

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

1

HOUSE BILL 1679

Short Title: School Age/Exceptional Children.

(Public)

---

Sponsors: Representative Nesbitt.

---

Referred to: Education.

---

May 4, 1989

A BILL TO BE ENTITLED

AN ACT TO LOWER THE AGE AT WHICH EXCEPTIONAL CHILDREN ARE ENTITLED TO AN EDUCATION AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-109 reads as rewritten:

**"§ 115C-109. Definition of children with special needs.**

The term 'children with special needs' includes, without limitation, all academically gifted children from age five through age 20 and all handicapped children from age three through age 20 who have been evaluated in accordance with G.S. 115C-113, and who, all children from age five through age 20 who because of permanent or temporary mental, physical or emotional handicaps need special education, are unable to have all their needs met in a regular class without special education or related services, or are unable to be adequately educated in the public schools. It includes those who are mentally retarded, epileptic, learning disabled, cerebral palsied, seriously emotionally disturbed, orthopedically impaired, autistic, multiply handicapped, pregnant, hearing-impaired, speech-impaired, blind or visually impaired, other health impaired, and academically gifted. The obligation to provide special education commences at the beginning of the school year in which a handicapped child reaches age three, provided he reaches age three on or before December 1 of that year. The obligation continues until the end of the school year in which a handicapped child reaches age 21."

Sec. 2. G.S. 115C-139(b) reads as rewritten:

1       "(b) Local educational agencies may establish special education and related  
2 programs for children with special needs aged birth through ~~four-two.~~ and ~~19 through 21~~  
3 ~~inclusive.~~"

4           Sec. 3. There is appropriated from the General Fund to the Department of  
5 Public Education \$5,593,000 for the 1989-90 fiscal year and \$11,186,000 for the 1990-  
6 91 fiscal year for an early intervention program for pre-school handicapped children,  
7 who are three and four years of age.

8           Sec. 4. There is appropriated from the General Fund to the Department of  
9 Public Education \$3,993,465 for the 1989-90 fiscal year and \$7,986,930 for the 1990-91  
10 fiscal year to provide transportation as a related service for an early intervention  
11 program for pre-school handicapped children, who are three and four years of age.

12           Sec. 5. Sections 3 and 4 of this act shall become effective July 1, 1989. The  
13 remainder of this act shall become effective July 1, 1990, and shall apply to academic  
14 years beginning with the 1990-91 academic year.