

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 455

Short Title: Special Needs Age Change.

(Public)

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Sponsors: Senators Marvin; Ballance, Cochrane, Guy, Johnson of Cabarrus, Martin of Guilford, Rauch, Raynor, Richardson, Smith, Walker, and Ward.

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Referred to: Children and Youth.

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March 16, 1989

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW REGARDING THE AGE OF CHILDREN WITH SPECIAL NEEDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-109 reads as rewritten:

**"§ 115C-109. Definition of children with special needs.**

The term 'children with special needs' includes, without limitation, all academically gifted children from age five through age 20 and all handicapped children from age three through age 20 who have been evaluated in accordance with G.S. 115C-113, and who, all children from age five through age 20 who because of permanent or temporary mental, physical or emotional handicaps need special education, are unable to have all their needs met in a regular class without special education or related services, or are unable to be adequately educated in the public schools. It includes those who are mentally retarded, epileptic, learning disabled, cerebral palsied, seriously emotionally disturbed, orthopedically impaired, autistic, multiply handicapped, pregnant, hearing-impaired, speech-impaired, blind or visually impaired, other health impaired, and academically gifted. The obligation to provide special education commences at the beginning of the school year in which a handicapped child reaches age three, provided he reaches age three on or before December 1 of that year. The obligation continues until the end of the school year in which a handicapped child reaches age 21."

Sec. 2. G.S. 115C-139(b) reads as rewritten:

1       "(b) Local educational agencies may establish special education and related  
2 programs for children with special needs aged birth through ~~four~~two. and ~~19~~ through ~~21~~  
3 ~~inclusive.~~"

4               Sec. 3. This act shall become effective July 1, 1990, and shall apply to  
5 academic years beginning with the 1990-91 academic year.