



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

2021-2022 General Assembly

<b>Committee:</b>		<b>Date:</b>	January 28, 2022
<b>Introduced by:</b>		<b>Prepared by:</b>	Drupti Chauhan Staff Attorney
<b>Analysis of:</b>	S.L. 2021-130		

**OVERVIEW:** *S.L. 2021-130 makes changes to address the impact of COVID-19 in public schools and directs the use of Elementary and Secondary School Emergency Relief Fund reserve funds. The changes include waiving of certain reporting requirements, school calendars, and virtual education issues. Except as otherwise provided, this act became effective August 30, 2021.*

## PART I. SCHOOL PERFORMANCE GRADES/ANNUAL REPORT CARDS

**BILL ANALYSIS:** The requirement that the State Board of Education (State Board) calculate achievement, growth, and performance scores or display school performance grades based on data from the 2020-2021 school year is waived. The State Board must provide an explanation that those scores and grades were not calculated and assigned because assessment data was heavily impacted by COVID-19.

School report cards based on data from the 2020-2021 school year must contain only the minimum information required by the federal waiver granted by the United States Department of Education.

## PART II. LOW-PERFORMING SCHOOLS

**BILL ANALYSIS:** The State Board is prohibited from the following:

- Identifying low-performing schools (LPS) based on 2020-2021 data. Previously identified LPS continue with that identification and plans for improvement. Additional parental notice of LPS status is not required.
- Identifying continually low-performing schools (CLPS) based on 2020-2021 data. Previously identified CLPS continue with that identification and plans for improvement. CLPS may continue to request use of a reform model.
- Identifying low-performing local school administrative units (LP-LEA) based on 2020-2021 data. Previously identified LP-LEAs continue with that identification and plans for improvement. Additional parental notice of LP-LEA status is not required to be provided.

## PART III. PUBLIC SCHOOL UNIT CALENDARS FOR THE 2021-2022 SCHOOL YEAR

**BILL ANALYSIS:** Local school administrative units (LEAs) are 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 LEA submits a remote instruction plan to the State Board. LEAs are not authorized to use remote instruction during the 2021-2022 school year, except on a temporary basis for individual schools and classrooms (see Part IIIA below).

## PART IIIA. REMOTE INSTRUCTION FOR COVID-19 EMERGENCIES

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**BILL ANALYSIS:** Public school units are authorized to make day-to-day decisions about shifting individual schools or classrooms to temporary remote instruction for the 2021-2022 school year due to COVID-19 exposures that result in insufficient school personnel or required student quarantines. Public school units must notify the Department of Public Instruction of these temporary shifts within 72 hours.

## **PART IIIB. PLANNED VIRTUAL INSTRUCTION**

**BILL ANALYSIS:** For the 2021-2022 school year only, schools are authorized to offer virtual instruction to students with the consent of the students' parents or guardians in accordance with a virtual instruction plan submitted to DPI by October 1, 2021. The virtual instruction plan must include several components, including estimated enrollment and the methods by which enrollment, daily attendance, course credit accrual, progress toward graduation, and course completion will be monitored for students receiving virtual instruction. Public school units cannot use virtual instruction after June 30, 2022, without express authorization from the General Assembly, except for schools that were assigned a school code to operate primarily through virtual instruction as of May 1, 2021.

## **PART IIIC. VIRTUAL ACADEMIES STUDY**

**BILL ANALYSIS:** The Superintendent of Public Instruction must establish a Working Group on Virtual Academies to make recommendations on the requirements for the virtual academy model to the Joint Legislative Education Oversight Committee no later than March 15, 2022.

## **PART IV. PRINCIPAL RECRUITMENT SUPPLEMENT**

**BILL ANALYSIS:** Schools identified as eligible to receive principal recruitment supplements for 2019-2020 and 2020-2021 are eligible for 2021-2022.

## **PART V. NOTIFICATION REQUIREMENT FOR TEACHER PERFORMANCE DATA**

**BILL ANALYSIS:** When EVAAS data in the 2021-2022 school year based on performance in the 2019-2020 and 2020-2021 school years is available, principals must contextualize the reported data to clarify when the information reflects performance over multiple years and multiple teachers.

## **PART VI. TEACHER EFFECTIVENESS REPORTING REQUIREMENTS**

**BILL ANALYSIS:** When EVAAS data in the 2021-2022 school year based on performance in the 2019-2020 and 2020-2021 school years is available, local school administrative units and the State Board must contextualize the reported data to clarify when the information reflects performance over multiple years and multiple teachers.

## **PART VII. TEMPORARILY EXTEND CPR GRADUATION REQUIREMENT CHANGES**

**BILL ANALYSIS:** Students graduating in Spring 2021 who met all other graduation requirement may still graduate if they were otherwise unable to complete CPR instruction due to COVID-19.

## **PART VIII. TEACHER LICENSURE REQUIREMENTS**

**BILL ANALYSIS:** Applicants for a continuing professional license have an extension until December 31, 2021, to complete the required examinations or coursework if they (i) have a license expiring June 30, 2021, and (ii) have not met the examination or coursework requirements by that date. Individuals may receive a residency license if they have a bachelor's degree or an advanced degree (or both).

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## **PART IX. CLARIFY THE DEFINITION OF YEAR-ROUND SCHOOL**

**BILL ANALYSIS:** One of the year-round calendar options is modified to cover a plan that schedules students four quarters between 43 and 47 instructional days each school calendar year, with vacation periods for students of between 14 and 18 days separating each quarter. Additionally, a fourth year-round calendar option is created to cover a plan for a single-track instructional calendar that is identical to at least one track of a statutorily compliant multi-track instructional calendar in the same LEA.

## **PART X. LOCAL FACE COVERING POLICIES**

**BILL ANALYSIS:** All public school units must adopt a policy for the 2021-2022 school year regarding the use of face coverings by employees and students and must review the policies at least once a month.

## **PART XI. TEMPORARILY WAIVE CERTAIN REQUIREMENTS THAT RELATE TO DRIVING ELIGIBILITY CERTIFICATES**

**BILL ANALYSIS:** A driving eligibility certificate (DEC) must be issued without requiring the person to whom it is issued to be making progress toward obtaining a high school diploma or its equivalent. School authorities are prohibited from notifying the Division of Motor Vehicles (DMV) of DEC ineligibility based on making progress grounds. This waiver expires on January 30, 2022.

## **PART XII. RESTORE CERTAIN PERMITS AND PROVISIONAL LICENSES REVOKED DUE TO CERTIFICATE INELIGIBILITY**

**BILL ANALYSIS:** The DMV must restore a person's permit or provisional license that was revoked due to ineligibility for a DEC based on making progress grounds. This restoration requirement applies to revocations dated on or after March 1, 2020.

**EFFECTIVE DATE:** Except as otherwise provided, this act became effective August 30, 2021

*\*Kara McCraw and Howard Marsilio, Staff Attorneys with the Legislative Analysis Division, substantially contributed to this summary.*