

# Education

See full summary documents for additional detail

## **H158 - COVID-19 New Driver Response. (SL 2020-30)**

S.L. 2020-30 does the following:

- Waives the road test requirement to obtain a Level 2 limited provisional license. A Level 2 limited provisional license holder who receives a waiver has to pass a road test in order to obtain a Level 3 full provisional license. The waiver provision expires when the Division resumes administering road tests.
- Provides accommodations for students enrolled in a driver education course in the spring semester of 2020.

This act became effective June 19, 2020.

## **H308 - Regulatory Reform Act of 2020.**

### **Sec. 25: Allow a Teaching Hospital Affiliated With But Not Part Of Any Constituent Institution of the University of North Carolina to Assign Campus Police Officers of its Campus Law Enforcement Agency to Any Other Facility Within the Teaching Hospital's System Network. (SL 2020-74)**

Section 25 of S.L. 2020-74 allows a campus police agency of a teaching hospital affiliated with but not part of any constituent institution of The University of North Carolina to assign its campus police officers to any other facility within that teaching hospital's system network. The jurisdiction of campus police officers assigned in this way extends only to the premises of the assigned facility, and does not include any public roads or highways passing through or immediately adjoining the facility.

This section became effective July 1, 2020.

## **H463 - Education in Prisons. (SL 2020-54)**

S.L. 2020-54 allows funds appropriated for community college courses for prison inmates to be used for Associate of Arts, Associate of Science, or Associate of General Education degrees.

This act became effective July 1, 2020.

## **H472 - NCSU/NC A&T Matching Funds/Umstead Act.**

### **Sec. 3: Sale of Dairy Products at NC A&T Facilities. (SL 2020-26)**

Sec. 3 of S.L. 2020-26 allows the sale of dairy products at facilities owned by North Carolina Agricultural and Technical State University (NC A&T), if the products are produced by the University Farm at NC A&T

and any profits from the sales are used to support the Agricultural Research Program and the College of Agricultural and Environmental Sciences at NC A&T.

This section became effective July 1, 2020.

### **H1023 - Coronavirus Relief Fund/Additions & Revisions.**

#### **Sec. 1.1(e) Revisions to S.L. 2020-4. (SL 2020-80)**

Section 1.1(e) of S.L. 2020-80 creates multiple sections in S.L. 2020-4. Please see S.L. 2020-4 for these summaries.

### **H1023 - Coronavirus Relief Fund/Additions & Revisions.**

#### **Sec. 2.3: Student Meal Debt Report and Reduced-Price Lunch Co-Pays. (SL 2020-80)**

Sec. 2.3 of S.L. 2020-80 directs the State Board of Education to report by October 15, 2021, to the Joint Legislative Education Oversight Committee on unpaid meal charges in local school administrative units (LEAs). The report must include the following information:

- The percentage of students of all grade levels in each LEA who (i) qualify for and participate in reduced price meals and (ii) do not carry an unpaid meal charge.
- The total amount of debt carried by each LEA related to unpaid meal charges.
- Summaries of approaches adopted by each LEA regarding unpaid meal charges.
- Options for a statewide policy on the uniform administration of unpaid meal charges in local LEAs. Every option shall ensure that students are not prevented from receiving nutritious meals because of an unpaid meal charge.

This section also directs the Department of Public Instruction (DPI) to transfer \$3.9 million in nonrecurring funds from the School Bus Replacement Fund to the State Public School Fund for the 2020-2021 fiscal year. The funds must be used to provide free school lunches to students of all grade levels qualifying for reduced-price meals in all schools participating in the National School Lunch Program in the 2020-2021 school year. If the funds are insufficient to provide lunch for all qualifying students, DPI must use any excess funds appropriated for the National School Breakfast Program to cover the costs.

This section became effective July 1, 2020.

### **H1043 - 2020 COVID-19 Recovery Act.**

#### **Sec. 3.3(63): Department of Public Instruction Funds for PPE. (SL 2020-4)**

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (63) allocating \$7 million to the Department of Public Instruction to provide personal protective equipment (PPE) for public schools in response to the COVID-19 pandemic. The PPE is to facilitate in-person instruction for the 2020-2021 school year.

This section became effective July 1, 2020.

**H1043 - 2020 COVID-19 Recovery Act.**

**Sec. 3.3(86): Covid-19 Pandemic Alternative Education Options for Students with Disabilities. (SL 2020-4)**

S.L. 2020-4, Sec. 3.3(86), as enacted by S.L. 2020-97, Sec. 1.2, provides additional funds to the State Education Assistance Authority to fund Personal Education Savings Accounts (PESAs) and Special Education Scholarships for Students with Disabilities (SWD Scholarships). Eligible students who (i) applied for these scholarships for the 2020-2021 school year within established application deadlines and (ii) were not awarded scholarships as of September 4, 2020, must be awarded funds for the fall semester of the 2020-2021 school year only. If feasible, any remaining scholarship funds must be distributed to additional eligible students under the same conditions.

Students awarded PESAs with these funds will not receive priority award of future PESA scholarships. Students awarded SWD Scholarships will be deemed to meet the public school enrollment requirements for eligibility for SWD Scholarships in the 2021-2022 school year, but will not receive priority in the award of those scholarships.

This subdivision became effective September 4, 2020.

**H1043 - 2020 COVID-19 Recovery Act.**

**Sec. 3.3(98): Funds for East Carolina University to Conduct Research with Dartmouth Atlas Project on COVID-19 Impacts . (SL 2020-4)**

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (98) that provides \$500,000 to East Carolina University to conduct research in partnership with the Dartmouth Atlas Project at the Dartmouth Institute for Health Policy and Clinical Practice on the key impacts of COVID-19, including studying patient clinical outcomes, health impacts, resulting economic hardships, and other long-term economic outcomes, such as unemployment, bankruptcy, and recovery.

This subdivision became effective September 4, 2020.

**H1043 - 2020 COVID-19 Recovery Act.**

**Sec. 3.3(99): Funds for Fayetteville State University to Complete Physical and Virtual Technology Laboratories on COVID-19 Impact . (SL 2020-4)**

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (99) that provides \$5 million to Fayetteville State University for physical and virtual technology laboratories to continue existing research on COVID-19 impacts with \$2 million used for build-out of existing structure and \$3 million for developing virtual infrastructure.

This subdivision became effective September 4, 2020.

### **H1043 - 2020 COVID-19 Recovery Act.**

#### **Sec. 3.3(109): Funds for a Student Health Collaborative Pilot Program . (SL 2020-4)**

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (109) that allocates \$300,000 to the Department of Health and Human Services, Division of Social Services, to establish a student health collaborative pilot program in accordance with Section 4.18 of S.L. 2020-97.

This subdivision became effective September 4, 2020.

### **H1043 - 2020 COVID-19 Recovery Act.**

#### **Sec. 3.3(106b): Funds for Assistance Payments to Parents Using Remote Learning Opportunities . (SL 2020-4)**

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (106b) that allocates a total of \$8 million to the Department of Health and Human Services, Division of Child Development and Early Education, to provide assistance payments to parents using remote learning opportunities for the care of their children with preference given to applicants who reside in a household with an income level not in excess of 150% of the amount required for a child in the home to qualify for the federal free or reduced-price lunch program.

This subdivision became effective September 4, 2020.

### **H1043 - 2020 COVID-19 Recovery Act.**

#### **Sec. 4.2D: Plasma Games Pilot Program. (SL 2020-4)**

Sec. 4.2D of S.L. 2020-4, as enacted by Sec. 1.1(e) of S.L. 2020-80, establishes a pilot program for the 2020-2021 school year to promote access to innovative digital and personalized learning solutions for high school students that bridge the gap between chemistry and physical science classes and career and technical education (CTE) career pathways. The pilot program will be administered by the Office of Science, Technology, and Innovation (the Office) in the Department of Commerce. Participating local school administrative units (LEAs) will use educational software developed by Plasma Games, Inc. in select classes and CTE programs to encourage student interest and workforce development for chemistry-dependent industries located in North Carolina. Participating LEAs must provide the Office with a plan for using Plasma Games, Inc.'s educational technology in its schools, which must include professional development and training for school personnel. LEAs must report to the Office by May 1, 2021, on the implementation of the pilot program, including:

- How the pilot program funds were used.

