

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 580  
HOUSE BILL 549

AN ACT TO PROVIDE FOR THE PUBLIC SCHOOL EDUCATION OF CHILDREN WITH  
LEARNING DISABILITIES IN NORTH CAROLINA.

The General Assembly of North Carolina enacts:

**Section 1.** There is hereby established within the public school system a program for the education of children with learning disabilities.

**Sec. 2.** As used in this act:

- (1) The term "Section Director" means the Director of the Section for the Education of Children with Learning Disabilities within the public school system.
- (2) The term "learning disability" means children who exhibit a disorder in one or more of the basic psychological or physiological processes involved in understanding and in using spoken or written languages. These may be manifested in disorders of listening, thinking, talking, reading, writing, spelling, or arithmetic. They include, but are not limited to, conditions which have been referred to as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and/or developmental aphasia. They do not include learning problems which are due primarily to visual, hearing, mental retardation, emotional disturbance, or motor handicaps.
- (3) The term "State Board" means the State Board of Education.
- (4) The term "State Superintendent" means the State Superintendent of Public Instruction.

**Sec. 3.** There is hereby created within the State Department of Public Instruction a Section to be known as the Section for the Education of Children with Learning Disabilities.

**Sec. 4.** The Section for the Education of Children with Learning Disabilities within the public school system shall be administered by a Section Director under the general supervision of the State Superintendent. The Section Director shall be appointed by the State Superintendent subject to the approval of the State Board. The salary of the Section Director shall be determined by the State Personnel Board upon recommendation of the State Board and shall be adequate to obtain a person highly trained and qualified by reason of education and experience in the area of dealing with children with learning disabilities. The State Board is authorized to provide the Section Director with such assistance, clerical help, and travel allowances as it may determine necessary to carry out the responsibilities of the office of Section Director under this act.

**Sec. 5.** The Section Director shall recommend and the State Superintendent appoint, with the approval of the State Board, a supervisor for testing and pupil classification who shall, in cooperation with existing testing and pupil classification services of the Department of Public Instruction, be charged with the responsibility of testing and evaluating all children in the public school system, or who are of compulsory school attendance age, for the purpose of identifying children with learning disabilities. Said supervisor shall be a person well trained in testing and diagnosis of learning disabilities and professionally qualified to carry out this responsibility. In addition, the Section Director shall recommend and the State

Superintendent appoint with the approval of the State Board, such specialists as may be necessary for adequate counseling and identification of those children with learning disabilities throughout the State; and the State Board shall provide necessary funds for office expense and travel for the conduct of their work.

**Sec. 6.** In each of the three regional centers staffed by the State Department of Public Instruction, appropriate programs of education for children with learning disabilities shall be established and developed by a district supervisor of education for children with learning disabilities. These regional consultants shall be recommended by the Section Director and shall be well trained and experienced in the area of learning disabilities. These regional consultants shall be provided funds for office expense and travel allowances. Their duties shall include assistance to local administrative units in planning programs and developing curricula for children with learning disabilities.

**Sec. 7.** The Section Director, under the direction of the State Board and in accordance with the rules and regulations prescribed by it, is authorized to perform such other powers and duties as the Board may prescribe for the implementation of the purposes of this act, including the following:

- (1) Research studies which will develop techniques, curricula, and materials especially applicable to children with learning disabilities;
- (2) Recommendation of special books, materials, and other supplies to be purchased by the State Board for the proper implementation of this act, including the local programs provided in Section 8;
- (3) Direction of the regional education consultants provided for in Section 6 in the development of proper curriculum and studies to fit the individual needs of children with learning disabilities within the district of the supervisor and of the local administrative units within such districts; and
- (4) Establishment of standards for the teachers of children with learning disabilities to be employed or paid in whole or in part pursuant to the provisions of this act and to give such examinations or tests as may be necessary to determine such qualifications.

**Sec. 8.** The Superintendent of any school administrative unit may submit to the Section Director a proposal, including any program already in operation, for a local program for the education of children with learning disabilities in that administrative unit. If such proposal is approved by the Section Director in accordance with rules and regulations to be prescribed by the State Board for qualification of local programs under this act, there shall be allocated by the State Board out of the Nine Months' School Fund to the school administrative unit such funds as may be necessary to carry out the program. Such programs may include additional teachers, special materials and books, plans for identifying and guiding pupils with learning disabilities, or other items of excess cost not properly borne by the local unit, provided that such amount allocated shall not exceed a maximum amount for each participant pupil to be fixed by the State Board. Teachers for such approved local programs may be allotted out of the teachers provided for by the Nine Months' School Fund provided such allotments may be in addition to the regular teacher allotment to the administrative unit involved. Two or more administrative units may join together for the purpose of operating such a program, under the direction of the Section for the Education of Children with Learning Disabilities.

**Sec. 9.** There is hereby appropriated to the Nine Months' School Fund for the fiscal year 1973-74 the sum of eight hundred sixty-five thousand dollars (\$865,000) for the implementation of the program for the education of children with learning disabilities in the public school system provided by this act. The State Board shall transfer from this appropriation to the Department of Public Instruction the amounts the State Board deems to be required for the functions provided in Sections 3, 4, 5, 6, and 7 of this act. The remainder of this appropriation shall be used for the allocations for approved local programs provided for in

Section 8 of this act; provided that said allocations shall be over and above amounts which are available for implementation of these local programs from the regular allotments made from the Nine Months' School Fund to administrative units.

**Sec. 10.** This act shall become effective on July 1, 1973.

In the General Assembly read three times and ratified, this the 17th day of May, 1973.