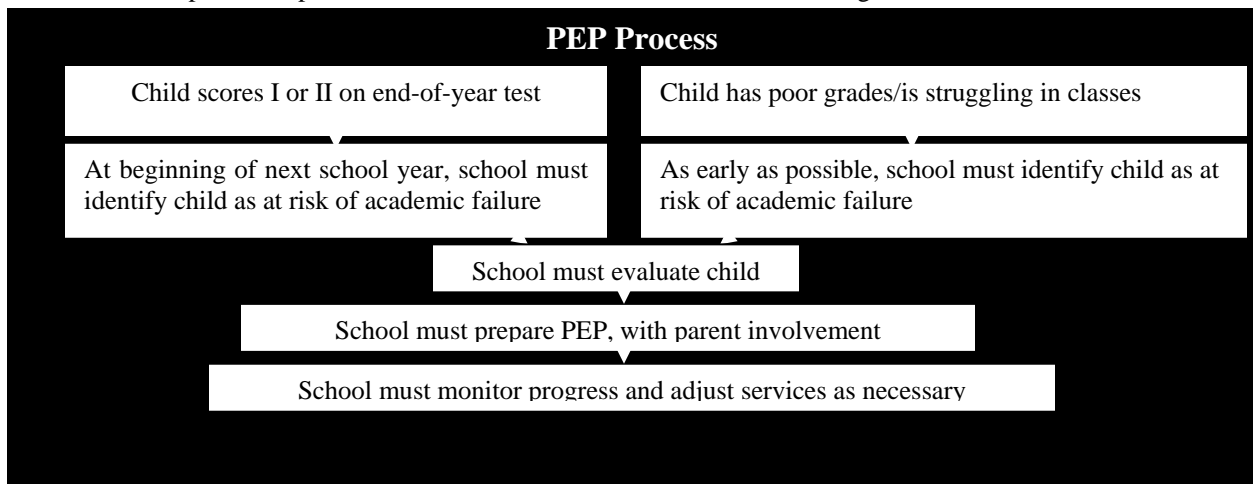


## QUICK GUIDE: A SOUND BASIC EDUCATION

The North Carolina Constitution requires schools to provide each child with a **sound basic education**. This requirement means that schools should be, at a minimum, ensuring that students are performing at grade level and will be able to get a good job or go to college when they graduate from high school. If a child is failing in school and needs extra help to succeed, he or she has a right to get it.

In addition to this constitutional requirement, the state legislature passed a law in 2001 requiring schools to establish **Personal Education Plans (PEP)** for any child who is at risk of academic failure or failed (got a I or II) the end-of-year exam the year before. The PEP requires the school to test to see what difficulties your child is having and determine what types of services will help. The school, with your input, then set up a plan to help the child in the problem areas; the plan can include services like tutoring, smaller classes, or specialized instruction. The school and you then monitor the services to see if they are working. (The text of the statute and regulations requiring PEPs is attached to this Quick Guide).

**Your child has a right to receive focused educational services if they are struggling in school.** The chart below explains the process and timeline that schools should be following.



If you don't know whether your child has a PEP, the school has not followed the law: parents must be included in the creation and monitoring of the PEP. If you think your child is at risk of failure or he or she got a I or II on their end-of-year test last year, you can request a PEP. (A sample letter requesting these services is attached to this Quick Guide – when you send this letter to the school, keep a copy to prove you requested the PEP).

If:

- you request a PEP but the school does not provide it;
- you have been notified of a meeting to create a PEP plan and want help preparing for the meeting;  
or
- your child got a I or II on an end-of-year test last year and does not have a PEP in place;

please call Advocates for Children's Services (919-226-0052) or the North Carolina Justice Center (919-856-2570). We may be able to help your child get what they need to succeed.

Request for Personalized Education Plan

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Your name: \_\_\_\_\_

Your full mailing address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of the Principal: \_\_\_\_\_

School's mailing address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Principal \_\_\_\_\_:

I am writing to request that the school develop a Personalized Education Plan for my child,  
\_\_\_\_\_. His/her date of birth is \_\_\_\_\_.

I am concerned about [his/her] educational progress because [he/she]

\_\_\_\_\_ failed end-of-year test last year

or

\_\_\_\_\_ is struggling in classes this year

Because I believe my child is at risk of academic failure, I am requesting that the school conduct a diagnostic evaluation and develop focused educational interventions, as required by N.C. General Statute § 115C-105.41.

Please contact me within ten business days to schedule a time to meet with the team that will be conducting the diagnostic evaluation and for me to sign any necessary paperwork so that my child's needs can be addressed as soon as possible.

I look forward to hearing from you soon. My daytime telephone number is \_\_\_\_\_. Thank you for your time.

Sincerely,

\_\_\_\_\_

**Personal Education Plans**  
Statute and Regulation

**N.C. Gen. Stat. § 115C-105.41**

§ 115C-105.41. Students who have been placed at risk of academic failure; personal education plans

Local school administrative units shall identify students who have been placed at risk for academic failure. Identification shall occur as early as can reasonably be done and can be based on grades, observations, State assessments, and other factors that impact student performance that teachers and administrators consider appropriate, without having to await the results of end-of-grade or end-of-course tests. At the beginning of the school year, a personal education plan for academic improvement with focused intervention and performance benchmarks shall be developed for any student not performing at least at grade level, as identified by the State end-of-grade test. Focused intervention and accelerated activities should include research-based best practices that meet the needs of students and may include coaching, mentoring, tutoring, summer school, Saturday school, and extended days. Local school administrative units shall provide these activities free of charge to students. Local school administrative units shall also provide transportation free of charge to all students for whom transportation is necessary for participation in these activities.

Parents should be included in the implementation and ongoing review of personal education plans.

**16 N.C.A.C. 6D.0505 (2005)**

**.0505 LOCAL ACCOUNTABILITY PROCEDURES**

(c) School districts shall provide focused intervention to all students who do not meet statewide student accountability standards. This intervention shall involve extended instructional opportunities that are different and supplemental and that are specifically designed to improve these students' performance to grade level proficiency. Students who do not meet promotion standards shall have personalized education plans with the following components: diagnostic evaluation, intervention strategies, and monitoring strategies. Strategies may include, but are not limited to, alternative learning models, special homework, smaller classes, tutorial sessions, extended school day, Saturday school, modified instructional programs, parental involvement, summer school instruction, or retention.