



NORTH CAROLINA ASSOCIATION FOR PUBLIC CHARTER SCHOOLS

SB 704 and Charter Schools FAQs

Tests and Assessments (Section 2.3)

- 1. Will we be giving EOGs and EOCs at the end of the 19/20 school year?**
No, all 2019/2020 end-of-grade and end-of-course tests are waived.
- 2. What about students who haven't taken the ACT this year?**
During fall semester of 2020/2021, charter schools will give the norm-referenced college admissions test made available by the State Board to all students who were juniors in 19/20 who have not already taken a comparable test and scored at or above a level set by the State Board.
- 3. Will kindergarten, first, second or third grade students take any further diagnostic and formative assessments for 19/20?**
No, additional assessments beyond any given prior to March 16, 2020, are not required.

School Performance and Annual Report Cards for Schools (Section 2.4)

- 1. We haven't been in school since March 13 and there has been significant difficulty maintaining expectations for all students. Will my school get a School Performance Grade for the 2019/2020 school?**
No, 2020/2021 School Performance Grades will not be issued based on data from 2019/2020 school year because assessment data was not collected during the 2019/2020 school year.
- 2. Will schools be issued School Report Cards?**
No, School Report Cards will not be issued for 2020/2021 based on 2019/2020 data.
- 3. The public might be confused about why we don't have a School Performance Grade. How should we deal with that?**
The new law requires schools to display a brief explanation that School Performance Grades/School Report Cards were not issued for the 2020/2021 school year because assessment data was not collected during the 2019/2020 school year due to COVID-19.

Third Grade Retention and Fourth Grade Reading Assessment (Section 2.7)

- 1. Are there any new restrictions for charter schools on determining promotion/retention of third grade students?**

No, principals have authority to determine the appropriate 2020/2021 school year grade level for students in the third grade during the 2019/2020 school year in the same manner as for students in all other grade levels. If it is determined that a third-grade student is to be retained, the principal must designate whether the student was retained due to reading deficiencies.

- 2. Does the new law provide “best practices” for determining grade classification?**

Yes, principals are encouraged to consult with the student’s 2019/2020 third grade teacher.

- 3. How does school closure affect parental notification of struggling first through third grade students?**

Parents or guardians of first through third grade students should still be notified if the student was having difficulty with reading development or was not reading on grade level during the 2019/2020 school year, but only assessments completed prior to March 13, 2020 can be used in making that determination.

- 4. What about third grade students retained for the 2019/2020 school year based on data from the 2018/2019 school year?**

Beginning with March 16, 2020, the usual requirements do not apply [(c) Parents or guardians of students retained under G.S. 115C-83.7(a) shall receive at least monthly written reports on student progress toward reading proficiency. The evaluation of the student's progress shall be based upon the student's classroom work, observations, tests, assessments, and other relevant information].

- 5. Regarding third grade students retained for the 2020/2021 school year due to reading deficiencies, are there any changes about notification of exemptions?**

Yes, the following shall not apply:

G.S. 115C-83.7(b):

Students may be exempt from mandatory retention in third grade for good cause, but shall continue to be eligible to participate in reading camps, receive instructional supports and services and reading interventions appropriate for their age and reading level. Good cause exemptions shall be limited to the following: (1) Limited English Proficient students with less than two school years of instruction in an English as a Second Language program. (2) Students with disabilities, as defined in G.S. 115C-106.3(1), and whose individualized education program indicates (i) the use of the NCEXTEND1 alternate assessment, (ii) at least a two school year delay in educational performance, or (iii) receipt of intensive reading interventions for at least two school years. (3) Students who demonstrate reading proficiency appropriate for third grade students on an alternative assessment approved by the State Board of Education. (4) Students who demonstrate, through a student reading portfolio, reading proficiency appropriate for third

grade students. Student reading portfolio and review processes used by local school administrative units shall be approved by the State Board of Education. (5) Students who have (i) received reading intervention and (ii) previously been retained more than once in kindergarten, first, second, or third grades.

6. How do we identify reading deficiencies and remediation needs of fourth grade students?

No later than the tenth day that school buildings are open to students for the 2020/2021 school year, charter schools must administer to all fourth-grade students the end-of-year diagnostic assessment that students would have taken in third grade. The results are meant to inform instruction in order to ensure all students achieve proficiency at the earliest date possible.

7. What are the reporting requirements for the 2019/2020 school year?

By September 1, 2020, charter schools are required to report to the State Board of Education the following:

- a. The number and percentage of third grade students on track and not on track to meet year-end expectations based on assessments completed on or before March 13, 2020.
- b. The number and percentage of third grade students retained because of reading deficiencies.

School Calendar for 2019/2020 (Section 2.10)

1. How does remote instruction factor into the 2019/2020 school calendar?

As long as your school has provided remote instruction to meet the minimum days and hours required by statute, then you have satisfied the law.

2. How does SB 704 define “remote instruction?”

It is defined as learning that takes place outside of the traditional school setting using various media and formats, including, but not limited to, video conference, telephone conference, print material, online material, or learning management systems.

