

# Legislative Update for Superintendents

May 7, 2020

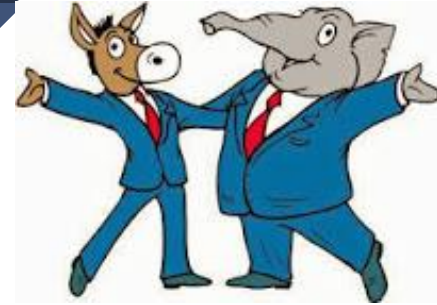


Katherine Joyce, NCASA Executive Director

[www.ncasa.net](http://www.ncasa.net) | 919-828-1426



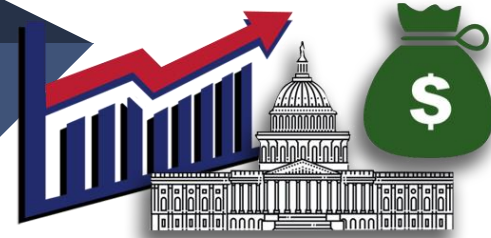
# General Assembly K-12 Relief Package



- **Approved in 2 bills on 5/2**, with funding in **House Bill 1043** and policy changes in **Senate Bill 704**.
- **Governor signed both into law on 5/4** at press conference with House and Senate leaders of both parties.
- **Package reflects wide bipartisan support**; only 1 of 170 total legislators voted against either bill.
- **Some follow-up actions by DPI and State Board may be needed.**



# Federal Funding: CARES Act



## ➤ Coronavirus Aid, Relief, and Economic Security Act

- Passed by Congress on 3/27
- Provides \$30.75B in new funding to Education Stabilization Fund, with \$13.23B specifically allocated for K-12
- NC has already received ~ \$2B of \$3.5 total from that fund and other relief provided to states to support coronavirus recovery

## ➤ NC Education Stabilization Fund Share

- Governor's Education Relief Fund: \$95.6M
- Elementary and Secondary School Emergency Relief (ESSER) Fund = \$396M
  - Appropriated directly to LEAs: \$356.7M
  - Reserved for DPI administration: \$1.98M
  - Reserved for statewide initiatives: \$37.7M

### Deadlines & Use of Funds:

- ESSER Funds to LEAs expire Sept. 30, 2021.
- Other federal funds approved for appropriation or reserves by state must be used on expenditures March-December 2020.
- Governor's Fund can go to IHEs and/or K-12; yet to be announced.



