Section 504 of the Rehabilitation Act Education Policies and Procedures

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South Carolina Public Charter School District

Chris Neeley, Superintendent

INTRODUCTION

The purpose of this document is to provide the policies and procedures for services to students of the Rehabilitation Act of 1973, Section 504, Subpart D. Section 504 contains other requirements including building accessibility and employment practices concerning persons with disabilities. This system limits itself to the instructional services to students in Subpart D, Preschool, Elementary, and Secondary Education.

Section 504 prohibits discrimination against disabled persons by school districts receiving federal financial assistance. This includes all programs and activities of the school district receiving federal funds, regardless of whether the specific program or activity involved is a direct recipient of federal funds.

All individuals who are disabled under the Individuals with Disabilities Education Act (IDEA) are also protected under Section 504. Their rights, and the necessary services to prevent discrimination, are provided for within the IDEA. However, all individuals who have been determined to be disabled under Section 504 may not be disabled under IDEA. These persons require a response from the regular education staff and curriculum. The IDEA defines as eligible only students who have certain specific types of disabilities and who, because of one of those conditions, need special education (specially designed instruction). Section 504 protects the civil rights of all disabled students, defined as those having any physical or mental impairment that substantially limits one or more major life activities (including learning). Section 504 covers all students who meet this definition, even if they do not fall within the IDEA enumerated categories and even if they do not need to be in a special education program.

This document provides the South Carolina Public Charter School District's interpretation of various statutory provisions and does not impose any requirements beyond those included in federal regulations and court interpretations. In addition, it does not create or confer any rights for or on any person.

The SCPCSD maintains the role of an authorizer and LEA. Each charter school within the SCPCSD has the autonomy to develop policies and procedures individualized to meet the needs of the school, as long as those policies and procedures are consistent with the school's charter, contract, and SCPCSD policies and procedures. All schools must adhere to State and Federal Laws regarding student with disabilities. The rights of students with disabilities and their parents under Section 504 are guaranteed in the South Carolina Public Charter School District. The Directors of Special Education Services oversee all matters related to Section 504, in addition to each charter school having its own 504 Coordinator.

This is a living document and will be updated on a regular basis as the South Carolina Public Charter School District receives further guidance from the United States Department of Education, Office of Civil Rights, and results of court decisions. For the additional guidance on Section 504 regulations, please consult the Office of Civil Rights: https://www.hhs.gov/ocr/index.html. For questions concerning this document or questions

concerning the South Carolina Public Charter School District's Section 504 Programs, please call (803) 734-8322.

The South Carolina Public Charter School District does not discriminate on the basis of race, color, national origin, sex, disability, age, religion, or immigrant status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle the nondiscrimination policies. For questions pertaining to Section 504 contact the Director of Federal Programs, questios pertaining to Title IX contact the Director of School Development at 3710 Landmark Drive, Suite 201, Columbia, SC 29204, 803-734-8322.

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I. FREE AND APPROPRIATE PUBLIC EDUCATION

In accordance with Section 504 regulations at 34 CFR 104.33, the South Carolina Public Charter School District ensures that a free appropriate public education (FAPE) is made available to all children with disabilities between the ages of 3 and 21, regardless of the nature or severity of the disability. “Appropriate Education” is defined as the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of people with disabilities as adequately as the needs of individuals without disabilities are met.

II. CONFIDENTIALITY

The South Carolina Public Charter School District safeguards the confidentiality of personally identifiable information at use, collection, storage, retention, disclosure and destruction stages. In the South Carolina Public Charter School District, the Director of Federal Programs, along with each individual school’s 504 Coordinator, is responsible for maintaining the confidentiality of personally identifiable information. The Family Educational Rights and Privacy Act (FERPA) specifies rights related to educational records. This Act gives the parent or guardian the right to: (1) inspect and review his/her child’s educational records; (2) make copies of these records; (3) receive a list of all individuals having access to those records; (4) ask for an explanation of any item in the records; (5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child’s rights; and (6) receive a hearing on the issue if the school refuses to make the amendment.

A. Access Rights

The South Carolina Public Charter School District complies with a request to access records without unnecessary delay and before any meeting regarding a 504 Plan, or any hearing pursuant to South Carolina Board of Education Regulations, and any resolution session pursuant to South Carolina Board of Education Regulations, and in no case more than 45 days.

The South Carolina Public Charter School District presumes that a parent has the authority to inspect and review records relative to that parent's child unless the South Carolina Public Charter School District has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

Upon request, the South Carolina Public Charter School District provides parents a list of the types and locations of education records collected, maintained, or used by the South Carolina Public Charter School District and each of its schools.

B. Amendment of Records/Hearing Process

Parents have the right to request that their child's education records be changed if something is inaccurate, misleading, or in violation of the student’s rights of privacy. If the school does not agree that the education records should be changed, staff must provide an opportunity for a

hearing, following the Family Educational Rights and Privacy Act of 1974, August 1974, 20 U.S.C. 1232g (FERPA) requirements. The hearing officer would be the school's hearing officer, not a special education due process hearing officer (34 CFR § 300.618).

C. Parental Consent Prior to Disclosure of Records

The South Carolina Public Charter School District obtains parental consent before personally identifiable information is disclosed to parties other than officials of participating agencies in accordance as defined by South Carolina Board of Education Regulations, unless the information is contained in education records and the disclosure is authorized without parental consent under FERPA.

The parent's consent must be in writing, signed, and dated and must:

(1) Specify the records to be disclosed;
(2) State the purpose of the disclosure; and
(3) Identify the party or class of parties to whom the disclosure may be made.

The South Carolina Public Charter School District obtains parental consent, or the consent of an eligible child who has reached the age of majority under South Carolina law, before personally identifiable information is released:

(1) To officials in another district or school in connection with the child's enrollment in a nonpublic school; and/or
(2) For purposes of billing insurance and/or Medicaid.

D. Transfer of Rights at Age of Majority

The South Carolina Public Charter School District affords rights of privacy to children similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability. The rights of parents regarding education records under FERPA transfer to the child at age 18.

