

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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SENATE BILL 242

Short Title: Save Spring Break Act. (Local)

Sponsors: Senator Marcus (Primary Sponsor).

Referred to: Rules and Operations of the Senate

March 15, 2021

A BILL TO BE ENTITLED

AN ACT TO ALLOW CHARLOTTE-MECKLENBURG SCHOOLS TO USE REMOTE LEARNING IN RESPONSE TO SEVERE WEATHER CONDITIONS AND OTHER EMERGENCY SITUATIONS IN ORDER TO AVOID ADDING IN-PERSON MAKE-UP DAYS TO THE SCHOOL CALENDAR ONCE ALL PREVIOUSLY SCHEDULED MAKE-UP DAYS ARE USED.

The General Assembly of North Carolina enacts:

**SECTION 1.** This act shall be known and may be cited as the "Save Spring Break Act."

**SECTION 2.** G.S. 115C-84.2 reads as rewritten:

**"§ 115C-84.2. School calendar.**

(a) School Calendar. – Each local board of education shall adopt a school calendar consisting of 215 days all of which shall fall within the fiscal year. A school calendar shall include the following:

- (1) A minimum of 185 days or 1,025 hours of instruction covering at least nine calendar months. The local board shall designate when the instructional days shall occur. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the administrative unit. Local boards may approve school improvement plans that include days with varying amounts of instructional time. If school is closed early due to inclement ~~weather~~, weather or another emergency scenario, the day and the scheduled amount of instructional hours may count towards the required minimum to the extent allowed by State Board policy. The school calendar shall include a plan for making up days and instructional hours missed when schools are not opened due to inclement ~~weather~~, weather or another emergency scenario. This plan may include the use of remote instruction for one or more schools in accordance with this subsection to meet the required number of instructional days and hours.

(1a) Repealed by Session Laws 2004-180, s.1, effective August 9, 2004.

(2) A minimum of 10 annual vacation leave days.

(3) The same or an equivalent number of legal holidays occurring within the school calendar as those designated by the State Human Resources Commission for State employees.

(4) Repealed by Session Laws 2011-145, s. 7.29(a), effective July 1, 2011.

(5) The remaining days scheduled by the local board in consultation with each school's principal for use as teacher workdays, additional instructional days,



1 or other lawful purposes. Before consulting with the local board, each  
 2 principal shall work with the school improvement team to determine the days  
 3 to be scheduled and the purposes for which they should be scheduled. Days  
 4 may be scheduled and planned for different purposes for different personnel  
 5 and there is no requirement to schedule the same dates for all personnel. In  
 6 order to make up days for school closing because of inclement weather, the  
 7 local board may designate any of the days in this subdivision as additional  
 8 make-up days to be scheduled after the last day of student attendance.

9 (6) Instructional days or hours for one or more schools may be satisfied through  
 10 remote instruction only if all of the following apply:

- 11 a. The school or schools are closed for in-person instruction due to severe  
 12 weather conditions, energy shortages, power failures, or other  
 13 emergency situations.  
 14 b. A minimum of five scheduled in-person instructional make-up days or  
 15 the equivalent number of banked hours have already been used.  
 16 c. Scheduling additional in-person instructional make-up days would  
 17 require the school or schools to replace days previously scheduled as  
 18 holidays or to revise the scheduled closing date.  
 19 d. The local school administrative unit has a remote instruction plan that  
 20 has been approved by the State Board in accordance with  
 21 G.S. 115C-84.3.

22 ...."

