

NORTH CAROLINA

SCHOOL ENROLLMENT OPTIONS

for Students with Disabilities

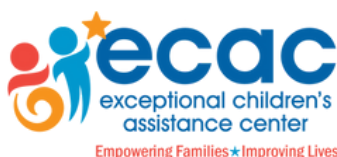


In North Carolina, **all** children between the ages of 7 and 16 **must** attend school continuously for an amount of time equal to the number of days the assigned public school operates.

Parents and guardians that have a child under the age of seven who is enrolled in public school (kindergarten through second grade), must also make sure they attend regularly, unless or until they have been withdrawn from school.

Choosing the right school for your child is an important and significant decision that can greatly affect their educational journey. North Carolina offers a variety of school enrollment options to meet the diverse needs of students and families.

This guide provides an overview of different schooling options, including traditional public schools, public magnet schools, public charter schools, private schools, online learning, and homeschooling. Additionally, it outlines how the Individuals with Disabilities Education Act (IDEA) and Section 504 apply to students with special education needs in these various settings.



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Traditional Public Schools

Traditional public schools are funded and regulated by local, state, and federal government entities. They are open to all school-age students within a designated geographic area and must provide a free appropriate public education (FAPE) to students with disabilities. Some students with disabilities receive accommodations and supports through [Section 504](#) Accommodation Plans. Under the [Individuals with Disabilities Education Act \(IDEA\)](#), special education services and related services are provided to eligible students through Individualized Education Programs (IEPs).

In order to meet the unique needs of eligible students who have all types of disabilities, public school systems must offer a full continuum of possible educational placements that range from the full-time Regular education setting, pull-out Resource instruction, Separate special education classrooms, Separate specialized schools, to Hospital/Homebound placements. No child is too disabled to receive a free appropriate public education (FAPE)!

Some public school systems offer “choice” or “magnet” schools that feature specialized programs or curricula designed to attract students with particular interests or talents. These schools may focus on areas such as STEM (Science, Technology, Engineering, and Mathematics), performing arts, Early College or language immersion. Like traditional public schools, magnet schools are required to provide special education services and/or other supports to students with disabilities, in compliance with IDEA and Section 504.

Public Charter Schools

Public charter schools are **not** private schools. In North Carolina, charter schools operate independently of the traditional public school system and do not have geographic boundaries for attendance. They have more flexibility in curriculum, teaching methods, school policies and staff qualifications. Charter schools do not charge tuition. They may or may not provide some sort of transportation assistance. Charter schools typically admit students through an application process followed by a random selection lottery. Charter schools are publicly funded and must comply with federal laws, including [Section 504](#) and [IDEA](#). They must provide needed accommodations and/or special education services to eligible students. While charter schools are not allowed to exclude students with disabilities, some students may have disability related needs that cannot be adequately addressed within a particular charter school.

Virtual Public Schools

Online learning can be a flexible option for some students with disabilities, allowing them to access educational materials and support from the comfort of their own homes. Virtual public schools function like regular schools except all of their courses are online. Courses are taught by North Carolina certified teachers and parents function as “learning coaches” for students. Some traditional public school systems provide virtual learning options referred to as “[Remote or Virtual Academies](#)”. North Carolina also has online public charter schools.

All online public schools must comply with federal laws and provide special education, related services and/or accommodations to eligible students with IEPs or 504 plans.

[North Carolina Virtual Public School \(NCVPS\)](#) offers supplemental virtual courses for children in 6th through 12th grade. Unlike the virtual charter schools, this is not a standalone option. Courses are available to students who are enrolled in public schools, private schools and homeschools. NCVPS provides online courses in many subject areas including mathematics, science, English language arts, social studies, arts, Advanced Placement, honors, and world languages. Other courses include test preparation, credit recovery, and Occupational Course of Study (OCS). Courses may be synchronous (live instruction) or asynchronous (self-paced).

Private Schools

Private schools are not funded by the government and operate independently. They get to hand pick their students. Children have to apply and be accepted in order to attend. Most enrollment contracts also allow private schools to dismiss students at any point in the year. Some may have religious affiliations or follow specific educational philosophies. Private schools set their own admissions criteria, tuition fees, curriculum and policies. While a few private schools specialize in serving students with disabilities, others might not be equipped to support students with special educational needs. The [IDEA](#) does not apply to private schools. Section 504 **only** applies to private schools that receive federal funds. Private schools that do not receive federal funds - which is most - are not required to provide accommodations or extra support to students with disabilities beyond meeting the accessibility requirements of the [Americans with Disabilities Act \(ADA\)](#).

