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Short Title:	Education Omnibus/COVID-19.	(Public)
Sponsors:		
Referred to:		
STUDEN EDUCAT EXTRAC	ORDINARY CIRCUMSTANCES DUE TO CORONAVIRUS I	SONNEL, AND COMMODATE DISEASE 2019
`	-19), AS RECOMMENDED BY THE EDUCATION WORKING G SELECT COMMITTEE ON COVID-19.	ROUPOFTHE
	Assembly of North Carolina enacts:	
PART I. DE	FINITIONS	
\mathbf{S}	ECTION 1. For the purposes of this act, the following definitions a	
(1	March 10, 2020 and continuing until the Governor signs an rescinding Executive Order No. 116 (Declaration of a State of Coordinate Response and Protective Actions to Prevent	executive order of Emergency to
(2	COVID-19). Federal testing waiver The testing waiver granted to the Education by the United States Department of Education for school year, pursuant to section 8401(b) of the Elementary Education Act of 1965 (ESEA), as amended, which, pursuan 174.11, eliminated the collection of certain student assessm 2019-2020 school year.	the 2019-2020 and Secondary to G.S. 115C-
(3	· · · · · · · · · · · · · · · · · · ·	ling the school l Limitations on ong Term Care the superseding
(4	4) State Board. – The State Board of Education.	



PART II. INTRODUCTION

SECTION 2. The purpose of this act is to clarify or modify certain requirements in consideration of actions and circumstances related to the COVID-19 emergency, including, but not limited to, the federal testing waiver and the school closure period.

PART III. WAIVERS AND MODIFICATIONS RELATED TO PUBLIC SCHOOL TESTING, ACCOUNTABILITY, GRADE PLACEMENT/PROMOTION, AND GRADUATION REQUIREMENTS

TESTS AND ASSESSMENTS

SECTION 3.1.(a) EOGs and EOCs. - Consistent with the provisions of G.S. 115C-174.11(d), for the 2019-2020 school year, end-of-grade and end-of-course tests are waived.

SECTION 3.1.(b) ACT. – Notwithstanding G.S. 115C-174.11(c)(4), after the conclusion of the school closure period, local school administrative units may administer the norm-referenced college admissions test made available by the State Board to students who were in the eleventh grade during the 2019-2020 school year who not given the opportunity to take it previously.

SECTION 3.1.(c) Diagnostic and Formative Assessments. – For the 2019-2020 school year, for the diagnostic and formative reading assessments for kindergarten, first, second, and third grade students described in G.S. 115C-83.6 and G.S. 115C-174.11(a), additional assessments beyond those administered prior to the school closure period are not required.

SECTION 3.1.(d) WorkKeys. - For the spring semester of the 2019-2020 school year only, notwithstanding G.S. 115C-174.25, a local school administrative unit shall not be required to administer the WorkKeys tests to any students who complete a concentration in career and technical education courses.

SCHOOL PERFORMANCE, ANNUAL REPORT CARDS FOR SCHOOLS, AND SCHOOL BUILDING REPORTS

SECTION 3.2.(a) Calculation and Issuance of School Performance Grades. – For the 2020-2021 school year based on data from the 2019-2020 school year, the provisions of G.S. 115C-12(9)c1. and G.S.115C-83.15(a) through (f) shall not apply. Notwithstanding G.S. 115C-83.15(g), the State Board is not required to display school report card information for the 2020-2021 school year based on data from the 2019-2020 school year, but shall display a brief explanation that school report cards were not issued for 2020-2021 school year because assessment data was not collected during the 2019-2020 school year due to COVID-19.

SECTION 3.2.(b) Display of School Report Cards. – Notwithstanding G.S. 115C-47(58), 115C-75.8(d)(7), 115C-218.65, 115C-238.66(11), 116-239.8(b)(2)(14), and Section 6(d)(2) of S.L. 2018-32, public school units are not required to display school report card information for the 2020-2021 school year based on data from the 2019-2020 school year, but shall display a brief explanation that school report cards were not issued for 2020-2021 school year because assessment data was not collected during the 2019-2020 school year due to COVID-19.

