

§ 115C-84.3. Remote instruction.

(a) Remote instruction means instruction delivered to students in a remote location outside of the school facility, whether synchronously or asynchronously. Instructional days or hours provided through any of the following shall not be considered remote instruction:

- (1) North Carolina Virtual Public School courses.
- (2) E-learning courses that meet the requirements of G.S. 115C-238.85.
- (3) Institution of higher education courses, as provided in Article 16 of this Chapter or G.S. 115D-20(4).
- (4) Homebound instruction required for a student by an individualized education program, as defined in G.S. 115C-106.3(8), or a section 504 (29 U.S.C. § 794) plan.
- (5) Instruction provided to a student during a short- or long-term suspension.

(b) A public school unit in a county that has received a good cause waiver, as provided in G.S. 115C-84.2(d), for the school year may use up to 15 remote instruction days or 90 remote instruction hours when schools are unable to open due to severe weather conditions, energy shortages, power failures, or other emergency situations and may use that time towards the required instructional days or hours for the school calendar. All other public school units may use up to five remote instruction days or 30 remote instruction hours when schools are unable to open due to severe weather conditions, energy shortages, power failures, or other emergency situations and may use that time towards the required instructional days or hours for the school calendar.

(c) Except as provided in 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.

(d) A governing board that chooses to use remote instruction as provided in subsection (b) of this section shall submit to the State Board, by July 1 annually, a remote instruction plan that provides a detailed framework for delivering quality remote instruction to students for the upcoming school year and information on the number of remote instruction days or hours used in the prior school year to satisfy instructional requirements, when applicable. At a minimum, the plans submitted by governing boards shall include the following:

- (1) Identification of the resources that will be used to facilitate remote instruction.
- (2) Communication with and training opportunities for teachers, administrators, instructional support staff, parents, and students on how to access and effectively use remote instruction resources, including regular opportunities for students to use those resources during nonremote instructional days to ensure student success during remote instruction.
- (3) Establishment of methods for tracking and reporting attendance during remote instruction, including protocols for determining attendance, the reporting system to be used, and how attendance procedures will be communicated to parents before remote instruction begins.
- (4) Establishment of staff roles and expectations for remote instruction days, including teacher workdays, teacher accessibility, and noncertified staff workdays and responsibilities.
- (5) Communication of learning targets to students on each remote instruction day and development of measures to ensure that remote instruction time, practice, and application components support learning growth that continues towards mastery of the standard course of study.
- (6) Development of remote instruction options appropriate for teachers and students with limited connectivity capability, including the opportunity for students to download remote instruction materials in advance when practicable.

- (7) Provision of remote instruction for students with disabilities in a manner consistent with each student's individualized education program (IEP), as defined in G.S. 115C-106.3, or section 504 (29 U.S.C. § 794) plan. Remote instruction 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.
- (e) The State Board of Education shall report by September 15 annually to the Joint Legislative Education Oversight Committee on the following information related to remote instruction:
- (1) A copy of each governing board's remote instruction plan.
 - (2) A summary document of the following:
 - a. The number of remote instruction days or hours used by each public school unit in the prior school year.
 - b. Strengths, challenges, and trends noted by the State Board in its review of how governing boards implement remote instruction.
 - c. Any other data deemed by the State Board to be useful to the Joint Legislative Education Oversight Committee in evaluating the use and delivery of remote instruction in emergency circumstances. (2021-130, s. 3(a); 2022-59, s. 1(a), (b); 2022-74, s. 7.13(a), (b).)