

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS45351-NG-38A

Short Title: COVID-19/Parent-Initiated PEP.

(Public)

Sponsors: Senator Davis (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR PERSONAL EDUCATION PLANS FOR STUDENTS AT THE
3 REQUEST OF A PARENT OR GUARDIAN.

4 Whereas, school closures and remote learning due to COVID-19 have led to learning
5 loss; and

6 Whereas, the best educational practice is to help students regain their lost learning
7 and return to learning at grade level; and

8 Whereas, some students may have been affected more significantly than others; and

9 Whereas, North Carolina students have a constitutional right to a sound, basic
10 education; and

11 Whereas, specialized plans may be required to ensure that students are afforded that
12 right; and

13 Whereas, parental involvement is crucial to student learning; Now, therefore,
14 The General Assembly of North Carolina enacts:

15 **SECTION 1.** A parent or guardian may request a personal education plan for
16 academic or behavioral improvement. Upon request from a parent or guardian, a local school
17 administrative unit shall, in consultation with the parent or guardian, develop a plan of focused
18 intervention and performance benchmarks. This plan shall address academic and social and
19 emotional supports. Local school administrative units shall include parents or guardians in the
20 implementation of supports to the greatest extent possible. No cause of action for monetary
21 damages shall arise from the failure to provide or implement a personal education plan under this
22 section.

23 **SECTION 2.** No later than July 15, 2023, each school shall report on the
24 implementation of this act to the State Board of Education. No later than October 15, 2023, the
25 State Board of Education shall submit a comprehensive report on the implementation of this act
26 to the Joint Legislative Education Oversight Committee.

27 **SECTION 3.** Any personal education plan created under this act will terminate at
28 the end of the academic year it was created.

29 **SECTION 4.** This act is effective when it becomes law and applies to requests for
30 any personal education plan submitted during the 2021-2022 or 2022-2023 school year. This act
31 expires at the end of the 2022-2023 school year.



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