

- 1 (1) Local school administrative units in North Carolina shall provide or
2 cause to be provided a free appropriate education for all students
3 recommended for a long-term suspension.
- 4 (2) Each student recommended for long-term suspension shall receive a
5 multidisciplinary assessment and evaluation to (i) ascertain his or her
6 educational history, needs, and special learning problems and (ii)
7 assess the risk the child poses to staff and other students. The
8 assessment and evaluation shall include feedback and
9 recommendations from local mental health and juvenile justice
10 professionals.
- 11 (3) An individualized education and service plan shall be developed for all
12 students recommended for long-term suspension by a committee that
13 includes education, mental health, and juvenile justice professionals,
14 the child's parent or guardian, and any other person the committee
15 considers appropriate. The chair of the Juvenile Crime Prevention
16 Council or a designee shall serve as chair of this committee.
- 17 (4) All efforts shall be made to reduce the risk the child poses to staff and
18 other students and to allow the child to continue his or her education in
19 his or her regular school without disruption. These efforts shall include
20 the provision of related services and interventions from other agencies
21 when considered necessary by the committee.
- 22 (5) During the first 10 days of suspension, the local school administrative
23 unit shall place the student recommended for suspension in a
24 diagnostic setting for purposes of ensuring there is no disruption to the
25 student's education and to complete the assessment process.
- 26 (6) The local education agency shall contract with private or public
27 agencies if an appropriate education cannot be provided within the
28 school system. Funds appropriated to a local school administrative unit
29 for the education of the child shall be used to pay for the program in
30 which the child is placed.
- 31 (7) The child's parent or guardian shall have the right to appeal the
32 recommendation for the long-term suspension or any placement
33 decision made by the local school administrative unit.
- 34 (8) No child shall be rejected for education and services by a local school
35 administrative unit unless a district court judge places the child in a
36 juvenile justice program or facility. In that circumstance, the
37 Department of Juvenile Justice and Delinquency Prevention is
38 responsible for providing the child's education.

39 **SECTION 3.** The Chair of the State Board of Education shall report to the
40 Joint Legislative Education Oversight Committee by April 15, 2004, on the committee's
41 findings and recommendations, which may include a State plan or elements to be
42 included in a State plan, the feasibility and cost of implementing a State plan beginning
43 with the 2004-2005 school year, and any statutory changes necessary to implement a
44 State plan.

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SECTION 4. This act is effective when it becomes law.