



SENATE BILL 671: Virtual Educ./Remote Acad./Virtual Charters.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 8, 2022
Introduced by:	Sens. Lee, Ballard, Galey	Prepared by:	Kara McCraw Staff Attorney
Analysis of:	Third Edition		

OVERVIEW: *The 3rd Ed. for SB 671 would do the following:*

- *Repeal the sunset clause for the statute permitting limited virtual instruction during emergency conditions.*
- *Allow schools that provided full-time virtual instruction in the 2021-2022 school year to continue providing full-time virtual instruction in the 2022-2023 school year.*
- *Beginning in the 2023-2024 school year, authorize public school units to establish remote academies that meet certain requirements.*
- *Transition the schools in the virtual charter school pilot program from pilot status to a 5-year charter, with eligibility for renewal upon expiration.*

CURRENT LAW: Under S.L. 2021-130, for the 2021-2022 school year, public school units (PSUs) were permitted to do the following:

- Use 5 days or 30 hours of remote instruction in the school calendar to address weather closures and other emergencies if the PSU submitted a remote instruction plan to the State Board of Education (SBE). Certain PSUs with a history of emergency closures were permitted to use up to 15 remote instruction days or 90 remote instruction hours.
- Provide remote instruction during periods necessitated by COVID quarantines and staffing shortages.
- Provide full-time virtual instruction to students with the consent of the students' parents or guardians in accordance with a virtual instruction plan submitted to DPI.

Following the 2021-2022 school year, public school units are not permitted to engage in remote instruction 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.

BILL ANALYSIS: The 3rd Ed. of SB 671 would make the following changes:

Part I: Remove the sunset clause to allow all PSUs to annually provide a limited amount of remote instruction in lieu of in-person instruction due to weather closures or other emergencies, with submission of a remote instruction plan to the SBE.

Part II: For the 2022-2023 school year, allow any virtual instruction school with a school code assigned prior to May 1, 2021, or that submitted a virtual instruction plan for the 2021-2022 school year to continue to provide virtual instruction.

Beginning with the 2023-2024 school year, allow PSUs to establish a new type of school of choice called a remote academy. Remote academies would provide instruction primarily online, and would be the only way, other than the limited remote instruction in emergencies, that PSUs would be permitted to provide remote learning.

Remote academies could only accept students with parental consent. Characteristics for successful remote learning and criteria for admission must be established, but a student could not be denied admission solely on

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the basis of being a child with a disability. A remote academy could require students to attend in-person to complete State-mandated assessment or graduation requirements.

Remote academies would be required to meet all other requirements for that type of public school (LEA, charter, regional, laboratory), and would also be required to meet the following requirements:

- Provide to students:
 - Hardware and software needed to participate and access to a learning management platform.
 - Access to the internet.
 - Technical support during instructional hours.
 - For children with a disability or 504 plan, any required adaptive or assistive devices, transportation, and in-person services.
- Employ individuals that meet the same licensure requirements as otherwise required for that type of public school (LEA, charter, regional, laboratory), and sufficient digital teaching and learning support staff, including an instructional technology facilitator, school library media coordinator, data manager, and remote technicians to provide technical support.
- Submit a plan to the SBE that included information about the remote academy, including:
 - Methods for monitoring compliance with the school calendar, enrollment, attendance, course credit accrual, course completion, and progress towards graduation.
 - Measures to ensure synchronous and asynchronous remote instruction components support learning growth and mastery of the standard course of study.
 - Professional development related to pedagogy of remote instruction.
 - Characteristics of successful remote learning and criteria for admission, and how this information will be shared with parents.
 - Hardware, software, and learning management platforms.
 - School grades covered, and any school nutrition and transportation services offered.

Remote academies within local school administrative units (LEAs) would also have the following requirements:

- Limit on enrollment in remote academies of 15% of the total LEA enrollment.
- Compliance with class size requirements and enrollment requirements for assignment of a 12-month principal.
- Discretion to reassign students to in-person schools if the local board determines it would better ensure student success.

The SBE would be required to review and approve remote academy plans, and approve any further modifications. The SBE would also evaluate the success of remote academies and report annually, beginning November 15, 2024, on that evaluation.

Part III: Make conforming changes to allow charter applications to include a request to be a remote academy and allow conversion to a remote academy of existing charters in accordance with the statutes enacted in Part II of this bill.

Convert the two virtual charter schools created by the virtual charter school pilot program to a 5-year charter consistent with the statutes governing charter schools. Upon the conclusion of the charters at the end of the 2026-2027 school year, the former virtual charters may apply for a 10-year renewal.

EFFECTIVE DATE: Except as otherwise provided, SB 671 would become effective when it becomes law, and would apply beginning with the 2022-2023 school year.

BACKGROUND: S.L. 2021-130 established a Working Group on Virtual Academies to make recommendations related to virtual academies to the General Assembly. The Working Group report can be found [here](#).