

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 37

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

S37-ATC-6 [v.5]

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Amends Title [NO]
First Edition

Date _____, 2021

Senator Davis

- 1 moves to amend the bill on page 1, line 29, by deleting the phrase "local school administrative
- 2 units" and substituting the phrase "public school units";
- 3
- 4 page 1, line 32, by deleting the word "fifteen" and substituting the word "thirty";
- 5
- 6 and on page 1, line 34, by deleting the phrase "local school administrative units" and substituting
- 7 the phrase "public school units";
- 8
- 9 and on page 2, line 1, by deleting the phrase "local school administrative units" and substituting
- 10 the phrase "public school units";
- 11
- 12 and on page 2, line 3, by deleting the date "December 4, 2020," and substituting the date
- 13 "February 2, 2021,";
- 14
- 15 and on page 2, lines 6-24, by rewriting those lines to read:
- 16
- 17 "a. Special Education Elementary Students. – A governing board shall
- 18 provide the option of in-person instruction under Plan A (Minimal
- 19 Social Distancing) to all students in grades kindergarten through fifth
- 20 enrolled in that unit with an individualized education program, as
- 21 defined in G.S. 115C-106.3(8), or a section 504 (29 U.S.C. § 794)
- 22 plan. A governing board shall provide the option of remote education
- 23 for those students to elect to participate in, at the discretion of the
- 24 student's parent or guardian, for the remainder of the 2020-2021 school
- 25 year. A governing board may provide the option of in-person
- 26 instruction under Plan B (Moderate Social Distancing) for those
- 27 students to elect to participate in, at the discretion of the student's
- 28 parent or guardian, for the remainder of the 2020-2021 school year.
- 29 b. Elementary Students. – A governing board shall provide the option of
- 30 in-person instruction under either Plan A (Minimal Social Distancing)
- 31 or Plan B (Moderate Social Distancing) for all other students enrolled
- 32 in grades kindergarten through five in that unit. It shall be in the



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- 1 discretion of the governing board whether in-person instruction shall
2 be provided under Plan A (Minimal Social Distancing), Plan B
3 (Moderate Social Distancing), or both Plans as necessary to address
4 the needs of different school settings. A governing board shall
5 continue to provide remote instruction options for those students to
6 elect to participate in, at the discretion of the parent or guardian, for
7 the remainder of the 2020-2021 school year.
- 8 c. Middle and High School Students. – A governing board shall provide
9 the option of in-person instruction under Plan B (Moderate Social
10 Distancing) for all students in grades six through twelve enrolled in
11 that unit, including students with an individualized education program,
12 as defined in G.S. 115C-106.3(8), or a section 504 (29 U.S.C. § 794)
13 plan. It shall be in the discretion of the governing board whether
14 in-person instruction shall be provided under Plan A (Minimal Social
15 Distancing), Plan B (Moderate Social Distancing), or both Plans as
16 necessary to address the needs of different school settings. If the
17 Department of Health and Human Services issues guidance that it is
18 safe for students in grades six through twelve to return to school under
19 Plan A (Minimal Social Distancing), a governing board may provide
20 in-person instruction under Plan A (Minimal Social Distancing) or
21 Plan B (Moderate Social Distancing) for students enrolled in grades 6
22 through 12. A governing board shall continue to provide remote
23 instruction options for these students to elect to participate in, at the
24 discretion of the parent or guardian, for the remainder of the
25 2020-2021 school year."
26
- 27 and on page 2, line 25, by deleting the phrase "Local boards of education" and substituting the
28 phrase "Governing boards";
29
- 30 and on page 2, line 30, by deleting the phrase "Local boards of education" and substituting the
31 phrase "Governing boards";
32
- 33 and on page 2, line 34, by deleting the phrase "local board of education" and substituting the
34 phrase "governing board";
35
- 36 and on page 2, by inserting the following between lines 36-37:
37
- 38 "(4) Governing boards shall continue to provide remote teaching options for
39 teachers who are high-risk to elect to participate in for the remainder of the
40 2020-2021 school year."
41
- 42 and on page 2, lines 39-40, by deleting the phrase "local school administrative unit" and
43 substituting the phrase "public school unit";

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- 1
2 and on page 2, lines 42-43, by deleting the phrase "local school administrative unit" and
3 substituting the phrase "public school unit";
4
5 and on page 2, line 48, by deleting the phrase "local boards of education" and substituting the
6 phrase "governing boards"
7
8 and on page 2, by inserting between lines 50-51, the following:
9
10 **"SECTION 4.5.** The Department of Public Instruction, in coordination with the
11 Department of Health and Human Services, shall examine the impacts of reopening schools in
12 the various Plans, and shall report these findings to the Joint Legislative Education Oversight
13 Committee by June 15, 2021."

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**