- The number of students impacted by the pilot program and the number of students pursuing STEM-related CTE career pathways as a result of the pilot program, measured by the number of students declaring interest in a career with a chemistry-dependent industry located in North Carolina and the number of students pursuing higher education in a chemistry-related major or technical certification at a school in North Carolina.
- Demand for and feedback by teachers on the use of the STEM-focused educational technology.
- Any other information requested by the Office.

The Office must report by June 1, 2021, to the Joint Legislative Education Oversight Committee, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division on the implementation of the pilot program and information reported by participating LEAs.

This section became effective July 1, 2020.

### **H1043 - 2020 COVID-19 Recovery Act.**

#### **Sec. 4.13: Temporary Flexibility for Transportation Allotment. (SL 2020-4)**

Sec. 4.13 of S.L. 2020-4, as enacted by Sec. 1.3 of S.L. 2020-97, authorizes local school administrative units, for the 2020-2021 school year, to use funds from the transportation allotment for additional purposes, including:

- School nutrition.
- School- and community-based child care.
- Sanitizing schools and buses.
- Personal protective equipment.
- Remote instruction.

This section became effective September 4, 2020.

### **H1043 - 2020 COVID-19 Recovery Act.**

#### **Sec. 4.16: Smart School Bus Safety Pilot Program. (SL 2020-4)**

S.L. 2020-4, Sec. 4.16, as enacted by S.L. 2020-97, Sec. 1.3, directs the Department of Public Instruction (DPI) to establish the Smart School Bus Safety Pilot Program (Program) by November 23, 2020, and ending it on or before January 1, 2024. The Program is to improve the transportation of public school students through technology in response to the COVID-19 pandemic. All funds from the Coronavirus Relief Fund must be expended by December 30, 2020.

Minimum Technology and Services – Local school administrative units (LEAs) must identify and contract with qualifying vendors to provide technology and services for school buses. Authorized LEAs can elect not to participate in the Program. Qualifying vendors must provide technology and services for school buses in participating LEAs with the LEAs having discretion over the specific technology and services provided as long as the following minimum requirements are met:

- Improve overall communications and reporting on school buses.
- Include automated school bus safety cameras and on-board integration with those cameras.

- Enable employee time tracking, student ridership tracking, and contact tracing in the event of a COVID-19 infection.
- Enable global positioning system tracking of school buses.
- Enable turn by turn navigation along bus routes.
- Optimize time, expenditure, and safety of bus routes.
- Provide pre- and post-trip vehicle inspections that may be transmitted to DPI on a regular basis.
- Communicate ridership information to the student information management system.
- Permit parents or legal guardians to access applicable information.
- Conform to applicable guidance provided by the North Carolina Department of Health and Human Services for the transportation of students during the COVID-19 pandemic.
- Include implementation and project management assistance, training, radio frequency identification technology, and check-in and check-out security stickers or other badges for students.

LEA Requirements – The following requirements and contingencies apply to each participating LEA:

- Every school bus designed for the transportation of children with disabilities must be outfitted with technology provided pursuant to the Program as long as the technology is appropriate for children with disabilities and can be provided in a cost-effective manner.
- At the conclusion of the Program, all hardware provided to an LEA becomes the property of that LEA.

Reports – No later than November 1 and March 1 of each year the Program is in effect, DPI, in consultation with each participating LEA, must report at least all the following information to the Joint Legislative Education Oversight Committee, any committee constituted by the House of Representatives or Senate to address school safety, and the Fiscal Research Division:

- An itemized breakdown of software infrastructure, hardware infrastructure, and equipment provided by qualifying vendors to participating LEAs pursuant to the Program.
- A description of all services provided by qualifying vendors to participating LEAs pursuant to the Program.
- A list of qualifying vendors contracting with participating LEAs pursuant to the Program.
- The impact and effectiveness of the Program.
- All expenditures of State funds pursuant to the Program.

This section became effective September 4, 2020.

### **H1043 - 2020 COVID-19 Recovery Act.**

#### **Sec. 4.18: Establish Student Health Collaborative Pilot Program. (SL 2020-4)**

Sec. 4.18 of S.L. 2020-4, as enacted by Section 1.3 of S.L. 2020-97, directs the expenditure of \$300,000 appropriated to the Department of Health and Human Services, Division of Social Services, to establish a student health collaborative pilot program allowing a local education agency to collaborate with the county department of social services to assist students with their mental and physical well-being while in a public school setting in response to the COVID-19 pandemic.

The Division of Social Services must submit a progress report six months after implementing the pilot program to the Joint Legislative Oversight Committee on Health and Human Services, the Joint Legislative Education Oversight Committee, and the Fiscal Research Division.

This section became effective September 4, 2020.

### **H1050 - PED/Low-Performing School Districts. (SL 2020-55)**

S.L. 2020-55 requires that plans for improvement and comprehensive needs assessments of low-performing local school administrative units include consideration and examination of early childhood learning.

This act became effective June 30, 2020, and applies beginning with plans of improvement and comprehensive needs assessments for LEAs identified as low-performing based on data from the 2020-2021 school year.

### **H1096 - UNC Omnibus Changes/UNC Lab School Funds.**

#### **Sec. 1: Repeal of Mandatory Board of Governors Review of Certain UNC Human Resources Actions. (SL 2020-56)**

Sec. 1 of S.L. 2020-56 repeals the requirement that the Board of Governors monitor the following human resources actions taken at constituent institutions or The University of North Carolina System Office: (i) nonlegislative annual employee salary increases of 5% or more granted to employees that have annual salaries of \$100,000 or more, or would have salaries at or above \$100,000 after the salary increase and (ii) new personnel positions created having annual salaries of \$70,000 or more.

This section became effective June 30, 2020.

### **H1096 - UNC Omnibus Changes/UNC Lab School Funds.**

#### **Sec. 2: UNC Laboratory School Modifications/Funds. (SL 2020-56)**

Sec. 2 of S.L. 2020-56 makes the following changes to laboratory schools:

- Requires nine laboratory schools to be established, but allows a constituent institution to operate more than one laboratory school. This section changes requirements on when schools must open by, requiring six to be opened by the 2020-2021 school year, and an additional three by the 2022-2023 school year.
- Provides laboratory schools, in addition to other granted immunities, the same immunities granted under Chapter 115C to local boards of education.
- Authorizes a laboratory school to be renewed for additional five-year terms even if the local school administrative unit (LEA) criteria are not met, if the governing Subcommittee finds the school is successfully meeting its mission. This section also authorizes the governing Subcommittee to terminate the operation of a laboratory school at any time for failing to meet expected progress.
- Requires the Board of Governors of The University of North Carolina and State Board of Education to jointly develop maximum cost standards for facilities and services an LEA can provide a laboratory school. Laboratory schools have the ability to request any of the following to be provided by an LEA, who will be required to provide the services based on those cost standards: facilities, transportation, food services, and student services.
- Makes a conforming change to provide transportation funding to laboratory schools.

These changes apply beginning with the 2021-2022 school year, and apply to leases and agreements entered on or after June 30, 2020. The changes do not apply to existing leases, contracts, or agreements, unless mutually modified by the parties.

This section also makes the following changes regarding laboratory school admissions and student assignment:

- Allows a child of a laboratory school employee to be eligible to attend the school.
- Allows a laboratory school to enroll students not meeting any of the statutory criteria after March 1 annually if the school does not reach enrollment capacity by that date. The number of students admitted under this provision would be capped at 20% of total capacity.
- Requires reasonable efforts to be made by the laboratory school to reflect the demographics of the general population of the LEA within one year of opening.

