



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

2021-2022 General Assembly

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<b>Committee:</b>		<b>Date:</b>	February 11, 2021
<b>Introduced by:</b>	Sens. Ballard, Lee, Hise	<b>Prepared by:</b>	Kara McCraw
<b>Analysis of:</b>	Third Edition		Staff Attorney

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**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 required to make reasonable work accommodations for classroom teachers who either personally have a documented medical conditions that increases the risk of severe illness from COVID-19, or have a minor the teacher is the direct caretaker for who has such a documented medical condition. Local boards would have the option to make such accommodations if the documented medical condition may increase risk for severe illness.
- 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.

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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.