

April 5, 2001

S 927. MODIFY LAWS RE: STUDENTS WITH DISABILITIES. TO MODIFY THE LAWS CONCERNING CHILDREN WITH DISABILITIES. Throughout Article 9 ("Special Education") of GS Ch. 115C, substitutes the term child (or children) "with disabilities" for the term child (or children) "with special needs." Amends GS 115C-108 to redefine "special education" (1) to include within the term vocational training and training in development of awareness of the environment and the skills necessary to move effectively and safely from place to place and (2) to clearly distinguish between the components of special education and the components of "related services," defined to mean the set of services that may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions. Within the new statutory section on "related services," the bill adds new definitions of the following terms: audiology, counseling services, early identification, medical services, occupational therapy, orientation and mobility, parent counseling and training, physical therapy, psychological services, recreation, school health services, social work services in schools, speech-language pathology, and transportation (this last term to include travel to and from school and between schools, travel in and around school buildings, and specialized equipment (such as special or adaptive buses, lifts, and ramps), if required to provide special transportation for a child with a disability. Amends GS 115C-109 to replace the definition of "children with special needs" with a similar definition for "children with disabilities." The new definition includes children through age 21 (current definition, 20). Deletes GS 115C-110(c) which requires the State Board of Education annually to submit amendments to its statewide special education plan to the General Assembly. Deletes GS 115C-110(e) through (h), which require local boards of education to report annually to the State Board regarding their special education program. Amends GS 115C-121 to eliminate much of the statutory detail concerning the Council on Educational Services for Exceptional Children to provide simply that the council is to be constituted so as to include all individuals referenced in applicable federal law and regulations and is to undertake duties as set out in applicable federal law and regulations and that a majority of the members are to be individuals with disabilities or parents of children with disabilities. Amends GS 115C-146.1, definition of "preschool handicapped children" to substitute a definition of "preschool children with disabilities" and to provide that services for such children are to start "no later than the children's third birthday" (now, "no later than the beginning of the school year immediately following the children's third birthday). Adds new Article 9C ("Pregnant Children") to GS Ch. 115C directing each school system to establish educational programs for pregnant students that enable those students successfully to complete their public school education.

Intro. by Lucas.

Ref. to Education	GS 115C
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April 23, 2001

S 927. MODIFY LAWS RE: STUDENTS WITH DISABILITIES. Intro. 4/5/01. Senate committee substitute makes the following changes to 1st edition. (1) Adds provisions throughout the bill to make clear that the obligations placed by the statutes and by the bill on local educational agencies apply also to charter schools. (2) Drops from the bill the amendment to GS 115C-107, which would have provided the policy statement that all children can benefit from access to the general curriculum in the least restrictive environment. (3) Drops from the bill many definitional sections which the bill would have added to the statutes, including "travel training," "vocational education," "specially designed instruction," "medical services," "parent counseling and training," and others. (4) Groups the statutory references to school administrative units, charter schools, and state and local governmental agencies providing special education services under the term "local educational agency." (5) Adds to the definition of "children with disabilities" those who are developmentally delayed. (6) Deletes from GS 115C-110 the provision specifying that new or additional programs for special education or related services may be developed with the approval of the State Board of Education only when that service is not being provided by existing public or private resources or the service cannot be purchased from existing providers. (7) Changes the provisions in GS 115C-110(j) for conducting the statewide count of children with disabilities to (a) provide that it includes children between birth and 21 years (now, age three and 21) and (b) to eliminate the requirement of dividing the count between "identified" and "suspected" children with

disabilities. (8) Amends GS 115C-121 to rename the Council on Educational Services for Exceptional Children to be the Council on Educational Services for Children with Disabilities. (9) Amends GS 115C-140 to delete the provision requiring that contracts by local educational agencies for services to be provided by service providers must be approved by the State Board. (10) Amends GS 115C-146.4, which now provides that local educational agencies must contract for special education in certain circumstances, to require that school administrative units must "consider" contracting. (11) Adds an appropriation of \$500,000 from the General Fund to State Aid to Local School Administrative Units for fiscal 2001-02 to implement the act. (12) Changes effective date to July 1, 2001.