E. Disciplinary Information and Reports to Law Enforcement

The South Carolina Public Charter School District includes in the records of a child with a disability a statement of any current or previous disciplinary action that has been taken against the child and transmits the statement to the same extent that the disciplinary information is included in, and transmitted with, the records of nondisabled children.

When a child transfers from the South Carolina Public Charter School District, the transmission of any of the child's records includes the child's current 504 Plan, most current evaluation/reevaluation, and any statement of current or previous disciplinary action that has been taken against the child.

A statement of disciplinary action shall:

(1) Specify the circumstances that resulted in the disciplinary action and provide a description of the disciplinary action taken if the disciplinary action was taken because the child:

(2) Include any information that is relevant to the safety of the child and other individuals involved with the child.

A statement of disciplinary action may include a description of any other behavior engaged in by the child that required disciplinary action, and a description of the disciplinary action taken.

If the South Carolina Public Charter School District or school authorized by the district reports a crime to the appropriate law enforcement officials, the South Carolina Public Charter School District transmits copies of the special education and disciplinary records of the child to those officials only to the extent that the transmission is permitted by FERPA and any other applicable. Consistent with Federal Law (34 CFR 300.220 IDEA) the South Carolina Public Charter School District assures that all children, age three to twenty-one, regardless of the nature or severity of the disability, and who are in need of special education and related services, are identified, located, evaluated, and receive a free appropriate public education (FAPE).

III. CHILD FIND

In accordance with Section 504 regulations 34 CFR 104.32, the South Carolina Public Charter School District assumes responsibility for the location, identification and evaluation of every qualified person with a disability enrolled in any of the schools chartered with the South Carolina Public Charter School District and who reside within the State of South Carolina. Child Find procedures utilized for compliance with the IDEA will be utilized for the identification of students with disabilities who may qualify under Section 504 of the Rehabilitation Act of 1973. In addition, when a student is referred under IDEA and found to be not eligible, and when a student is exited from IDEA services for any reason, consideration for Section 504 protections will be initiated.

The South Carolina Public Charter School District is a district of choice and is not a district of residence for any child, therefore the South Carolina Public Charter School District is not required to locate, identify, or evaluate children who are placed by a parent in a private school or home schooled. If the parents of a child who is home schooled or placed in a private school has questions about special education, the parents will need to contact their district of residence.

A. Responsibility for Determining Eligibility

South Carolina Public Charter School District evaluates children for a disability, not for category of disability. All evaluation procedures under IDEA are followed first. If the student does not qualify for Special Education, then the Team must determine if the student qualifies as a student with a disability under Section 504.

In all cases, the South Carolina Public Charter School District multidisciplinary team will not determine that a student has a disability if the suspected disability is the result of a lack of

instruction in reading or math. If the student is not proficient in English, the South Carolina Public Charter School District will not identify the student as having a disability if the limited English proficiency (LEP) is the cause of the suspected disability.

B. Child Identification Process

The South Carolina Public Charter School District, in conjunction with each of the charter schools within the district, coordinates the child identification process. The South Carolina Public Charter School District, its schools, and its staff use a variety of community resources and systematic activities in order to identify children requiring special services. These responsibilities are carried out through the implementation of the Child Find Notice and the individual charter school referral process.

The following is the school's Child Find notice and a description of methods for publicly providing the notice:

The following information is posted publicly on Carolus Online Academy's website:
COA strives to identify, locate, and evaluate all enrolled children who may have disabilities. Disability, as stated in IDEA, includes such conditions as hearing, visual, speech, or language impairment, specific learning disability, emotional disturbance, cognitive disability, other health or physical impairment, autism, and traumatic brain injury. Identifying, locating, and evaluating these children is referred to as Child Find.

As a public school, we will respond vigorously to federal and state mandates requiring the provision of a Free Appropriate Public Education (FAPE) to each child regardless of a child's disability or the severity of the disability. To comply with the Child Find requirements, COA will implement procedures to help identify, locate, and evaluate students, including those who are homeless or wards of the state, in need of special education and related services.

Parent/Guardian permission and involvement are vital pieces in the process. Once a student has been identified as having a "suspected disability" or identified as having a disability, COA will ask the student or the student's Parent/Guardian for information about the child, such as:

- How has the suspected disability or identified disability hindered the student's learning?
- What has been done, educationally, to intervene and correct the student's emerging learning deficits?
- What educational or medical information relative to the suspected disability or identified disability can be shared with the school?

This information may also be obtained from the student's present or former teachers, the student's school records, as well as from doctors, therapists, or other agencies, pending the legal guardian's written consent.

As part of the Child Find process, some services may include a complete evaluation, an individualized education program designed specifically for the child, and a referral to other agencies providing special services.

Procedures for referring students who may be suspected of having a disability:

A) Referrals initiated by school:

1. Identification & Referral Process
Any teacher, school staff member, or administrator who receives information or observes signs that a student may have a disability must complete the Child Find Referral Form via the designated Microsoft Form platform.

This form should be completed when:
A parent/guardian shares concerns related to a student's academic, behavioral, developmental, or emotional functioning.
A teacher or staff member observes indicators of potential disability impacting the student's educational performance.

2. Initial Review by Special Programs Team
Once a referral form is submitted, the Special Programs Team will:
Acknowledge receipt of the referral.
Review the information provided.
Contact the parent/guardian to gather additional background, concerns, or medical documentation if applicable.
Request records from any prior schools or educational agencies, if necessary.

3. Determination of Next Steps
Following the initial review, the Special Programs Team will determine appropriate next steps, which may include:
Initiating a formal evaluation process (with parental consent).
Holding a Student Support Team (SST) or intervention team meeting to determine if additional general education supports or interventions are needed.
Determining the need for special education eligibility evaluation or referral to other services (e.g., Section 504, RTI, ELL screening).
Providing information to the parent about the rights under IDEA and the evaluation timeline.

4. Documentation and Tracking
All referrals and follow-up actions will be documented and tracked in a secure system to ensure compliance with Child Find requirements.
The Special Programs Team will monitor timelines and ensure parental communication and

procedural safeguards are followed throughout the process.