SECTION 3.2.(c) Evaluation of Alternative Programs. – Notwithstanding G.S. 115C-12(24), to the extent educational performance and growth of students in alternative schools and alternative programs are measured based on the accountability system developed under G.S. 115C-83.15 and G.S. 115C-105.35, educational performance and growth of students in alternative schools and alternative programs shall not be evaluated based on data from 2019-2020 school year.

SECTION 3.2.(d) School Building Reports. – The requirement for local school administrative units to produce and make public a school building report under G.S. 115C-

12(9)c3. and G.S. 115C-47(35) shall not apply for the October 15, 2020 report based on building-level data from the 2019-2020 school year.

LOW-PERFORMING SCHOOLS

and

SECTION 3.3.(a) Low-Performing Schools. – Notwithstanding G.S. 115C-105.37 and G.S. 115C-218.94(a), for the 2020-2021 school year, the following applies:

(1) The State Board shall not identify additional low-performing schools based on data from the 2019-2020 school year.

 (2) Schools previously identified as low-performing based on data from the 2018-2019 school year shall continue to be identified as low-performing.

 (3) Previously identified low-performing schools shall continue to carry out the final plan approved by the local board of education pursuant to G.S. 115C-105.37(a1).

(4) The State Board and the local board of education shall continue to provide online access to each low-performing school's plan in accordance with G.S. 115C-105.37(a1)(5).

(5) The written parental notice required by G.S. 115C-105.37(b) is not required to be provided again, but local boards of education of low-performing schools shall include with their online final plans a brief explanation that low-performing identification continues pending assessment data from the 2020-2021 school year.

SECTION 3.3.(b) Continually Low-Performing Schools. – Notwithstanding G.S. 115C-105.37A and G.S. 115C-218.94(b), for the 2020-2021 school year, the following applies:

(1) The State Board shall not identify additional continually low-performing schools based on data from the 2019-2020 school year.

(2) Schools previously identified as continually low-performing based on data from the 2018-2019 school year shall continue to be identified as continually low-performing.

(3) Previously identified continually low-performing schools shall continue to carry out the plan approved by the State Board pursuant to G.S. 115C-105.37A(a).

(4) Assistance and intervention levels provided for the 2019-2020 school year based on designation as low-performing for two years under G.S. 115C-105.37A(b) or low-performing for three years under G.S. 115C-105.37A(c) shall continue.

(5) Local boards of education may request to reform a continually low-performing school in accordance with G.S. 115C-105.37B.

SECTION 3.3.(c) Low-Performing Local School Administrative Units. – Notwithstanding G.S. 115C-105.39A, for the 2020-2021 school year, the following applies:

(1) The State Board shall not identify additional low-performing local school administrative units based on data from the 2019-2020 school year.

 (2) Local school administrative units previously identified as low-performing based on data from the 2018-2019 school year shall continue to be identified as low-performing.

(3) Previously identified low-performing local school administrative units shall continue to carry out the final plan approved by the local board of education pursuant to G.S. 115C-105.39A(b).

(4) The State Board and the local board of education shall continue to provide online access to each low-performing local school administrative unit's plan in accordance with G.S. 115C-105.39A(b)(5).

- (5) The written parental notice required by G.S. 115C-105.39A(c) is not required to be provided again, but the local board of education shall include with its online final plan a brief explanation that low-performing identification continues pending assessment data from the 2020-2021 school year.
- (6) The provisions of G.S. 115C-105.39(c) through (e) shall not apply.

INNOVATIVE SCHOOL DISTRICT

SECTION 3.4.(a) Notwithstanding the provisions of G.S. 115C-75.7 and G.S. 115C-105.37A(d), for the 2020-2021 school year, the following applies:

- (1) The State Board shall not identify any additional schools as qualifying schools for the Innovative School District based on data from 2019-2020 school year.
- (2) Schools identified as qualifying schools for the 2019-2020 school year based on data from the 2018-2019 school year shall remain on the qualifying list, and the provisions of G.S. 115C-75.7(b1), (b2), and (d) shall continue to apply to these schools.

