

Summary of 2020-21 Legislation

Last updated January 20, 2021

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SL 2020-41 (H1218)

Section 3.15(c)

Retirement	14.78%
Disability	0.09%
Death	0.13%
Retiree Health	6.68%
Total	<u>21.68%</u>

Bill tracking

June 19 H1136 stated the retirement rate is 21.41%

June 26 H1218 states the retirement rate is 21.71% BUT...if H1136 becomes law then it is not 21.71% - putting it back to 21.41%. BUT...also states that if H1136 becomes law then H1218 rewrites the 21.41% to be 21.68%.

SL 2020-45 Health Benefit Rate

Section 3.15(e) \$6,326

Bill Tracking Health

June 26 – S818 states that the health rate is \$6,461 BUT...if H1218 passes then it is not \$6,461 and instead will over write the amount in H1218 of \$6,512 and instead be \$6,326 in S818.

SL 2020-27 (H1071) Funds to DPI for ADM Growth (see SL 2020-45 S818 for salary adjust)

from Fines and forfeiture	\$ 75,000,000 (NR)
from School Bus Replacement	\$ 3,923,230 (NR)
from CRF CARES Act	<u>\$ 22,000,000 (NR)</u>
Total	<u>\$100,923,230 (NR)</u>

SL 2020-45 S818 Compensation

Section 1 – Teacher and Instructional Support Salary Schedule

- Teacher salary schedule established at the same level as 2019-20.
- Personnel paid from the teacher salary schedule may receive a step increase if earned.

Section 2 – Teacher and Instructional Support Bonus – PRC045

- One time bonus of \$350 to teachers and instructional support employed as of October 1
- Must be paid by October 31, 2020
- Applies to all eligible personnel in LEAs, charter schools, regional school, innovative school and lab school.
- Not subject to TSERS (object 180)
- Non LEAs shall receive a per pupil share
- No performance bonuses (\$37.8m shall be used for the \$350 bonus)

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Section 4 Principal Pay

- No change to the salary schedule
- Principal growth for pay purposes are based on school growth from 2016-17, 2017-18 and 2018-19
- ADM shall be based on
 - Month 1 2019-20 for July 1 2020 to June 30 2021. ([SL2020-97 Section 3A](#))
 - ~~Month 1 2020-21 for January 1 to June 30 2021~~
- Hold harmless pay continues

Section 5 Principal Bonus

Bonus for principals who received a bonus in October 2019 and are employed as a principal in a public school as of October 1, 2020.

Section 6 Assistant Principal Pay

- Assistant Salary schedule established at the same level as 2019-20.
- Eligible personnel receive a step increase
- Hold harmless pay continues
- Note section 6(c) in this bill is rewritten in SL 2020-49 (S113) Part VIII

Salary Adjustment – budget impact at the State level

Section 8.2 Benefits adjustment

\$47,227,728 (R)

Section 8.4 & 8.5 average salary adj

\$47,227,728 (NR)

\$8,942,376 (NR)

[SL2020-49](#) SB113

PART I School Psychologist Licensure Exemption

- Exempts school psychologists serving as contractors of DPI from the NC Psychology Board licensure requirement; this is already in statute for employees of the PSU, but expands the exemption to include school psychologists contracted through a private company. These psychologists will now only be required to obtain NCSBE licensure.
- Updates antiquated "certified" language to reflect up-to-date term "licensed."
- Expands "local board of education" language to include "any public school unit" so charters, innovative, lab, virtual schools, etc. may be included in this provision.

PART III Modifications to the 2020-2021 School Calendar

Rewrites the definition in SL 2020-3 defining the "year round school"

- a. The calendar must be adopted prior to March 1, 2020 and follow one of three plans; this alters one of the plan options below:

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- b. A plan providing students be scheduled to attend ~~45~~ an average of between 44 and 46 instructional days followed by an average of between 15 and 20 days of vacation, repeated throughout the school calendar year.
- c. A plan dividing students into four groups and requiring each group to be in school for assigned and staggered quarters each school calendar year

See pending detailed guidance on School Calendar for additional items related to instructional days and remote days

PART IV Modify Use of School Nutrition Funds

- Revises S.L. 2020-4 to allow the \$75 million appropriated to DPI for school nutrition programs to be used for innovative meal service
- Permits the funds to also be used for the Summer Food Service Program
- Extends the deadline for expenditure from the end of the 19-20 school year to December 30, 2020.