5. Program Placement or Support Implementation
If a student is found eligible for services:
The student will be placed in the appropriate program (e.g., special education, Section 504, gifted services, English learner program).
An Individualized Education Program (IEP) or relevant plan will be developed in collaboration with the family.
If the student is not eligible, the team will provide feedback and may offer alternative support plans, accommodations, or general education interventions.

B) Referrals initiated by parents:

1. Parent/Guardian Initiates Concern
A parent/guardian may express concerns regarding their child's academic, social-emotional, behavioral, or developmental needs via email, phone, virtual meeting, or school communication tools.

When a concern is communicated, the staff member receiving the information must:
Document the concern.
Complete the Child Find Referral Form through the designated Microsoft Form platform to ensure appropriate follow-up by the Special Programs Team.

2. Special Programs Team Follow-Up
Upon receiving the referral, the Special Programs Team will:
Acknowledge the concern with the parent/guardian in a timely manner
Schedule a conversation to gather more information about the student's needs, medical or developmental history, and any interventions already attempted.
Request previous educational records and evaluations, if applicable.

3. Determination of Next Steps
Based on the initial discussion and records review, the Special Programs Team will determine appropriate next steps, which may include:
Initiating a formal special education evaluation (with informed written consent from the parent).
Recommending a Student Support Team (SST) or intervention team meeting to explore general education interventions or supports.
Discussing the need for possible referrals to Section 504, English language screening, or mental health services, depending on the nature of the concern.

4. Documentation and Compliance

All parent-initiated concerns and follow-up steps will be documented in a secure system to meet compliance with IDEA and Section 504 Child Find requirements.

The Special Programs Team will ensure:
Parents are informed of their procedural rights.
All timelines for evaluations and meetings are followed.
Communication remains consistent and documented throughout the process.

5. Eligibility Determination and Services
If a student is found eligible for services:
An IEP or 504 Plan will be developed in collaboration with the parent/guardian.
The student will be placed in the appropriate program, and services will begin according to the plan.
If the student is not found eligible, the team will:
Provide a clear explanation and written notice to the parent.
Offer general education supports, accommodations, or other appropriate next steps as needed.

IV. PROCEDURAL SAFEGUARDS

Parents of a child with a disability are entitled to specific procedural safeguards under Section 504. These safeguards are referred to parents' rights. The South Carolina Public Charter School District provides parents with a copy of the procedural safeguards at least once a year during the annual review.

In addition, South Carolina Public Charter School District provides parents with an electronic copy of this procedural safeguards notice in each of the following circumstances:

(1) Upon the initial referral or parental request for evaluation;
(2) Upon receipt of a grievance;
(3) Upon the request of an impartial hearing;
(4) Upon a change in placement for disciplinary action; and
(5) When requested by the parents or the child who has reached the age of majority;
(6) At the end of every annual 504 meeting

The school will use the District's Notice of Parents Rights and Safeguards regarding Section 504.

B. Parental Consent

Consent means that the parents:

(a) Have been fully informed in the parents' native language or other mode of communication of all information relevant to the activity for which consent is sought;

(b) Understand and agree in writing to the carrying out of the activity for which the consent was asked. The consent describes that activity and lists the records (if any) that will be released and to whom they will be released; and

(c) Understand that the granting of consent is voluntary and may be revoked at any time.

The South Carolina Public Charter School District does not obtain written parental consent when reviewing existing data as part of an evaluation or reevaluation or when administering a test or evaluation that is given to all children, unless consent is required of all parents. If parents refuse to give written consent, the South Carolina Public School District may use due process hearing procedures to seek to override the parents' denial of consent.

C. Conflict Resolution

Grievances:

Grievances can be submitted in writing to the School's Section 504 Coordinator on issues other than a child's identification, evaluation, and placement. The grievance will be investigated, and a written response will be submitted to the parent/guardian within ten (10) business days. If the grievance resolution is not satisfactory to the parent/guardian, then the parent/guardian can submit in writing to the District 504 Coordinator/Special Education Director a District level grievance review. The grievance will be investigated, and a written response will be submitted to the parent/guardian within ten (10) business days.

Impartial Hearing:

Parents have the right to an impartial hearing if there is a disagreement with the school regarding a child's identification, evaluation, or educational placement. Parents will file a written Notice of Appeal with the School's 504 Coordinator within 10 calendar days of receiving written notice of the 504 committee's actions. A hearing will be scheduled before an impartial hearing officer within 30 calendar days. Parents will be notified in writing of the date, time, and place for the hearing.

If the parent/guardian disagrees with the hearing officer's decision, they have the right to a review of that decision by a court of competent jurisdiction. If the parents request to inspect and review any education records relating to their child, the South Carolina Public Charter School District replies without unnecessary delay and makes the records available before the hearing.

F. Child's Status During Code of Conduct Violations

DISCIPLINARY PROCEEDINGS

The South Carolina Public Charter School District will consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of South Carolina Department of Education Board of Education Regulations, is appropriate for a child with a disability who violates a code of student conduct.

(a) Changes in placement less than 10 consecutive school days

The South Carolina Public Charter School District may remove a child with a disability who violates a code of student conduct from the child's current placement to an appropriate alternative setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement).

The South Carolina Public Charter School District considers on a case-by-case basis whether a pattern of removals constitutes a change of placement. A change in placement occurs if:

(1) The removal is for more than 10 consecutive school days, or
(2) The child has been subjected to a series of removals that constitute a pattern:
(a)Because the series of removals total more than 10 school days in a school year;
(b)Because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and
(c) Because of such additional factors as the length of each removal, the total amount of time the child has been removed and the proximity of the removals to one another.

