



Legislative Update May 4

The General Assembly returned to session last week, working quickly to pass legislation to respond to the pandemic. As protests took place in the streets urging the state to re-open, legislators met to consider various policy and spending proposals related to COVID-19. Precautions were taken during session, and the general public was not allowed in the legislative buildings, although more video of the proceedings was available.

The Senate began its work with bipartisan legislation, while the House started from the draft legislation prepared by the House Select Committee on COVID-19 working groups. Once both chambers passed their bills, they moved to conference on House Bill 1043, Pandemic Response Act, which appropriates over \$1.5 billion in relief funding, and Senate Bill 704, Covid-19 Recovery Act, which covers a number of policy changes in unemployment, tax reform, education, health care and government operations. On Saturday, both chambers approved compromised versions of both bills, sending them to the Governor for his signature. A summary of relevant provisions from both bills is included below.

House Bill 1043, Pandemic Response Act, allocates significant funds for personal protective equipment (PPE), expansion of testing, tracking and trends tracking, as well as research on COVID-19. The final legislation included \$75 million for school nutrition services and \$70 million for a supplemental summer learning program. However, it included only \$4.5 million for remote instruction, far less than the \$153 million in needs outlined by the Department of Public Instruction and the State Board of Education. Provisions include:

Economic Recovery

- \$125M for Golden LEAF for small business loan assistance;

Education

- \$75M to DPI for school nutrition services provided in response to COVID-19;
- \$12M to DPI for improving Internet connectivity;
- \$35M to DPI for computers or other electronic devices;
- \$4.5M to DPI to establish a shared cybersecurity infrastructure;
- \$10M to DPI for allocation conforming for school health support personnel for physical and mental health support services for students in response to COVID-19, including remote services;
- \$70M to DPI for a supplemental summer learning program in response to negative effects of COVID-19;
- \$4.5M to DPI for remote instruction and nondigital remote instruction resources;

- \$15M to DPI for costs of providing Extended School Year Services or future services for exceptional children;
- \$5M to DPI for the Extended Learning and Integrated Student Supports Competitive Grant Program;
- \$25M to Community Colleges;
- \$44.4M to BOG of UNC;
- \$20M for private postsecondary institutions to transition to online education;

Senate Bill 704, Covid-19 Recovery Act, provides a number of policy changes in unemployment, tax reform, education, health care and government operations to address the pandemic. The legislation waives most standardized tests for the 2019-2020 school year, as well as the issuance of school report cards. Schools were granted some calendar flexibility, with the school year beginning August 17, 2020. However, the legislation does not include a delay in the K-3 class size reduction that was recommended by the House working group. Provisions include:

Economic Support

- adjusts tax filings to align with the federal changes and waives interest on certain payments;
- affirms the unemployment changes implemented through executive order;
- makes it easier for a claimant to satisfy one of the required weekly job contacts;
- makes it easier for employers to file attached claims for their employees;

Education

- clarifies or modifies various testing requirements, including EOGs, EOCs, the ACT, assessments for grades K-3, and WorkKeys;
- waives the requirements for calculation and display of school report cards;
- waives identification of new low-performing schools and maintains identifications based on 2018-2019 data;
- repeals the requirement that a new school be selected for the Innovative School District (ISD) based on data from the 2019-2020 school year;
- waives Read to Achieve requirements for third graders, allowing principals to make promotion decisions like for other grades, and cancels summer reading camps;
- requires that incoming fourth graders receive a reading assessment within 10 days of the start of the 2020-2021 school year;
- waives the CPR graduation requirement for students to graduate;
- allows remote instruction to satisfy instructional time requirements and waives attendance requirements beginning March 16, 2020;
- requires public schools to submit remote instruction plans for the 2020-2021 school year to the State Board of Education by July 20, 2020. The plans should ensure that remote instructional time, practice and application components support learning growth that continues towards mastery of the standard course of study. The plans must also include work measurement guidelines appropriate to each grade level, including

deadlines for submission of assignments and methods to assess and grade learning during remote instruction;

- requires school calendars for the 2020-2021 school year to begin August 17 and include 190 days of instruction including 5 remote instruction days;
- provides a 6-month extension for school improvement plans set to expire at the end of the 2019-2020 school year;
- permits annual teacher evaluations from the 2019-2020 school year to be based on observations completed prior to March 13, 2020, and evidence from the 2019-2020 school year;
- waives testing, attendance and calendar requirements for nonpublic schools;
- allows late disbursements from the Opportunity Scholarship Program;
- makes temporary changes to Educator Preparation Programs (EPPs), school administrator prep program requirements and transforming principal prep program requirements;
- provides one-year extensions for teachers, administrators and school professionals to meet licensure requirements set by the State Board, including continuing education requirements; and
- prevents UNC institutions from accruing or charging interest to a past due account held by a student between March 13, 2020, and September 15, 2020.

More legislation is likely in the coming weeks, especially to decide how to allocate more of the \$3.5 billion in federal funding. For now, the General Assembly will remain in a skeleton session. Speaker Moore said that he hopes to get back to normal House rules the week of May 18th.