

§ 115C-107.2. Duties of State Board of Education.

- (a) The State Board of Education shall adopt rules to ensure that:
 - (1) The requirements of this Article and IDEA are met.
 - (2) All educational programs under the supervision of any local educational agency for children with disabilities meet all of the following requirements:
 - a. The programs are under the general supervision of individuals in the State who are responsible for educational programs for children with disabilities.
 - b. The programs meet the State Board's educational standards.
 - c. With respect to homeless children, the programs meet the requirements of 20 U.S.C. § 1431, McKinney-Vento Homeless Assistance Act.
- (b) The rules adopted under subsection (a) of this section shall include rules that:
 - (1) Establish standards for the programs of special education to be administered by local educational agencies and by the State Board.
 - (2) Ensure that children with disabilities are educated in the least restrictive environment.
 - (3) Ensure that local school administrative units make available special education and related services to all preschool children with disabilities whose parents request these services.
 - (4) Provide for public hearings, adequate notice of these hearings, and an opportunity for comment from the general public before the adoption of the rules required by this Article.
 - (5) Are required in order to receive federal funding under IDEA.
 - (6) Provide that, where a local educational agency finds that appropriate services are available from other public agencies or private organizations, the local educational agency may contract for those services rather than provide them directly.
 - (7) Enable local educational agencies to identify, evaluate, place, and make other educational decisions for children with disabilities.
 - (8) Provide procedural safeguards for children with disabilities and their parents.
 - (9) Designate a person in the Department of Public Instruction who is charged with receiving and responding to notices or other legal documents under Part 1D of this Article.
 - (10) Support and facilitate local educational agency and school-level system improvement designed to enable children with disabilities to meet the challenging State student academic achievement standards.
- (c) Rules adopted under this section shall be consistent with IDEA and shall comply with G.S. 115C-12(19). Local educational agencies, parents, and other individuals concerned with the education of children with disabilities shall be consulted in the development of rules adopted under this Article.
- (d) The State Board shall develop forms for local educational agencies to use in order to comply with this Article. The forms shall comply with G.S. 115C-12(19), and whenever practicable, (i) limit the requirement for narrative reporting to essential components requiring personalized student information and (ii) be in an electronic format.
- (e) The State Board shall provide technical assistance to local educational agencies at their request.

(f) The State Board shall develop any plans that meet the criteria of IDEA and are required to be submitted to the United States Department of Education.

(g) The State Board shall make available to hearing officers training related to IDEA and its legal interpretations in order to facilitate hearings and reviews under G.S. 115C-109.6. (1977, c. 927, s. 1; 1981, c. 423, s. 1; 1983, c. 247, ss. 3, 4; 1989, c. 585, s. 3; 1989 (Reg. Sess., 1990), c. 1003, s. 5; 1996, 2nd Ex. Sess., c. 18, ss. 18.24(c), (d); 1997-443, s. 11A.118(a); 1998-202, s. 4(g); 2000-137, s. 4(j); 2006-69, s. 2; 2013-226, s. 10.)