



# HOUSE BILL 324: Plan A for Charter Schools.

**This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.**

2021-2022 General Assembly

|                       |  |                     |                               |
|-----------------------|--|---------------------|-------------------------------|
| <b>Committee:</b>     | House Rules, Calendar, and Operations of the House | <b>Date:</b>        | March 23, 2021                |
| <b>Introduced by:</b> | Reps. Saine, Boles, Yarborough, Torbett            | <b>Prepared by:</b> | Kara McCraw<br>Staff Attorney |
| <b>Analysis of:</b>   | PCS to First Edition<br>H324-CSTC-12               |                     |                               |

**OVERVIEW:** *HB 324 would authorize charter schools to provide in-person instruction under Plan A (Minimal Social Distancing) to students in grades six through 12 for the remainder of the 2020-2021 school year when certain conditions are met.*

*The PCS for HB 324 would also authorize charter schools to continue providing only remote instruction for the remainder of the 2020-2021 school year.*

**CURRENT LAW:** S.L. 2020-3, Sec. 2.11(b), as amended by S.L. 2020-49, Sec. 3(b), authorized up to 5 days of remote learning for the 2020-2021 school year, but allowed a governing board of a public school unit to use additional remote learning days if needed to ensure the health and safety of students, in compliance with all required COVID-19 guidance. Charter schools are a type of public school unit.

The Department of Health and Human Services (DHHS) has provided the StrongSchoolsNC Public Health Toolkit (K-12) (Toolkit) as guidance for public school units in reopening for the 2020-2021 school year. The Toolkit includes guidance on various issues related to school operation, including social distancing, masks, cleaning, and transportation. Plan A (Minimal Social Distancing) recommends but does not require 6 feet of social distancing be maintained, and Plan B (Six Feet Social Distancing) requires that 6 feet of social distancing be maintained. The Toolkit, as updated March 4, 2021, sets the expectations that Plan A or B be used for students in grades kindergarten through five, and Plan B be used for grades six through 12. Schools must implement remote or other learning options for students self-identified as high risk.

S.L. 2021-4 required that local school administrative units (LEAs) provide in-person instruction by April 1 in the form of Plan A instruction for students in grades kindergarten through five and all special education students. LEAs must provide either Plan A or Plan B instruction for students in grades six through 12, although when Plan A is used, the LEA must partner with the ABC Science Collaboration at Duke University (ABC Collaborative) to evaluate COVID-19 data. All LEAs must also provide a remote option for parents for students in all grades. S.L. 2021-4 applies only to LEAs, and does not apply to all other public school units, including charter schools.

**BILL ANALYSIS:** The PCS for HB 324 would allow charter schools for the remainder of the 2020-2021 school year the authorization to:

- Provide remote instruction to all students.
- Provide Plan A instruction to students in grades six through 12, if the charter school meets the same requirements for LEAs offering Plan A instruction to those students. This would include notice to DHHS and partnering with the ABC Collaborative.

**EFFECTIVE DATE:** HB 324 would become effective when it becomes law.

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