PART VII Revise School Administrator Stipend

Revises the calculation of the school administrator intern stipend so that it is based on the beginning salary of an assistant principal or, for a teacher who becomes an intern, at least as much as that person would make as a teacher, whichever of the two is higher.

Other items in the bill not directly related to School Business

PART II Clarify Use of Digital Learning Plan Funds

- Clarifies that funds used in the 2020-2021 school year for Digital Learning Plans, as set in S.L. 2016-94, are to be used solely for software licenses from the digital literacy curriculum provider selected via the competitive procurement process (previously selected and currently in use is Learning.com).

PART V LME/MCO Expenditure for Student Behavioral Health Needs

- Allows the Reinvestment Plans of managed care entities to include assistance to public school units within the entity's area for student behavioral health needs.
- This is not a requirement, but instead creates another option for public school units to partner with their local LME/MCO, and it incentivizes local managed care entities to work with public schools to provide mental health support for their students.

PART VI Change Charter School Report Date

Changes the date the State Board of Education must submit its report to the Joint Legislative Education Oversight Committee on the educational effectiveness of charter schools and the effect of charter schools on the public schools in the local school administrative unit.

PART VII Superintendent May Approve Bonds to Finance or Refinance a Charter School Facility

Designates the Superintendent of Public Instruction as an applicable elected representative under the Internal Revenue Code who may approve issuance of a private

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activity bond to finance a charter school facility, following a public hearing conducted in the county where the charter school facility is or will be located.

PART IX Extend Maximum Grant Term to Six Years for North Carolina Transforming Principal Preparation Program

Extends the maximum grant term from 5 years to 6 years to align with the program length of the school leader preparation programs offered by grantees.

Part X COVID-19 Immunity for Nonpublic Schools

Adds a section to Article 39 of Chapter 115C that grants limited immunity for claims related to tuition and fees paid for the 19-20 academic year that arise from alleged acts or omissions taken in response to COVID-19, if these acts or omissions were reasonably related to protecting the health and safety in response to COVID-19 executive orders or CDC guidance, and if the nonpublic school offered remote learning options during the 19-20 academic year that allowed students to complete the year.

- This matter is relevant to state concern so nonpublic schools can continue fulfilling their educational mission without civil liability for which immunity is provided.

[SL2020-80](#) (H 1023)

(6) Extend PRC125 to December 30, 2020

PRC 125 for emergency school nutrition services, including innovative school meals, provided to students in response to COVID-19 by public school units participating in the National School Lunch Program, School Breakfast Program, or Summer Food Service Program from March 16, 2020, **through December 30, 2020.**

Note: Innovative meals refers to the devices and equipment necessary to provide non-congregate food service in the classroom or on-the-go.

(63) Personal Protective Equipment \$7,000,000

to provide personal protective equipment for public schools, in response to the COVID-19 pandemic, to facilitate in-person instruction for the 2020-2021 school year. Personal protective equipment provided pursuant to this subdivision shall meet applicable federal standards and guidelines from the Centers for Disease Control and Prevention. New funds from the CARES Act Coronavirus Relief Fund.

(64) EC Grants \$5,000,000

to hold in reserve and to award as grants, in the discretion of the Department, to public school units that apply for funds to provide access to services for exceptional children who have lost critical services as a result of school closures related to COVID-19. New funds from the CARES Act Coronavirus Relief Fund.

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(62) Plasma Games Pilot Program – through Department of Commerce **\$2,500,000**

to the Department of Commerce to be used in accordance with Section 4.2D of this act. For "Plasma Games Program". Per Section 4.2D, these funds shall be administered by the Department of Commerce and not DPI.

to provide funds to local school administrative units participating in the pilot. These funds shall be used for licensing fees for the educational software, Plasma Games' operating costs, and for implementation of the pilot by the local school administrative units. New funds from the CARES Act Coronavirus Relief Fund

Section 2.2 Transportation allotment reserve for summer nutrition **\$12,000,000**

DPI may withhold up to \$12m from the transportation allotment (PRC056) and instead allocate those funds, as necessary, for transportation expenses related to emergency school nutrition services provided between July 1, 2020, and the beginning of the 2020-2021 school year by public school units participating in the National School Lunch Program, School Breakfast Program, or Summer Food Service Program.

