and performance, which are used to calculate a grade for each school. The State Board is also required to issue an annual report card that publicly reports certain information in compliance with federal and State law. On March 26, 2021, the United States Department of Public Instruction granted North Carolina a waiver of certain accountability, school identification, and related reporting requirements for the 2020-2021 school year, and required that only limited information be made publicly available in the school report card.

- **Section 1.1:** Would waive the requirement that the State Board of Education calculate achievement, growth, and performance scores or display school performance grades based on data from the 2020-2021 school year, and provide an explanation that those scores and grades were not calculated and assigned because assessment data was heavily impacted by COVID-19.
- **Section 1.2:** Would require that school reports cards based on data from the 2020-2021 school year contain only the minimum information required by the federal waiver granted by the United States Department of Education.

Part II: The State Board of Education is required to annually identify low-performing schools, continually low-performing schools, and low-performing local school administrative units based on school performance grades and growth scores. Once identified, public notices of the status are required, and plans for improvement must be developed.

- **Section 2.1:** Would require no low-performing schools (LPS) be identified based on 2020-2021 data. Previously identified LPS would continue with that identification and plans for improvement. Additional parental notice of LPS status would not be required.
- **Section 2.3:** Would require no continually low-performing schools (CLPS) be identified based on 2020-2021 data. Previously identified CLPS would continue with that identification and plans for improvement. CLPS could continue to request use of a reform model.
- **Section 2.3:** Would require no low-performing local school administrative units (LP-LEA) be identified based on 2020-2021 data. Previously identified LP-LEAs would continue with that identification and plans for improvement. Additional parental notice of LP-LEA status would not be required to be provided.

Part III and IIIA: For the 2020-2021 school year, S.L. 2020-3, Sec. 2.11(b), as amended by S.L. 2020-49, Sec. 3(b), required all public school units to have a remote learning plan and authorized up to 5 days

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of remote learning for the 2020-2021 school year. The governing board of a public school unit was permitted to use additional remote learning days if needed to ensure the health and safety of students, in compliance with all required COVID-19 guidance. S.L. 2021-4 required in-person instruction to be offered to all students for the remainder of the 2020-2021 school year, effective April 2021, but allowed parents the option to continue in remote learning.

Prior to the 2020-2021 school year, remote learning for public school units was not explicitly authorized by statute or session law, except for the virtual charter school pilot. All public school units (PSUs) are required to provide 185 days or 1025 hours of instructional time in the school calendar.

- **Section 3:** Local school administrative units (LEA) would be authorized for the 2021-2022 school year to use 5 days or 30 hours of remote instruction in the school calendar to address weather closures and other emergencies if the LEA submitted a remote instruction plan to the State Board of Education.
- LEAs would not otherwise be authorized to use remote instruction during the 2021-2022 school year, except to address health and safety concerns related to COVID-19 when determined necessary by the local board of education following consideration of available public health guidance. Participation in remote instruction would be subject to the written consent of the parent or legal guardian, however.
- **Section 3A:** LEAs assigned a school code to operate a school with virtual instruction as the primary means of instruction by May 1, 2021, would be authorized to continue using virtual instruction during the 2021-2022 school year.
- The Superintendent of Public Instruction would be required to establish a Working Group on Virtual Academies to make recommendations requirements for the virtual academy model to the Joint Legislative Education Oversight Committee no later than January 15, 2022.

Part IV: The Principal Recruitment Supplement Program provides significant, time-limited salary supplements to qualifying principals who accept employment as principals at selected low-performing schools that placed in the bottom five percent (5%) of all schools in the State in the prior school year.

- **Section 4:** Would allow schools identified as eligible to receive principal recruitment supplements for 2019-2020 and 2020-2021 to be identified as eligible for 2021-2022.

Part V and VI: Principals must annually notify teachers when Education Value-Added Assessment System (EVAAS) data has been updated to reflect teacher performance from the previous school year. The annual State of the Teaching Profession Report must also include data on teachers leaving the profession that disaggregates that information by teacher effectiveness status at a statewide level.

- **Sections 5 and 6:** When EVAAS data in the 2021-2022 school year based on performance in the 2019-2020 and 2020-2021 school years is available, principals, local school administrative units, and the State Board of Education would be required to contextualize the reported data to clarify when the information reflects performance over multiple years and multiple teachers.

Part VII: Currently, students must complete instruction in cardiopulmonary resuscitation (CPR) in order to graduate from high school.

- Section 7 would allow students graduating in Spring 2021 who had meet all other graduation requirement to graduate is they were otherwise unable to complete CPR instruction due to COVID-19.

Part VIII: Teachers holding an introductory license, such as an initial professional license or residency license, must complete their licensure examinations before being issued a continuing professional license. A teacher who fails to pass the examination by their third year of teaching cannot renew their license.

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- **Section 8:** Would allow applicants for a continuing professional license expiring June 30, 2021 who have not met the examination requirements by that date an extension until September 30, 2021 to complete the required examinations.

Part IX: The school calendar law, beginning with the 2021-2022 defines a year-round school as one that meets one of three possible approaches to scheduling students throughout the year. These options included multi-track schools that stagger student attendance in groups, and single-track schools that alternate a set number of days in instruction with a set number of days of vacation year round.

- **Section 9:** Would add an additional approach that allows a single-track school to operate on the same multi-track schedule of another school in that LEA. This section would be effective for the 2021-2022 school year.

EFFECTIVE DATE: Except as otherwise provided, SB 654 would become effective when it becomes law.