# COVID-19 Relief Funding for NC Public Schools



## State



Governor Cooper's  
Emergency Action

\$50M  
PRC 154

SB 704  
HB 1043

\$231.6M  
Various State  
PRCs & State  
Level Funds

## Federal CARES Act



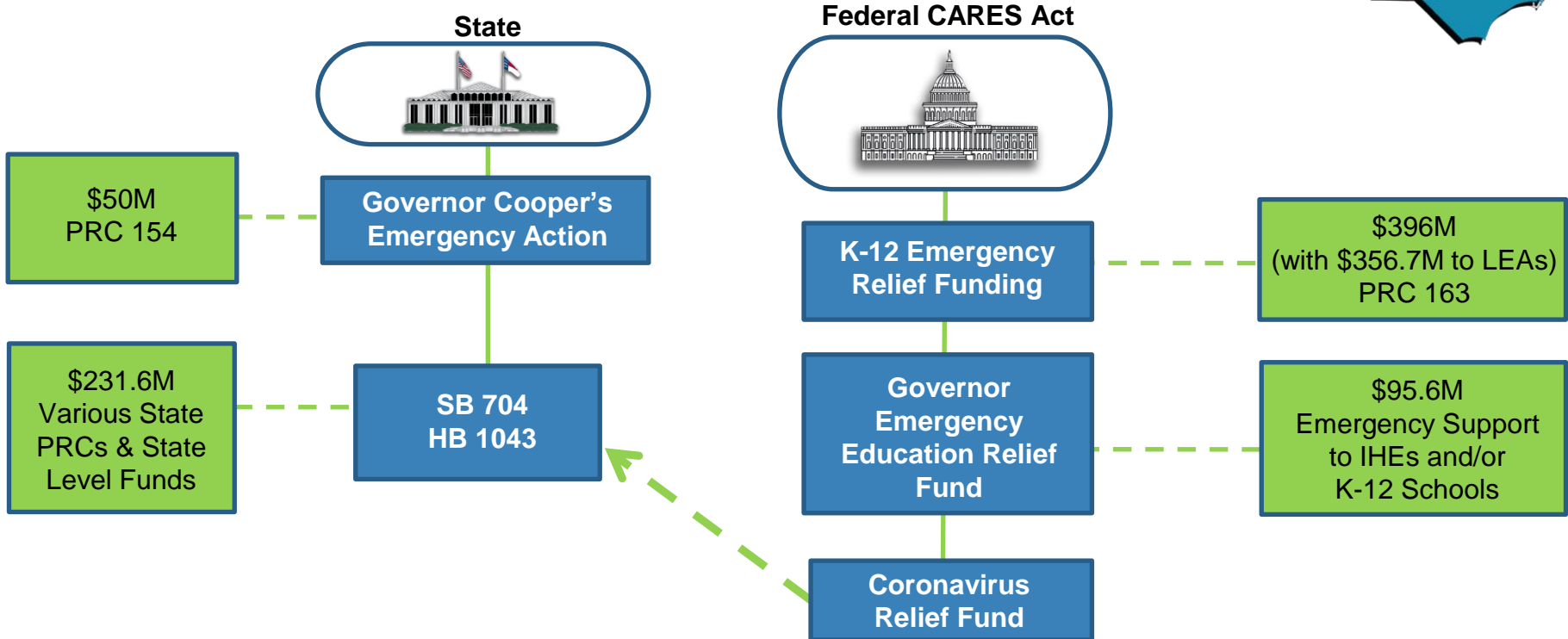
K-12 Emergency  
Relief Funding

\$396M  
(with \$356.7M to LEAs)  
PRC 163

Governor  
Emergency  
Education Relief  
Fund

\$95.6M  
Emergency Support  
to IHEs and/or  
K-12 Schools

Coronavirus  
Relief Fund





# HB 1043: \$231.6M For NC Public Schools



\$75M – School Nutrition

\$35M - Devices

\$12M - Connectivity

\$70M – Summer Learning

\$20M – Grants EL, SS and extraordinary costs

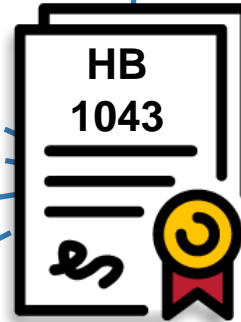
\$10M – Contracted Mental Health

\$3M – Remote Instruction

\$660K – Residential Schools

\$1.482M – Learning Management System

\$4.5M – Cybersecurity





# H1043: \$70M For Summer Learning



## ➤ Required Use of Funds:

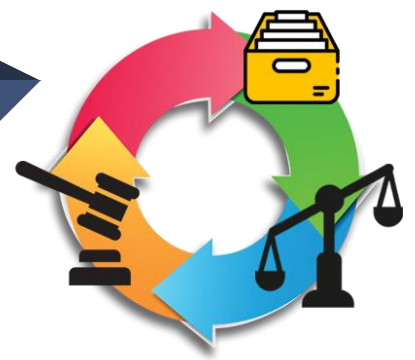
- **\$35M must go to reading interventions:**
  - **75% must go to struggling readers who were in Grades 2 and 3 in 19-20.**
  - **25% may go to supplemental reading support in 2020-21 for Grades 3-4 students not on track.**
  - **All funds must be used by 12/31/20.**
- **\$35M must be used for:**
  - **Reading interventions** for Grades K, 1 & 4 students not on track in 2019-20.
  - **Math interventions for Grade 4 students** not on track in 2019-20.

## ➤ Other Requirements:

- **Funds may be used** for digital resources, printed materials, literacy coaches, and face-to-face instruction.
- **Each school unit must submit a Summer Learning Plan to DPI by 6/22/20;** comply with any Exec. Order.
- **Summer learning programs shall not be scheduled in instructional time for 2020-21.**
- **SBE must report to JLEOC by 2/15/21** on implementation and share each Summer Learning Plan.