SCPCSD makes use of In School Suspension (ISS) when appropriate. ISS is described as:

Student is afforded the opportunity to continue to appropriately participate in the general curriculum

The student continues to receive the accommodations and/or related services specified in the 504 plan; and

Student continues to participate with nondisabled peers to the extent they would have in their current placement

Describe the school's procedures for the following: monitoring in- and out-of-school suspensions, to include the review of suspension/expulsion data; determining when a pattern of removals constitutes a change of placement; and addressing behavior issues using positive behavior interventions:

Although behavior concerns in the virtual environment are typically infrequent, the school maintains proactive and compliant procedures to support student behavior and ensure adherence to IDEA regulations regarding suspension, expulsion, and positive behavioral interventions.

1. Monitoring In-School and Out-of-School Suspensions

The virtual school tracks all instances of in-school and out-of-school suspensions in its student information system.

Suspensions are reviewed regularly by the Special Programs Team and school administration to:
Monitor for frequency and duration of removals.
Ensure disciplinary actions are applied consistently and equitably.
Identify any students with disabilities who may be approaching a threshold that requires further action under IDEA.

2. Review of Suspension/Expulsion Data

Quarterly data reviews are conducted to examine:
Suspension and expulsion incidents by student group (including students with IEPs).
Any emerging patterns or disparities in discipline data.

These reviews inform whether intervention strategies or team meetings are needed to support students more effectively.

In rare cases where expulsions are considered, the school follows all IDEA procedural safeguards and state law, ensuring Manifestation Determination Reviews (MDRs) are conducted as required.

3. Determining a Change of Placement

The school defines a change of placement as occurring when a student with a disability:
Has been removed from their educational setting for more than 10 consecutive school days, or has been subject to a series of removals that total more than 10 cumulative school days in a school year and constitute a pattern due to similarity in behaviors, length, or proximity.

In such instances, the IEP team convenes to:
Conduct a Manifestation Determination Review (MDR).
Determine appropriate next steps, including potential revisions to the IEP or provision of additional behavioral supports.

4. Addressing Behavior through Positive Interventions

The virtual school prioritizes preventive and positive approaches to behavior support, including:
Embedding Social-Emotional Learning (SEL) into the school day through homeroom and advisory activities.
Encouraging teacher-student relationships and frequent check-ins to identify concerns early.

For students demonstrating behavior that interferes with learning:
The IEP team considers the need for a Functional Behavior Assessment (FBA) and the development of a Behavior Intervention Plan (BIP).

Staff are trained to implement these supports within the virtual classroom environment, with fidelity and collaboration from families.

Services during removal from current placement

(b) Services during removal from current placement

The South Carolina Public Charter School District provides services to a child removed from the child's current placement as follows:

(1) If the child has been removed from the child's current placement for 10 school days or less in the school year, services are provided only to the extent that services are provided to a child without disabilities who is similarly removed;
(2) After a child with a disability has been removed from the child's current placement for 10 school days in the same year (under circumstances in which the current removal is for not more than 10 consecutive days and is not a change in placement), the South Carolina Public Charter School District provides services, as determined by school personnel in consultation with at least one of the child's teachers, so as to enable the child to continue to participate in the general education curriculum, although in another setting;
(3) If the removal is a change in placement, the Team determines appropriate services; and
(4) If a child with a disability is removed from the child's current placement for either more than 10 consecutive days for behavior that is determined not to be a manifestation of the child's disability, the school may impose disciplinary sanctions aligned with their processes for nondisabled students.

(c) Manifestation Determination

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the school, the parent and relevant members Team members (as determined by the parent and the school district) must review all relevant information in the child's file, including the child's 504 Plan, any teacher observations and any relevant information provided by the parents to determine if the conduct was a manifestation of the child's disability. The South Carolina Public Charter School District determines that the conduct is a manifestation of the child's disability:

(1) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
(2) If the conduct in question was the direct result of the school district's failure to implement the 504 Plan (which may or may not include a behavior intervention plan).

If the relevant members of the 504 team, which includes the parents, determine that the conduct in question was NOT the direct result of the school's failure to implement the 504 plan and not a direct/substantial relationship to the child's disability, the school can resume with the course of action based on their code of conduct policy.

If the relevant members of the 504 team, which includes the parents, determine that the conduct in question was the direct result of the school's failure to implement the 504 Plan, the South Carolina Public Charter School District takes immediate steps to remedy those deficiencies and return the child to his/her previous placement.

If the manifestation determination indicates that the conduct was related to the student's disability, the district will:

1. Continue educational services that occurred prior to the infraction, unless the parent and SCPCSD agree to a change of placement.

2. Conduct a reevaluation within 10 days of the MDR to determine if the eligibility and/or placement is appropriate; this may also include conducting a functional behavioral assessment. The Team needs to complete the assessment(s) as soon as practicable.

G. Transfer of Parental Rights at Age of Majority/Student Notification

Once a child reaches the age of majority, the South Carolina Public Charter School District sends all required notices to both the student and parent, unless the student has been determined incompetent under state law. The South Carolina Public Charter School District will obtain informed written consent, as required by the South Carolina Board of Education regulations, from the student, unless the student has been determined incompetent under state law. Once rights have been transferred to the student, he or she may be able to execute a power of attorney under S. C. Code Ann. § 62-5-501 (Supp. 2008).

H. Surrogate Parents

The South Carolina Public Charter School District ensures that the rights of a child are protected when:

(1) No parent can be identified;
(2) The South Carolina Public Charter School District, after making reasonable efforts, cannot locate a parent;
(3) The child is a ward of the state; or
(4) The child is an unaccompanied homeless youth as defined in section 725(6) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a(6)).

One way in which the South Carolina Public Charter School District protects the rights of such children is through the assignment of surrogate parents where appropriate. The South Carolina Public Charter School District has a method for determining when a child needs a surrogate parent, for assigning a surrogate parent to the child and for the training of the surrogate parents that complies with the requirements of South Carolina Board of Education regarding surrogate parents.

V. EVALUATION

The South Carolina Public Charter School District ensures that initial evaluations are conducted and that reevaluations are completed for children who attend a school who has chartered with the South Carolina Public Charter School District. The South Carolina Public Charter School District uses a referral process to determine whether or not a child is a child with a disability. The South Carolina Public Charter School District also provides interventions to assist a child who is performing below grade-level standards. The provision of intervention services is not used to unnecessarily delay a child's evaluation for purposes of determining eligibility for special education services.