These changes became effective with the 2020-2021 school year.

This section also transfers \$200,000 from funds provided for the Future Teachers of North Carolina program to the Laboratory School Program for support services for the 2020-2021 school year.

Except as otherwise provided, this section became effective June 30, 2020.

#### **H1096 - UNC Omnibus Changes/UNC Lab School Funds.**

##### **Sec. 3: Extend Report Date for UNC Board of Governors Planning Task Force. (SL 2020-56)**

Sec. 3 of S.L. 2020-56 gives the UNC Board of Governors Planning Task Force an extension until July 30, 2020, to submit its report containing the UNC System Plan and any legislative recommendations to the Joint Legislative Capital Improvements Oversight Committee and the Fiscal Research Division.

This section became effective June 30, 2020.

#### **H1096 - UNC Omnibus Changes/UNC Lab School Funds.**

##### **Sec. 4: Modify Future Teachers of North Carolina. (SL 2020-56)**

S.L. 2020-56, Sec. 4, changes the structure of the Future Teachers of North Carolina program from a high school-based course developed with a college partner to a symposium-based program administered by the Future Teachers of North Carolina Advisory Council that introduces high school students to the teaching profession.

This section became effective June 30, 2020.



**H1096 - UNC Omnibus Changes/UNC Lab School Funds.**

**Sec. 5: Modifications to the North Carolina Teaching Fellows Program. (SL 2020-56)**

Sec. 5 of S.L. 2020-56 adjusts the number of institutions of higher education to be selected to participate in the North Carolina Teaching Fellows Program from five to up to eight that represent a diverse selection of institutions within The University of North Carolina system and private postsecondary institutions operating in the State.

This section also raises the amount provided for all program participants to participate in the New Teacher Support Program from \$2,000 to \$2,200, with a priority for teachers serving in low-performing schools.

The increase in Teaching Fellows institutions applies to the award of forgivable loans beginning with the 2022-2023 school year, and the increase in per-student Teaching Fellows funding for the New Teacher Support Program became effective July 1, 2020.

**H1096 - UNC Omnibus Changes/UNC Lab School Funds.**

**Sec. 6: Exempt NC School of the Arts and NC School of Science and Math from Public School Unit Definition. (SL 2020-56)**

Sec. 6 of S.L. 2020-56 removes the North Carolina School of the Arts and the North Carolina School of Science and Mathematics from the definition of public school unit in Chapter 115C of the General Statutes.

This section became effective June 30, 2020.

**H1096 - UNC Omnibus Changes/UNC Lab School Funds.**

**Sec. 8: Millennial Campus Designation for UNC-Affiliated Institutions. (SL 2020-56)**

Sec. 8 of S.L. 2020-56 allows an affiliated institution of The University of North Carolina to have real property designated as a "Millennial Campus" of that affiliated institution.

This section became effective June 30, 2020.

**H1096 - UNC Omnibus Changes/UNC Lab School Funds.**

**Sec. 8A: Accelerated Degree Completion Study by The University of North Carolina. (SL 2020-56)**

S.L. 2020-56, Sec. 8A, requires the Board of Governors of The University of North Carolina to study the feasibility of offering accelerated undergraduate degree programs at constituent institutions. The Board of Governors must report on its findings to the Joint Legislative Education Oversight Committee by March 1, 2021.

This section became effective June 30, 2020.

### **H1105 - Coronavirus Relief Act 3.0.**

#### **Sec. 1.3: Extra Credit Grant Program. (SL 2020-97)**

This provision allocates \$440,541,000 of the federal funds in the Coronavirus Relief Fund to provide a grant of \$335 to eligible families to assist with virtual schooling and child-care costs during the COVID-19 pandemic. The grant is available to families that resided in the State for all of 2019 and reported they had at least one child eligible for the federal child tax credit in 2019. 1.2 million families, with almost 2 million children, are expected to qualify for the grant. The provision also provides a State income tax deduction for the 2020 taxable year equal to the grant amount received.

Section 1.1(c) and Section 1.3 of this act became effective when the act was signed into law on September 4, 2020. Section 1.4 of this act is effective for taxable years beginning on or after January 1, 2020, and expires for taxable years beginning on or after January 1, 2021.

### **H1105 - Coronavirus Relief Act 3.0.**

#### **Sec. 3.1: Average Daily Membership Hold Harmless. (SL 2020-97)**

Sec. 3.1 of S.L. 2020-97, for the 2020-2021 fiscal year, prohibits the State Board of Education from reducing allocations to innovative schools, charter schools, regional schools, the North Carolina Virtual Public School, laboratory schools, virtual charter schools, and local school administrative units due to a discrepancy between the actual and anticipated average daily membership.

This section became effective September 4, 2020.

### **H1105 - Coronavirus Relief Act 3.0.**

#### **Sec. 3.2: Virtual Charter School Enrollment. (SL 2020-97)**

Sec. 3.2 of S.L. 2020-97 authorizes schools participating in the State's virtual charter school pilot program to increase enrollment for the 2020-2021 school year. The North Carolina Cyber Academy is authorized to increase enrollment by 1,000 students and the North Carolina Virtual Academy is authorized to increase enrollment by 2,800 students.

For the 2021-2022 school year, each virtual charter school must give enrollment priority to students who were enrolled for the 2020-2021 school year prior to September 4, 2020. Each virtual charter school must provide an interim report by March 15, 2021, and a final report by November 15, 2021, to the Joint Legislative Education Oversight Committee on the impact of the increase in student enrollment.

This section became effective September 4, 2020.

### **H1105 - Coronavirus Relief Act 3.0.**

#### **Sec. 3.3: Changes to the Opportunity Scholarship Grant Program. (SL 2020-97)**

Sec. 3.3 of S.L. 2020-97 makes several changes to the Opportunity Scholarship Grant Program (Program).

Remove Cap on K-1 Grade Funds – This section removes the cap on the amount of funds that can be used to award scholarship grants to eligible students entering kindergarten or first grade. For the 2020-2021 school year, from the funds that are made available by the removal of the restriction, the State Education Assistance Authority must award scholarship grants for the 2020 fall semester to provide alternative educational options during the COVID-19 pandemic, to eligible students who had applied for the scholarship grants for the 2020-2021 school year but had not been awarded scholarship grants as of September 4, 2020.

Change to Income Eligibility Threshold – This section also requires that a student eligible for the Program must reside in a household with an income level not in excess of 150% of the amount required for the student to qualify for the federal free or reduced-price lunch program.

EFFECTIVE DATE: This section became effective September 4, 2020. The removal of the cap on K-1 grade funds applies beginning with applications for scholarship grants for the 2020-2021 school year. The income eligibility change applies beginning with applications for scholarship grants for the spring semester of the 2020-2021 school year.

## **H1105 - Coronavirus Relief Act 3.0.**

### **Sec. 3.4: North Carolina Patriot Star Family Scholarship Program. (SL 2020-97)**

Sec. 3.4 of S.L. 2020-97 provides funding in the form of grants to the Patriot Foundation and the Marine Corps Scholarship Foundation, Inc., (nonprofits) to establish the North Carolina Patriot Star Family Scholarship Program (Program) for postsecondary scholarships for eligible children and spouses of certain qualifying veterans and members of the Armed Forces.