# SB 704: K-12 & Other Policy Changes



## ➤ Proposed but NOT INCLUDED in Final Bill:

- **No delay in K-3 class size** phase-in and funding.
- **No flexibility in funding allotments** or carryover.
- **No hold-harmless for principal salary** schedule placement.
- **No driver education funding** carryover.





# SB 704: K-12 & Other Policy Changes



## ➤ Accountability Measures & Testing

- **Public School Waivers:** Testing – EOGs, EOCs, WorkKeys, ACT (must give in 20-21), K-3 diagnostic + formative; School Performance Grades/Report Cards/School Bldg. Reports; Low-Performing School ID, ISD selection; and CPR grad. requirement.
- **Read to Achieve:** Principals decide 3<sup>rd</sup> grade promotions; parental notice on progress through 3/13; interventions for retained students; waives Summer Reading Camps; 3<sup>rd</sup> Grade diagnostic reading test for 4<sup>th</sup> Graders in 1<sup>st</sup> 10 days bldgs. open in 20-21; waives web posting of K-3 outcomes; LEAs report to SBE by 9/1/20.
- **Advanced Math Placement Modification:** Allows 2019-20 teachers to determine placement or students can qualify after opting in and scoring at highest level on EOG/EOC.
- **School Improvement Plans:** Extends School Improvement Plans expiring 6/30/20; valid through 12/31/20, then expire in 18 months rather than in 2 years.





# SB 704: K-12 & Other Policy Changes



- **Retiree Return to Work** – Temporarily changes 6-month separation to 1-month separation allowing those who retired under TSERS Oct. 1, 2019–April 1, 2020 to return to work on part-time, temporary, or interim basis during COVID-19 emergency.
- **Governmental Immunity** – Provides immunity for LEAs/other entities providing essential goods and services, from civil liability claims from customers or employees for injuries/deaths allegedly caused by contracting COVID-19 from interaction with/for that entity. (Exceptions for gross negligence, reckless misconduct, or intentional infliction or harm.)
- **Remote Meetings** – Authorizes school boards & other public bodies to conduct remote meetings within limits.
- **Administrator Pay and Training**
  - **Continues eligibility for principal recruitment supplement** if had in 19-20.
  - **Waives certain school administrator and Transforming Principal Preparation Program requirements.**
  - **Extends licensure exams by 1 year** for principals/other administrators not met by 3/10/20 & **extends CEUs by 1 year.**



# SB 704: K-12 & Other Policy Changes



## ➤ Teacher Performance & Training

- Waives requirement for principals to notify teachers of updated EVAAS data from 2019-20.
- Waives requirement for LEAs to provide teacher effectiveness data to SBE.
- Allows annual teacher evaluations from 2019-20 to be based on observations **completed** before closure and allows other artifacts/evidence.
- Waives any required observations not completed prior to closure.

- Provides 1-year extension on teacher licensure & renewal requirements.

## ➤ Modifies EPP Requirements

- Waives minimum admission requirements for 2020-21.
- Waives pedagogy tests in 2019-20 but requires those student teachers to attempt tests in 1<sup>st</sup> year of licensure and pass by 3<sup>rd</sup> year.
- Waives student clinical Internships.



# SB 704: K-12 & Other Policy Changes



➤ **Remote Instruction Plans** – To be submitted by 7/20/20 to SBE with all the following:

1. Consulting with stakeholders in developing Plan and effectively communicating it to all.
2. Training for teachers and staff on effective use of remote instruction resources and process for student submission of completed work; shall identify any learning management system, online instructional resource, or offline instructional resource being made available to all students in a grade-level across the LEA.
3. Defining and clearly communicating staff roles and expectations for remote instruction days, including teacher workdays, teacher accessibility, and

noncertified staff workdays and responsibilities; may include expectations for when remote instruction days are also used as teacher workdays.

4. Surveying student and teacher home connectivity and providing remote instruction appropriate for teachers and students with limited connectivity.
5. Engaging with community partners on services that parents and students can use during remote instruction.