23 **SECTION 3.** Article 8 of Chapter 115C of the General Statutes is amended by adding  
 24 a new section to read:

25 "**§ 115C-84.3. Remote instruction plans.**

26 (a) Each local board of education may develop an annual remote instruction plan. No  
 27 later than July 1 annually, the local board shall submit its plan for the following school year to  
 28 the State Board. The purpose of the plan is to provide a detailed framework for delivering quality  
 29 remote instruction to all students within the local school administrative unit during the  
 30 subsequent school year. In describing how the local school administrative unit will implement  
 31 remote instruction, the plan shall address all of the following:

- 32 (1) Consulting with teachers, administrators and instructional support staff,  
 33 parents, students, community partners, and other stakeholders in developing  
 34 the plan and effectively communicating the plan to all involved parties.  
 35 (2) Training for teachers and staff on effective use of the remote instruction  
 36 resources utilized by the local school administrative unit and the process for  
 37 student submission of completed work. The plan shall identify any learning  
 38 management system, online instructional resource, or offline instructional  
 39 resource that will be made available to all students in a grade level across the  
 40 local school administrative unit.  
 41 (3) Defining and clearly communicating staff roles and expectations for remote  
 42 instruction days, including teacher workdays, teacher accessibility, and  
 43 noncertified staff workdays and responsibilities. The plan may include  
 44 variances for staff expectations when remote instruction days are also used as  
 45 teacher workdays.  
 46 (4) Surveying student and teacher home connectivity and providing for remote  
 47 instruction that is appropriate for teachers and students with limited  
 48 connectivity capability, including the opportunity for students to download  
 49 remote learning materials in advance when practicable.  
 50 (5) Engaging with community partners on services that parents and students can  
 51 utilize on remote instruction days, including community partners willing to

1 provide free broadband access or connectivity for remote instruction and  
2 community partners with child care options, and communicating remote  
3 instruction schedules with those partners.

4 (6) Developing effective design and delivery of remote instruction lessons within  
5 professional learning communities.

6 (7) Teaching and practice opportunities for students on accessing and using  
7 remote instruction platforms and methods, including how to locate, complete,  
8 and submit assignments. The plan shall include regular opportunities for  
9 students to use the platforms and methods during nonremote instruction days  
10 to ensure student success during remote instruction.

11 (8) Communicating learning targets to students on each remote instruction day  
12 and ensuring that lesson design provides instructional time, practice, and  
13 application components to demonstrate learning. The plan shall include a  
14 process for monitoring the quality of remote instruction materials.

15 (9) Ensuring that remote instructional time, practice, and application components  
16 support learning growth that continues toward mastery of the standard course  
17 of study. The plan shall include work measurement guidelines appropriate to  
18 each grade level, including deadlines for submission of assignments and  
19 methods to assess and grade learning during remote instruction.

20 (10) Ensuring that students with disabilities have equal access to the remote  
21 instruction provided by their local school administrative units and that remote  
22 instruction is provided in a manner consistent with each student's  
23 individualized education program (IEP) or 504 plan. Remote instruction day  
24 supports shall be considered and included, as appropriate for the student, when  
25 an IEP or 504 plan is initially developed or at any subsequent review or  
26 revision of an IEP or 504 plan.

27 (11) Tracking and reporting attendance on remote instruction days, including  
28 protocols for determining attendance, the reporting system to be used, and  
29 how attendance procedures will be communicated to parents before remote  
30 instruction begins.

31 (12) Providing online and offline contact options for students to communicate with  
32 teachers or staff for remote instruction days that are not used as teacher  
33 workdays.

34 (13) Providing technology support for students and teachers experiencing technical  
35 difficulties on remote instruction days.

36 (b) The State Board shall review each local school administrative unit's plan and approve  
37 only those remote instruction plans that, in the State Board's discretion, adequately address each  
38 component described in subsection (a) of this section. No later than August 1, the Department  
39 shall notify each local school administrative unit of approval or denial of its plan and shall  
40 provide feedback if the plan is denied. No later than August 15, if its plan was denied, a local  
41 school administrative unit may submit an amended plan to the Department of Public Instruction.  
42 The Department shall notify the local school administrative unit if the amended plan is approved  
43 or denied no later than September 1. The State Board may, for good cause in its discretion,  
44 approve a remote instruction plan that complies with the provisions of this section at a later date."

45 **SECTION 4.** This act applies only to Charlotte-Mecklenburg Schools.

46 **SECTION 5.** This act is effective when it becomes law and applies beginning with  
47 the 2021-2022 school year.