

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**HOUSE BILL 1035
Committee Substitute Favorable 6/16/20**

Short Title: 2020-2021 Calendar Modifications.

(Public)

Sponsors:

Referred to:

April 28, 2020

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 45–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:



- 1 a. 185 days or 1,025 hours of instruction that include five remote
2 instruction days in accordance with the Plan developed pursuant to
3 subsection (a) of this section. Each of the five remote instruction days
4 may be scheduled in the discretion of the public school unit, except as
5 provided in subdivision (2) of this subsection.
- 6 b. An additional five instructional days that shall be satisfied only by five
7 individually separate and distinct full instructional days and not by an
8 accumulation of instructional hours.
- 9 (2) Notwithstanding any provisions of G.S. 115C-84.2(d) to the contrary, each
10 local school administrative unit shall adopt a school calendar in accordance
11 with the following:
- 12 a. Except for schools defined in subdivision (4) or (6) of Section 2.1 of
13 this Part, an opening date for students of August 17, 2020.
- 14 b. Except for schools defined in subdivision (4) or (6) of Section 2.1 of
15 this Part, a closing date for students no later than June 11, 2021.
- 16 c. ~~No remote instruction day shall be scheduled prior to August 24, 2020,~~
17 ~~unless the school operates on a year round or modified calendar~~
18 ~~schedule. A year round or modified calendar school shall not schedule~~
19 ~~a remote instruction day prior to the sixth instructional day of the~~
20 ~~year round or modified calendar. A local board of education may alter~~
21 ~~the adopted calendar of a single-track year-round school in a manner~~
22 ~~that no longer meets the requirements of Section 2.1(6)b. of this act, if~~
23 ~~both of the following are met:~~
- 24 1. The local board of education determines the modification is
25 necessary to ensure the health and safety of students.
- 26 2. The altered calendar complies with all other requirements for
27 year-round schools in this section.
- 28 d. Remote instruction days may be scheduled for use as teacher
29 workdays, including as teacher workdays on which teachers may take
30 accumulated vacation leave, provided that remote instruction material
31 is prepared and provided for students to use during the remote
32 instruction days. Local school administrative units may, in their
33 discretion, schedule remote instruction days as teacher workdays to
34 facilitate completion of first semester course exams prior to a winter
35 holiday period. This sub-subdivision only applies to the five remote
36 instruction days scheduled as required by sub-subdivision a. of
37 subdivision (1) of this subsection.
- 38 e. The following apply for a local school administrative unit granted a
39 good cause waiver for the 2020-2021 school year:
- 40 1. The opening date for students shall not be earlier than August
41 17, 2020, except for schools defined in subdivision (4) or (6)
42 of Section 2.1 of this Part.
- 43 2. Up to an additional five remote instruction days may be used,
44 if those days are (i) provided in accordance with the
45 requirements of this subsection for remote instruction days and
46 (ii) used solely as make-up days for days on which schools
47 have been closed due to inclement weather or other emergency
48 situations.
- 49 (3) ~~If, during the 2020-2021 school year, a state of emergency or disaster is~~
50 ~~declared under Chapter 166A of the General Statutes ordering school closure~~
51 ~~for more than five days, If the governing board of a public school unit~~

1 determines that additional remote instruction beyond the five days required by
2 subdivision (1) of this subsection is needed to ensure the health and safety of
3 students, a public school unit ~~providing~~ may provide remote instruction in
4 accordance with the Plan developed pursuant to subsection (a) of this section
5 may use additional remote instruction days as necessary to satisfy
6 instructional time requirements. The public school unit shall ensure that it is
7 in compliance with all required COVID-19 guidance related to the operation
8 of elementary and secondary schools issued by the State Board of Education,
9 Department of Public Instruction, and Department of Health and Human
10 Services."

11 **SECTION 2.** Subdivision (6) of Section 3.3 of S.L. 2020-4 reads as rewritten:

12 "(6) \$75,000,000 to the Department of Public Instruction for emergency school
13 nutrition services provided in response to COVID-19 by public school units
14 participating in the National School Lunch ~~Program~~ or Program, School
15 Breakfast ~~Program~~ Program, or Summer Food Service Program from March
16 16, 2020, through ~~the end of the 2019-2020 school year~~ December 30, 2020.
17 Funds for these services shall be allocated in the same manner as if the
18 participating public school units were reimbursed by school meal receipts or
19 federal funds."

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