A. Initial Evaluation

1. TIMING AND INITIATION

A parent of a child may initiate a request for an initial evaluation to determine if the child is a child with a disability. Additionally, when there is reason to suspect the child may have a disability, an employee of the South Carolina Public Charter School District, including its schools, is obligated to initiate a request for an initial evaluation.

Describe the school's procedure for documenting receipt of referral and tracking timelines and holding meetings to ensure all timelines are met as required:

Carolus Online Academy follows established procedures to ensure timely and accurate documentation of referrals for special education and related services, in compliance with IDEA and state regulations.

1. Documenting Receipt of Referrals
When a referral for special education evaluation is received (either through staff submission or parent request), it is logged immediately by the Special Programs Team.
Receipt of the referral is documented with:
Date of referral
Referring party
Method of referral (e.g., Microsoft Form, email, written request)

2. Timeline Tracking
The school uses a centralized Evaluation Tracking Spreadsheet maintained by the Special Programs Team to:
Log all critical dates, including referral receipt, parent consent, evaluations, eligibility meetings, IEP meetings, and service start dates.
Automatically calculate due dates for each required milestone.
Update records immediately following each meeting or action to ensure real-time compliance monitoring.

3. Monitoring and Compliance
Frequent internal meetings are held to:
Review upcoming deadlines
Confirm completion of documentation
Address any outstanding tasks or needed follow-up
Individual case managers are expected to communicate regularly with the Special Programs Team regarding the status of their assigned students.

4. Meeting Scheduling and Parent Communication
IEP and eligibility meetings are scheduled in advance to allow for appropriate parent notice and participation.
The school ensures that:
Parents receive prior written notice (PWN) and meeting invitations within the required timelines.
All required team members are present.
Interpreter services or alternate formats are provided when needed.

Within a reasonable amount of time from receipt of a request for an evaluation, the South Carolina Public Charter School District either obtains parental consent for an initial evaluation through an evaluation planning meeting or provides to the parents' written notice stating that the South Carolina Public Charter School District does not suspect a disability and will not be conducting an evaluation.

The initial evaluation:

(a) Is conducted within 60 days of receiving parental consent for the evaluation; and
(b) Consists of procedures:
    (i) To determine if the child is a child with a disability as defined in Section 504 laws and regulation which include Rehabilitation Act of 1973, Americans with Disability Act and the Americans with Disabilities Amendment Act; and
    (ii) To determine the educational needs of the child.

2. THE EVALUATION

Under 34 CFR 104.35(a), a district must conduct an evaluation of any student who, because of disability, needs or is believed to need special education or related services before taking any action with respect to the initial placement of the student in regular or special education and any subsequent significant change in placement. A multidisciplinary team of qualified professionals, including parent(s), will comprise the evaluation team. As part of the initial evaluation and any reevaluation, the evaluation team will develop an evaluation plan that will provide for the following and be summarized in an evaluation team report:

(a) Review of existing evaluation data on the child, including:

(i) Evaluations and information provided by the parents of the child;

(ii) Current classroom-based, local or state assessments and classroom-based observations;

(iii) Observations by teachers and related services providers;

(iv) Data about the child's progress in the general curriculum, or, for the preschool-age child, data pertaining to the child's growth and development; and

(v) Data from previous interventions.

(b) On the basis of that review and input from the child's parents, identify what additional data, if any, are needed to determine:

(i) Whether the child is a child with a disability, as defined by Section 504;

(ii) The present levels of academic achievement and related developmental needs of the child;

(iii) Whether the child, as a result of the disability, requires accommodations and/or related services; or

(iv) In the case of a reevaluation of a child, whether the child continues to need accommodations and/or related services; and

(v) Whether any additions or modifications to the accommodations and/or related services are required.

The South Carolina Public Charter School District administers such assessments and other evaluation measures as may be needed to produce the data identified above. The South Carolina Public Charter School District provides written notice to the parents of a child with a disability that describes any evaluation procedures the school district proposes to conduct.

3. CONDUCT OF EVALUATION

In conducting the evaluation, the South Carolina Public Charter School District:

(a) Uses a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about the child, including information provided by the parent, that may assist in determining: (

b) Does not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and

(c) Uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

The South Carolina Public Charter School District ensures that:

(a) Assessments and other evaluation materials used to assess a child:

(i) Are selected and administered so as not to be discriminatory on a racial or

cultural basis;

(ii) Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information about what the child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to so provide or administer;

(iii) Are used for the purposes for which the assessments or measures are valid and reliable;

(iv) Are administered by trained and knowledgeable personnel; and

(v) Are administered in accordance with any instructions provided by the producer of the assessments.

(b) Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

(c) Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure rather than reflecting the child's impaired sensory, manual or speaking skills (unless those skills are the factors that the test purports to measure);

(d) A school age child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities;

(e) Preschool children are assessed in the following developmental areas: adaptive behavior, cognition, communication, hearing, vision, sensory/motor function, social-emotional functioning and behavioral function.

(f) Assessments of children with disabilities who transfer from one school district to another school district in the same school year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with South Carolina Board of Education Regulations 43-243, to ensure prompt completion of full evaluations.

(g) In evaluating each child with a disability, the evaluation is sufficiently comprehensive to identify all of the child's special education and related service needs, whether or not commonly linked to the disability category in which the child has been classified.

(h) Assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child are provided.

B. Eligibility of Determination

1. REPORT

The South Carolina Public Charter School District provides a copy of the evaluation team report and the documentation of determination of eligibility or continued eligibility to the parents and in no case later than 15 calendar days from the date of eligibility determination.

2. DETERMINATION OF ELIGIBILITY

A child is not determined to be a child with a disability:

(a) If the determinant factor for that determination is:

(i) Lack of appropriate instruction in reading, including the essential components of reading instruction as defined in Section 1208(3) of the Elementary and Secondary Act of 1965, as amended and specified in the No Child Left Behind Act of 2002, January 2002, 20 U.S.C. 6301 (ESEA);

(ii) Lack of appropriate instruction in math; or (iii) Limited English proficiency; and

(b) If the child does not otherwise meet the eligibility criteria under eligibility requirements outlined in the Rehabilitation Act of 1973, Americans with Disabilities Act, and the Americans with Disabilities Amendment Act.

