SECTION 7.23.(e) Reporting. – No later than February 15, 2024, for the 2023-2024 fiscal year, and October 15, 2024, for the 2024-2025 fiscal year, the Department shall report the following information from the prior school year to the Joint Legislative Education Oversight Committee and the Fiscal Research Division:

(1) Number and amounts of grants awarded.
(2) Identities of the public school units receiving grants.
(3) Identities of public school units that applied for grants but did not receive one.
(4) The extent to which students participating in after-school robotics programs funded by the Program experienced measurable improvement in academic performance, if any.

REMOTE CHARTER ACADEMIES

SECTION 7.26.(a) Article 14A of Chapter 115C of the General Statutes is amended by adding a new Part to read:

"Part 7. Remote Charter Academies.

"**§ 115C-218.120. Remote charter academies.**

(a) As part of an application or modification of a charter, a nonprofit may apply to the Review Board for approval to include a remote charter academy that meets the requirements of this Part as part of the nonprofit's charter. A charter that includes a remote charter academy may do any of the following:

(1) Provide only remote instruction to enrolled students served by the charter in accordance with this Part.
(2) Provide remote instruction to students enrolled in the remote charter academy and provide in-person instruction to other students served by the charter.
(3) Provide enrolled students both remote instruction and in-person instruction. A student who receives more than half of the student's instruction through remote instruction shall be classified as enrolled in the charter's remote charter academy.

(b) As part of the application or modification of a charter, the nonprofit shall designate which of the following enrollment areas the remote charter academy will use to enroll students:

(1) A statewide remote charter academy that admits students in accordance with G.S. 115C-218.45.
(2) A regional remote charter academy that, notwithstanding G.S. 115C-218.45(a), admits students only from the county in which the charter school facility is located and the counties of the State geographically contiguous to that county.

(c) A remote charter academy provides instruction primarily online through a combination of synchronous and asynchronous instruction delivered to students in a remote location outside of the charter school facility. A remote charter academy may include any combination of grade levels.

(d) Notwithstanding G.S. 115C-84.3, an approved remote charter academy may satisfy the minimum required number of instructional days or hours for the school calendar through remote instruction.

"**§ 115C-218.121. Remote charter academy enrollment.**

(a) A student shall not be assigned to attend a remote charter academy without parental consent. A board of directors shall require an application to secure parental consent prior to enrollment of a student in a remote charter academy.

(b) A remote charter academy shall identify characteristics for successful remote learning and establish criteria for admittance to a remote charter academy and shall make that information available to parents.

(c) A student may not be denied admission to the remote charter academy solely on the basis that the student is a child with a disability. If a student is admitted to a remote charter academy, that student's IEP team, as defined in G.S. 115C-106.3, or section 504 team, 29 U.S.C. § 794, must plan for a successful student entry and accommodations necessary to provide for a free appropriate public education in the remote charter academy.

(d) A charter that provides in-person instruction may reassign a student to in-person instruction during the school year if the board of directors determines that in-person instruction would better ensure academic success for that student. The board of directors may delegate this authority to the chief administrator.

"**§ 115C-218.122. Remote charter academy requirements.**

(a) Except as provided in this Part, a remote charter academy shall meet the same requirements as for other charter schools established by this Article.

(b) A remote charter academy shall provide all of the following to enrolled students:

(1) Any hardware and software needed to participate in the remote charter academy. Students may not be charged rental fees but may be charged damage fees for abuse or loss of hardware or software under rules adopted by the State Board of Education.

(2) Access to a learning management platform that enables monitoring of student performance and school-owned devices, as well as allows video conferencing and supervised text-based chat for synchronous communication.

(3) Access to the internet that is available during instructional hours, evenings, and weekends.

(4) Technical support that is available during instructional hours.

(5) For children with an individualized education program (IEP), as defined in G.S. 115C-106.3, or a section 504 plan, 29 U.S.C. § 794, adaptive or assistive devices, transportation, and in-person services as required by that program or plan.