Homeschooling

Homeschooling involves parents or guardians taking primary responsibility for their child's education at home. Homeschooling families have the freedom to design their own curriculum and schedule. In North Carolina, home schools are considered to be private schools. Parents must register their home school with the [NC Department of Administration](#) and comply with the state's requirements. Failure to register the home school with the Division of Non-Public Education could constitute a parental violation of the State of North Carolina's [compulsory attendance law](#) since the child(ren) would not be enrolled in a legal North Carolina school. In North Carolina, students that are homeschooled are considered to be parentally placed in a private school.

Funding for K-12 Students in Private or Homeschools

North Carolina has two K-12 funding programs through the North Carolina State Education Assistance Authority: The [Opportunity Scholarship](#) program, and the [Education Student Accounts \(ESA+\)](#) program. Every year the N.C. General Assembly allocates a specific amount of money to each program. The amount allotted may not be enough to fund all applicants.

The Opportunity Scholarship Provides Funds for Private School

Who can apply for an Opportunity Scholarship?

North Carolina families of students entering kindergarten through 12th grade.

How much money is it?

Awards range from approximately **\$3,000** to **\$7,000**, based on a family's household income.

How can the money be used?

The money can be used to pay for tuition and other required fees to attend [registered direct payment private schools](#).

Education Student Accounts (ESA+) Scholarship Provides Funds for Private School and Homeschool

Who can apply for ESA+?

North Carolina families of students entering kindergarten through 12th grade, that have been found eligible for an Individualized Education Program (IEP) through a NC Public School within the past 3 years.

How much money is it?

The base level of funding is a **\$9,000** annual award; students with certain designated disabilities may be eligible to receive a **\$17,000** annual award.

How can the money be used?

Funds can be used for K12 school tuition as well as certain [allowable expenses](#) such as homeschool curriculums, educational therapies, tutoring, and educational technology.

Families may apply to more than one program as long as they meet the eligibility requirements of each. It is important to note that there may be [tax implications](#) when using these funds.

Applications for both programs typically open in early February of each year with a priority deadline in early March.

Private School Services Plan for Students in Private Schools or Homeschools

Some homeschool and private school students with disabilities may be eligible for special services from the local public school system through a [Private School Services Plan \(PSSP\)](#). The IDEA requires public school systems to set aside funds to provide special education services to students with disabilities whose parents choose to send them to private schools. Each school system must develop a written plan for how it will spend those funds. This is referred to as the district's "[proportionate share plan](#)". Because this money is limited, not all eligible students receive services and the services are usually not as comprehensive as what they would receive if they attended a public school.

Initiating the IEP Process Through the Public School

To begin the process of determining eligibility for special education services through an Individualized Education Program (IEP), families must submit a written request to the appropriate public school.

Who you send the request to depends on your child's current educational setting:

- If your child is enrolled in a public school (traditional or charter): Submit the request directly to the school where your child is enrolled.
- If your child is homeschooled or not yet enrolled in school: Submit the request to the public school your child is zoned to attend, based on your home address.
- If your child is attending a private school: Submit the request to the public school district where the private school is physically located, as they are responsible for locating, identifying and evaluating students with disabilities who attend private schools within their district. (This does not prohibit parents from requesting an evaluation from the public school system in which the child resides.)

See the sample letter below for how to make a formal request.

Dear (Principal's or Administrator's name),

I am writing to request that my son/daughter, (child's name), be evaluated for an Individualized Education Program (IEP). I am worried because (child's name) is struggling and I believe he/she may need special education services in order to learn. (Child's name) is in the (_) grade at (name of school). [Add details here about areas where your child is struggling. Include information such as your child's diagnosis or information from private providers that suggests he or she may need special education to succeed].

I hope that a Special Education Referral meeting can be scheduled without delay. If there is any additional paperwork that needs to be completed, please send it to me and I will complete it promptly. I would be happy to talk with you about (child's name). You can email me at (email address) or call me during the day at (daytime telephone number).

Thank you for your prompt attention to my request.

Once a written request for a child to be evaluated has been submitted, this kicks off what is known as the 90 day timeline. The school has 90 days to have an initial referral meeting, conduct evaluations, determine eligibility and create an IEP for eligible students.