SECTION 3.4.(b) Section 1(c) of S.L. 2019-248 reads as rewritten:

"SECTION 1.(c) For the purposes of this subsection, a qualifying school is as defined by G.S. 115C-75.5(5), as amended by this act, the State Board of Education shall select the following schools to become innovative schools:

- (1) The lowest scoring qualifying school in the State identified based on the school performance score calculated from data for the 2019–2020 school year to become an innovative school in the 2021–2022 school year.
- (2) The lowest scoring qualifying school in the State identified based on the school performance score calculated from data for the 2020-2021 school year to become an innovative school in the 2022-2023 school year."

THIRD GRADE RETENTION, READING CAMPS, AND FOURTH GRADE READING ASSESSMENT

SECTION 3.5.(a) Third Grade Retention Determination. – For grade level determination for the 2020-2021 school year, the following applies:

- (1) Notwithstanding the provisions of G.S. 115C-83.7 and the requirement in G.S. 115C-288(a) that a principal's authority to grade and classify pupils is limited by the requirements of G.S. 115C-83.7(a), principals shall have authority to determine the appropriate 2020-2021 school year grade level for students in the third grade during the 2019-2020 school year in the same manner as for students in all other grade levels. Principals shall designate whether a retained third grade student is retained due to reading deficiencies. Principals are encouraged to consult with a student's 2019-2020 third grade teacher in determining grade classification.
- (2) Notwithstanding the provisions of G.S. 115C-218.85(b), charter schools shall have authority to determine the appropriate 2020-2021 school year grade level for third grade students in the same manner that grade level classification is determined for other grade levels.

SECTION 3.5.(b) Parental Notice and Interventions. – Consistent with G.S. 115C-83.9(a), parents or guardians shall receive notice that a first, second, or third grade student demonstrated difficulty with reading development or was not reading at grade level during the 2019-2020 school year based on assessments completed on or before March 13, 2020. The provisions of G.S. 115C-83.9(d) shall apply to this notice.

For third-grade students retained for the 2019-2020 school year based on data from the 2018-2019 school year, the requirements of G.S. 115C-83.9(c) shall not apply during the school closure period, beginning March 16, 2020.

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For third-grade students retained for the 2020-2021 school year due to reading deficiencies, the provisions of G.S. 115C-83.8(b) through (e) and G.S. 115C-83.9 shall apply in the same manner they would have had the student been retained pursuant to G.S. 115C-83.7(a), except that notification regarding the exemptions described in G.S. 115C-83.7(b) shall not apply.

SECTION 3.5.(c) Reading Camps. – Notwithstanding G.S. 115C-83.6(a), 115C-83.8(a), and 115C-83.11, and any other provision of law to the contrary, local school administrative units are not required to provide reading camps corresponding to the 2019-2020 school year.

SECTION 3.5.(d) Fourth Grade Reading Assessment. — No later than the tenth school day of the 2020-2021 school year, public school units shall administer to all fourth grade students the end-of-year diagnostic assessment otherwise required for third grade students pursuant to G.S. 115C-174.11(a) and State Board policy. The results of the assessment shall be used to identify reading deficiencies and inform instruction and remediation needs in order to ensure that all students achieve proficiency at the earliest date possible.

SECTION 3.5.(e) Reporting Requirements. – For the 2020-2021 school year, the following applies:

- (1) Accountability reporting described in G.S. 115C-83.10 shall not be required based on data from the 2019-2020 school year, except that by September 1, 2020, local boards of education shall report to the State Board the following:
 - a. The number and percentage of first grade students demonstrating and not demonstrating reading comprehension at grade level on or before March 13, 2020.
 - b. The number and percentage of second grade students demonstrating and not demonstrating reading comprehension at grade level on or before March 13, 2020.
 - c. The number and percentage of third grade students demonstrating and not demonstrating reading comprehension at grade level on or before March 13, 2020.
 - d. The number and percentage of third grade students retained pursuant to subsection (a) of this section for reading deficiencies.
- (2) Reporting requirements described in G.S. 115C-218.85(b)(4) shall not be required based on data from the 2019-2020 school year, except that by September 1, 2020, charter schools shall report to the State Board the following:
 - a. The number and percentage of third grade students demonstrating and not demonstrating reading comprehension at grade level on or before March 13, 2020.
 - b. The number and percentage of third grade students retained pursuant to subsection (a) of this section for reading deficiencies.
- (3) The State Board shall compile the information described in this subsection and shall submit a State-level summary of each component by local school administrative unit and charter school to the Joint Legislative Education Oversight Committee by October 15, 2020.

