



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

2021-2022 General Assembly

Committee:	Senate Education/Higher Education.	If Date:	April 28, 2021
	favorable, re-refer to Rules and Operations of the Senate		
Introduced by:	Sens. Ballard, Davis, Lee	Prepared by:	Kara McCraw
Analysis of:	First Edition		Staff Attorney

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

CURRENT LAW and BILL ANALYSIS:

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

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

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

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

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Part III: For the 2020-2021 school year, S.L. 2020-3, Sec. 2.11(b), as amended by S.L. 2020-49, Sec. 3(b), required all public school units to have a remote learning plan and authorized up to 5 days of remote learning for the 2020-2021 school year. The governing board of a public school unit was permitted to use additional remote learning days if needed to ensure the health and safety of students, in compliance with all required COVID-19 guidance. S.L. 2021-4 required in-person instruction to be offered to all students for the remainder of the 2020-2021 school year, effective April 2021, but allowed parents the option to continue in remote learning.

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

- **Section 3:** PSUs would be authorized for the 2021-2022 school year to use 5 days or 30 hours of remote instruction in the school calendar to address weather closures and other emergencies if the PSU submit a remote instruction plan to the State Board of Education. PSUs would not be otherwise authorized to use remote instruction during the 2021-2022 school year.

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

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

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

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

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