



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 220

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

S220-ATC-40 [v.4]

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Amends Title [YES]
First Edition

Date _____, 2021

Senator Ballard

1 moves to amend the bill by deleting the Short Title of "CPR Grad. Req. Extension." and
2 substituting the Short Title of "The Reopen Our Schools Act of 2021.";

3
4 and on page 1, line 2, by deleting those lines and substituting the following:

5
6 "AN ACT TO PROVIDE ACCESS TO IN-PERSON LEARNING FOR STUDENTS IN
7 GRADES KINDERGARTEN THROUGH TWELVE.";

8
9 and on page 1, lines 4-12, by deleting those lines and substituting the following:

10
11 "SECTION 1. All local school administrative units shall provide in-person
12 instruction to students in grades kindergarten through 12 enrolled in that unit in accordance with
13 this act for the remainder of the scheduled 2020-2021 school year, beginning no later than the
14 first instructional day scheduled in the adopted school calendar that occurs 21 days following the
15 effective date of this act.

16 "SECTION 2. In providing for in-person instruction for the remainder of the 2020-
17 2021 school year, local school administrative units shall comply with the following:

18 (1) Local school administrative units shall comply with all requirements of the
19 StrongSchoolsNC Public Health Toolkit (K-12) (Toolkit), as that guidance
20 existed on March 4, 2021, for implementation of Plan A (Minimal Social
21 Distancing) and Plan B (Six Feet Social Distancing) that are applicable to the
22 Plan of reopening, as follows:

23 a. Grades kindergarten through five. - Local boards of education shall
24 provide in-person instruction under Plan A (Minimal Social
25 Distancing) to all students enrolled in grades kindergarten through
26 five.

27 b. Grades six through 12. -
28 1. Local boards of education shall provide in-person instruction
29 under either Plan A (Minimal Social Distancing), Plan B (Six
30 Feet Social Distancing), or both, to all students enrolled in
31 grades six through 12. The decision of which Plan to offer is
32 solely within the discretion of the local board of education,



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1 Collaborative to request only de-identified, aggregate data from partnering units. The contract
2 shall require the ABC Collaborative to report on its findings to the Joint Legislative Education
3 Oversight Committee, the Senate Education/Higher Education Committee, the House Education
4 K-12 Committee, the Department of Public Instruction, the State Board of Education, the
5 Department of Health and Human Services, and the Office of the Governor as follows:

6 (1) Interim Analysis: An interim analysis of aggregate data for all partnering
7 units shall be submitted no later than the last calendar day of March, April,
8 and May of 2021.

9 (2) Final Analysis: A final analysis of both aggregate and individual partnering
10 local school administrative unit data shall be submitted no later than June 30,
11 2021.

12 **SECTION 3.(b)** The Department of Public Instruction shall execute the contract with
13 Duke University required by this act no later than the fifteenth day after this act becomes law,
14 and shall disburse the funds allocated by the contract to Duke University within 5 days of
15 execution of the contract. The contract the Department of Public Instruction enters into shall
16 terminate no later than September 15, 2021. The contract required by this act shall not be subject
17 to Article 3 or Article 8 of Chapter 143 of the General Statutes, or any other provision of law
18 relating to initial purchase and contract requirements in completing the contract.

19 **SECTION 3.(c)** If HB 196, 2021 Regular Session, becomes law, S.L. 2021-1, Sec.
20 5A, as amended by HB 196, 2021 Regular Session, is amended by adding a new subdivision to
21 read:

22 "(4a) \$500,000 to contract with Duke University for the ABC Collaborative of the
23 School of Medicine at Duke University to provide for data collation, analysis,
24 and interpretation of COVID-19 related metrics of student, teacher, and staff
25 safety in partnering local school administrative units providing in-person
26 instruction under Plan A for middle and high school students."

27 **SECTION 4.** The Governor is authorized and empowered to order the closure of a
28 local school administrative unit during the remainder of the 2020-2021 school year only as
29 follows:

30 (1) The Governor may order, by executive order, an individual local school
31 administrative unit to close to full-time in-person instruction and provide
32 hybrid or remote learning options, or to otherwise close, restrict, or reduce
33 operations within schools of that unit when necessary to protect the health and
34 safety of students and employees in that unit.

35 (2) For any order issued as provided in subdivision (1) of this section, the
36 Governor shall provide reasons specific to that local school administrative unit
37 for requiring closure, restriction, or reduction in the operation of those
38 schools. The Governor may require such actions for any reason deemed
39 necessary by the Governor.

40 (3) The Governor shall not order a statewide closure, restriction, or reduction of
41 the operation of schools in a single executive order.

42 (4) The Governor shall not use the authority granted in Article 1A of Chapter
43 166A of the General Statutes, or any other provision of law other than the

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1 authority granted by this section, to direct the statewide closure, restriction, or
2 reduction of the operation of schools during the 2020-2021 school year.

3 **SECTION 5.** For the purposes of this act, in-person instruction includes all of the
4 following components:

5 (1) Is offered to the student in person by a teacher of record on a local school
6 administrative unit campus. Continued enrollment in a North Carolina Virtual
7 Public School course or other e-learning course offering or use of prerecorded
8 learning materials integrated in instruction that occurs on a local school
9 administrative unit campus shall be considered to meet this requirement.

10 (2) Meal service.

11 (3) Transportation services to the campus where the student is assigned.

12 **SECTION 6.** This act is effective when it becomes law."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____