

TO: Directors, Exceptional Children Programs
Directors, Charter Schools
SIMS Coordinators

FROM: E. Lowell Harris, Director
Exceptional Children Programs

SUBJECT: Senate Bill 1075

The Exceptional Children Division has received calls concerning the new legislation allowing local educational agencies (LEAs) to count a child with disabilities on the April 1 Child Count, if the child has an Individualized education program (IEP) from another state. The child can be counted if the LEA is providing special education services and is in the process of determining eligibility for special education.

The 1999 session of the General Assembly (Session Law 1999-117, Senate Bill 1075). The General Assembly of North Carolina enacts:

Section 1. Notwithstanding any policy or rule adopted by the State Board of Education, if a local school administrative unit provides services to a student pursuant to a current individual education plan from another state while a determination is being made regarding the student's eligibility for services as a child with special needs in North Carolina, the local school administrative unit shall not be required to repay State funds received while the determination is being made.

Listed below is the information needed to enter a child with disabilities in the Student Information Management System (SIMS). Please be reminded a temporary placement is thirty days.

Name:
Date of Birth:
Sex:
Grade:
Social Security Number:
Disability:
Ethnic Origin:

Referral/Re-evaluation Date:
IEP Team Decision for Placement:
Primary Disability:
Served Date:
Student Setting:

You must submit a Child Count Reduction Form for any child counted on the December 1 or April 1 Child Count who does not meet criteria for special education placement. There will not be a reduction in April 1 Child Count allotment IF the child submitted is from out-of-state.

Please forward a list of all children with disabilities from out-of-state counted on the April 1, 2000 Child Count to:

Tony L. Mitchell
NC Department of Public Instruction
Education Building
301 North Wilmington Street
Raleigh, North Carolina 27601-2825

If you need additional information concerning this new legislation, please call Tony L. Mitchell at 919.807.3992 or e-mail: tmitchel@dpi.state.nc.us.