

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 139

Short Title: Special Ed. "Labeling" Limited.

(Public)

Sponsors: Senators McKoy; Ballance, Jordan, and Lucas.

Referred to: Education/Higher Education.

February 6, 1995

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE THE DETRIMENTAL USE OF LABELING AND TRACKING A CHILD WITH SPECIAL NEEDS.

The General Assembly of North Carolina enacts:

Section 1. (a) The State Board of Education, upon consultation with local school administrative units, shall ensure that, in the school setting, the particular handicapping condition of a child with special needs is not used for labeling or tracking the child throughout its school career. The State Board shall ensure that a child with special needs is classified, when any classification is necessary in the school setting, in terms of its special educational needs. The State Board shall ensure that the child's special handicapping condition is used only for the identification and technical assistance required by federal law and regulations.

(b) The State Board of Education shall report its proposed rules to implement this act, together with any necessary legislative proposals, to the Commission on Children with Special Needs by October 1, 1995.

Sec. 2. This act is effective upon ratification.