ADVANCED COURSES IN MATHEMATICS

SECTION 3.6. The provisions of G.S. 115C-81.36(a1) and (b) shall not apply for the 2020-2021 school year based on data from the 2019-2020 school year. Math placement for the 2020-2021 school year may be determined based on local board policy, in consultation with a student's 2019-2020 school year math teacher. For the purposes of G.S. 115C-81.36(c), the Department of Public Instruction shall submit its December 15, 2020 report to the Joint

Legislative Education Oversight Committee on the number and demographics of students who were (i) enrolled in advanced mathematics courses, including high school level mathematics courses in eighth grade, or (ii) given other advanced learning opportunities for the 2020-2021 school year. The report shall include information on the type and format of advanced mathematics courses provided and shall also include any feedback provided by local boards of education on the implementation of G.S. 115C-81.36.

CPR GRADUATION REQUIREMENT

SECTION 3.7. Notwithstanding G.S. 115C-12(9d)a., for the 2019-2020 school year, any student in grade 12 who has not satisfied the requirement for completion of instruction in cardiopulmonary resuscitation shall be eligible to graduate if both of the following apply:

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

PART IV. MODIFICATIONS TO SCHOOL PERSONNEL RECRUITMENT, EVALUATION PROCESSES, AND REPORTING

TEMPORARILY REVISE DEFINITION OF ELIGIBLE SCHOOL FOR PRINCIPAL RECRUITMENT SUPPLEMENT AND CLARIFY STATUTORY REFERENCE

SECTION 4.1.(a) Notwithstanding G.S. 115C-285.1, as enacted by S.L. 2019-247, for the 2020-2021 school year, a school identified as an eligible school in the 2019-2020 school year pursuant to G.S. 115C-285.1(a)(2) shall continue to be an eligible school in the 2020-2021 school year.

SECTION 4.1.(b) G.S. 115C-285.1(e), as enacted by S.L. 2019-247, reads as rewritten:

"(e) Additional Funds. – In the event an eligible employer is unable to award funds for the salary supplement because of resignation, dismissal, reduction in force, death, retirement, or failure to execute a contract with a qualifying principal, the Department shall award the funds, as soon as is practicable, to another eligible employer identified in subdivision $\frac{(a)(2)(a)(1)}{(a)(a)(a)(a)(a)(a)}$ of this section."

TEMPORARILY WAIVE NOTIFICATION REQUIREMENT FOR TEACHER PERFORMANCE DATA

SECTION 4.2. Notwithstanding G.S. 115C-333.2, for the 2020-2021 school year, principals are not required to notify teachers that Education Value-Added Assessment System (EVAAS) data has been updated to reflect teacher performance from the 2019-2020 school year.

TEMPORARILY WAIVE TEACHER EFFECTIVENESS REPORTING REQUIREMENTS AND ADD STATUTORY HEADING

SECTION 4.3.(a) Notwithstanding G.S. 115C-299.5(d), for the 2020-2021 school year, local school administrative units are not required to provide teacher effectiveness data from the 2019-2020 school year to the State Board, and the State Board is not required to include any disaggregated data on teacher effectiveness from the 2019-2020 school year in its December 15, 2020, report on the state of the teaching profession in North Carolina.

SECTION 4.3.(b) G.S. 115C-299.5(d) reads as rewritten:

"(d) <u>Teacher Effectiveness.</u>—The annual teacher transition report by the State Board of Education shall disaggregate the data included in subsection (c) of this section by teacher effectiveness status at a statewide level. The report shall not disaggregate data on teacher

effectiveness status at a local school administrative unit level. Notwithstanding Article 21A of this Chapter, local school administrative units shall provide to the State Board of Education, for the purposes of this report, any North Carolina Educator Evaluation System (NCEES) effectiveness status assigned to teachers who left employment. The State Board of Education shall not report disaggregated data that reveals confidential information in a teacher's personnel file, as defined by Article 21A of this Chapter, such as making the effectiveness status personally identifiable to an individual teacher."

