

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

Date Reviewed/Approved: 5/5/2008

Policy Number: 3520

Rescinds Policy Number: IDDF, IDDF-R

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The board of education requires that all special education programs that are operated in this school district 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.

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

The board encourages parents, guardians, surrogate parents, custodians and eligible students, and school personnel to work cooperatively to ensure that the special needs of students are met. Parents shall be provided with information about their rights, the rights of their child, and the responsibilities of the Local Educational Agency (LEA) toward meeting the special needs of their child.

Legal References: Individuals with Disabilities Education Act, 20 U.S.C. 1400 et. seq., 34 C.F.R. Part 300; The Rehabilitation Act of 1973, 29 U.S.C. 706(8), 794, 34 C.F.R. pt. 104; The Americans With Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; G.S. 115C, art. 9, 115C-391; Policies Governing Services for Children with Disabilities, State Board Policy Number HSP-D-000.

Cross References: Nondiscrimination on the Basis of Disabilities (policy 1730/4022/7231), Domicile or Residence Requirements (policy 4120)