

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

H.B. 237  
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HOUSE PRINCIPAL CLERK

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HOUSE DRH10096-RQ-10 (03/06)

Short Title: Repeal Personal Ed Plans/Trans Teams & Plans. (Public)

Sponsors: Representatives Elmore and Holloway (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REPEAL PERSONAL EDUCATION PLANS AND TRANSITION TEAMS  
3 AND PLANS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-105.41 is repealed.

6 **SECTION 2.** G.S. 115C-83.7(c) reads as rewritten:

7 "(c) The superintendent shall determine whether a student may be exempt from  
8 mandatory retention on the basis of a good cause exemption. The following steps shall be taken  
9 in making the determination:

10 (1) The teacher of a student eligible for a good cause exemption shall submit  
11 documentation of the relevant exemption and evidence that promotion of the  
12 student is appropriate based on the student's academic record to the  
13 principal. Such evidence shall be limited to the student's ~~personal education~~  
14 ~~plan~~, individual education program, if applicable, alternative assessment, or  
15 student reading portfolio.

16 (2) The principal shall review the documentation and make an initial  
17 determination whether the student should be promoted. If the principal  
18 determines the student should be promoted, the principal shall make a  
19 written recommendation of promotion to the superintendent for final  
20 determination. The superintendent's acceptance or rejection of the  
21 recommendation shall be in writing."

22 **SECTION 3.** G.S. 115C-83.9(a) reads as rewritten:

23 "(a) Parents or guardians shall be notified in writing, and in a timely manner, that the  
24 student shall be retained, unless he or she is exempt from mandatory retention for good cause,  
25 if the student is not demonstrating reading proficiency by the end of third grade. Parents or  
26 guardians shall receive this notice when a kindergarten, first, second, or third grade student (i)  
27 is demonstrating difficulty with reading development; or (ii) is not reading at grade level; ~~or~~  
28 ~~(iii) has a personal education plan under G.S. 115C-105.41.~~level."

29 **SECTION 4.** This act is effective when it becomes law and applies beginning with  
30 the 2015-2016 school year.

