

2.13 POLICY ON EXCEPTIONAL CHILDREN AND IMPLEMENTATION OF IDEA AND SEC. 504

Scholars Academy provides special education and related services according to the federal mandates of the Individual with Disabilities Education Act (“IDEA”) and the laws, rules and regulations of the State of North Carolina. Consistent with such laws, Scholars Academy has implemented support systems and programs to ensure that each student enrolled at Scholars Academy with a disability (as defined in IDEA) receives a Free and Appropriate Public Education (FAPE) (as defined in IDEA).

The Public Schools of North Carolina, Exceptional Children Division, provides local units with detailed policies for the delivery of special education services, which rules are applicable to the Scholars Academy. The rules and regulations are detailed in Policies Governing Services for Children with Disabilities, as amended from time to time.

<http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities/policies-children-disabilities.pdf>

To the extent that a parent or school personnel suspects that a child has a disability, such person should provide to school personnel (e.g. Executive Director, Assistant Executive Director, School Counselor, Exceptional Children’s coordinator, Teacher) a written statement requesting an evaluation to determine the child’s eligibility for special education services. Upon such referral, Scholars Academy will adhere to its obligations under Child Find (as defined in IDEA).

Scholars Academy follows the process for disputes and appeals of disputes outline in the Procedural Safeguards: Handbook on Parents' Rights.

<http://ec.ncpublicschools.gov/parent-resources/parents-rights-handbook>

For the avoidance of doubt, Scholars Academy recognizes that The Public Schools of North Carolina, Exceptional Children Division, has adopted certain changes to its regulations regarding FAPE and IDEA which are automatically effectively on July 1, 2020 unless an “LEA” (which includes the Board of Directors of a charter school) provides notice to implement such rules prior to such effective date. Scholars Academy is not, as of the date of adoption of this policy, an “early adopter” of those rules. Any such early adoption would be implemented by the Board only following analysis and discussion of the impact of those rules on the population of students served by Scholars Academy.

It is the policy of Scholars Academy to provide a FAPE to each student with a disability within its jurisdiction, regardless of the nature or severity of the disability. As such, it is the intent of Scholars Academy to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 (“Section 504”) are identified, assessed, and provided with appropriate educational services. Under Section 504, a student with a disability is one who (a) has a physical or mental impairment that substantially limits one or more major life activities, (b) has a record of such impairment, or (c) is regarded as having such an impairment. Scholars Academy recognizes that students may be disabled under Section 504, and thus entitled to certain accommodations, even though they do not require services pursuant to IDEA. Section 504 due process rights of students with disabilities and their parents will be enforced. The Executive Director will develop identification and referral procedures and will post such procedures on the Scholars Academy website.

Adopted: April 25, 2016