

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

2

HOUSE BILL 804
Senate Education/Higher Education Committee Substitute Adopted 7/1/09

Short Title: Amend Law Re: Personal Education Plans. (Public)

Sponsors:

Referred to:

March 26, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE LAW REGARDING PERSONAL EDUCATION PLANS FOR
3 STUDENTS AT RISK OF ACADEMIC FAILURE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-105.41 reads as rewritten:
6 "**§ 115C-105.41. Students who have been placed at risk of academic failure; personal**
7 **education plans.**

8 Local school administrative units shall identify students who ~~have been placed~~ are at risk
9 for academic failure. Identification shall occur as early as can reasonably be done and can be
10 based on grades, observations, State assessments, and other factors that impact student
11 performance that teachers and administrators consider appropriate, without having to await the
12 results of end-of-grade or end-of-course tests. ~~At the beginning of the school year, At the end of~~
13 the first quarter, or after a teacher has had a minimum of nine weeks of instructional time with
14 a student, a personal education plan for academic improvement with focused intervention and
15 performance benchmarks shall be developed or updated for any student at risk of academic
16 failure who is not performing at least at grade level, as identified by the State end-of-grade test-
17 test and other factors noted above. Focused intervention and accelerated activities should
18 include research-based best practices that meet the needs of students and may include coaching,
19 mentoring, tutoring, summer school, Saturday school, and extended days. Local school
20 administrative units shall provide these activities free of charge to students. Local school
21 administrative units shall also provide transportation free of charge to all students for whom
22 transportation is necessary for participation in these activities.

23 Local school administrative units shall give notice of the personal education plan and a
24 copy of the personal education plan to the student's parent or guardian. Parents should be
25 included in the implementation and ongoing review of personal education plans.

26 No cause of action shall arise from the failure to provide or implement a personal education
27 plan under this section."

28 **SECTION 2.** This act is effective when it becomes law and applies beginning with
29 the 2009-2010 school year.

