



# PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | Catherine Truitt, *Superintendent of Public Instruction*

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Charter Leaders,

I wanted to take a moment to address any confusion or misinformation swirling around concerning schools re-opening as it pertains to the public charter community. Last week was a great moment for many of our children with the passage of "Reopen Our Schools Act" (SB220). Through an agreement with the Governor's office, the General Assembly passed legislation that gave traditional public schools the opportunity to re-open in Plan A, with minimal social distancing, as long as the traditional public schools opted into the ABC Collaborative, a research group that will monitor COVID19 spread and clusters.

My office, along with SBE staff, asked the General Assembly to include public charter schools in this legislation, however, some charter advocates asked the General Assembly to be excluded from SB220 and therefore charter schools were not included in the bill. Unfortunately, as a result of not being included in the bill, charter schools do not have the same flexibility traditional schools now enjoy opening in Plan A for students in grades 6-12, a flexibility which many charter schools wish to have. The charter schools are now seeking to rectify this situation with additional legislation but must follow the current laws until and unless such legislation becomes effective. Neither I nor my staff can support, or give permission, to circumvent the law.

Yesterday, my office, through working with the State Board of Education to revise our guidelines for school attendance, clarified as much as we could legally how schools can now operate. As it currently stands, all schools (traditional and charter) must offer Plan C and A (with minimal social distancing) as an option for K-5 students and families. For grades 6-12, traditional schools may either choose to participate either in Plan A or Plan B. Those that opt for Plan A must participate in the ABC Collaborative study and must offer in-person instruction to students at least four days a week, while still giving families Plan C as an option.

Public Charter schools are still under the guidance of the DHHS Toolkit as prescribed by Session Law 2020-49, Section 2.11(b) (see attached) and must offer at least Plan B for 6-12th grades, while still giving families Plan C as an option. Until there is a legislative fix or DHHS updates their guidelines, public charter schools must continue to operate under the Toolkit which DOES NOT permit Plan A (minimal social distancing) for middle and high school grades.

DPI, OCS and the SBE will continue to work with the public charters to ensure all public schools are legally treated the same. I will, however, never advocate for individuals or groups to break the law, and this situation is no different. Until this is rectified, I ask that you continue to operate as you have been under the most recent Toolkit and State Board Policies. My office is working with your advocates and members of the General Assembly to address this as soon as possible. We will continue to give updates as we have them.

Sincerely,

Catherine Truitt