

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 430

Education Committee Substitute Adopted 4/20/89

Short Title: Special Needs Notice Change.

(Public)

Sponsors:

Referred to:

March 15, 1989

A BILL TO BE ENTITLED

AN ACT TO AMEND THE PROCESS FOR GIVING NOTICE OF DECISIONS REGARDING EXCEPTIONAL CHILDREN.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-116(a) reads as rewritten:

"(a) Prior Notice.—The parent, guardian, or surrogate parent of a child shall be notified promptly ~~when:~~

(1) ~~The local educational agency proposes to initiate or change, or refuses to initiate or change, the identification of a child as a child with special needs; or~~

(2) ~~The local educational agency proposes to initiate or change, or refuses to initiate or change, the child's individualized education program.~~

when the local educational agency proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or educational placement of a child as a child with special needs. The written notice shall be in writing and shall contain a statement advising full explanation of all the procedural safeguards available to the parent, guardian, or surrogate parent of including the right to review the proposed decision; decision, and a statement offering the parent, guardian, or surrogate parent the opportunity for mediation; mediation, and a copy of this statute and G.S. 150B-23 through 150B-37 or an explanation of the rights afforded by these statutes. It shall be hand-delivered to the parent, guardian, or surrogate parent or forwarded by certified or registered mail, return receipt requested.—The local educational agency shall document that all required notices have been sent to and received by parents, guardians, or surrogate parents."

1           Sec. 2. This act is effective upon ratification.