

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**HOUSE BILL 13  
Committee Substitute Favorable 3/26/07**

Short Title: Alternative Progs./Students With Disabilities.

(Public)

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Sponsors:

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Referred to:

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January 29, 2007

A BILL TO BE ENTITLED

1  
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 LEARNING  
6 PROGRAMS FOR STUDENTS WHO ARE SUSPENDED FOR MORE THAN  
7 TEN DAYS OR EXPELLED, INCLUDING STUDENTS WITH DISABILITIES  
8 WHO HAVE 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 learning programs to serve students who have been suspended for more than 10 days or  
13 expelled, including students with disabilities who have been placed on homebound  
14 instruction for discipline purposes. Appropriate alternative learning programs may  
15 include, but are not limited to, a school within a school, effective in-school programs,  
16 collaborative day treatment, 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, local school  
20 administrative units shall have the following in place: (i) Positive Behavior Support  
21 programs established in at least twenty-five percent (25%) of their schools; or (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  
27 learning programs. The additional funding shall equal 2.2 times twenty-five percent  
28 (25%) of their current State allotment for At-Risk Student Services/Alternative Schools.  
29 The units should partner with their local mental health agency, private providers, and

1 other community agencies to provide the services at the school to help the students  
2 improve their behavior and access Medicaid funds where appropriate.

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

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

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

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