

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

H

1

HOUSE BILL 1457

Short Title: Community Solutions for Suspended Students. (Public)

Sponsors: Representatives Preston, Warner (Primary Sponsors); Bell, Bonner, Fisher, Parmon, Sauls, Warren, Womble, B. Allen, Farmer-Butterfield, Gorman, Insko, Lucas, and Luebke.

Referred to: Education.

May 17, 2004

A BILL TO BE ENTITLED

1 AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE HOUSE
2 INTERIM COMMITTEE ON PROVIDING AN APPROPRIATE EDUCATION
3 FOR STUDENTS ON LONG-TERM SUSPENSION TO ENCOURAGE THE
4 IDENTIFICATION AND DEVELOPMENT OF A CONTINUUM OF
5 COMMUNITY SOLUTIONS TO MEET THE EDUCATIONAL NEEDS OF
6 STUDENTS WHO ARE SUSPENDED FOR MORE THAN TEN SCHOOL DAYS,
7 AND TO REQUIRE EVERY LOCAL SCHOOL ADMINISTRATIVE UNIT TO
8 OFFER AN ALTERNATIVE SETTING TO STUDENTS WHO ARE
9 SUSPENDED FOR MORE THAN TEN SCHOOL DAYS.
10

11 The General Assembly of North Carolina enacts:

12 **SECTION 1.** Chapter 143B of the General Statutes is amended by adding a
13 new section to read:

14 **"§ 143B-549.1. Community solutions to meet the needs of students who are**
15 **suspended from school for more than ten school days.**

16 Each County Council shall assess the needs of juveniles who are suspended from
17 school for more than 10 school days, identify community solutions for meeting their
18 educational needs, and evaluate the adequacy of resources available to meet those
19 needs. As part of this effort, the County Council shall identify a continuum of available
20 and appropriate services, programs, and settings that can be offered to these juveniles
21 and shall identify funding streams to provide those services, programs, and settings. The
22 Council may examine the benefits of joint program development to meet the educational
23 needs of these juveniles. The joint program may be developed between counties within
24 the same judicial district or within a county among its agencies, local school
25 administrative units, charter schools, and private organizations. The Council shall report
26 its findings and any recommendations under this section to the local school

1 administrative unit located within the county. The initial report shall be no later than
2 December 30, 2004. The Council shall review and update this report every five years."

3 **SECTION 2.** G.S. 115C-47 is amended by adding the following new
4 subdivision to read:

5 "**§ 115C-47. Powers and duties generally.**

6 In addition to the powers and duties designated in G.S. 115C-36, local boards of
7 education shall have the power or duty:

8 ...

9 (44) To Establish a Continuum of Educational Services for Students Who
10 are Suspended for More than 10 School Days. – Each local board of
11 education is encouraged to direct school administrators, teachers,
12 students, and parents to meet with community stakeholders in order to
13 reach community solutions for meeting the needs of students who are
14 suspended for more than 10 days. In particular, the board shall direct
15 the superintendent or the superintendent's designee to attend regularly
16 scheduled meetings of the Juvenile Crime Prevention Council
17 established under G.S. 143B-544 and to participate in the work of the
18 Council under G.S. 143B-549.1. Based on the findings and
19 recommendations of the Council under G.S. 143B-549.1, the board
20 shall adopt a policy that establishes a continuum of available and
21 appropriate settings that can be offered to a student when the student is
22 suspended for more than 10 school days. The alternative settings may
23 be in a school within that local school administrative unit, in a school
24 within another local school administrative unit, in a charter school, or
25 in an outside setting. The outside settings may be under the control of
26 a State agency, local agency, or private organization."

27 **SECTION 3.** G.S. 115C-391 is amended by adding the following new
28 subsection to read:

29 "(i) Notwithstanding any other provision of law, at the time a student is
30 suspended for more than 10 school days, the student shall be offered the opportunity to
31 spend the days in an appropriate alternative setting as identified by the local board of
32 education under G.S. 115C-47(44)."

33 **SECTION 4.** Section 3 of this act becomes effective July 1, 2005, and
34 applies to schools beginning with the 2005-2006 school year. The remainder of this act
35 is effective when it becomes law.