SENATE BILL 37:
In-Person Learning Choice for Families.

2021-2022 General Assembly

Committee:	House Education - K-12. If favorable, re-refer to Rules, Calendar, and Operations of the House	**Date:**	February 10, 2021
Introduced by:	Sens. Ballard, Lee, Hise	**Prepared by:**	Kara McCraw Staff Attorney
Analysis of:	Second Edition		

OVERVIEW: SB 37 would require all local school administrative units to offer in-person instruction to students in grades kindergarten through 12 for the remainder of the 2020-2021 school year.

CURRENT LAW: The Department of Health and Human Services (DHHS) has provided the StrongSchoolsNC Public Health Toolkit (K-12) (Toolkit) as guidance for public schools in reopening for the 2020-2021 school year. Schools must develop three plans for reopening under the Toolkit that each have different health and safety requirements:

- Plan A: Minimal Social Distancing – This plan is used when all students are in attendance.
- Plan B: Moderate Social Distancing – This plan is used to limit density in facilities.
- Plan C: Remote Learning Only – This plan is used when school buildings are closed to students.

Currently, local school administrative units may operate in Plan A, B, or C for grades kindergarten through five, and may operate in Plans B or C for grades six through 12.

BILL ANALYSIS: Local boards of education (local boards) would be required to provide the option of in-person instruction to students in grades kindergarten through 12 for the remainder of the 2020-2021 school year as follows:

- Local boards would be required to comply with the Toolkit requirements for Plan A and Plan B, as that guidance existed on February 2, 2021.
- Local boards would be required to offer in-person instruction under Plan A to all special education students (students with an individualized education program or section 504 plan) unless the plan prohibited in-person instruction. Parents would have the discretion to elect for those students to participate in remote instruction instead.
- Local boards would be required to offer in-person instruction under Plan A or Plan B to all other students. Parents would have the discretion to elect for those students to participate in remote instruction instead.
- Local boards could adjust student assignments to comply with the in-person instruction requirements.
- Local boards would be able to make day-to-day decisions on shifts of individual classrooms and schools from in-person to remote instruction when needed due to COVID-19 exposures that result in insufficient school personnel or required student quarantines. Closures would be required to be reported within 72 hours to the Department of Public Instruction.

Local boards of education would be encouraged to coordinate with local health departments and other vaccine providers to facilitate coordinating and scheduling COVID-19 vaccination events for frontline K- 12 school-based employees.

EFFECTIVE DATE: This act would become effective when it becomes law and require LEAs to begin offering in-person instruction no later than the first weekday occurring 15 days after the effective date.

Jeffrey Hudson
Director

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This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.