

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION

CHAPTER 359  
SENATE BILL 863

AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO CONSIDER CHILDREN WITH SPECIAL NEEDS WHEN IT ADOPTS RULES SETTING GRADUATION STANDARDS, TO DIRECT THE NORTH CAROLINA EDUCATION STANDARDS AND ACCOUNTABILITY COMMISSION TO STUDY HIGH SCHOOL GRADUATION STANDARDS FOR CHILDREN WITH SPECIAL NEEDS, AND TO DIRECT THE STATE BOARD OF EDUCATION TO SUSPEND THE APPLICATION OF ITS RULE REQUIRING ALGEBRA I FOR A HIGH SCHOOL DIPLOMA TO CHILDREN IDENTIFIED AS LEARNING DISABLED PENDING ITS REEVALUATION OF GRADUATION STANDARDS FOR CHILDREN WITH SPECIAL NEEDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-81(b) reads as rewritten:

"(b) The Basic Education Program shall include course requirements and descriptions similar in format to materials previously contained in the standard course of study and it shall provide:

- (1) A core curriculum for all students that takes into account the special needs of children and includes appropriate modifications for the learning disabled, the academically gifted, and the students with discipline and emotional problems;
- (2) A set of competencies, by grade level, for each curriculum area;
- (3) A list of textbooks for use in providing the curriculum;
- (4) Standards for student performance and promotion based on the mastery of competencies, including standards for ~~graduation;~~ graduation, that take into account children with special needs and, in particular, include appropriate modifications;
- (5) A program of remedial education;
- (6) Required support programs;
- (7) A definition of the instructional day;
- (8) Class size recommendations and requirements;
- (9) Prescribed staffing allotment ratios;
- (10) Material and equipment allotment ratios;
- (11) Facilities standards; and
- (12) Any other information the Board considers appropriate and necessary."

Sec. 2. The North Carolina Education Standards and Accountability Commission shall study graduation standards for children with special needs, as defined in G.S. 115C-109. The study may include a review and evaluation of:

- (1) Other states' graduation standards and whether they are modified for these children;
- (2) The appropriateness of an alternative diploma for these children;
- (3) Whether course substitutions, waivers, alternative teaching methods, and raised expectations are needed and are appropriate for these children; and
- (4) Any other related issue the Commission considers appropriate.

The Commission shall consult experts on children with special needs, and shall include its findings and any recommendations from this study in its initial report to the State Board of Education by July 1, 1994.

Sec. 3. The effective date of the rule adopted by the State Board of Education in 1991 that established Algebra I as a requirement for a high school diploma is hereby suspended in its application to any student who is identified as learning disabled on the April 1993 headcount of exceptional children and whose individualized education program states that the student's learning disability requires course substitutions or other modifications in the area of mathematics. The State Board of Education may establish a new effective date after it completes its reevaluation required by Section 4 of this act.

Sec. 4. Upon its receipt of the report authorized under Section 2 of this act, the State Board of Education shall reevaluate its rule that established Algebra I as a requirement for a high school diploma. The State Board of Education shall complete its reevaluation and establish any modifications to this rule on or before October 15, 1994. Upon completion of this process, the State Board of Education shall file a written report with the chair of the Commission on Children with Special Needs and the chairs of the Joint Legislative Education Oversight Committee no later than January 1, 1995.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 16th day of July, 1993.

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Dennis A. Wicker  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives