

NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 946
HOUSE BILL 1172

AN ACT TO PROVIDE STATE FUNDS FOR THE EDUCATION OF EXCEPTIONAL CHILDREN IN PRIVATE OR OUT-OF-STATE EDUCATIONAL FACILITIES WHEN APPROPRIATE EDUCATION IS NOT AVAILABLE IN THE PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 115 of the General Statutes is amended by adding Article 38B thereto to read as follows:

"Article 38B.

"EDUCATION EXPENSE GRANTS FOR EXCEPTIONAL CHILDREN

"§ 115-316.7. **Statement of legislative policy and purposes.** — The General Assembly of North Carolina recognizes that in unusual circumstances the public schools of this State cannot provide the necessary training for all of its exceptional children. It is further recognized that, in order for the exceptional child to obtain a proper education, it may become necessary for the child to attend a private or out-of-state institution. So that all of our young children may be trained to be useful citizens, and to provide our children with this opportunity where it may not exist in the public schools, it shall be the policy of this State to make an educational expense grant available to each eligible child as provided under this Article, for the private or out-of-state education of such child.

"§ 115-316.8. **Definitions.** — As used in this Article,

- (1) The term 'exceptional child', shall include the seriously emotionally disturbed, the severely learning disabled, the visually and/or hearing handicapped or impaired, the multiple handicapped, the mentally retarded, the crippled or other health impaired child.
- (2) The term 'State Board' means the State Board of Education.

"§ 115-316.9. **Who may apply for State grants.** — Every exceptional child residing in this State who is eligible to attend a public school may apply for an education expense grant through his parent, guardian or person standing in loco parentis.

"§ 115-316.10. **Amount of State grants.** — It shall be the policy of the State to make an education expense grant available to each eligible child, as provided under this Article, to cover the cost of tuition in a private or out-of-state educational facility, provided that the amount of said grant shall not exceed \$1,200 per year per child.

"§ 115-316.11. **Applications to local boards for grants.** — Application for an education expense grant shall be made to the board of education of the administrative unit within which the child resides. Such application shall be on standard forms prescribed by the State Board for that purpose and shall be signed under oath or affirmation by the parent or guardian of the person standing in loco parentis to the child for whom application is made. The application shall then be sent to the State Board for approval as provided for in this Article.

"§ 115-316.12. **Powers of State Board to administer student education expense grants.** — In order to accomplish the purposes of this Article, the State Board is authorized:

- (1) To receive from the General Fund or other sources such sums as the General Assembly may authorize from time to time for such purposes, and to receive from any other donor, public or private, such sums as may be made

available, and to cause such sums to be disbursed for the purposes for which they have been provided;

- (2) To establish such criteria as the State Board shall deem necessary or desirable for determining the need of exceptional children for grants under this Article, and for deciding who shall receive grants;
- (3) To prescribe the form and regulate the submission of applications for grants and to prescribe the procedures for considering and approving such applications; and
- (4) To establish such criteria as the State Board shall deem necessary or desirable for determining which private or out-of-state schools an eligible child must attend in order to obtain an education expense grant."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 19th day of July,

1971.