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TEMPORARILY REVISE CERTAIN TEACHER EVALUATION REQUIREMENTS AND WAIVE CERTAIN TEACHER OBSERVATION REQUIREMENTS

SECTION 4.4. Notwithstanding G.S. 115C-333(a) and 115C-333.1(a), for the 2019-2020 school year, annual teacher evaluations required pursuant to G.S. 115C-333(a) and 115C-333.1(a) shall be based on (i) observations completed in the 2019-2020 school year prior to the school closure period and (ii) other artifacts and evidence from the 2019-2020 school year. Schools are not required to complete any observations required in the 2019-2020 school year pursuant to G.S. 115C-333(a) and 115C-333.1(a) that were not completed prior to the school closure period.

PART V. MODIFICATIONS FOR EDUCATOR PREPARATION PROGRAMS/SCHOOL ADMINISTRATOR PREPARATION PROGRAMS

EDUCATOR PREPARATION PROGRAMS

SECTION 5.1.(a) Minimum Admission Requirements for EPPs. – Notwithstanding the minimum admission requirements required by G.S. 115C-269.15, for the 2020-2021 academic year only, a recognized EPP shall be permitted to admit students as follows:

(1) If an individual student does not meet the requirements of subdivision (2) or (3) of subsection (a) of G.S. 115C-269.15, the student shall not be required to take the preprofessional skills test required by the State Board for admission to an EPP under subdivision (1) of subsection (a) of G.S. 115C-269.15.

(2) An individual student shall not be required to have earned a grade point average of at least a 2.7 under G.S. 115C-269.15(c). However, the EPP shall not permit a student to commence with a clinical practice as required by G.S. 115C-269.25(d) until the student has earned a grade point average of at least a 2.7.

(3) The minimum cohort grade point average for the entering cohort to an EPP for the 2020-2021 academic year shall not be required to be at least a 3.0 under G.S. 115C-269.15(d).

 SECTION 5.1.(b) Clinical Internships. - Notwithstanding G.S. 115C-269.25(d)(1), a student who is enrolled in a recognized EPP pursuant to G.S. 115C-269.5 may have the clinical internship requirement set forth in G.S. 115C-269.25(d)(1) deemed completed for the 2019-2020 academic year under the following conditions:

 (1) The student has completed as much time in a clinical internship as practicable prior to March 10, 2020.

 (2) The student would be unable to complete the EPP by August 15, 2020, unless the clinical internship is deemed completed pursuant to this section.
 (3) The student has been engaged in remote instruction as practicable while the

 (3) The student has been engaged in remote instruction as practicable while the school is closed during the school closure period.
 (4) The student has otherwise met the descriptors identified on the certification of

 teacher capacity utilized by the EPP and the elementary or secondary school partner.

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VI.

MODIFICATIONS

SECTION 6.1.(a) Extension for Examination Requirement. - Notwithstanding G.S. 115C-270.15, G.S. 115C-270.20, and Section 1.2 of S.L. 2019-71, as amended by Section 8(d)

REQUIREMENTS/REQUIREMENTS FOR OTHER SCHOOL PERSONNEL

SECTION 5.1.(c) Accountability. - Due to the lack of student assessment data and the school closure period, notwithstanding the requirements of G.S. 115C-269.35(a), EPPs shall only be required to submit information that is practically available in the annual report to the State Board required under G.S. 115C-269.35(b) for the 2019-2020 academic year.

SECTION 5.1.(d) Sanctions. - Notwithstanding 115C-269.45(c), the State Board shall not consider data that was not practically available related to the 2019-2020 school year when assigning sanctions for an EPP under 115C-269.45(c).

SECTION 5.1.(e) EPP Report Cards. – Due to limited available information and the waiver of the requirement to submit certain information to the State Board under subsection (c) of this section, notwithstanding G.S. 115C-269.50, the State Board shall create and submit annual report cards for EPPs as required by G.S. 115C-269.50 by December 15, 2020, to the Joint Legislative Education Oversight Committee (Committee) but shall not make the annual report cards created pursuant to this section available to the public through the State Board's Web site for the 2019-2020 academic year. The State Board shall also include in its report to the Committee aggregated information on the following:

- (1) The number of students who were admitted to an EPP with a GPA that was less than 2.7 as permitted by subdivision (2) of subsection (a) of this section.
- (2) The number of students who had their clinical internships deemed completed pursuant to subsection (b) of this section.