The following criteria must be met for award of a scholarship by the nonprofits:

- Children - An eligible child must meet the following criteria:
  - Attend or be accepted to enroll in an eligible postsecondary institution.
  - Be a legal resident of the State when the scholarship documentation is completed. For children claimed as a dependent by their parent, residency can be established based on the parent being an active duty service member permanently stationed in the State.
  - Have complied with the requirements of the Selective Service System.
  - Have a parent who is a veteran or a currently serving member of the Armed Forces that meets both of the following criteria:
    - One of the following residency conditions:
      - A resident of the State at the time of scholarship documentation completion.
      - A resident of the State at the time of service entrance.
      - Permanently stationed in the State at the time of death.
      - An active duty service member permanently stationed in the State at the time of scholarship documentation completion.
- One of the following service conditions:
  - A service member killed in action or the line of duty, or who died of wounds or other causes not due to willful misconduct during a period of war or national emergency.
  - A service member who died of service-connected injuries, wounds, illness, or other causes incurred or aggravated while enlisted during a period of war or national emergency.
  - A service veteran who incurred traumatic injuries or wounds or sustained a major illness while enlisted during a period of war or national emergency and is receiving compensation for a wartime service-connected disability of at least fifty percent (50%).

- A current service member who incurred traumatic injuries or wounds or sustained a major illness while enlisted during a period of war or national emergency.
- Spouse – An eligible spouse must meet the following criteria:
  - Attend or be accepted to enroll in an eligible postsecondary institution.
  - Be a legal resident of the State when the scholarship documentation is completed.
  - Have complied with the requirements of the Selective Service System.
  - Was married to a service member killed in action or in the line of duty, or died of wounds or other causes not due to the service member's willful misconduct during a period of war or national emergency.

The nonprofits must establish criteria for administration of the Program. A scholarship awarded to an eligible child or spouse must not exceed the cost of attendance at the eligible postsecondary institution, and must be reduced by other scholarships and grants covering costs of attendance. The nonprofits must each report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the use of State funds and activities related to the Program administration by April 1, 2021.

This section became effective September 4, 2020.

### **H1105 - Coronavirus Relief Act 3.0.**

#### **Sec 3.6: Expansion of Authority for UNC to Designate Counsel. (SL 2020-97)**

Section 3.6 of S.L. 2020-97 allows the Board of Governors (BOG) of The University of North Carolina (UNC) to authorize the President of UNC to designate legal counsel, including private counsel, as the President deems necessary to represent the interests of the BOG, UNC, any constituent institution, or officer or employee of UNC in any matter in or before any court or agency in North Carolina, any other state, or the United States. This authority includes the discretion to determine if legal representation in any matter is provided by the Attorney General's office, attorneys employed on the legal affairs staff of UNC, private counsel, or any combination. When the President employs counsel in addition to or other than the Attorney General, the President may designate the lead counsel that will have final decision-making authority with respect to representation, counsel, or service for UNC.

This section became effective September 4, 2020.

### **H1136 - Funds for NCSSM-Morganton Campus. (SL 2020-31)**

S.L. 2020-31 provides that funds made available from a reduction to the State employer contribution rates for death benefits be used to support the opening and operation of the Morganton campus of the North Carolina School of Science and Mathematics.

This act became effective July 1, 2020.

**S113 - Education Omnibus.**

**Sec. 1: School Psychologist Licensure Exemption. (SL 2020-49)**

Sec. 1 of S.L. 2020-49 extends the exemption from licensure by the North Carolina Psychology Board to contracted school psychologists and those employed by any public school unit in North Carolina. These school psychologists must still be licensed by the State Board of Education.

This section became effective June 29, 2020.

**S113 - Education Omnibus.**

**Sec. 3: Modification to the 2020-2021 School Calendar. (SL 2020-49)**

S.L. 2020-49, Sec. 3 amended S.L. 2020-3, Sec. 2.11. Please see summary for S.L. 2020-3, Sec. 2.11 for complete summary.

**S113 - Education Omnibus.**

**Sec. 6: Charter School Report Date Change. (SL 2020-49)**

Sec. 6 of S.L. 2020-49 adjusts the due date of an annual State Board of Education report to the Joint Legislative Education Oversight Committee on the educational effectiveness of charter schools and the effect of charter schools on the public schools in the local school administrative unit in which the charter schools are located from February 15 to June 15.

This section became effective June 29, 2020.

**S113 - Education Omnibus.**

**Sec. 7: Superintendent May Approve Bonds to Finance or Refinance a Charter School Facility. (SL 2020-49)**

Sec. 7 of S.L. 2020-49 designates the Superintendent of Public Instruction as an applicable elected representative under the Internal Revenue Code who can approve issuance of a private activity bond to finance a charter school facility, following a public hearing conducted in the county where the charter school facility is or will be located in accordance with the Internal Revenue Code and applicable State and federal laws and regulations.

This section became effective June 29, 2020.

### **S113 - Education Omnibus.**

#### **Sec. 9: Extend Grant Term for the North Carolina Transforming Principal Preparation Program. (SL 2020-49)**

Sec. 9 of S.L. 2020-49 extends the maximum grant term for a grant awarded under the North Carolina Transforming Principal Preparation Program from 5 years to 6 years.

This section became effective July 1, 2020, and applies to grants awarded or renewed on or after that date.

### **S113 - Education Omnibus.**

#### **Sec. 10: Covid-19 Immunity for Nonpublic Schools. (SL 2020-49)**

S.L. 2020-49, Sec. 10, grants limited immunity to nonpublic schools for claims related to tuition and fees paid for the 2019-2020 academic year that arise from alleged acts or omissions by the school between March 10 and July 1, 2020, in response to COVID-19. The immunity can be asserted if the alleged acts or omissions were reasonably related to protecting the public health, safety, or welfare in response to COVID-19 executive orders or guidance from the Centers for Disease Control and Prevention, and if the nonpublic school offered remote learning options for students to complete the academic year. The immunity cannot be asserted for losses or damages resulting solely from breach of an express contractual provision that allocated pandemic liability, or if the losses or damages were caused by an act or omission that was in bad faith or malicious.

This section became effective June 29, 2020, and applies to actions commenced on or after that date.

### **S208 - COVID-19 Immunity/IHEs. (SL 2020-70)**

S.L. 2020-70 creates a new Article in the General Statutes granting limited immunity for institutions of higher education (IHEs) for claims related to tuition and fees paid for the spring 2020 semester that arise from alleged acts or omissions by the IHE in response to COVID-19. IHEs can assert this immunity if the alleged acts or omissions were reasonably related to protecting the public health, safety, or welfare in response to COVID-19 executive orders or guidance from the Centers for Disease Control and Prevention, and if the IHE offered remote learning options for students to complete spring semester coursework.

IHEs cannot assert this immunity for losses or damages resulting solely from the breach of an express contractual provision that allocated liability in the event of a pandemic, or if the losses or damages were caused by an act or omission that was in bad faith or malicious.

This Article is limited to alleged acts or omissions occurring between March 10, 2020, and June 1, 2020. Additionally, provisions in the Article are severable if a court invalidates certain sections.

This act became effective July 1, 2020, and applies to all actions commenced on or after March 27, 2020.

**S212 - Capital Appropriations/R&R/DIT/Cybersecurity.  
Sec. 10: Definition of Year-Round School. (SL 2020-81)**

S.L. 2020-81, Sec. 10, defines the term "year-round" school for purposes of school calendars established for local school administrative units. A year-round school is one that provides a single- or multi-track instructional calendar throughout the entire school calendar year, by utilizing at least one of three possible plans that either stagger student attendance or alternate instruction and vacation days on a regular schedule.

This section became effective July 1, 2020, and applies beginning with the 2021-2022 school year.

**S476 - School-Based Mental Health. (SL 2020-7)**

Session Law 2020-7 directs the State Board of Education (SBE) to adopt a school-based mental health policy and directs K-12 school units to adopt and implement a school-based mental health plan that includes a mental health training program and a suicide risk referral protocol.

This act became effective June 8, 2020. School personnel who are required to complete the training and are employed in a K-12 school unit as of that date must complete initial mental health training by the end of the 2021-2022 school year.

**S560 - Scholarships for Children of Wartime Veterans. (SL 2020-1)**

S.L. 2020-1 provides additional funding for the North Carolina Scholarship for Children of Wartime Veterans.