(c) A remote charter academy may require students to attend in person to fulfill State-mandated student assessments. A remote charter academy may conduct optional in-person meetings between students and instructors or parents and instructors at a charter school facility.

(d) The employees of a remote charter academy shall meet the same licensure and evaluation requirements as required by G.S. 115C-218.90. The remote charter academy shall ensure sufficient digital teaching and learning support staff, including, at a minimum, the following:

(1) An instructional technology facilitator.

(2) A school library media coordinator.

(3) A data manager.

(4) Sufficient remote technicians to ensure technical support throughout the instructional day for staff and students.

"**§ 115C-218.123. Remote charter academy approval process.**

(a) A nonprofit seeking to provide a remote charter academy shall submit to the Review Board as part of the application for approval or modification of a charter a plan that provides for the following:

(1) Whether the enrollment area of the remote charter academy will be statewide or regional.

(2) The range of grades for which the remote charter academy will offer courses.

(3) The method by which the remote charter academy will monitor calendar compliance, enrollment, daily attendance, course credit accrual, progress toward graduation, and course completion.

(4) Hardware, software, and learning management platforms that support online learning.

(5) The measures used to ensure that both synchronous and asynchronous remote instruction time, practice, and application components support learning growth that continues toward mastery of student achievement goals for the charter's educational program.

(6) The professional development that will be provided to those teaching in the remote charter academy related to the pedagogy of providing remote instruction.

(7) The identified characteristics for successful remote learning and criteria for admission to the remote charter academy. The board of directors shall identify the means by which information will be communicated to the parents and legal guardians of prospective applicants and current enrollees about the remote charter academy and those characteristics and criteria to allow for informed decisions about enrollment.

(8) Any school nutrition services or transportation services that will be provided to students.

(b) The Review Board shall review and approve a charter or charter modification for the creation of a remote charter academy that meets the requirements established in this Part for a term of five years. The Review Board shall approve a minimum of two statewide remote charter academies that meet the qualifications of this Part for operation beginning with the 2026-2027 school year and thereafter.

"**§ 115C-218.124. Operation and renewal of remote charter academies.**

(a) Each approved remote charter academy shall adhere to the plan submitted to and approved by the Review Board or the State Board of Education as part of the approved charter unless the board of trustees obtains a charter modification.

(b) Each approved remote charter academy shall receive a school code. A nonprofit that has a school code for in-person instruction in addition to a school code for a remote charter academy may provide all financial reporting for both school codes jointly in a form directed by the Department of Public Instruction.

(c) A nonprofit may apply for renewal of the remote charter academy for additional terms of five years. The Review Board shall consider compliance with the requirements of this Part and success of the remote charter academy in the prior five years in determining whether to approve a request for renewal of a remote charter academy.

"**§ 115C-218.125. Evaluation.**

The State Board of Education shall evaluate the success of remote charter academies approved under this Part. Success shall be measured by school performance scores and grades, retention rates, attendance rates, and, for grades nine through 12, high school completion and dropout rates. The Board shall report by November 15 of each year to the Joint Legislative Education Oversight Committee on the evaluation of these academies and on any recommended statutory changes."

SECTION 7.26.(b) G.S. 115C-84.3(c) reads as rewritten:

"(c) Except as provided in Part 7 of Article 14A or Part 3A of Article 16 of this Chapter or subsection (b) of this section, a public school unit shall not use remote instruction to satisfy the minimum required number of instructional days or hours for the school calendar."