The South Carolina Public Charter School District, in interpreting evaluation data for the purpose of determining if a child is a child with a disability, does the following:

(a) Draws upon information from a variety of sources, including aptitude and achievement tests, state- and district-wide assessments, parent input and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior; and

(b) Ensures that information obtained from all of these sources is documented and carefully considered.

If a determination is made that a child has a disability and is eligible under Section 504, the committee must determine if a 504 plan is required. If a plan is required, the South Carolina Public Charter School District develops a 504 Plan for the child within 30 calendar days of the date eligibility is determined as required by South Carolina Board of Education Regulations 43-243, if the parent approves of the action. If a plan is not required, but the child is eligible under Section 504 that child is still protected under Section 504.

C. Reevaluations

The South Carolina Public Charter School District conducts reevaluations of a child with a disability in accordance with IDEA:

(a) At least once every three years, unless the parent and the South Carolina Public Charter School District agree the reevaluation is unnecessary;
(b) If the South Carolina Public Charter School District determines that the child's educational or

related services needs, including improved academic achievement and functional performance, warrant a reevaluation;
(c) If the child's parent or teacher requests a reevaluation; or
(d) In order to determine if the child continues to be eligible under Section 504.

A reevaluation may not occur more than once a year, unless the parent and the South Carolina Public Charter School District agree otherwise. A reevaluation must occur at least once every three years, unless the parent and the South Carolina Public Charter School District agree that a reevaluation is unnecessary.

The South Carolina Public Charter School District reevaluates a child with a disability before determining that a child is no longer a child with a disability, although this evaluation is not required if the child's eligibility terminates due to graduation from secondary school with a diploma or due to exceeding the age eligibility for FAPE under state law.

Describe the school's procedure for tracking reevaluation timelines and/or notifying parents of the option to request additional information. This must also include students who are eligible under Section 504 but do not require a 504 plan.

Our school maintains a systematic process to ensure all reevaluations for students with disabilities are completed within required timelines and that parents are fully informed of their rights to request additional assessments.

1. **Master Tracking Spreadsheet**
    a. A centralized spreadsheet is maintained by the Special Programs Department to track all evaluation and reevaluation due dates for students who are eligible under Section 504 but do not require a plan and for students who do have a plan.
    b. Each student's eligibility date, triennial reevaluation due date, and any additional evaluation timelines are recorded.
    c. The spreadsheet is reviewed and updated monthly to ensure all deadlines are met in compliance with federal and state regulations.
2. **Parent Notification and Procedural Safeguards**
    a. At the time of reevaluation planning, a Prior Written Notice (PWN) is sent to parents.
    b. The PWN explicitly states that parents/guardians have the right to request additional assessments if they feel further information is needed to support their child's educational planning.
    c. Procedural Safeguards, outlining all parental rights are included in the notice

Observation Requirements

The South Carolina Public Charter School District ensures that the child is observed in the child's learning environment (which could include the home setting for children enrolled in a virtual school), to document the child's academic performance and behavior in the areas of difficulty. The group of qualified professionals identified by the South Carolina Public Charter School District conducts the observation by:

(a) Using information from an observation of the child's performance conducted during routine classroom instruction, including monitoring of the child's performance during instruction, that was done before the child was referred for an evaluation; or

(b) Having at least one member of the group conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parent consent has been obtained.

In order to ensure that underachievement in a child suspected of having a learning disability is not due to lack of appropriate instruction in reading or math, the South Carolina Public Charter School District considers:

(a) Data demonstrating that prior to, or as part of, the referral process, the child received appropriate instruction in regular education settings delivered by qualified personnel; and

(b) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the child's progress during instruction, the results of which were provided to the child's parents.

Obtaining Parental Consent to Evaluate

The South Carolina Public Charter School District promptly requests parental consent to evaluate a child to determine if the child needs special education and related services:

(a) If prior to the referral, the child does not make adequate progress after an appropriate period of time when provided with appropriate instruction. To make this determination, the South Carolina Public Charter School District considers:

> (i) Data demonstrating that prior to, or as part of, the referral process, the child received appropriate scientifically based instruction in regular education settings delivered by qualified personnel; and
> (ii) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the child's progress during instruction, the results of which were provided to the child's parents; and

(b) Whenever a child is referred for an evaluation.

D. Transfers During an Evaluation

If a child moves into the South Carolina Public Charter School District during the middle of an evaluation, the South Carolina Public Charter School District will coordinate with the child's

previous district to ensure prompt completion of the full evaluation. The 60-day timeline for completion of the evaluation may be extended if the parent and South Carolina Public Charter School District agree to a specific time extension as the South Carolina Public Charter School District makes sufficient progress to ensure a prompt completion of the evaluation.

VI. 504 Plans

The South Carolina Public Charter School District ensures that a 504 Plan is developed and implemented for each child with a disability (under Section 504), ages 3 through 21, inclusive, who requires accommodations and/or related services and who attends one of the schools that is currently chartered with the South Carolina Public Charter School District. For all children with disabilities who attend one of the schools who has chartered with the South Carolina Public Charter School District, the South Carolina Public Charter School District is responsible for ensuring that the requirements of South Carolina Board of Education Regulation 43-243 are met.

The South Carolina Public Charter School District ensures:

1. The 504 Plan is implemented as soon as possible following its development;
2. The parents receive a copy of the child's plan at no cost to the parents. This copy will be provided at the conclusion of the meeting or within 7 calendar days of the meeting.

Describe the school's procedures of providing the parents a copy of the 504 Plan:

A. Members of the 504 Team

The team includes persons knowledgeable about the meaning of the evaluation data, student performance, and knowledgeable about the placement options. South Carolina Public Charter School District highly values parent involvement in this process and will actively pursue parental participation. This may occur through identification of mutually agreeable meeting times and/or scheduling meetings in advance to ensure parents are available. Additionally, student participation, when deemed appropriate and with parental consent, is encouraged.