# SB 704: K-12 & Other Policy Changes



## ➤ Remote Instruction Plans (*continued*):

6. Developing effective design and delivery within professional learning communities.
7. Teaching and practice opportunities for students on accessing and using remote instruction platforms and methods during non-remote days.
8. Communicating learning targets to students and ensuring lesson design provides instructional time, practice, and application for learning.
9. Ensuring that remote time, practice, and application supports learning growth toward mastery of the Standard Course of Study.
10. Ensuring students with disabilities have equal access to remote instruction provided consistent with IEP or 504 plan.
11. Tracking and reporting attendance on remote instruction days, including protocols, reporting system, and parent communication.
12. Providing online and offline contact options for students to communicate with teachers/staff for remote instruction days not used as teacher workdays.
13. Providing support for students experiencing technical difficulties.



# SB 704: K-12 & Other Policy Changes



## ➤ School Calendar Requirements:

- **Allows remote learning to satisfy minimum instructional requirements in 19-20;** must continue through year-end.
- **Each LEA must adopt calendar with:**
  - **Opening date for students of 8/17/20,** including those with good cause (weather) waivers;
  - **Closing date for students by 6/11/21;**
  - **No remote instruction days before 8/24/20, 2020;** and
  - **Remote instruction days may be scheduled as teacher workdays.**

## LEAs with Good Cause Waivers:

May use up to an additional 5 remote instruction days only for make-up days for closures due to inclement weather or other emergency situations.

- **All LEAs may use additional remote learning days** to meet minimal instructional time requirements, **IF a state of emergency** is declared that closes schools for **more than 5 days.**



# SB 704: K-12 & Other Policy Changes



## ➤ School Calendar Requirements:

- Mandates all LEAs to adopt 2020-21 calendar with 190 days of instruction with:
  - 185 days or 1,025 hours of instruction that includes 5 remote instruction days in accordance with the remote instruction plan; and
  - An additional 5 instructional days that can only be satisfied by individually separate and distinct full instruction days, not by hours.

## Calendar Definitions:

- **Modified Calendar** – Designated for 2003-04 school year or part of a planned program in that year.
- **Year-Round Calendar** – Runs July 1-June 30 and must use one of following:
  - 1) Four tracks with 3 in & 1 out;
  - 2) 45 days in/15 out, repeated; or
  - 3) Five 9-week sessions with students required to attend 4.



# SB 704: K-12 & Other Policy Changes



## ➤ School Calendar Q&A:

**Q: Is 185 days/1,025 hrs. waived in 19-20?**

**A:** *Yes, for all LEAs that provide remote instruction rest of school year. No set hours/days required.*

**Q: How is the 190 days calculated for 20-21?**

**A:** *Must meet 185 days OR 1,025 hours that include 5 remote days + 5 more distinct days not remote.*

**Q: Are 10 remote days mandated in the 190?**

**A:** *No, only 5 are mandated in the 185/1,025; 5 other days to be added are not remote.*

**Q: Can more than 5 remote days be used?**

**A:** *Those w/ waivers get 5 more; additional remote days can only be added IF emergency & more than 5 days missed.*

**Q: If meet 1,025 hrs. in 180 days, still add 5 days?**

**A:** *Yes, 5 days above that requirement must be added.*

**Q: Are “innovative” year-round calendars allowed?**

**A:** *No. Their schedule doesn't fit new definition.*

**Q: What is required for those with weather waivers?**

**A:** *Must start 8/17 but have 5 extra (10 total) remote days to build in; can add more under emergency.*

**Q: How can days be both remote instruction and teacher workdays?**

**A:** *Both allowed on same day, so long as students are given remote instruction materials.*

**Q: Are CIHS schools exempted from 8/17 start?**

**A:** *Yes, as are ISD, regional, lab, & renewal schools.*

## Next Steps in COVID-19 Relief

- **Both chambers plan to have committees continue work** on a second round of needed relief measures; House may have floor votes week of 5/18.
- Short session and work on state budget for 2020-21 not likely to **begin in earnest until mid-June or even July**, when July 15 tax collections are known.







# Member Resources

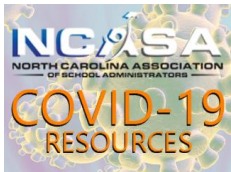


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