

1 **SECTION 2.** In providing for in-person instruction, local school administrative units
2 shall comply with the following:

- 3 (1) Local school administrative units shall comply with all requirements of the
4 StrongSchoolsNC Public Health Toolkit (K-12), as that guidance existed on
5 February 2, 2021, for implementation of Plan A (Minimal Social Distancing)
6 and Plan B (Moderate Social Distancing) that are appropriate to the Plan of
7 reopening, as follows:
- 8 a. Local boards of education shall provide the option of in-person
9 instruction under Plan A (Minimal Social Distancing) to all students
10 enrolled in that school with an individualized education program, as
11 defined in G.S. 115C-106.3(8), or a section 504 (29 U.S.C. § 794)
12 plan, unless in-person instruction is not permitted under that student's
13 program or plan. Local boards of education shall provide the option of
14 remote education for these students to elect to participate in, at the
15 discretion of the student's parent or guardian, for the remainder of the
16 2020-2021 school year.
- 17 b. Local boards of education shall provide the option of in-person
18 instruction under Plan A (Minimal Social Distancing) or Plan B
19 (Moderate Social Distancing) for all other students enrolled in grades
20 kindergarten through 12 in that unit. It shall be in the discretion of the
21 local board whether in-person instruction shall be provided under Plan
22 A (Minimal Social Distancing), Plan B (Moderate Social Distancing),
23 or both Plans as necessary to address the needs of different school
24 settings. Local boards of education shall continue to provide remote
25 instruction options for students to elect to participate in, at the
26 discretion of the parent or guardian, for the remainder of the
27 2020-2021 school year.
- 28 (2) Local boards of education may adjust student assignments as necessary for the
29 remainder of the 2020-2021 school year to comply with in-person instruction
30 plan requirements and ensure efficient use of school resources in order to
31 provide both in-person instruction and offer remote instruction alternatives to
32 families.
- 33 (3) In accordance with the requirements of the StrongSchoolsNC Public Health
34 Toolkit, local boards of education shall create a process for teachers and staff
35 to self-identify as high-risk from COVID-19 and have a plan in place to
36 address requests for alternative work reassignments. For teachers and staff
37 who self-identify as high-risk from COVID-19, local boards are strongly
38 encouraged to enable them to minimize face-to-face contact and to allow those
39 teachers and staff to maintain a distance of six feet from others, modify job
40 responsibilities to minimize exposure risk, or allow them to telework if
41 possible. For the purposes of this subdivision, a teacher or staff member may
42 also self-identify as high-risk from COVID-19 if that teacher or staff member
43 is the direct caretaker of a minor with an underlying condition identified as
44 high-risk from COVID-19.
- 45 (4) Local boards of education shall have the authority to make day-to-day
46 decisions concerning whether shifting individual schools or individual
47 classrooms that are providing in-person instruction to remote instruction is
48 necessary due to COVID-19 exposures that result in insufficient school
49 personnel or required student quarantines. A local board of education shall
50 report any shift by a school or classroom from in-person to remote instruction
51 to the Department of Public Instruction within 72 hours of the shift.

1 **SECTION 3.** For the purposes of this act, in-person instruction includes all of the
2 following components:

3 (1) Is offered to the student in person by a teacher of record on a local school
4 administrative unit campus. Continued enrollment in a North Carolina Virtual
5 Public School course or other e-learning course offering or use of prerecorded
6 learning materials integrated in instruction that occurs on a local school
7 administrative unit campus shall be considered to meet this requirement.

8 (2) Meal service.

9 (3) Transportation services to the campus where the student is assigned.

10 **SECTION 4.** As the Department of Health and Human Services continues to follow
11 the Centers for Disease Control and Prevention guidance for COVID-19 vaccinations of frontline
12 essential workers, local boards of education are encouraged to coordinate with local health
13 departments and other vaccine providers to facilitate coordinating and scheduling COVID-19
14 vaccination events for frontline K-12 school-based employees.

15 **SECTION 5.** This act is effective when it becomes law.