

Policy Code: 3520 Special Education Programs/Rights of Students with Disabilities

The Board requires that all special education programs operating in this school district be in compliance with *Policies Governing Services for Children with Disabilities* as adopted by the State Board of Education.

All children with disabilities will be accorded rights as required by federal and state law. In addition, the Board supports policies for students with special needs that are inclusive and seek to provide accommodations in the best interest of the student. The Board encourages parents, guardians, surrogate parents, custodians, eligible students and school personnel to work cooperatively to ensure that the special needs of students are met.

Chapel Hill-Carrboro City Schools provides a continuum of services for exceptional children. Special education and related services are determined by the Individualized Education Program (IEP) team. Most exceptional children receive specialized instruction at their home schools.

Levels of Services and Support

The district will provide appropriate service and support to meet a student's needs. The level of service and support will be described by the State definitions.

- Special Education Targeted Skills – Services/supports provided to students who require specific instruction in targeted skills areas (to include but not limited to: reading, math, written expression, social skills) outside the general education classroom from 21% - 60% of the day. Special targeted skills groups can range from 1-14 students with consideration given to any specific guidelines governing group size composition for any methodologies adopted by the LEA.
- Special Education Sustained Support – Services/supports outside the general education classroom for greater than 60% of the day, to students who require extensive, explicit instruction to acquire, maintain and generalize multiple skills. Students may have documented health, communication, sensory, and/or behavior problems. Periodic immediate support and supervision are required throughout the day.
- Special Education Intensive Needs – Services/supports outside the general education classroom to students who require extensive and explicit instruction to acquire, maintain, and generalize multiple skills. Students receive extensive, direct special education services for greater than 60% of the school day and require constant immediate supervision. The students may have persistent documented health, communication, and/or behavior problems. The students require an instructional pace requiring individual and small group instruction and have substantial behavioral or physical needs.

System Level Classes

For students who require Sustained or Intensive Level of Services and Support, system-level classes will be available at all levels, PreK through grade 12. The student's home school is always the first consideration if an appropriate class is available. Assignment to all system level classes is made by the district team when the IEP team (parents and specific school staff) determines that a child may require a system level class assignment. The superintendent, or designee, will ensure that procedures are developed, available for parents and staff, and implemented.

The class size and staffing ratio will be determined by the needs of the students in the class rather than by a label for the class. Some students may have more than one level of need. The class size and staffing ratios for system level, self-contained classes will have a target of six students, one teacher

and two teacher assistants. The maximum class size for system level classes will be eight students. If a situation requires assigning more than eight students to a system level class, the Superintendent will report this to the Board at the next regularly scheduled Board meeting. The report may include a request for additional resources or a plan for accommodating more than eight students in the specific class for an identified period of time.

Parent Rights

Parents shall be provided with information about their rights, the rights of their child, and the responsibilities of the Local Education Agency (LEA) toward meeting the special needs of their child. Parents of children with disabilities who have an IEP will be given the *Procedural Safeguards: Handbook of Parents' Rights* at least annually. This handbook outlines parent rights and the processes available to them for seeking resolution of disputes or disagreements.

Domicile or Residence Requirements

The residence of a child with disabilities shall be determined in accordance with [NC General Statute 115C-366](#) and policy 4120, Domicile or Residence Requirements.

Legal References: The Americans with Disabilities Act, [42 U.S.C. 12131 et seq](#), [28 C.F.R. Part 35](#); Individuals with Disabilities Education Act, [20 U.S.C. 1400 et. seq.](#), [34 C.F.R. Part 300](#); Rehabilitation Act of 1973, [29 U.S.C. 705\(20\)](#), [794](#), [34 C.F.R. Part 104](#); [G.S. 115C, art. 9](#), [15C-366, through -390](#); *Policies Governing Services for Children Disabilities*, State Board of Education Policy [EXCP-000](#).

Cross References: Domicile or Residence Requirements (policy 4120)

Revised: June 19, 2008; July 21, 201, May 1, 2017