

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE PRINCIPAL CLERK

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HOUSE DRH20312-LEa-80C (03/11)

Short Title: Educational Opp. for People W/Disabilities. (Public)

Sponsors: Representatives L. Johnson, Glazier, and Malone (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENHANCE EDUCATIONAL OPPORTUNITIES FOR STUDENTS WITH
3 DISABILITIES.

4 The General Assembly of North Carolina enacts:

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6 **PART I. ELEMENTARY AND SECONDARY EDUCATION**

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8 **DPI STUDY/IMPROVE OUTCOMES FOR STUDENTS WITH DISABILITIES**

9 **SECTION 1.1.(a)** The Department of Public Instruction shall study and
10 recommend methods and potential policy changes to the State Board of Education for
11 improving the outcomes for elementary and secondary students with disabilities, including
12 raising the graduation rates, providing more outcome-based goals, creating greater access to
13 career-ready diplomas, increasing integration of accessible digital learning options, and
14 providing earlier and improved transition services planning. The Department of Public
15 Instruction shall do at least the following toward achieving the goals set forth in this section:

- 16 (1) Examine current Individualized Education Program (IEP) requirements and
17 develop reforms with greater focus on outcome-based goals for students with
18 disabilities.
- 19 (2) Solicit input and bring together stakeholders and other interested parties to
20 develop policies on transition services plans for students with disabilities
21 from elementary to middle school, middle to high school, and high school to
22 postsecondary education and for employment opportunities and adult living
23 options.
- 24 (3) Solicit input and bring together stakeholders to create accessible ways for
25 students with IEPs to access the Future Ready Core Course of Study in more
26 significant numbers as a viable option to the Occupational Course of Study.
- 27 (4) Examine model programs that may be employed by local school
28 administrative units aimed at increasing the graduation rate and school
29 performance of students with disabilities.

30 **SECTION 1.1.(b)** It is the intent of the General Assembly to make funds available
31 in the 2015-2017 fiscal biennium to the Department of Public Instruction to (i) implement the
32 methods for improving outcomes for children with disabilities developed in accordance with
33 subsection (a) of this section and (ii) provide technical assistance to local school administrative
34 units to establish model programs aimed at increasing the graduation rate and school
35 performance of students with disabilities.



1 **SECTION 1.1.(c)** By November 15, 2015, and annually thereafter, the Department
2 of Public Instruction shall report to the State Board of Education and the Joint Legislative
3 Education Oversight Committee on the progress of the Department in developing and
4 implementing (i) IEP reforms, (ii) transition planning policies, (iii) increased access to Future
5 Ready Core Course of Study for students with disabilities, and (iv) model programs for use by
6 local school administrative units to improve graduation rates and school performance of
7 students with disabilities.

8 9 **INCREASE FUNDING FOR CHILDREN WITH DISABILITIES**

10 **SECTION 1.2.(a)** There is appropriated from the General Fund to the Department
11 of Public Instruction the sum of six million nine hundred twenty-three thousand two hundred
12 eighty-six dollars (\$6,923,286) for the 2015-2016 fiscal year and the sum of fourteen million
13 seventy-seven thousand one hundred fifty-four dollars (\$14,077,154) for the 2016-2017 fiscal
14 year to provide a one percent (1%) increase in funding for children with disabilities in each
15 fiscal year.

16 **SECTION 1.2.(b)** For the 2015-2016 fiscal year, the State Board of Education
17 shall allocate additional funds for children with disabilities on the basis of three thousand nine
18 hundred sixty-six dollars and twenty-four cents (\$3,966.24) per child. Each local school
19 administrative unit shall receive funds for the lesser of (i) all children who are identified as
20 children with disabilities or (ii) twelve and one-half percent (12.5%) of its 2015-2016 allocated
21 average daily membership in the local school administrative unit.

22 **SECTION 1.2.(c)** For the 2016-2017 fiscal year, the State Board of Education shall
23 allocate additional funds for children with disabilities on the basis of four thousand nine
24 hundred five dollars and ninety cents (\$4,005.90) per child. Each local school administrative
25 unit shall receive funds for the lesser of (i) all children who are identified as children with
26 disabilities or (ii) twelve and one-half percent (12.5%) of its 2016-2017 allocated average daily
27 membership in the local school administrative unit.

28 **SECTION 1.2.(d)** The dollar amounts allocated under this section for children with
29 disabilities shall also adjust in accordance with legislative salary increments, retirement rate
30 adjustments, and health benefit adjustments for personnel who serve children with disabilities.

31 32 **PART II. POSTSECONDARY EDUCATION**

33 34 **PARTNERSHIPS FOR IDENTIFYING AND PROMOTING EXCELLENCE IN** 35 **POSTSECONDARY OPTIONS FOR PEOPLE WITH DISABILITIES**

36 **SECTION 2.1.(a)** There is appropriated from the General Fund to the Board of
37 Governors of The University of North Carolina the sum of six hundred thousand dollars
38 (\$600,000) for the 2015-2016 fiscal year and the sum of six hundred thousand dollars
39 (\$600,000) for the 2016-2017 fiscal year. These funds shall be used by the Carolina Institute
40 for Developmental Disabilities, in collaboration with the North Carolina Postsecondary
41 Education Alliance, for the work of the Alliance's three regional Partnerships for Identifying
42 and Promoting Excellence in Postsecondary Education for People with Intellectual and/or
43 Developmental Disabilities.

44 The purpose of these partnerships is to build capacity for the expansion of
45 postsecondary options for students with intellectual and/or developmental disabilities in order
46 to improve their short- and long-term outcomes. Powers of the Partnerships include, but are not
47 limited to, demonstrating innovative approaches for the education of people with disabilities,
48 providing technical assistance to postsecondary institutions and programs, and making
49 recommendations for the sustainability of these programs.

**INTERAGENCY ASSESSMENT OF AND PLANS FOR IMPROVING
POSTSECONDARY OPTIONS FOR PEOPLE WITH DISABILITIES**

SECTION 2.2. The Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, with the assistance of the Department of Health and Human Services, Division of Vocational Rehabilitation and Division of Social Services, the Department of Public Instruction, The University of North Carolina, and the North Carolina Community College System, and in consultation with the North Carolina Postsecondary Education Alliance, community stakeholders, and other interested parties, shall:

- (1) Assess gaps and system needs to support transitions of people with disabilities to adulthood.
- (2) Develop a program and fiscal policies to expand and sustain postsecondary education and employment opportunities for people with disabilities.
- (3) Plan and implement approaches to public awareness about postsecondary education and employment for people with disabilities.
- (4) Plan and implement joint policies and common data indicators for tracking the outcomes of people with disabilities after leaving high school.
- (5) Consider options for technology to link agency databases.

The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services shall report to the Joint Legislative Education Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services by November 15, 2015, and annually thereafter through November 15, 2017, on the implementation of this section.

FINANCIAL ASSISTANCE FOR POSTSECONDARY EDUCATION

SECTION 2.3. The State Education Assistance Authority shall study strategies for ensuring that the State system of financial assistance for postsecondary education is fully available to assist qualified students with disabilities who are enrolled in certificate-based, approved university programs developed for them. The Authority shall report to the Joint Legislative Education Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services by March 15, 2016, on the results of this study.

PART III. EFFECTIVE DATE

SECTION 3.1. This act becomes effective July 1, 2015.