Describe the school's procedures for notifying the parents/adult student of an upcoming 504 meeting to ensure an opportunity to participate:

The virtual school follows a structured and secure process to ensure that parents/guardians receive timely access to the signed IEP and Prior Written Notice (PWN) following any IEP meeting, in alignment with IDEA requirements.

1. Signature Collection
During the virtual IEP meeting, the school facilitates the collection of parent/guardian signatures using:
Electronic signature tools embedded in the meeting platform, or
Live acknowledgment during the meeting with documentation in the IEP notes

All required participants also sign the IEP electronically during or immediately following the meeting.
An email is sent through Docusign (password protected) to collect signatures when the meeting platform signature permissions are not working.

2. Documentation of Delivery
The Special Programs Team sends emails through the school email system and can save the message as a note to confirm delivery of documents.

A written notice to a parent of a 504 meeting is required:

(1) Indicates the purpose, date, time and location of the meeting and which individuals will be in attendance;
(2) Informs the parents of their right to invite additional participants;
(3) Informs the parents of their right to have an interpreter if required and the timeframe to communicate this need to the school;
(4) Informs the parents of their right to bring information (formal or informal) to the meeting which will aid in the discussion
(5) Informs the parent of their right to have their minor child attend

The South Carolina Public Charter School District conducts 504 team meetings without a parent in attendance only if it cannot convince parents that they should attend. Before an IEP team meeting is held without a parent, the South Carolina Public Charter School District makes at least two contact attempts using two different methods to contact a parent to arrange a mutually agreed on time and place and records its attempts to do so.

B. Contents of a 504 Plan

In developing each child's 504 Plan, the team considers:

(1) The strengths of the child;
(2) The concerns of the parents;
(3) The results of the initial or most recent evaluation of the child;
(4) The results of the child's performance on any state or district-wide assessment programs, as appropriate; and
(5) The academic, developmental and functional needs of the child.

The South Carolina Public Charter School District's written 504 plans are developed, reviewed and revised in the context of the 504 meetings. The South Carolina Public Charter School District's 504's includes all of the following:

(a) Outline of 504 plan dates including initiation, ending, initial evaluation, and reevaluation;
(b) Student's disability and a statement on how the disability substantially limits a major life

activity;
(c) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child in the classroom and on state/district wide assessments consistent with Section 612(a)(16) of the IDEA;
(d) Participants in the meeting along with their role;
(e) Signatures of all meeting participants (a participant may contribute via phone and noted in the signature section)

C. Review and Amendment of a 504 Plan

The South Carolina Public Charter School District ensures that the 504 team:

(1) Reviews the child's 504 periodically, but not less than annually, to determine whether plan is providing a FAPE;
(2) The review process for a child who is eligible but had not required a 504 plan must also occur periodically, but not less than annually, to determine whether a plan is required to provide a FAPE; and
(3) Revises the 504 plan, as appropriate, to address staff, student, and/or parent concerns in the plan.

Progress Monitoring Process for a 504 Plan - To ensure that Section 504 plans are developed and reviewed using accurate, comprehensive information, teacher input must be collected prior to all initial, annual, and review 504 meetings. Teachers play a critical role in documenting how a student is functioning in the instructional environment, the effectiveness of current accommodations, and any emerging concerns related to access or progress.

Teacher feedback is essential for:

- Monitoring the student's ongoing access to the general education curriculum.
- Identifying patterns in academic performance, engagement, or behavior that may indicate a need for adjustments to accommodations.
- Evaluating the effectiveness of existing supports.
- Ensuring the 504 Team has current, relevant data when making decisions.

Required Components of Teacher Input
Teachers should provide information that includes, but is not limited to:

- Current academic performance and classroom observations.
- Evidence of progress or lack of progress toward grade-level expectations.
- Impact of the student's impairment on participation or access in virtual or in-person settings.
- The student's use and effectiveness of current 504 accommodations.

- Any concerns related to assignment completion, engagement, behavior, organization, or other relevant factors.
- Recommended adjustments or additional supports, if applicable.

Procedures for Collecting Input

- A standard school-approved teacher input form will be distributed to all teachers serving the student at least **10 school days prior to the 504 meeting**, unless a meeting is scheduled on an expedited basis.
- Teachers are expected to complete and return the form within **5 school days** of receipt to allow the 504 Coordinator time to review the information and prepare for the meeting.
- In virtual or blended settings, teachers should include platform-specific observations (e.g., log-in patterns, participation in synchronous sessions, timely submission of assignments, use of learning tools).
- If additional clarification is needed, the 504 Coordinator may conduct brief follow-up conversations with teachers.

Use of Teacher Input in 504 Meetings

- The 504 Team will review teacher input to determine whether the student continues to demonstrate a need for accommodations to access instruction.
- Data from teachers will be used to make decisions regarding continuation, modification, or removal of accommodations.
- Teacher observations regarding student progress will be included in the student's 504 documentation as part of the monitoring process.

Post Secondary Support

During meetings with seniors, the following information will be shared to support a successful transition beyond high school.

Students and families should be aware that Section 504 accommodations and protections do not end upon high school graduation. Section 504 is a federal civil rights law that applies to all publicly funded colleges, universities, and many technical or career training programs. This means:

- Students may request accommodations in post-secondary settings, such as extended time, accessible materials, assistive technology, or housing accommodations.
- Colleges will not automatically receive a student's 504 Plan. Students must independently contact the institution's disability services office and provide documentation of their disability.

- A high school 504 Plan can serve as helpful documentation, but each college determines reasonable accommodations based on its environment, course requirements, and available supports.
- Students are encouraged to keep copies of their 504 Plan, evaluations, and any relevant medical documentation for use during the college accommodations process.
- During senior year, the school's 504 Team may assist students with understanding how to self-advocate, request supports, and navigate disability services at the next level.