Special Education Referral Meeting

When the school receives your request, they should send you an [invitation](#) for the initial Special Education Referral meeting. At that meeting, the team (which includes the parent) will go over the [Special Education Referral](#) form.

At the completion of this form the team must decide one of the following 3 options:

1.) No evaluation will be conducted based on the review of existing data. The referral to special education ends. (If choosing this they must document the reasons for the decision.)

2.) Eligibility for special education and related services is being determined by existing evaluation data made available to the IEP Team through the Special Education Referral. NO additional evaluation(s) are needed to determine eligibility. **Note: This option is not typically selected, as most IEP Teams will need additional information to ensure all required components of a comprehensive evaluation are addressed.**

3.) Conduct an initial evaluation. Eligibility cannot be determined by reviewing existing data.

If the team agrees to evaluate the child, the parents must provide written consent to move forward with the evaluation. Evaluation procedures may include, but are not limited to, observations, interviews, standardized tests, progress monitoring data, behavior checklists, structured interactions, play assessment, adaptive and developmental scales or other techniques and procedures as deemed appropriate by the evaluator(s).

Eligibility Determination Meeting

Once the evaluations are complete, the IEP Team will meet again to go over the results and to make complete the [Eligibility Determination worksheet](#). In order to be eligible for an IEP, the IEP Team must determine that the student has a disability that has an adverse effect on their educational (academic and/or functional) performance **and** requires specially designed instruction. The team must also determine that the disability is not primarily caused by a lack of appropriate instruction or limited English proficiency. It's important to note that a [medical diagnosis](#) alone does not qualify a student for an IEP. Information about medical conditions and/or clinical diagnosis are helpful to the IEP team but are not enough to determine [special education eligibility](#).

Once a child is found eligible for special education services, families can let the team know whether they would like to move forward with developing an Individualized Education Program (IEP) for public school placement, or a Private School Services Plan (PSSP) if they plan to enroll their child in a nonpublic school setting. Families can also decide whether or not to provide written consent for the initiation of special education services.

If a child is not found eligible, families still have options under their [Parent Rights](#), such as requesting an Independent Educational Evaluation (IEE) at public expense, or pursuing other [dispute resolution](#) options available through the NC Department of Public Instruction.

Understanding the various enrollment options available in North Carolina, as well as when the IDEA applies to students with special education needs, is crucial for making informed decisions about your child's education. By exploring these options and asking good questions, you can help ensure that your child receives the education and services they need to thrive.

Questions to consider before enrolling your child in alternative options:

- Does the school have much experience working with students who have disabilities?
- How does the school address the needs of students with disabilities?
- What types of supports or interventions does the school provide to students who struggle academically?
- What happens if a child needs a service such as counseling, speech, occupational or physical therapy?
- How does the school handle challenging behavior?
- Under what circumstances would a student be asked to leave the school?



EXPLORE SCHOOL OPTIONS & CONSIDERATIONS BELOW

	Traditional Public Schools	Public Magnet Schools	Public Charter Schools	Public Virtual Options	Private Schools	Home Schools
Cost/ Enrollment	Free and open to all school-aged children in the geographic area they serve. Must accept students with disabilities.	Free and open to students in the district based on district policies and space. Must accept eligible students with disabilities. This also applies to "Lab Schools" operated by the University of NC.	Free and not limited to a geographic area; enrollment is often based on a lottery. Must accept students with disabilities.	Free and must accept eligible students with disabilities.	Fees are determined by each school. Some state funding may be available. Schools decide if they want to accept students with disabilities.	Parents who have a high school diploma can choose to homeschool in keeping with NC law. Some state funding may be available to help with costs.
Special Education and Related Services	All students who qualify for special education and related services must receive a free appropriate public education designed to meet their unique needs.				Some private schools choose to provide special education and related services. Public school districts must spend a "proportionate share" of their federal special education funds on services for private school students through Private School Services Plans.	Students whose parents choose to remove them from public school to homeschool are not eligible for services detailed within an IEP, but they may be able to receive limited special education services through a Private School Services Plan.
Disability Laws & Policies that Apply	All federal and state laws and policies apply, including IDEA, Section 504 of Rehabilitation Act, ADA, and the NC Policies Governing Services for Children with Disabilities.				The Americans with Disabilities Act applies to private schools. Section 504 applies to schools that accept any type of federal funding.	None.