

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE BILL 12**

Short Title: Stdnts. Ineligible for Spec. Ed./Protection. (Public)

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Sponsors: Representatives Glazier, Bell, Jeffus, Wiley (Primary Sponsors); Parmon, Alexander, Brown, Farmer-Butterfield, Fisher, Goforth, Harrison, McLawhorn, Thomas, Underhill, E. Warren, and Wray.

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Referred to: Rules, Calendar, and Operations of the House.

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January 29, 2007

A BILL TO BE ENTITLED

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2 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE HOUSE SELECT  
3 COMMITTEE ON EDUCATION OF STUDENTS WITH DISABILITIES TO  
4 ADD A PROTECTION FOR CHILDREN NOT DETERMINED ELIGIBLE FOR  
5 SPECIAL EDUCATION AND RELATED SERVICES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 115C-107.7 reads as rewritten:

8 "**§ 115C-107.7. Discipline.**

9 (a) The policies and procedures for the discipline of students with disabilities  
10 shall be consistent with federal laws and regulations.

11 (b) A local educational agency shall be deemed to have knowledge that a child is  
12 a child with a disability if, before the behavior that precipitated the disciplinary action  
13 occurred, the performance or behavior of the child clearly establishes the need for such  
14 services."

15 **SECTION 2.** This act is effective when it becomes law.