



HOUSE BILL 259: 2023 Appropriations Act, Sec. 7.26: Remote Charter Academies

2023-2024 General Assembly

Committee:		Date:	November 29, 2023
Introduced by:		Prepared by:	Samantha Yarborough Staff Attorney
Analysis of:	Sec. 7.26 of S.L. 2023-134		

OVERVIEW: Section 7.26 of S.L. 2023-134 authorizes, as part of an initial application or modification of an existing charter, a nonprofit to apply to the Charter School Review Board (Review Board) for approval of a remote charter academy that meets certain requirements. A charter with an approved remote charter academy can provide remote instruction to all enrolled students, as a hybrid instruction model, or in separate programs for remote and in-person instruction. Remote charter academies will provide instruction primarily online to students in a remote location both synchronously and asynchronously. Remote academies can include any combination of grade levels.

Eligibility: Remote charter academies can admit students from anywhere in the State (statewide remote charter academy) or students from the county where the charter is located and contiguous counties (regional remote charter academy). Students must have parental consent to attend a remote charter academy, and parents will receive information on successful characteristics for remote learning. Students cannot be denied admission solely on the basis of being a child with a disability. Students can be reassigned to in-person instruction offered by the charter school if that would be better for the child's academic progress.

Requirements: Remote charter academies must meet the same requirements as other charter schools, as well as the following:

- Remote charter academies must provide enrolled students with access to the necessary hardware, software, learning management platform, internet access, technical support, and any accommodations required by a student's individualized education program. Remote charter academies cannot charge rental fees. Damage fees can be charged under rules adopted by the State Board of Education (SBE).
- Remote charter academies can require students to attend in-person or proctored assessments for State-mandated student assessments or to fulfill graduation requirements identified by the academy. Optional in-person meetings between students and instructors or parents and instructors are also allowed at charter school facilities.
- Each approved remote charter academy will have a school code. Employees must meet the same standards as required for other charter schools. Sufficient digital teaching and learning support staff are required.

Approval: As part of the charter application or charter modification, a nonprofit must submit a plan to the Review Board for approval that includes the following:

- Whether the remote charter academy will be statewide or regional.
- The range of grades for which the remote charter academy will offer courses.
- How the remote charter academy will monitor enrollment, course credit accrual, progress toward graduation, and course completion.

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- *Hardware, software, and other infrastructure that support online learning.*
- *The measures that will be used to ensure both synchronous and asynchronous instruction support learning growth through a mastery of student achievement goals for the charter's educational program.*
- *The professional development that will be provided to those teaching in the remote charter academy related to the pedagogy of providing remote instruction.*
- *The identified characteristic for successful remote learning and criteria for admission.*
- *Any school nutrition services or transportation services that will be provided to students.*

The Review Board must approve a charter application or charter modification that meets these requirements for a renewable term of five years. A nonprofit can apply for renewal of the remote charter academy for additional terms of five years. The Review Board must approve a minimum of two qualified statewide remote charter academies to operate beginning with the 2026-2027 school year.

Evaluation: The SBE must evaluate the success of remote charter academies based on school performance scores and grades, retention rates, attendance rates, and for grades 9-12, high school completion and dropout rates. The SBE must report by November 15 of each year to the Joint Legislative Education Oversight Committee on the evaluation of these schools and on any recommended statutory changes.

Additionally, this section extends the current virtual charter school pilot program through the 2025-2026 school year. Participating pilot schools can enroll the authorized number of students from the 2021-2022 school year plus enrollment growth of up to 20% for the 2023-2024 school year. For the remaining two years of the pilot, the pilot schools are eligible for enrollment growth in the same manner as other charter schools. Pilot schools are eligible to apply for charter renewal as a remote charter academy at the conclusion of the pilot.

This section became effective October 3, 2023, and applies beginning with the 2023-2024 school year.