



CHAPTER 115C
ARTICLE 9 - EDUCATION OF CHILDREN WITH DISABILITIES

N.C.G.S. § 115C-109.5.

Prior written notice.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2006-69, s. 2 — seventeenth act in the lineage	RETRIEVED 21 September 2026, 03:09 UTC	SOURCE FINGERPRINT 71cabf322dc0b71445f38150 - 494799c3c9f0b4dacb53a8c7 - 5f84274709c51234
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§ 115C-109.5(a) The local educational agency shall provide prompt written notice to parents whenever that agency proposes to initiate or change, or refuses to initiate or change (i) the identification, evaluation, or educational placement of a child, or (ii) the provision of a free appropriate public education to a child with a disability. The local educational agency shall document that all required notices have been sent to and received by parents.

§ 115C-109.5(b) This prior written notice shall be in the native language of the parents, unless it clearly is not feasible to translate it, and shall contain all of the following information:

- (1) A description of the action proposed or refused by the local educational agency.
- (2) An explanation of why the local educational agency proposes or refuses to take the action and a description of each evaluation procedure, assessment, record, or report that agency used as a basis for the proposed or refused action.
- (3) A statement that the parent of a child with a disability has protection under the procedural safeguards of this Article and IDEA and, if this notice is not the initial referral for evaluation, the means by which a copy of the procedural safeguards can be obtained.
- (4) Sources for parents to contact to obtain assistance in understanding this Article and IDEA.
- (5) A description of other options considered by the IEP Team and the reason why those options were rejected.

- (6) A description of the factors that are relevant to the local educational agency's proposal or refusal.
- (7) Any other information required to be included under IDEA.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
17 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
01	1973	c. 1293, s. 10	ENACTED
02	1975	c. 151, ss. 1, 2	AMENDED
03	1975	c. 563, ss. 8, 9	AMENDED
04	1975	2nd Sess., c. 983, ss. 79, 80	AMENDED
05	1981	c. 423, s. 1	AMENDED
06	1981	c. 497, ss. 1, 2	AMENDED
07	1983	c. 247, s. 6	AMENDED
08	1985	c. 412, s. 2	AMENDED
09	1987	c. 827, s. 1	AMENDED
10	1987	1987 (Reg. Sess., 1988), c. 1079, s. 1	AMENDED
11	1989	c. 362	AMENDED
12	1989	1989 (Reg. Sess., 1990), c. 1058	AMENDED
13	1991	c. 540, s. 1	AMENDED
14	1991	1991 (Reg. Sess., 1992), c. 1030, s. 27	AMENDED
15	1993	c. 270, s. 1	AMENDED
16	1997	S.L. 1997-115, s. 1	AMENDED
17	2006	S.L. 2006-69, s. 2	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 115C-109.5 (2006).

PINPOINT

N.C. Gen. Stat. § 115C-109.5(a) (2006).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1973, c. 1293, s. 10; 1975, c. 151, ss. 1, 2; c. 563, ss. 8, 9; 1975, 2nd Sess., c. 983, ss. 79, 80; 1981, c. 423, s. 1; c. 497, ss. 1, 2; 1983, c. 247, s. 6; 1985, c. 412, s. 2; 1987, c. 827, s. 1; 1987 (Reg. Sess., 1988), c. 1079, s. 1; 1989, c. 362; 1989 (Reg. Sess., 1990), c. 1058; 1991, c. 540, s. 1; 1991 (Reg. Sess., 1992), c. 1030, s. 27; 1993, c. 270, s. 1; 1997-115, s. 1; 2006-69, s. 2.)

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