

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

H

D

HOUSE BILL 218  
PROPOSED COMMITTEE SUBSTITUTE H218-PCS80214-SA-5

Short Title: Parent & Student Educational Involvement Act.

(Public)

Sponsors:

Referred to:

February 19, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO ENACT THE PARENT AND STUDENT EDUCATIONAL INVOLVEMENT  
3 ACT.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-391(d5) reads as rewritten:

6 "(d5) When a student is ~~expelled or suspended~~ recommended for expulsion or suspension  
7 for more than 10 days, days ("long-term suspension"), the local board shall give written notice  
8 to the student's parent or guardian by certified mail, telephone, telefax, e-mail, or any other  
9 method reasonably designed to achieve actual notice of the student's rights under this  
10 section-parent, guardian, caregiver, or other person legally responsible for the child (hereinafter  
11 referred to as the parent). The written notice shall be provided to the student's parent by the end  
12 of the workday during which the suspension or expulsion is recommended when reasonably  
13 possible, but in no event later than the end of the following workday. The written notice shall  
14 provide at least the following information:

- 15 (1) A description of the incident leading to the recommendation that the student  
16 be expelled or suspended;  
17 (2) The specific provisions of the student conduct policy or rule alleged to have  
18 been violated;  
19 (3) The specific process by which the parent may request a hearing to contest  
20 the suspension or expulsion, including the number of days within which the  
21 hearing must be requested;  
22 (4) The process by which a hearing will be held, including, to the extent  
23 provided by law, the student's opportunity to examine evidence and present  
24 evidence, to confront and cross-examine witnesses supporting the charge,  
25 and to call witnesses to verify the student's version of the incident;  
26 (5) That the parent is permitted to retain an attorney to represent the student in  
27 the hearing process;  
28 (6) Whether and the extent to which board policy permits the parent to have an  
29 advocate to accompany the student to assist in the presentation of his or her  
30 appeal instead of an attorney; and  
31 (7) That the parent has a right to review the student's educational records prior  
32 to the hearing.

33 Written notice may be provided by certified mail, telefax, e-mail, or any other written  
34 method reasonably designed to achieve actual notice of the recommendation for expulsion or



\* H 2 1 8 - P C S 8 0 2 1 4 - S A - 5 \*

1 long-term suspension. If English is the second language of the parent or guardian, the notice  
2 shall be written in the parent or guardian's first language when the appropriate foreign language  
3 resources are readily available and in ~~English, and both~~English. Both versions shall be in plain  
4 language and shall be easily understandable."

5 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
6 the 2009-2010 school year.