

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 37

AMENDMENT NO. A7
(to be filled in by
Principal Clerk)

S37-ATC-23 [v.2]

Page 1 of 3

Amends Title [NO]
Third Edition

Date _____, 2021

Representative K. Smith

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 number "twenty-one";

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, lines 6-25, by rewriting those lines to read:

13
14 "a. Special Education Elementary Students. – A governing board shall
15 provide the option of in-person instruction under Plan A (Minimal
16 Social Distancing) to all students in grades kindergarten through fifth
17 enrolled in that unit with an individualized education program, as
18 defined in G.S. 115C-106.3(8), or a section 504 (29 U.S.C. § 794)
19 plan. A governing board shall provide the option of remote education
20 for those students to elect to participate in, at the discretion of the
21 student's parent or guardian, for the remainder of the 2020-2021 school
22 year. A governing board may provide the option of in-person
23 instruction under Plan B (Moderate Social Distancing) for those
24 students to elect to participate in, at the discretion of the student's
25 parent or guardian, for the remainder of the 2020-2021 school year.

26 b. Elementary Students. – A governing board shall provide the option of
27 in-person instruction under either Plan A (Minimal Social Distancing)
28 or Plan B (Moderate Social Distancing) for all other students enrolled
29 in grades kindergarten through five in that unit. It shall be in the
30 discretion of the governing board whether in-person instruction shall
31 be provided under Plan A (Minimal Social Distancing), Plan B
32 (Moderate Social Distancing), or both Plans as necessary to address



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- 1 the needs of different school settings. A governing board shall
2 continue to provide remote instruction options for those students to
3 elect to participate in, at the discretion of the parent or guardian, for
4 the remainder of the 2020-2021 school year.
- 5 c. Middle and High School Students. – A governing board shall provide
6 the option of in-person instruction under Plan B (Moderate Social
7 Distancing) for all students in grades six through twelve enrolled in
8 that unit, including students with an individualized education program,
9 as defined in G.S. 115C-106.3(8), or a section 504 (29 U.S.C. § 794)
10 plan. It shall be in the discretion of the governing board whether
11 in-person instruction shall be provided under Plan A (Minimal Social
12 Distancing), Plan B (Moderate Social Distancing), or both Plans as
13 necessary to address the needs of different school settings. If the
14 Department of Health and Human Services issues guidance that it is
15 safe for students in grades six through twelve to return to school under
16 Plan A (Minimal Social Distancing), a governing board may provide
17 in-person instruction under Plan A (Minimal Social Distancing) or
18 Plan B (Moderate Social Distancing) for students enrolled in grades 6
19 through 12. A governing board shall continue to provide remote
20 instruction options for these students to elect to participate in, at the
21 discretion of the parent or guardian, for the remainder of the
22 2020-2021 school year.";
- 23
- 24 and on page 2, line 26, by deleting the phrase "Local boards of education" and substituting the
25 phrase "Governing boards";
- 26
- 27 and on page 2, line 33, by deleting the phrase "Local boards of education" and substituting the
28 phrase "Governing boards";
- 29
- 30 and on page 2, line 41, by deleting the phrase "Local boards of education" and substituting the
31 phrase "Governing boards";
- 32
- 33 and on page 2, line 49, by deleting the phrase "Local boards of education" and substituting the
34 phrase "Governing boards";
- 35
- 36 and on page 3, line 2, by deleting the phrase "local board of education" and substituting the phrase
37 "governing board";
- 38
- 39 and on page 3, lines 7-8, by deleting the phrase "local school administrative unit" and substituting
40 the phrase "public school unit";
- 41
- 42 and on page 3, lines 10-11, 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 3, line 16, by deleting the phrase "local boards of education" and substituting the
3 phrase "governing boards";
4
5 and on page 3, lines 18-19 by inserting the following between those lines:
6
7 **"SECTION 4.5.** The Department of Public Instruction, in coordination with the
8 Department of Health and Human Services, shall examine the impacts of reopening schools in
9 the various Plans, and shall report these findings to the Joint Legislative Education Oversight
10 Committee by June 15, 2021."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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