

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 912
SENATE BILL 126

AN ACT TO TRANSFER THE RESPONSIBILITY FOR TRANSPORTATION OF AUTISTIC CHILDREN FROM THE DEPARTMENT OF HUMAN RESOURCES TO THE DEPARTMENT OF PUBLIC EDUCATION AND TO MAKE A TECHNICAL CORRECTION.

Whereas, the General Assembly has appropriated about sixty thousand dollars (\$60,000) per year to the Department of Human Resources for purposes of transporting autistic and communications-handicapped children under G.S. 115-11.2(b); and

Whereas, the Department has transferred that money to the Department of Public Education and therefore the legal responsibility for such transportation should also be transferred; and

Whereas, there is adequate statutory authority for the Department of Human Resources to transport deaf and blind children at State residential facilities in other statutes; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter 423 of the 1981 Session Laws is amended by rewriting G.S. 115C-250, as it appears therein, to read:

"§ 115C-250. Authority to expend funds for transportation of children with special needs.
— (a) The State Board of Education is authorized to expend public funds or to otherwise provide motor vehicle transportation for children with special needs as those children are defined by G.S. 115C-109. Such transportation may be provided for nonresidential students to and from the nearest public educational institution or sheltered workshop located within the State when said students are full time equivalent students in the public schools. Such transportation also may be provided for nonresidential students to and from the nearest appropriate private school having a special education program approved by the State Board of Education if the children to be transported are, or have been placed in that program by the State or by a local school administrative unit as a result of the State's or the unit's duty to provide such children with a free appropriate public education.

(b) Funds appropriated for the transportation of children with special needs may be used to pay transportation safety assistants employed in accordance with the provisions of G.S. 115C- 245(e) for buses to which children with special needs are assigned."

Sec. 2. Section 3 of Chapter 562 of the 1981 Session Laws is amended by rewriting the language before the colon to read:

"Sec. 3. G.S. Chapter 115C, as enacted by Chapter 423 of the 1981 Session Laws, is amended by adding a new section G.S. 115C-126.1, to read" and by deleting the reference "G.S. 115-343" and substituting the reference "G.S. 115C-126.1".

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 10th day of July, 1981.