3. Will remote instruction be required for the remainder of the 2019/2020 school year?

Yes, the Governor’s order requires each school to provide remote instruction for the remainder of its scheduled 2019/2020 school year.

4. How can we enforce student attendance?

SB 704 eliminates the typical requirements for schools to notify parents or guardians of a student’s third and sixth unexcused absences. Reporting to the district attorney and the director of social services of the county where the child resides after the tenth unexcused absence also does not apply after March 16, 2020.

School Calendar for 2020/2021 (Section 2.11)

1. What is this Remote Instruction Plan I’ve heard about?

The Remote Instruction Plan is a document that details how your school will implement remote instruction during the 2020/2021 school year, if necessary.

2. When is my Plan due to the State Board of Education?

Your school's Remote Instruction Plan is due to be submitted to the State Board of Education by July 20, 2020.

3. Why is a Remote Instruction Plan required?

The purpose of the Plan is to provide a detailed framework for delivering quality remote instruction to all students during the 2020/2021 school year.

4. What is required to be included in the Plan?

Your school's plan must address the following 13 areas:

- (1) Consulting with teachers, administrators and instructional support staff, parents, students, community partners, and other stakeholders in developing the Plan and effectively communicating the Plan to all involved parties.
- (2) Training for teachers and staff on effective use of the remote instruction resources utilized by the charter school and the process for student submission of completed work. The Plan shall identify any learning management system, online instructional resource, or offline instructional resource that will be made available to all students in a grade-level across the charter school.
- (3) Defining and clearly communicating staff roles and expectations for remote instruction days, including teacher workdays, teacher accessibility, and noncertified staff workdays and responsibilities. The Plan may include variances for staff expectations when remote instruction days are also used as teacher workdays.
- (4) Surveying student and teacher home connectivity and providing for remote instruction that is appropriate for teachers and students with limited connectivity capability, including the opportunity for students to download remote learning materials in advance when practicable.
- (5) Engaging with community partners on services that parents and students can utilize on remote instruction days, including community partners willing to provide free broadband access or connectivity for remote instruction and community partners with child care options, and communicating remote instruction schedules with those partners.
- (6) Developing effective design and delivery of remote instruction lessons within professional learning communities.
- (7) Teaching and practice opportunities for students on accessing and using remote instruction platforms and methods, including how to locate, complete, and submit assignments. The Plan shall include regular opportunities for students to use the platforms and methods during nonremote instruction days to ensure student success during remote instruction.
- (8) Communicating learning targets to students on each remote instruction day and ensuring that lesson design provides instructional time, practice, and application components to demonstrate learning. The Plan shall include a process for monitoring the quality of remote instruction materials.
- (9) Ensuring that remote instructional time, practice, and application components support learning growth that continues towards mastery of the standard course of study. The Plan shall 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.
- (10) Ensuring that students with disabilities have equal access to the remote instruction provided by their charter school and that remote instruction is provided in a manner consistent with each

student's individualized education program (IEP) or 504 plan. Remote learning day supports shall be considered and included, as appropriate for the student, when an IEP or 504 plan is initially developed or at any subsequent review or revision of an IEP or 504 plan.

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

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

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

5. How will the information collected about the Remote Instruction Plans be used?

By September 15, 2020, the State Board of Education is required to report to the Joint Legislative Education Oversight Committee on the implementation of the Remote Instruction Plans.

6. What are the changes to the 2020/2021 calendar for charter schools?

Charter schools are required to adopt a calendar that provides for 185 days or 1,025 hours of instruction with an additional five remote instruction days. The additional five days of remote instruction can only be satisfied by five individually separate and distinct full instructional days, not an accumulation of hours. The charter school has discretion over the scheduling of the five additional days. For schools that go by days and not hours, the number of days in the 2020/2021 calendar must be at least 190.

7. My school goes by hours. Do we have to have five distinct remote instruction days?

Yes, all charter schools are required to build in five distinct remote instruction days. The five days must be individually separate and distinct full instructional days. An accumulation of hours is not allowed.

8. May we use the five remote instruction days as teacher workdays?

Yes, you may.

9. I'm still a bit confused. Could you provide an example please?

Yes, let's say a school goes by hours and has drafted a calendar that satisfies the 1,025 hours in 175 days. The school would need to add an additional five full days for remote instruction, which would then create a calendar totaling 180 days.

Here is another example: a school has drafted a calendar for 2020/2021 with 185 days. The school could reconfigure the calendar to designate five of the days as remote instruction days. Then, the school would need to add in five additional instruction days to equal 190.

Remember, a charter school has discretion over how to incorporate the five remote instruction days.

10. Do the start and end dates of August 17, 2020 and June 11, 2021 apply to charter schools?

No, those dates only apply to district schools.

11. Should my board approve the new calendar?

Yes, the board should always approve the school's calendar.

12. What if a State of Emergency is declared?

If a state of emergency is declared which closes schools for more than 5 days during the 2020-2021 school year, charter schools may use additional remote instruction days to satisfy instructional time requirements.

13. Where can I go if I have questions?

The Office of Charter Schools will be monitoring these new requirements and deadlines, so Dave Machado and his team are the best choice. Of course, the NC Association for Public Charter Schools is always available as a resource.