The act became effective July 1, 2019.

**S681 - Agency Policy Directives/2019-2020.**

**Sec. 2.1: Elimination of Report to Superintendent on the Adopted Schedule of Fees. (SL 2020-78)**

Sec 2.1 of S.L. 2020-78 eliminates the requirement that all schedules of fees, charges, and solicitations be reported by the local boards of education to the Superintendent of Public Instruction. Instead, each local board of education must publish a schedule of fees, charges, and solicitations approved by the local board on the local school administrative unit's Web site by October 15 of each school year and within 30 days of each subsequent revision.

This section became effective July 1, 2020, and applies beginning with the 2020-2021 school year.

**S681 - Agency Policy Directives/2019-2020.**

**Sec. 2.2: Authorize the NC CTE Education Foundation to Administer Certain Grants. (SL 2020-78)**

Sec. 2.2 of S.L. 2020-78 requires the North Carolina Education and Workforce Innovation Commission (Commission) to collaborate with the North Carolina Career and Technical Education Foundation (Foundation) in the Commission's administration of two career and technical education (CTE) grant programs: The Education and Workforce Innovation Program and the CTE Grade Expansion Program. The Foundation will serve as a grant administrator by providing assistance and support to grantees for initiating, expanding, improving, and promoting CTE initiatives.

This section became effective July 1, 2020, and applies to the administration of grant programs on or after that date.

**S681 - Agency Policy Directives/2019-2020.**

**Sec. 2.3: Broaden Certain Charter School Enrollment Priorities. (SL 2020-78)**

Sec. 2.3 of S.L. 2020-78 expands the categories of students that a charter school can give enrollment priority to, to include siblings who apply to the charter school for admission beginning in the same school year, such as when a sibling was not initially admitted due to grade level capacity. This section also allows charter schools to give priority enrollment to children of individuals who work full-time in the daily operations of the charter school, including children of individuals employed by an education management organization or charter management organization for the charter school.

This section became effective July 1, 2020, and applies beginning with the 2020-2021 school year.

**S681 - Agency Policy Directives/2019-2020.**

**Sec. 2.4: Expand Schools That Lead Pilot Program. (SL 2020-78)**

S.L. 2020-78, Sec. 2.4, expands the number of possible schools from 60 to 75 in the Schools That Lead Pilot Program providing professional development to teachers and principals.

This section became effective July 1, 2020.

**S681 - Agency Policy Directives/2019-2020.**

**Sec. 2.5: Arts Education Graduation Requirement. (SL 2020-78)**

Sec. 2.5 of S.L. 2020-78 requires the State Board of Education (SBE) to modify the high school graduation requirements to include one required credit in arts education to be completed by each student at any time in sixth grade through twelfth grade. The implementation of this requirement begins with students entering the sixth grade in 2022.



The SBE must include an exemption from this requirement for students transferring into a North Carolina public school beginning in the ninth grade or later, if the arts education requirement would prevent the student from graduating on time. Additionally, the SBE must establish procedures and a timeline for phasing in the arts education graduation requirement and the minimum criteria to meet the arts education requirement.

The SBE must report to the Joint Legislative Education Oversight Committee by December 15, 2022, on the statewide implementation of the three interdependent components of comprehensive arts education (arts education, arts integration, and arts exposure) and the arts education graduation requirement.

This section became effective July 1, 2020.

## **S681 - Agency Policy Directives/2019-2020.**

### **Sec. 2.6: Advanced Teaching Roles Changes. (SL 2020-78)**

Sec. 2.6 of S.L. 2020-78 codifies the Advanced Teaching Roles Program (Program). Local boards of education will be required to submit their proposals by October 15, 2020, and annually thereafter, to participate in the Program. This section does not limit the number of local school administrative units (LEAs) that can participate in the Program, but it prioritizes funding for up to 15 LEAs that fit in certain size categories. Additionally, LEAs participating in the existing pilot program in the 2020-2021 school year are guaranteed approval, provided that their application is not inconsistent with the codified program's requirements.

This section includes several changes from the pilot in the requirements for participation in the Program, such as:

- Requiring information on how the LEA would utilize and train classroom teachers in advanced teaching roles.
- Requiring the minimum qualifications for advanced teaching roles positions to meet two of the identified criteria rather than one.
- Requiring teachers who qualify for advanced teaching roles based on student growth to have an average Education Value-Added Assessment System (EVAAS) student growth index score of 1.5 or greater (and no score below zero) over the previous three years.
- Requiring a description of how the LEA could partner with local educator preparation programs, institutions of higher education, or community colleges to improve teacher effectiveness.

Initially selected LEAs will implement their plans beginning with the 2021-2022 school year. The State Board of Education (SBE) will review participating LEAs every five years to ensure compliance with the approved plan. After review, the SBE can renew or terminate the plan.

Schools that are included in an LEA's approved application will receive class size flexibility, and LEAs that participate in the Program will receive budget flexibility for the purpose of providing salary supplements.

Funds awarded for this Program are subject to availability and can be awarded for a term of up to three years. LEAs are only eligible to receive funding for one term. Unlike the pilot program, awarded funds cannot be used for salary supplements.

The SBE must contract with an independent research organization to provide an evaluation during the first two years of the Program. Beginning October 15, 2023, and annually thereafter, the SBE will perform the evaluation and provide the annual reports.

The codified language of this section became effective July 1, 2020. The current Pilot will be repealed June 30, 2021.

## **S681 - Agency Policy Directives/2019-2020.**

### **Sec. 3.1: UNC Report on State Budget Allocations and Policies. (SL 2020-78)**

Sec. 3.1 of S.L. 2020-78 directs the Board of Governors of The University of North Carolina to report by February 1 of each year to the Joint Legislative Education Oversight Committee, the Senate Appropriations Committee on Education/Higher Education, the House of Representatives Appropriations Subcommittee on Education, and the Fiscal Research Division of the General Assembly on the actions and adjustments necessary to its budgetary policies, regulations, and standards that result from the Current Operations Appropriations Act for the administration and operation of The University of North Carolina and the distribution of State and federal funds to its constituent institutions. This report must include at least the following information for each constituent institution:

- Guidelines related to State salaries of The University of North Carolina employees, including range, median, and mean of faculty salaries at the institution.
- Budget allocations and reductions, including for operating expenses and specific programs.
- Distribution of additional State allocations for enrollment funding.
- Use of State funds and budget flexibility.
- Availability of federal funds.
- Tuition and fees.
- Composition of the student population at the constituent institution, including headcount enrollment and full-time student enrollment for both undergraduate and graduate students, and aggregate data on residency status, median household income, gender, race, and ethnicity.
- Student retention and graduation rates.
- Postsecondary educational attainment rate at the constituent institution, including comparison to statewide data.
- A comparison to prior fiscal year expenditures and appropriations.

This section became effective July 1, 2020.

## **S681 - Agency Policy Directives/2019-2020.**

### **Sec. 3.2: University of North Carolina System Office/Create Searchable Database of Military Credit Equivalencies. (SL 2020-78)**

S.L. 2020-78, Sec. 3.2, requires The University of North Carolina System Office, in collaboration with the North Carolina Community College System through the Military Credit Advisory Council, to create a searchable database of military credit equivalencies to complete the initial phase of military credit evaluations.

This section became effective July 1, 2020.

## **S681 - Agency Policy Directives/2019-2020.**

### **Sec. 3A.1: Need-Based Scholarships for Dependents of Veterans and Active Duty Military. (SL 2020-78)**

Sec. 3A.1 of S.L. 2020-78 creates the following two additional criteria that a student can meet to be eligible to receive a need-based scholarship to attend a private institution of higher education: (i) be the dependent relative of a veteran abiding in North Carolina if the relative lives with the veteran and provides the private institution a letter of intent to establish residency in North Carolina, and (ii) be the dependent relative of an active duty member of the Armed Forces abiding in North Carolina because of active military duty while the relative lives with the active duty member.