Section 2.3 Student Meal Debt Report and Reduced Price Lunch Copay

Reporting: No later than October 15, 2021, the State Board of Education shall report to the Joint Legislative Education Oversight Committee on unpaid meal charges in local school administrative units. At a minimum, the report shall include the following information:

- (1) The percentage of students of all grade levels in each local school administrative unit who (i) qualify for and participate in reduced-price meals and (ii) do not carry an unpaid meal charge.
- (2) The total amount of debt carried by each local school administrative unit related to unpaid meal charges.
- (3) Summaries of approaches adopted by each local school administrative unit regarding unpaid meal charges.
- (4) Options for a statewide policy on the uniform administration of unpaid meal charges in local school administrative units. Every option shall ensure that students are not prevented from receiving nutritious meals because of an unpaid meal charge.

Funding for copays: **\$3,900,000(NR)**

to provide school lunches at no cost to students of all grade levels qualifying for reduced-price meals in all schools participating in the National School Lunch Program in the 2020-2021 school year.

If these funds are insufficient to provide school lunches at no cost to students qualifying for reduced-price meals, the Department of Public Instruction shall also use any excess funds appropriated for the National School Breakfast Program for the purposes of this subsection.

Effective July 1, 2020. (funding from school bus replacement)

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Other Non CARES Act

Section 2.4. Funding for System Modernization –

Reduction to School Technology

\$18,000,000(NR)

(b) From the funds made available pursuant to subsection

(a) appropriated from the General Fund \$18,000,000(NR) for School Business System Modernization Plan

- a. for an Enterprise Resource Planning (ERP) system for integrated payroll and human resources information, an integrated State-level licensure system, and reporting of financial information for increased transparency and analytics.
- b. \$650,000 NR to GDAC as follows:
 - i. \$400,000NR SRC
 - ii. \$250,000NR School finance reporting system

Non DPI funds

Section 1.1.(d) (55) provides \$2 million to the Wildlife Resources Commission for the "NC Schools Go Outside" grant program to provide opportunities for young people to experience safe outdoor settings.

Section 1.1.(d) (56) provides \$400,000 to DNCR for the State Library's NC Kids Digital Library for enhancing digital offerings to students lacking physical access to local libraries.

Section 1.1.(d) (57) provides \$400,000 to DNCR for developing and implementing accessible virtual history programs for students.

Section 1.1.(d) (70) provides \$4.3 million to OSBM Children's Advocacy Centers of NC for child advocacy centers with increased caseloads due to COVID-19 and for virtual counseling for children.

SL 2020-7 (S476) Mental Health Plan

Puts into general statute (GS 115C-376.5) the requirement of K-12 public school units to have a school-based mental health plan.

Requires the SBE to adopt a school-based mental health policy, including a model mental health training program and model suicide risk referral protocol, in accordance with this act no later than December 1, 2020.

SL 2020-78 (S681) Various

2.1 Eliminate report on the adopted schedule of fees

Replaces the requirement to report to the State Superintendent but requires the LEAs to publish a schedule of fees, charges and solicitations approved by the local board on the LEAs website by October 15 and within 30 days following any revisions.

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2.2 Authorize the NC CTE Education Foundation to administer certain grants

NC CTE Education Foundation shall work in collaboration with the NC Education and Workforce Innovation Commission

2.3 Permits charter schools to expand enrollment priority to

- Siblings who apply to the charter school for admission beginning in the same school year, such as when a sibling was not initially admitted due to grade level capacity
- Children of persons employed by an EMO or CMO for the charter

2.4 Expand Schools that Lead Pilot Program

Increases the number of schools from 60 to 75

2.5 Arts Education Graduation requirement

SBE shall require 1 credit in arts education to be completed by each student at any time in grades 6 through 12

Section 2.6 Advanced Teaching Roles

Codifies in GS 115-311

3 year terms

- (i) K-3 class size flexibility is provided during the 3 year term funds are received. This flexibility expires at the end of the 3 year term
- (j) Budget Flexibility - GS 115C-105.25(b) applies, but the SBE shall authorize LEAs to use any available State funds to provide salary supplements to classroom teachers in an advanced teaching role.