D. Exit Criteria for a 504 Plan

A student may be exited from a Section 504 plan when they no longer meet eligibility requirements, or when accommodations and/or services are no longer needed. Exit decisions are made by the 504 team based on data, input from staff, and parent/guardian collaboration. Reasons for exit may include:

- The student's disability no longer substantially limits a major life activity.
- The students' needs can be met without accommodations or services.
- The student graduates from high school or ages out of school services.
- The parent/guardian formally revokes consent for 504 services.

All exit decisions must be documented, and parents/guardians must be provided with notice of the decision and their rights under Section 504. All exit decisions are documented in EDPlan.

E. Transfers Within the State and From Out-of-State

When a student moves into the South Carolina Public Charter School District, the individual school must take reasonable steps to promptly obtain the child's records, including the 504 plan and supporting documents and any other relevant records from the previous district in which the child was enrolled. Regardless of how the parent completes the enrollment information regarding previous 504 eligibility/plan, it is the responsibility of the new school to verify whether or not the student had a 504 Plan in the previous district. Since this is a transfer of educational records from the child's previous district to the South Carolina Public Charter School District, no consent for release of documents is required.

The South Carolina Public Charter School District will not delay the implementation of the transfer 504 plan and will implement the plan within 5 school days of enrollment. If a student transfers in with an expired 504 plan, that plan will be implemented until data can be collected and a team convenes to create a new annual plan, no longer than 30 days from enrollment.

If a student transfers into a South Carolina Public Charter School and persons knowledgeable of the student, previous evaluation data, and placement options determine that the student's 504

plan is no longer appropriate for the student and additional data is required, the team must consider evaluating the student consistent with the Section 504 procedures at 34 C.F.R. 104.35 and determine which educational program is appropriate for the student.

If a reevaluation is past due on a transfer student, the 504 Team must convene and hold a reevaluation meeting.

If a parent transferring into a charter school does not want their child to continue with a 504 Plan, the 504 Team must convene and reevaluate to determine eligibility.

Describe the school's transfer procedures. Transfer procedures are to include:

Description of the school's process for determining whether the student has a 504 Plan:

Carolus Online Academy follows a consistent process to determine if an incoming or currently enrolled student has an active 50 plan:

The process includes the following steps:

Initial Enrollment Review
During registration, families are asked to indicate whether their student is eligible for a 50 plan.
Enrollment staff collect any documentation provided by the parent/guardian (e.g., a copy of the most recent 504, evaluation reports, eligibility determinations).
Reports are pulled from the Stride PowerSchool to determine any students with the 'pending Section 504' flag. This alerts the special programs team that additional records need to be collected or reviewed.

Records Request
With parent/guardian consent, the school requests official student records from the prior school, including special education files, to confirm the presence and status of a 504.
Records are reviewed to determine eligibility, current goals, and required services.

Internal Review and Verification
The Special Education team reviews all received records to verify if the student has a current, active 504.
If a student has an active 504 then a phone call is made with the parent/guardian and a transfer call is held.
If a student was found not eligible or the previous school shares that there were no services, then the student's account in Stride PowerSchool will note the findings and noted that the student 'cleared child find'.

Description of the school's process for requesting records:

When a new student enrolls or when updated special education records are needed, the school follows a clear and consistent process to ensure timely receipt and documentation of all records:

1. **Initiate Records Request:**
   Special Education registrar completes the official Records Request Form, identifying all needed special education documents (e.g., 504, IEP, evaluations, eligibility reports).
2. **Submit to District:**
   The completed request is sent to the student's previous district or school within one business day of enrollment or determination of need.
3. **Document Request:**
   The date of the initial request and all follow-up actions are logged on the school's Special Programs spreadsheet to ensure tracking and accountability.
4. **Follow-Up Communication:**
   Special Programs registrar will reach out to the sending district or school every two (2) business days to check on the status of the request until all required records are received.
5. **Upload and Share:**
   Once records are received, they are uploaded into the student's digital file in the school's secure system and made available to relevant team members.

Description of how the school's 504 Coordinator is notified when students with 504 Plans enroll:

When a parent or guardian indicates that their child has a 504 plan during the enrollment process, the enrollment system automatically applies a **"Pending"** tag to the student's profile. This tag triggers an internal notification to the school's Special Education Coordinator, ensuring they are promptly aware of any incoming students who may require records review for a 504 plan.

The Special Education Coordinator then reviews the student's information, initiates the records request process, and coordinates with staff to ensure appropriate placement and services.

VII. LEAST RESTRICTIVE ENVIRONMENT

The South Carolina Public Charter School District, to the maximum extent appropriate, ensures that a continuum of placements is available to meet the needs of children with disabilities for special education and related services in the least restrictive environment (LRE). Least restrictive environment:

(a) Is based on meaningful evaluation data,
(b) Considers appropriate placement options,
(c) Is determined at least annually,
(d) Is determined by the child's 504 team, and
(e) Considers any potential harmful effect on the child or on the quality of services that he or she needs, including the medium through which the instruction is delivered.

A child with a disability is not removed from instruction in age-appropriate regular classrooms solely because of needed accommodations and/or modifications in the general education curriculum.

MEDICAL HOMEBOUND

Under S.C. Code Ann. Regs. 43-241, students who cannot attend public school because of illness, accident, or pregnancy, even with the aid of transportation, are eligible for medical homebound or hospitalized instruction. A physician must certify that the student is unable to attend school but may profit from instruction given in the home or hospital. Should an approved student not be provided the medical homebound instruction that he or she is entitled to receive, the student is eligible to have the medical homebound instruction made up by the district. This make up may occur during the student's remaining eligibility for medical homebound instruction or may occur after the student returns to school provided the make-up periods are not during the regular school day.

Under S.C. Code Ann. § 59-40-50(B)(1), a charter school must adhere to the same health, safety, civil rights, and disability rights requirements as are applied to public schools operating in the same school district or, in the case of the South Carolina Public Charter School District or a public or independent institution of higher learning sponsor, the local school district in which the charter school is located. All charter schools have established medical homebound contacts and processes.