

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

Policy Code: **3520**

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

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5 All children with disabilities will be accorded rights as required by federal and state law. See
6 also policy 1730/4022/7231, Nondiscrimination on the Basis of Disabilities.

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

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

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16 Legal References: Americans with Disabilities Act, 42 U.S.C. 12131 *et seq.*, 28 C.F.R. pt. 35;
17 Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300;
18 Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C art. 9; 115C-
19 366, -390.5 through -390.12; *Policies Governing Services for Children with Disabilities*, State
20 Board of Education Policy GCS-D-000

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

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25 Adopted:
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