SL 2020-56 (H1096) Lab Schools

G.S. 116-239.5 changes

- A university may operate more than one lab school, and one LEA may have more than one lab school.
- Facility lease shall not exceed the established standards for determination of costs
- Upon request of the lab school LEA shall provide NSLP
- Upon request of the lab school LEA shall provide transportation
- Upon request of the lab school LEA shall provide services for children with disabilities, child and family support services, if applicable, other health services, parent involvement coordinator services, school counselor services.
- Changes the allocation per ADM to include the per pupil share of transportation funds.
- 6 lab schools shall be established for 2020-21, 3 more for 2022-23.

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Part IV. Modified Future Teachers of NC

Part V Modify NC Teaching Fellows Program (increases the IHEs from 5 to 8

Part VI Public School Definition Modification

Removes the UNC NC school of Math and Science and the School of the Arts from the definition.

The definition now includes

- LEAs
- Charter schools
- Lab schools
- Innovative school district
- Regional schools
- Residential schools

NCVPS

Adds that - within funds available, NCVPS shall provide courses to NCSSM and NC School of Arts

SL 2020-64 (S816) Cooperative Innovative High School

\$1,880,000(NR)

Section 4A(b) through Section 7

Appropriation from Civil Fines and Forfeitures

Following Schools are funded effective July 1, 2020

1. The Center for Industry, Technology, and Innovation
2. The Innovation Early College High School
3. The Marine Sciences and Technologies Early College High School
4. The Roanoke Rapids Early College High School
5. The Southeast Area Technical High School
6. Halifax Early College High School
7. Stanly STEM Early College High School
8. Gaston Early College of Medical Sciences High School

Section 5 – Reporting Requirement

Section 6 Moratorium on New Schools for the 2021-2022 School Year.

Section 7: Limitation on Approvals

- The State Board of Education may only conditionally approve up to three applications for CIHS that request supplemental funds to open in a school year. The State Board may prioritize conditional approval of applications for CIHS located in local school administrative units that do not already operate a CIHS.

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- For applications which have not requested additional funds, the State Board of Education and the applicable governing Board may approve CIHS. In granting approval, consideration shall be given to the proposed budget and demonstration of sources of sustainable funding for the operation of the CIHS. Approvals shall be made by June 30 of each year. No additional State funds, position allotments, earning of budget full-time equivalent students, or payments of tuition shall be provided to CIHS approved under this subsection.
- For applications requesting additional funds, the State Board and the applicable governing Board may approve cooperative innovative high schools contingent upon appropriation of the additional funds by the General Assembly. The contingent approval shall expire if no appropriation is made by the General Assembly for the additional funds within one calendar year. No cooperative innovative high school shall open prior to the appropriation by the General Assembly of the full amount of the additional funds as requested in the application.

SL2020-97 (H1105) Other Revisions (signed in to law 9/4/2020)

Section 3.1A See change to principal salary criteria related to ADM determination above

Section 3.1 After funding adjustments are made pursuant to subdivision (1) of this section, the State Board of Education shall not reduce allotments for local school administrative units due to a discrepancy between actual and anticipated average daily membership.

Section 3.2 the two virtual charter schools shall be permitted to increase student enrollment for the 2020-2021 school year only as follows:

- (i) North Carolina Cyber Academy shall be permitted to increase its enrollment by 1,000 students and
- (ii) North Carolina Virtual Academy shall be permitted to increase its enrollment by 2,800 students. A virtual charter school permitted an increase in student enrollment pursuant to this section shall give enrollment priority to students for the 2021-2022 school year who were enrolled in the school for the 2020-2021 school year prior to the date this act became law