This section became effective July 1, 2020, and applies beginning with the award of scholarships for the 2021-2022 school year.

## **S704 - COVID-19 Recovery Act .**

### **Sec. 2.3: Tests and Assessment Waivers. (SL 2020-3)**

Sec. 2.3 of S.L. 2020-3 does the following:

- Waives the end-of-grade and end-of-course tests for the 2019-2020 school year.
- Provides that public school units must administer the norm-referenced college admissions test that was made available by the State Board of Education (SBE) to all students who were in the 11th grade during the 2019-2020 school year to any student who was not administered the test during the 2019-2020 school year. The test must be administered during the fall semester of the 2020-2021 school year unless the student has already taken a comparable test and scored at or above a level set by the SBE.
- Waives any required diagnostic and formative reading assessments after March 16, 2020, for the 2019-2020 school year for kindergarten, first, second, and third grade students.
- Provides that, for the spring semester of the 2019-2020 school year, local school administrative units are not required to administer the WorkKeys test to any student who completes a concentration in career and technical education courses.

## **S704 - COVID-19 Recovery Act.**

### **Sec. 2.4: School Performance, Annual Report Cards for Schools, Evaluation of Alternate Programs, and School Building Reports. (SL 2020-3)**

Section 2.4 of S.L. 2020-3 creates exceptions to various requirements for the 2019-2020 school year due to lack of data collected during the COVID-19 pandemic.

Calculation and Issuance of School Performance Grades – The State Board of Education (SBE) is not required to display school report card information for the 2020-2021 school year, but must display a brief explanation that school report cards were not issued for the 2020-2021 school year because assessment data was not collected during the 2019-2020 school year due to COVID-19.

Display of School Report Cards – Public school units are not required to display school report card information for the 2020-2021 school year, but must display a brief explanation that school report cards were not issued for the 2020-2021 school year because assessment data was not collected during the 2019-2020 school year due to COVID-19.

Evaluation of Alternative Programs – To the extent that education performance and growth of students in alternative schools and alternative programs are based on the measures used by the SBE to award school achievement, growth, and performance scores to each school within a local school administrative unit, education performance and growth of students in alternative schools and alternative programs will not be evaluated based on data from the 2019-2020 school year.

School Building Reports – The requirement for local school administrative units to produce and make public a school building report does not apply for the October 15, 2020, report based on building-level data from the 2019-2020 school year.

This section became effective May 4, 2020.

#### **S704 - COVID-19 Recovery Act .**

##### **Sec. 2.5: Low-Performing Schools. (SL 2020-3)**

Section 2.5 of S.L. 2020-3 waives the requirement to identify new low-performing schools, new continually low-performing schools, and new low-performing local school administrative units. Instead, identifications must be maintained based on 2018-2019 data.

This section became effective May 4, 2020.

#### **S704 - COVID-19 Recovery Act.**

##### **Sec. 2.6: Innovative School District. (SL 2020-3)**

Section 2.6 of S.L. 2020-3 prohibits the State Board of Education from identifying any additional schools as qualifying schools for the Innovative School District based on data from the 2019-2020 school year. Any schools that were identified as qualifying schools for the 2019-2020 school year based on 2018-2019 school year data will remain on the qualifying list. The lowest scoring qualifying school in the State identified based on the school performance score calculated from 2020-2021 school year data, will become an innovative school in the 2022-2023 school year.

EFFECTIVE DATE: This section became effective May 4, 2020.

#### **S704 - COVID-19 Recovery Act.**

##### **Sec. 2.7: Third Grade Retention, Reading Camps, and Fourth Grade Reading Assessment. (SL 2020-3)**

Section 2.7 of S.L. 2020-3 makes the following changes to requirements related to third grade reading:

Third Grade Retention Determination – For grade level determination for the 2020-2021 school year, principals and charter schools have the authority to determine the appropriate 2020-2021 school year grade level for students who were in the third grade during the 2019-2020 school year in the same manner as for students in all other grade levels. Principals must designate whether a 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.

Parental Notice and Interventions – If 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 parent or guardian must receive notice. Teachers and principals must provide opportunities, including, but not limited to information sessions, to discuss this notification with parents and guardians.

For third grade students retained for the 2019-2020 school year, no written reports on student progress are required after March 16, 2020.

For third grade students retained for the 2020-2021 school year, all requirements regarding successful reading development and notification of parents and guardians apply, except (i) encouraged enrollment in reading camps and (ii) notification of good cause exemptions from mandatory retention based on failing to demonstrate reading proficiency on a standardized test of reading comprehension.

Reading Camps – Local school administrative units are not required to provide reading camps corresponding to the 2019-2020 school year.

Fourth Grade Reading Assessment – No later than the tenth day that school buildings are open to students for the 2020-2021 school year, public school units must administer to all fourth grade students the third grade end-of-year diagnostic reading assessment. The results of the assessment will 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.

Reporting Requirements – For the 2020-2021 school year, accountability reporting published and reported by local boards of education based on data from the 2019-2020 school year is not required, except that by September 1, 2020, local boards of education must report to the State Board of Education (SBE) the following information:

- The number and percentage of first, second, and third grade students on track and not on track to meet year-end expectations based on assessments completed on or before March 13, 2020.
- The number and percentage of third grade students retained due to reading deficiencies.

For the 2020-2021 school year, accountability reporting published and reported by charter schools based on data from the 2019-2020 school year is not required, except that by September 1, 2020, charter schools and other public school units subject to charter school statutory requirements must report to the SBE the following information:

- The number and percentage of third grade students on track and not on track to meet year-end expectations based on assessments completed on or before March 13, 2020.
- The number and percentage of third grade students retained due to reading deficiencies.

The SBE must compile the information reported and 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.

This section became effective May 4, 2020.

**S704 - COVID-19 Recovery Act.**

**Sec. 2.8: Advanced Courses in Mathematics. (SL 2020-3)**

Section 2.8 of S.L. 2020-3 requires initial math placement for the 2020-2021 school year to be consistent with local policies, in consultation with the student's 2019-2020 math teacher. Students who are not initially placed in advanced math can opt to take the 2019-2020 end-of-grade or end-of-course test, and if they score at the highest level on the test, must be placed in advanced math for the 2020-2021 school year.

This section became effective May 4, 2020.

**S704 - COVID-19 Recovery Act .**

**Sec. 2.9: CPR Graduation Requirement Waiver. (SL 2020-3)**

Section 2.9 of S.L. 2020-3 waives the cardiopulmonary resuscitation (CPR) graduation requirement for the 2019-2020 school year for any student in grade twelve who has not satisfied the requirement for completion of instruction in CPR. The student is still eligible to graduate if (i) CPR instruction cannot be completed because of the COVID-19 emergency, and (ii) the student is otherwise eligible to graduate.

This section became effective May 4, 2020.

**S704 - COVID-19 Recovery Act.**

**Sec. 2.10: School Calendar for the 2019-2020 School Year. (SL 2020-3)**

Section 2.10 of S.L. 2020-3 adjusts the instructional time requirements for the 2019-2020 school year by deeming that public school units that provided remote instruction have satisfied the minimum days and hours required by State law. For the purposes of this section, remote instruction is defined as learning that takes place outside of the traditional school setting using various media and formats, which can include video conference, telephone conference, print material, online material, or learning management systems. Each public school unit is required to continue remote instruction for the remainder of the 2019-2020 school year.

Additionally, for the 2019-2020 school year, the compulsory student attendance requirements do not apply beginning March 16, 2020.

This section became effective May 4, 2020.

