A BILL TO BE ENTITLED
AN ACT TO PROVIDE ADDITIONAL MODIFICATIONS TO THE 2020-2021 SCHOOL CALENDAR TO ADDRESS EXTRAORDINARY CIRCUMSTANCES DUE TO CORONAVIRUS DISEASE 2019 (COVID-19) AND TO EXTEND THE USE OF FUNDS FOR SCHOOL NUTRITION.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Section 2.1(6) of S.L. 2020-3 reads as rewritten:

"(6) Year-round school. – A school with a single or multi-track instructional calendar that was adopted prior to March 1, 2020, and provides instructional days in compliance with Section 2.11(b)(1) of this Part throughout the entire school calendar year, beginning July 1 and ending June 30, by utilizing at least one of the following plans:

a. A plan dividing students into four groups and requiring each group to be in school for assigned and staggered quarters each school calendar year.

b. A plan providing students be scheduled to attend an average of between 44 and 46 instructional days followed by an average of between 15 and 20 days of vacation, repeated throughout the school calendar year.

c. A plan dividing the school calendar year into five nine-week sessions of classes and requiring each student to attend four assigned and staggered sessions out of the five nine-week sessions to complete the student's instructional year."

SECTION 1.(b) Section 2.11(b) of S.L. 2020-3 reads as rewritten:

"SECTION 2.11.(b) School Calendar. – Except as otherwise provided in this subsection, the requirements of G.S. 115C-84.2, including the requirement that a school calendar consist of 215 days, apply to the 2020-2021 school calendar for local school administrative units. The provisions of this subsection supersede any school calendar adopted by a public school unit prior to the enactment of this Part. For the 2020-2021 school year only, the following applies to the school calendar for public school units:

(1) Notwithstanding any provisions of G.S. 115C-75.8(d)(9), 115C-84.2(a)(1), 115C-150.12, 115C-218.85(a)(1), 115C-238.53(d), 115C-238.66(1)d., 116-239.8(b)(2)c., and Section 6(e) of S.L. 2018-32 to the contrary, each public school unit shall adopt a calendar that includes 190 days of instruction as follows:
a. 185 days or 1,025 hours of instruction that include five remote
instruction days in accordance with the Plan developed pursuant to
subsection (a) of this section. Each of the five remote instruction days
may be scheduled in the discretion of the public school unit, except as
provided in subdivision (2) of this subsection.
b. An additional five instructional days that shall be satisfied only by five
individually separate and distinct full instructional days and not by an
accumulation of instructional hours.

(2) Notwithstanding any provisions of G.S. 115C-84.2(d) to the contrary, each
local school administrative unit shall adopt a school calendar in accordance
with the following:

a. Except for schools defined in subdivision (4) or (6) of Section 2.1 of
this Part, an opening date for students of August 17, 2020.
b. Except for schools defined in subdivision (4) or (6) of Section 2.1 of
this Part, a closing date for students no later than June 11, 2021.
c. No remote instruction day shall be scheduled prior to August 24, 2020,
unless the school operates on a year round or modified calendar
schedule. A year round or modified calendar school shall not schedule
a remote instruction day prior to the sixth instructional day of the
year round or modified calendar. A local board of education may alter
the adopted calendar of a single-track year-round school in a manner
that no longer meets the requirements of Section 2.1(6)b. of this act, if
both of the following are met:

1. The local board of education determines the modification is
necessary to ensure the health and safety of students.
2. The altered calendar complies with all other requirements for
year-round schools in this section.
d. Remote instruction days may be scheduled for use as teacher
workdays, including as teacher workdays on which teachers may take
accumulated vacation leave, provided that remote instruction material
is prepared and provided for students to use during the remote
instruction days. Local school administrative units may, in their
discretion, schedule remote instruction days as teacher workdays to
facilitate completion of first semester course exams prior to a winter
holiday period. This sub-subdivision only applies to the five remote
instruction days scheduled as required by sub-subdivision a. of
subdivision (1) of this subsection.
e. The following apply for a local school administrative unit granted a
good cause waiver for the 2020-2021 school year:

1. The opening date for students shall not be earlier than August
17, 2020, except for schools defined in subdivision (4) or (6)
of Section 2.1 of this Part.
2. Up to an additional five remote instruction days may be used,
if those days are (i) provided in accordance with the
requirements of this subsection for remote instruction days and
(ii) used solely as make-up days for days on which schools
have been closed due to inclement weather or other emergency
situations.

(3) If, during the 2020-2021 school year, a state of emergency or disaster is
declared under Chapter 166A of the General Statutes ordering school closure
for more than five days, if the governing board of a public school unit
determines that additional remote instruction beyond the five days required by
subdivision (1) of this subsection is needed to ensure the health and safety of
students, a public school unit providing may provide remote instruction in
accordance with the Plan developed pursuant to subsection (a) of this section
may use additional remote instruction days as necessary to satisfy
instructional time requirements. The public school unit shall ensure that it is
in compliance with all required COVID-19 guidance related to the operation
of elementary and secondary schools issued by the State Board of Education,
Department of Public Instruction, and Department of Health and Human
Services."

SECTION 2. Subdivision (6) of Section 3.3 of S.L. 2020-4 reads as rewritten:
"(6) $75,000,000 to the Department of Public Instruction for emergency school
nutrition services provided in response to COVID-19 by public school units
participating in the National School Lunch Program or Program, School
Breakfast Program, or Summer Food Service Program from March
Funds for these services shall be allocated in the same manner as if the
participating public school units were reimbursed by school meal receipts or
federal funds."

SECTION 3. This act is effective when it becomes law.