



State Senate Fails To Override Veto Of SB37 But May Try Again Soon

NCASA

Members of the NC Senate failed on Monday night to override the Governor's veto of a bill that would have required school districts to offer some type of in-person learning for students. [Senate Bill 37](#) (S37), however, was revived through a parliamentary procedure and vote by the Senate Wednesday afternoon and then was re-referred to the Senate Rules Committee, where it remains viable.

The bill traveled a lengthy and hotly-debated path through various committees before being passed by the NC General Assembly with some support from Democrats in both the House and Senate in mid-February. Governor Roy Cooper had expressed concerns that S37 did not follow all necessary health guidelines, and ultimately [vetoed](#) the bill last Friday. While three Senate Democrats originally voted to pass S37, only one Democrat voted to override the Governor's veto, causing Republicans to fall short of securing the two Democrat votes needed for a supermajority.

The Governor reiterated his major objections to the bill in a [statement](#) shared on Monday ahead of the planned veto override vote, stating, "The question on SB 37 that I vetoed is not whether our children should be in the classroom in person. They absolutely should. The question is whether we do it safely." The Governor continued, "The bill allows middle and high school students to be in school without following NCDHHS and CDC guidelines on social distancing. SB 37 also removes authority from state and local officials to put students in remote learning in an emergency like a new COVID variant hitting our schools." He finished by noting he would continue to talk with legislators, the State Board of Education, and the Superintendent of Public Instruction "to make sure all of our children and educators are in the classroom, in person, and safe."

Following this statement, the Department of Health and Human Services issued [updated guidance on reopening schools](#) urging all schools to have all K-12 students on campus in either Plan A or B (as allowable within specified limits), with remote instruction reserved for those at high-risk from COVID or who requested Plan C. The State Board of Education also today issued a strong call for reopening all schools by the end of this month.

Given these developments, it is not yet known if legislators will attempt another veto override on S37 in the days ahead. Senate rules require a 24-hour notice before a bill can receive a vote by the full chamber, and that notice had not been issued before this publication's distribution.

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