SECTION 7.26.(c) G.S. 115C-218, 115C-218.1, 115C-218.2, 115C-218.3, 115C-218.5, 115C-218.6, 115C-218.7, 115C-218.8, and 115C-218.9 are codified into Part 1 of Article 14A of Chapter 115C of the General Statutes, Governance and Applications for Charter Schools. G.S. 115C-218.10, 115C-218.15, 115C-218.20, 115C-218.25, 115C-218.30, 115C-218.35, 115C-218.37, 115C-218.40, 115C-218.42, 115C-218.45, 115C-218.50, 115C-218.55, 115C-218.60, 115C-218.65, 115C-218.70, 115C-218.75, 115C-218.80, 115C-218.85, and 115C-218.90 are codified into Part 2 of Article 14A of Chapter 115C of the General Statutes, Operation of Charter Schools. G.S. 115C-218.94, 115C-218.95, and

115C-218.100 are codified into Part 3 of Article 14A of Chapter 115C of the General Statutes, Evaluation of Charter Schools. G.S. 115C-218.105 is codified into Part 4 of Article 14A of Chapter 115C of the General Statutes, Funding of Charter Schools. G.S. 115C-218.110 is codified into Part 5 of Article 14A of Chapter 115C of the General Statutes, Reporting on Charter Schools. G.S. 115C-218.115 is codified into Part 6 of Article 14A of Chapter 115C of the General Statutes, Charter Schools Pre-K Programs.

SECTION 7.26.(d) Section 8.35 of S.L. 2014-100, as amended by Section 8.13 of S.L. 2016-94, Section 7.13 of S.L. 2018-5, and Section 7.13 of S.L. 2022-74, reads as rewritten:

"**SECTION 8.35.(a)** Notwithstanding G.S. 115C-218.5 or any other provision of law to the contrary, the State Board of Education shall establish a pilot program to authorize the operation of two virtual charter schools serving students in kindergarten through twelfth grade. The State Board shall establish an application process to allow student enrollment in the selected virtual charter schools beginning with the 2015-2016 school year. A virtual charter school participating in the pilot may serve any grade span of students in kindergarten through twelfth grade. The pilot program shall continue for a period of ~~10~~ 11 school years and shall end with the ~~2024-2025~~ 2025-2026 school year.

"**SECTION 8.35.(b)** The virtual charter schools participating in the pilot program authorized by this section shall be subject to the statutes and rules applicable to charter schools pursuant to Article 14A of Chapter 115C of the General Statutes, except as follows:

(1) The maximum student enrollment in any participating school ~~shall be no greater than 1,500 in its first year of operation and may increase by twenty percent (20%) for each participating school up to a maximum student enrollment of 2,592 in the fourth year of the pilot. The State Board of Education may waive this maximum student enrollment threshold, beginning in the fourth year of the school's operation, if the State Board determines that doing so would be in the best interest of North Carolina students.~~for the 2023-2024 school year shall be the authorized student enrollment for that participating school for the 2021-2022 school year plus enrollment growth of up to twenty percent (20%) of that enrollment. For the remaining years of the pilot, the participating schools may increase enrollment in accordance with G.S. 115C-218.7(b).

…

"**SECTION 8.35.(e)** The State Board of Education shall provide State funding to a virtual charter school participating in the pilot program as provided in G.S. 115C-218.105(a) and G.S. 115C-218.105(b). ~~The amount allocated pursuant to G.S. 115C-218.105(a)(1) shall not, however, include the allocation for low-wealth counties supplemental funding and the allocation for small county supplemental funding.~~ Virtual charter schools participating in the pilot program shall also be subject to the requirements in G.S. 115C-218.105(c) through G.S. 115C-218.105(e). ~~The amount of local funds provided to participating schools pursuant to G.S. 115C-218.105(c) shall be the lesser of seven hundred ninety dollars ($790.00) per pupil or the amount computed in accordance with G.S. 115C-218.105(c).~~

…."

SECTION 7.26.(e) A virtual charter school that participated in the pilot program authorized by Section 8.35 of S.L. 2014-100, as amended by Section 8.13 of S.L. 2016-94, Section 7.13 of S.L. 2018-5, Section 7.13 of S.L. 2022-74, and this section, shall be eligible to apply for a charter renewal as a remote charter academy as provided in Article 14A of Chapter 115C of the General Statutes.

SECTION 7.26.(f) This section is effective when it becomes law and applies beginning with the 2023-2024 school year.

SCHOOL HEALTH PERSONNEL ALLOTMENT