SCHOOL ADMINISTRATOR PREPARATION PROGRAMS

SECTION 5.2. Notwithstanding G.S. 115C-284(c2), a school administrator candidate who is enrolled in a school administrator preparation program meeting the approval standards established by the State Board pursuant to G.S. 115C-284 may have certain requirements of G.S. 115C-284(c2) deemed completed for the 2019-2020 academic year as follows:

- The requirement that a candidate shall complete a year-long internship under (1) G.S. 115C-284(c2)(7) shall be deemed completed under the following conditions:
 - (1) The candidate has completed as much time in the year-long internship as practicable prior to March 10, 2020.
 - The candidate would be unable to complete the program by August (2) 15, 2020, unless the internship is deemed completed pursuant to this section.
 - (3) The candidate has been engaged in administrative duties as practicable while the school is closed during the school closure period.
 - (4) The candidate has otherwise met the competencies identified in the certification of capacity utilized by the school administrator preparation program.
- The candidate shall complete a portfolio for emerging leaders to demonstrate (2) the application of his or her training to actual school needs and training to the extent practicable prior to completion of the school administrator preparation program.

FOR

TEACHER

TEACHER LICENSURE REQUIREMENTS

2019-MVz-175 [v.29]

LICENSURE

PART

of S.L. 2019-212, the State Board shall allow applicants for educator licensure additional time to meet the examination requirements under G.S. 115C-270.15 and G.S. 115C-270.20 as follows:

- (1) An individual who is in the first year of licensure, including an initial professional licensure (IPL), lateral entry license, or residency license (RL), as of March 10, 2020, who has not taken the examination required by the State Board may take the examination during the individual's second year of licensure.
- (2) An applicant for a continuing professional license (CPL) whose lateral entry license expires June 30, 2020, who has not met the examination requirement established by the State Board as of March 10, 2020, shall be provided an extension until June 30, 2021.
- (3) An applicant for a CPL whose IPL expires June 30, 2020, who has not met the examination requirement established by the State Board as of March 10, 2020, shall be provided an extension until June 30, 2021.
- (4) An applicant for a CPL who is an elementary education (K-6) or special education general curriculum teacher with an IPL, lateral entry license, or RL, that was granted an extension until June 30, 2020, pursuant to Section 1.2 of S.L. 2019-71, as amended by Section 8(d) of S.L. 2019-212, who has not met the examination requirement established by the State Board as of March 10, 2020, shall be provided an extension until June 30, 2021.

SECTION 6.1.(b) Extension for CEU Requirement. - Notwithstanding G.S. 115C-270.30(b), any teacher who is required to have at least eight continuing education credits for continuing licensure by June 30, 2020, shall have until June 30, 2021, to meet the requirements under G.S. 115C-270.30(b).

LICENSURE REQUIREMENTS FOR OTHER SCHOOL PERSONNEL

SECTION 6.2.(a) Extension for Examination Requirement. - Notwithstanding G.S. 115C-284 and G.S. 115C-315(d), the State Board shall allow applicants for licensure additional time to meet the examination requirements as follows:

- (1) Pursuant to G.S. 115C-284, an individual applying for a school administrator license who has not met the examination requirements established by the State Board as of March 10, 2020, shall be permitted to meet the examination requirements in the first year of licensure.
- (2) Pursuant to G.S. 115C-315(d), an individual applying for licensure for a professional position in a public elementary or secondary school who has not met the examination requirements established by the State Board as of March 10, 2020, shall be permitted to meet the examinations requirement in the first year of licensure.

SECTION 6.2.(b) Extension for CEU Requirement. - Notwithstanding G.S. 115C-284(c3), a school administrator who is required to meet continuing education credits in high-quality, integrated digital teaching and learning for licensure renewal by June 30, 2020, shall have until June 30, 2021, to meet the requirements under G.S. 115C-284(c3).

PART VII. EFFECTIVE DATE

SECTION 7. Except as otherwise provided, this act is effective when it becomes law.

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