

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 13

Short Title: Alternative Progs./Students with Disabilities. (Public)

Sponsors: Representatives Glazier, Bell, E. Warren, Wiley (Primary Sponsors); Parmon, Alexander, Bordsen, Brown, Faison, Farmer-Butterfield, Fisher, Goforth, Harrison, Insko, Lucas, Luebke, McLawhorn, Underhill, and Wray.

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

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 THE EDUCATION OF STUDENTS WITH DISABILITIES TO
4 REQUIRE THE STATE BOARD OF EDUCATION TO ESTABLISH A PILOT
5 PROGRAM TO CREATE APPROPRIATE ALTERNATIVE PROGRAMS FOR
6 STUDENTS WHO ARE SUSPENDED OR EXPELLED FOR MORE THAN TEN
7 DAYS, INCLUDING STUDENTS WITH DISABILITIES WHO HAVE
8 DISCIPLINE ISSUES.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** The State Board of Education shall establish a pilot program
11 authorizing up to three local school administrative units to create appropriate alternative
12 programs to serve students who have been suspended or expelled for more than 10 days,
13 including students with disabilities who have been placed on homebound instruction for
14 discipline purposes. Appropriate alternative programs may include, but are not limited
15 to, schools within a school, effective in-school programs, collaborative Day Treatment
16 and community-based off-site programs.

17 The State Board shall use a competitive grant process to select the pilot units
18 and shall ensure that, to the extent possible, the selected units are distributed
19 geographically throughout the State. To be eligible for a grant, a local school
20 administrative unit shall have the following in place: (i) Positive Behavior Support
21 programs established in at least twenty-five percent (75%) of their schools; (ii)
22 Response to Intervention Problem Solving, Instruction Consultation, or both, at the
23 school system level; and (iii) school staffs that have been provided the training specified
24 in G.S. 115C-105.47(b)(9).

25 **SECTION 2.** The local school administrative units that are identified to
26 participate in the pilot shall receive additional State funding to create the alternative

1 program. The additional funding shall equal 2.2 times twenty-five percent (25%) of
2 their current State allotment for At-Risk Student Services/Alternative Schools. The units
3 should partner with their local mental health agency, private providers, and other
4 community agencies to provide the services at the school to help the students improve
5 their behavior and access Medicaid funds where appropriate.

6 **SECTION 3.** There is appropriated from the General Fund to the State
7 Board of Education five million dollars (\$5,000,000) for the 2008-2009 fiscal year to
8 establish a pilot program for up to three local school administrative units to create
9 appropriate alternative programs to serve students who have been suspended or expelled
10 for more than 10 days.

11 **SECTION 4.** Each participating unit shall collect and report to the State
12 Board, by grade level, gender, and ethnicity, the number of students suspended or
13 expelled for more than 10 days, including students with disabilities placed on
14 homebound instruction for discipline purposes. This data shall be collected, as a
15 baseline, for the school year immediately preceding participation in the pilot program
16 and for the first two years of the pilot.

17 **SECTION 5.** The State Board shall conduct an evaluation of the pilot
18 program. The evaluation shall include (i) assessment results, (ii) dropout data, and (iii)
19 graduation rates for all students participating in the pilot, as well as an accounting of the
20 cost to provide the alternative program and the overall effectiveness of the program. The
21 State Board shall report the results of the evaluation to the Joint Legislative Education
22 Oversight Committee by November 15, 2009, and annually thereafter. This report shall
23 include any recommendations regarding the continuation, expansion, or elimination of
24 the pilot program.

25 **SECTION 6.** This act is effective when it becomes law and applies
26 beginning with the 2008-2009 school year.