**S704 - COVID-19 Recovery Act.**

**Sec. 2.11: School Calendar for the 2020-2021 School Year. (SL 2020-3)**

Sec. 2.11 of S.L. 2020-3, as amended by Sec. 3 of S.L. 2020-49, requires the following for school calendars for public school units in the 2020-2021 school year:

- Remote Instruction Plans. – Public school units must develop Remote Instruction Plans (Plans) for the 2020-2021 school year and submit the Plans to the State Board of Education (SBE) by July 20, 2020. The Plans must include information on how the units will deliver quality remote instruction to all students in the 2020-2021 school year, as well as information on teacher training, support for students and families, and engagement of community stakeholders.
- School Calendar. – The following requirements apply to the 2020-2021 school year only:
  - All public school units must adopt a calendar that includes 190 days of instruction meeting all of the following requirements:
    - 185 or 1025 hours of instruction that includes five remote instructional days in accordance with the remote instruction plan.
    - An additional five instructional days that can only be satisfied by individually separate and distinct full instructional days, not by hours.
    - Local school administrative unit (LEA) calendars must meet the following additional requirements:
      - An opening date for students of August 17, 2020, except for defined year-round or modified calendar schools.
      - A closing date for students no later than June 11, 2021, except for defined year-round or modified calendar schools.
      - No remote instruction days scheduled prior to August 24, 2020.
- Required remote instruction days may be scheduled for use as teacher workdays.
- LEAs with good cause waivers cannot have an opening date for students earlier than August 17, 2020, but can use up to five additional remote instruction days for make-up days due to inclement weather or other emergency situations requiring closures.
- LEAs with qualifying year-round school calendars may make certain calendar modifications if needed for student health and safety.
- Public school units may use additional remote instruction days to satisfy instructional time requirements if the governing board determines remote instruction is needed to ensure student health and safety. The governing board must comply with required guidance from the SBE, Department of Health and Human Services, and Department of Public Instruction.

Reporting Requirement. – The SBE must report to the Joint Legislative Education Oversight Committee on the implementation of remote instruction by September 15, 2020.

This section became effective May 4, 2020.

## **S704 - COVID-19 Recovery Act.**

### **Sec. 2.12: School Improvement Plans. (SL 2020-3)**

Section 2.12 of S.L. 2020-3 provides a 6-month extension for school improvement plans set to expire at the end of the 2019-2020 school year. Those plans can remain in effect until December 31, 2020. The replacement plan will then expire in 18 months rather than 2 years.

This section became effective May 4, 2020.

**S704 - COVID-19 Recovery Act.**

**Sec. 2.13: Principal Recruitment Supplement. (SL 2020-3)**

Section 2.13 of S.L. 2020-3 provides that a school that is eligible to be in the Principal Recruitment Supplement Program (Program) in the 2019-2020 school year will continue to be an eligible school for the Program in the 2020-2021 school year.

This section became effective May 4, 2020.

**S704 - COVID-19 Recovery Act.**

**Sec. 2.14: Notification Requirement for Teacher Performance Data. (SL 2020-3)**

Section 2.14 of S.L. 2020-3 waives the requirement during the 2020-2021 school year that principals notify teachers of updated Education Value-Added Assessment System data from the 2019-2020 school year.

This section became effective May 4, 2020.

**S704 - COVID-19 Recovery Act.**

**Sec. 2.15: Teacher Effectiveness Reporting Requirements. (SL 2020-3)**

Section 2.15 of S.L. 2020-3 removes, for the 2020-2021 school year, the requirement that local school administrative units provide teacher effectiveness data from the 2019-2020 school year to the State Board of Education (SBE). The SBE 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.

This section became effective May 4, 2020.

**S704 - COVID-19 Recovery Act.**

**Sec. 2.16: Teacher Evaluation and Observation Requirements. (SL 2020-3)**

Section 2.16 of S.L. 2020-3 permits annual teacher evaluations from the 2019-2020 school year to be based on (i) observations completed in the 2019-2020 school year prior to March 16, 2020, and (ii) other artifacts and evidence from the 2019-2020 school year. This section also waives any required observations not completed prior to March 16, 2020.

This section became effective May 4, 2020.



**S704 - COVID-19 Recovery Act.**

**Sec. 2.17: Standardized Testing Requirements for Nonpublic Schools. (SL 2020-3)**

Section 2.17 of S.L. 2020-3 waives requirements for the 2019-2020 school year for nonpublic schools to administer and maintain records of standardized tests.

This section became effective May 4, 2020

**S704 - COVID-19 Recovery Act.**

**Sec. 2.18: Attendance and Calendar Requirements for Nonpublic Schools. (SL 2020-3)**

Section 2.18 of S.L. 2020-3 waives requirements for nonpublic schools to (i) keep attendance records after March 16, 2020 for the 2019-2020 school year, and (ii) operate for at least nine calendar months in the 2019-2020 school year.

This section became effective May 4, 2020.

**S704 - COVID-19 Recovery Act .**

**Sec. 2.19: Standardized Testing and Reporting Requirements for Nonpublic Schools with Students Receiving Opportunity Scholarships. (SL 2020-3)**

Sec. 2.19 of S.L. 2020-3 establishes that nonpublic schools that accept eligible students receiving scholarship grants are not required to do any of the following for the 2019-2020 school year:

- Provide the eligible student's scores on standardized achievement tests to the parent or guardian.
- Administer a nationally standardized test or other nationally standardized equivalent measurement to any eligible students in grades three and higher.
- Submit standardized test performance data from the 2019-2020 school year to the State Education Assistance Authority (SEAA).
- For nonpublic schools enrolling more than 25 students whose tuition and fees are paid in whole or in part with a scholarship grant, the following: (i) report to SEAA on the aggregate standardized test performance of eligible students, and (ii) provide standardized test performance data from the 2019-2020 school year to an independent research organization.

This section became effective May 4, 2020.

**S704 - COVID-19 Recovery Act.**

**Sec. 2.20: Opportunity Scholarship Program Disbursement of Funds. (SL 2020-3)**

Section 2.20 of S.L. 2020-3 allows the State Education Assistance Authority to use carryforward funds from the Opportunity Scholarship Program to remit scholarship grant funds by October 1, 2020, to a nonpublic school that was unable to complete a parent endorsement for those funds for the spring semester of the 2019-2020 school year.

This section became effective May 4, 2020.

#### **S704 - COVID-19 Recovery Act.**

##### **Sec. 2.21: Extension of K-12 Scholarship Program Report Dates. (SL 2020-3)**

Section 2.21 of S.L. 2020-3 provides a one-month extension for the State Education Assistance Authority to submit the annual reports on the Opportunity Scholarship Grant Program and the Disabilities Grant Program to the Joint Legislative Education Oversight Committee. The reports are now due on November 15, 2020.

This section became effective May 4, 2020.

#### **S704 - COVID-19 Recovery Act.**

##### **Sec. 2.22: Educator Preparation Programs. (SL 2020-3)**

Section 2.2. of S.L. 2020-3 makes the following changes for Educator Preparation Programs (EPPs):

- Waiver of Minimum EPP Admission Requirements. – The following minimum requirements for EPP admissions are waived for the 2020-2021 academic year:
  - The admissions testing requirement.
  - The individual grade performance average (GPA) requirement of at least a 2.7, provided the student has at least a 2.7 before beginning a clinical internship.
  - The cohort GPA requirement of at least a 3.0.
- Waiver of EPP Student Clinical Internship Requirement. – The EPP required clinical internship for Spring 2020 is deemed completed under certain conditions, including that the student meets the requirements on the certificate of teacher capacity and continues to work with a school to engage in remote learning as practicable.
- Pedagogy Assessments for Certain Teacher Candidates. – Students whose clinical internships are deemed completed for Spring 2020 cannot be required by the State Board of Education (SBE) to complete a pedagogy assessment as a requirement for completion of the EPP program for the 2019-2020 academic year. Those students will be required to attempt the pedagogy assessment by the end of their first year of licensure and must pass the assessment by the end of their third year of licensure.
- Waiver of the Report of Certain EPP Performance Data. – In submitting data to the SBE for the purposes of performance standards in 2020, EPPs are only required to report data that is practicably available from the 2019-2020 academic year, due to the lack of student assessment data and the closure of schools for in-person instruction.
- Use of Certain EPP Data Prohibited in Assigning Sanctions. – The SBE is prohibited from considering data that was not practicably available related to the 2019-2020 school year when assigning sanctions to an EPP.
- Suspension of EPP Report Card Publication. – Publication of EPP report cards on the SBE Web site for the 2019-2020 academic year is suspended. The SBE must, however, report the information to the Joint Legislative Education Oversight Committee.

