

## **SPECIAL EDUCATION PROGRAMS/ RIGHTS OF STUDENTS WITH DISABILITIES**

Policy Code:

**3520**

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The Watauga County Board of Education (the “board”) requires that all special education programs operating in this school system be in compliance with *Policies Governing Services for Children with Disabilities* as adopted by the State Board of Education.

All children with disabilities will be accorded rights as required by federal and state law. See also policy 4022/7231, Nondiscrimination on the Basis of Disabilities.

The residence of a child with disabilities will be determined in accordance with G.S. 115C-366 and policy 4120, Domicile or Residence Requirements.

The board encourages parents, guardians, surrogate parents, custodians, eligible students and school employees to work cooperatively to ensure that the special needs of students are met. Parents will be provided with information about their rights, the rights of their child, and the responsibilities of the school system toward meeting the special needs of their child.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9; 115C-366, -390.5 through -390.12; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000

Cross References: Nondiscrimination on the Basis of Disabilities (policy 4022/7231), Domicile or Residence Requirements (policy 4120)

Adopted: August 3, 2015

Revised: August 14, 2017 (Legal references only)

Replaces: Board policy 4.05.20, Exceptional Children’s Programs, policy 4.05.30, Least Restrictive Environment, and policy 4.05.40 Academically Intellectually Gifted Education