

Rights of Children with Disabilities

This section explains the educational rights of children with disabilities to attend a charter school that has been authorized by the North Carolina Department of Public Instruction (NCDPI). Both federal and state law requires that admission to a charter school be conducted without regard to or consideration of whether the child has a disability; therefore, charter schools are open to all students, whether or not they are eligible to receive special education services. Charter schools must provide special education services, as outlined in the child's Individualized Education Plan (IEP), to all eligible students. This is a summary of your child's rights to attend and receive needed services from his or her public charter school.

Charter schools accept and serve students with disabilities. Charter schools within the NCDPI are open to all grade-eligible children on a space available basis. If more students apply than there are available spaces, a lottery is held to randomly determine who will be admitted. All students who wish to attend a charter school have an equal chance of admittance regardless of, and without any consideration of, any need for special education services.

Charter schools must ensure that your child receives special education services if the child has been determined to be an eligible student with a disability by the Individualized Education Program (IEP) Team. Charter schools within the NCDPI must ensure that students with disabilities receive the special education services to which they are entitled. The services consist of special education instruction and related services in the least restrictive environment. The amount and location of services (where services will be delivered) are determined by the student's IEP team and are documented in the student's IEP.

Your child must receive related services if the IEP Team determines the child needs them. Charter schools within the NCDPI must provide related services to students with disabilities if the IEP Team determines that the services are necessary for the student to benefit from special education (i.e., OT, PT, counseling, etc.).

Charter schools are required to meet the needs of qualified students with disabilities under Section 504 of the Rehabilitation Act of 1973, as amended, even if the student is not eligible as a student with disabilities under federal and state special education laws. Charter schools within the NCDPI are required to provide a FAPE to students with disabilities determined eligible under Section 504 of the Rehabilitation Act of 1973, as amended. An appropriate education for a student with a disability under Section 504 regulations could consist of education in general education classrooms with or without accommodations and/or supplementary services. These services will be decided upon by the child's 504 Planning Committee.

Direct questions or concerns about the information contained in this notice to:

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Child Find

Child Find is a process based on the Individuals with Disabilities Act (IDEA) Part C. The purpose is to identify, locate and evaluate individuals with disabilities who may need special education services. Anyone can initiate the process: a parent, doctor, teacher, relative or friend.

To ensure that all NCVA students are properly identified and served, the parent or guardian will be asked at least twice if their student has ever been evaluated for possible special education services, and if the student has ever received special education services as a student in a public or private school. If so, the parent or guardian will be asked if their student have an active Individual Education Plan (IEP).

Special Education Services

NCVA is responsible for providing a free and appropriate education under the federal Individuals with Disabilities in Education Act (IDEA). NCVA Special Education professionals assist parents in accessing and coordinating services pursuant to a current Individualized Education Plan. Parents should indicate that their child has an Individualized Education Plan on their enrollment form.

Special education services are available to students who have been identified with a disability and meet eligibility requirements. Documentation of the disability must be provided, such as a previous Individualized Education Plan (IEP) and/or a psychological evaluation. Students with IEPs in need of adapted learning support services are those whose complex learning needs impact their academic achievement and their ability to make sufficient progress toward IEP goals in the general education setting. Services offered may include adaptations and modifications to the general education curriculum, specialized instructional strategies, and adjustments in pacing.

The NCVA program is considered an **inclusion** program. The student's home is the regular classroom and

services are provided by consultation with a highly qualified special education teacher via phone, e-mail and the online (virtual) classroom.

What to expect:

- Every special education student will be assigned a special education teacher in addition to their regular education teacher.
- The special education teacher will work with the learning coach on IEP goals; how to modify and adapt the learning environment; and curriculum paths for success.
- The special education teacher will hold Class Connects online to provide specialized instruction that addresses a student's specific learning needs.
- The special education teacher is available to be used as a resource for instructional strategies and adaptations and modifications to the curriculum.
- Special Education meetings will be held either online or through the use of a conference call line.
- The special education teacher will provide a progress report at the end of each grading period noting the progress on the student's IEP goals.
- Special Education students are required to meet the same attendance policies as their peers. The home environment and individualized instruction can help the students create a learning environment that meets their specific needs.