This section became effective May 4, 2020.

## **S704 - COVID-19 Recovery Act.**

### **Sec. 2.23: School Administrator Preparation Programs. (SL 2020-3)**

Sec. 2.23 of S.L. 2020-3 allows certain statutory requirements for a school administrator enrolled in a school administrator preparation program that meets the approval standards established by the State Board of Education to be deemed completed for the 2019-2020 academic year.

The requirement that a candidate complete a year-long internship is deemed completed under the following conditions: (i) the candidate completed as much time in the internship as practicable before March 10, 2020, (ii) the candidate would be unable to complete the preparation program by August 15, 2020, unless the internship is deemed completed, (iii) the candidate was engaged in administrative duties as practicable while schools were closed for the remainder of the 2019-2020 school year, and (iv) the candidate has otherwise met the competencies identified in the certification of capacity utilized by the preparation program.

The candidate must complete a portfolio for emerging leaders to demonstrate the application of his or her training to actual school needs and training to the extent practicable prior to the completion of the preparation program.

This section became effective May 4, 2020.

## **S704 - COVID-19 Recovery Act.**

### **Sec. 2.24: Transforming Principal Preparation Grant Program Requirements. (SL 2020-3)**

Section 2.24 of S.L. 2020-3 provides that the school leader clinical practice requirement under G.S. 116-209.72(a)(2)e. will be deemed completed for the 2019-2020 school year if the candidate (i) completed as much time in the clinical practice as practicable prior to March 10, 2020, and (ii) has been engaged in school leader duties as practicable while the school is closed for the remainder of the 2019-2020 school year.

Additionally, a grant recipient must not have grant funds retrieved for failure to require school leader candidates to complete a full-time paid clinical practice of at least five months and 750 hours in duration as part of the program during the 2019-2020 academic year.

This section became effective May 4, 2020.

## **S704 - COVID-19 Recovery Act.**

### **Sec. 2.25: Teacher Licensure Requirements. (SL 2020-3)**

Section 2.25 of S.L. 2020-3 provides the following extensions for teachers to meet licensure requirements set by the State Board of Education (SBE):

- Individuals in their first year of licensure, including those with an initial professional license (IPL), lateral entry license, or residency license (RL), who have not taken the examination required by the SBE as of March 10, 2020, can take the examination during their second year of licensure.

- Applicants for continuing professional licenses (CPLs) whose lateral entry licenses expired June 30, 2020, who have not met the examination and coursework requirements established by the SBE as of March 10, 2020, are provided an extension until June 30, 2021.
- Applicants for CPLs whose IPLs expired June 30, 2020, who have not met the examination requirement established by the SBE as of March 10, 2020, are provided an extension until June 30, 2021.
- Applicants for CPLs who are elementary education (K-6) or special education general curriculum teachers with IPLs or RLs who were previously granted extensions until June 30, 2020, and who have not met the examination requirement established by the SBE as of March 10, 2020, are provided an extension until June 30, 2021.

This section also provides that any teacher who is required to have at least eight continuing education credits for continuing licensure by June 30, 2020, has until June 30, 2021 to meet those requirements.

This section became effective May 4, 2020.

#### **S704 - COVID-19 Recovery Act.**

##### **Sec. 2.26: Licensure Requirements for Other School Personnel. (SL 2020-3)**

Section 2.26 of S.L. 2020-3 provides a one-year extension for both (i) licensure examination requirements set by the State Board of Education for school administrators and other school personnel and (ii) continuing education requirements required for licensure renewal by June 30, 2020 for school administrators.

This section became effective May 4, 2020.

#### **S704 - COVID-19 Recovery Act.**

##### **Sec. 2.27: Community College Tuition Waiver for Students in Apprenticeship Programs. (SL 2020-3)**

Sec. 2.27 of S.L. 2020-3 allows a student who has been unable to continue participation in a pre-apprenticeship or apprenticeship program due to the COVID-19 emergency to be eligible for a tuition waiver for community college courses in the student's documented plan of study related to a job-specific occupational or technical skill until December 31, 2020.

This section became effective May 4, 2020.

#### **S704 - COVID-19 Recovery Act.**

##### **Sec. 2.28: Waiver of Interest Charges on UNC Student Debt. (SL 2020-3)**

Section 2.28 of S.L. 2020-3 prohibits a constituent institution from accruing or charging interest to a past due account receivable held by a student between March 13, 2020, and September 15, 2020.

This section became effective May 4, 2020.

## **S704 - COVID-19 Recovery Act.**

### **Sec. 2.29: Extension of UNC Report Dates. (SL 2020-3)**

Section 2.29 of S.L. 2020-3 provides an additional 60 days to the Board of Governors of The University of North Carolina (BOG) to submit the following reports to the Joint Legislative Education Oversight Committee (JLEOC):

- The annual report due by April 15 each year on teacher education efforts at The University of North Carolina.
- The annual report due by April 15 each year on the supply and demand of school administrators to determine the number of school administrators to be trained in school administrator training programs within the constituent institutions of The University of North Carolina in each year of the fiscal biennium.
- The biennial report due by May 15 every two years on the goals for State operated health professional schools that offer training programs for licensure or certification of physician assistants, nurse practitioners, and nurse midwives for increasing the percentage of the graduates of those programs who enter clinical programs and careers in primary care.

This section also allows the BOG until June 15, 2020, to submit its annual report on the UNC-NCCCS 2+2 E Learning Initiative which is due by April 15 each year to the JLEOC, the State Board of Education (SBE), the Office of State Budget and Management, and the Fiscal Research Division. Finally, this section allows The University of North Carolina System Office until June 15, 2020, to submit its annual report on the UNC-NCCCS Joint Initiative for Teacher Education and Recruitment which is due by April 15 each year to the SBE, the BOG, the State Board of Community Colleges, the Education Cabinet, the JLEOC, and the Office of State Budget and Management.

This section became effective May 4, 2020.

## **S816 - CC Funds/CIHS Funds/CR Funds and Offsets.**

### **Secs. 4A-7: Cooperative Innovative High School Changes. (SL 2020-64)**

S.L. 2020-64, Secs. 4A-7, provide supplemental funding for certain cooperative innovative high schools (CIHSs) for the 2020-2021 school year, and authorizes the operation of three additional CIHSs.

The Department of Public Instruction (DPI) must report to the Joint Legislative Education Oversight Committee by January 15, 2021, on CIHSs approved to receive funds by the General Assembly, including the development tier used for funding in the 2020-2021 school year. DPI must include in the report projected adjustments to required funding based on the development tier designation for CIHSs, effective for the 2021-2022 fiscal year, and the projected total difference in required state funding for the 2020-2021 and 2021-2022 fiscal years for the CIHSs, if all currently funded schools are funded for 2021-2022 in accordance with the updated development tier designations.

The State Board of Education (SBE) may not approve new CIHSs that require General Assembly funding for the 2021-2022 school year.

For applicants for CIHSs opening in the 2022-2023 school year and after, the SBE may conditionally approve up to three CIHSs to open in a school year, if those schools request General Assembly funding, and may prioritize CIHSs in local school administrative school units that do not currently have CIHSs.

These sections became effective July 1, 2020.