

SPECIAL EDUCATION PROGRAMS/ RIGHTS OF STUDENTS WITH DISABILITIES

Policy Code:

3520

POLICIES, LAWS, AND PROCEDURES FOR ADMINISTERING PROGRAMS FOR CHILDREN WITH SPECIAL NEEDS

The Buncombe County Board of Education adopts the North Carolina Department of Public Instruction's (Division for Exceptional Children) "Procedures Governing Services for Children with Disabilities," Amended July 2014, and any subsequent revisions, as Buncombe County Schools' "Procedures Governing Services for Children with Disabilities." The Board may adopt specific policies if the need arises to cover a local situation or issue involving children with disabilities. All policies will be consistent with state and federal law as well as the Procedures adopted herein. Policy 4307 addresses disciplinary action for students with disabilities.

Copies of the State Department of Public Instruction's "Procedures Governing Services for Children With Disabilities," July 2014 and any subsequent revisions will be distributed to each school principal, each School Board member, the Superintendent, appropriate personnel in the central office, and the Department of Special Services.

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 GCS-D-000

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

Replaces Board Policy 640

History of Policy 640

Adopted: August 6, 1992

Revised: May 8, 2003

Revised: September 1, 2011

Revised: January 5, 2012

NCSBA wording and revisions replacing Policy 640 were adopted: May 7, 2015