

The Catamount School Policy 3520

SPECIAL EDUCATION PROGRAMS/

RIGHTS OF STUDENTS WITH DISABILITIES

Policy Code:

3520

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.

I. Purpose

The Catamount School is committed to providing appropriate educational opportunity to students with disabilities. All students with disabilities shall be accorded rights as required by federal and state law, including Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

The purpose of this policy is to provide The Catamount School with a framework for implementation of federal and state law pertaining to students with disabilities.

II. Scope and Definition

This policy applies to students with disabilities at The Catamount School who meet the federal definition of either “child with a disability” or “student with a disability”.

A “child with a disability” is defined by the North Carolina Department of Public Instruction, in accordance with federal law, as a child who has one or more of the following disabilities:

- intellectual disabilities
- hearing impairments
- deafness
- speech or language impairments
- visual impairments (including blindness)
- serious emotional disability
- orthopedic impairments
- autism
- traumatic brain injury
- other health impairments
- specific learning disabilities
- deaf-blindness
- multiple disabilities
- developmental delay (Applicable to only children ages three through seven)
- and who, by reason of their disability, needs special education and related services.

A “student with a disability” is defined under Section 504 as a student who has one or more of the following:

- a physical or mental impairment which substantially limits one or more major life activities;
- a record of such impairment; or
- is regarded as having such an impairment.

III. Students with Disabilities

All special education programs operated at The Catamount School shall be in compliance with the North Carolina State Board of Education’s [Policies Governing Services for Children with Disabilities](#).

In accordance with federal and state law, including the Individuals with Disabilities Act (IDEA) and Section 504, The Catamount School will work closely with students and parents to conduct a comprehensive assessment to identify and evaluate if a student is a student with a disability as defined above. A comprehensive assessment system first consists of permission to evaluate from the parents and includes the following components: (a) Common formative assessments; (b) Interim/Benchmark assessments; (c) Outcome assessments; (d) Universal screening; (e) Progress monitoring; and (f) Diagnostic assessments.

If it is determined that a TCS student is a student with a disability, TCS will work with the student and their parent(s), at no cost, to:

- identify and meet with the appropriate Individualized Education Program (IEP) team;
- determine the appropriate educational placement for the child with a disability in order to provide specially designed instruction to meet the unique needs of the student; and
- identify and provide supportive and related services to assist the child with a disability to benefit from the special education the student receives in the least restrictive environment.

If it is determined that a TCS student is an individual with a disability, TCS will work with the student and their parents(s), at no cost, to identify the appropriate accommodations and placement for the student.

IV. Rights of Parents

The Catamount School 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. Parents of a child with a disability are entitled to certain rights under the IDEA. An explanation of those rights is provided in the North Carolina State Board of Education’s [Parent Rights & Responsibilities in Special Education](#).

V. Complaints

Complaints concerning the implementation of this policy may be directed to any of the following:

1. TCS Principal Angela Lunsford, 828-331-1775, alunsford@wcu.edu
2. Dr. Tammy Barron, EC Coordinator, tbarron@wcu.edu
3. Dr. Kim Winter, Dean, WCU College of Education and Allied Professions, 828-227-3306, kkruebel@wcu.edu

VI. 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.

Adopted: August 24, 2023