



Eastern North Carolina School for the Deaf Admission Criteria

On April 3, 2023, the General Assembly enacted Session Law 2023-10, which, among other matters, authorized the North Carolina State Board of Education to adopt rules for admissions criteria and standards for the Eastern North Carolina School for the Deaf (ENCSD) for the 2023-2024 school year only. In accordance with that authority, the following admissions eligibility criteria and procedures shall be in effect for the 2023-2024 school year.

Admissions Criteria

All students admitted to or enrolled in ENCSD shall, at minimum, present evidence that they meet the following admissions criteria:

1. The student possesses the minimum level of functioning necessary to participate in the educational programs offered by ENCSD. Specifically, the student demonstrates reasonably independent living skills and self-care in light of the student's age and hearing loss.
2. The student does not pose a risk of harm to self or others, does not pose a risk of substantial disruption to the learning environment at the school, and does not have medical or safety needs beyond the capacity of the school to reasonably accommodate.
3. The student presents with a hearing loss that adversely affects the student's educational performance. In addition, the application must demonstrate that the student's primary educational needs are related to the student's hearing loss and require the specialized support and programs offered by the ENCSD.

Admission Status

A student may be admitted in one of two ways:

1. *Temporary Assignment* – a student may receive a temporary assignment to ENCSD for no more than 90 school days to allow school staff to monitor the student and gather additional information to inform the admission committee's final decision. A student admitted on temporary assignment is not guaranteed admission to ENCSD.
2. *Educational Program Assignment* – a student may be admitted if the admissions committee decides that the student meets the admissions criteria.

Disenrollment

Once a student is admitted, the student's continued enrollment at ENCSD shall be subject to review by the admissions committee when the school determines that it is necessary to assess the student's continued satisfaction of the admissions criteria. Any consideration of disenrolling a student shall follow the same procedures as initial admission, with a final decision regarding the student's continued enrollment resting with the Director.

Free Appropriate Public Education

The PSU in which the student is enrolled shall have the initial responsibility to evaluate and identify the special needs of the student and provide a special education program and related services in accordance with Chapter 115C, Article 9 of the North Carolina General Statutes. If a

parent of a student applies to enroll the student at the ENCSD and the admissions committee determines that the student meets the admissions criteria, the ENCSD shall be responsible for providing a free appropriate public education upon enrollment.

If, however, the admissions committee subsequently determines that the student no longer meets the admissions criteria, the responsibility for the provision of a free appropriate public education shall immediately revert to the PSU in which the student was previously enrolled or, if the student was enrolled in a home school, to the local education agency to which the student would be assigned under G.S. 115C-366.

Due Process Hearing and Mediation

A parent may seek an impartial due process hearing, in accordance with Chapter 115C, Article 9 of the North Carolina General Statutes, following a final decision by the Director regarding an application for admission. If the parent pursues a due process hearing to challenge the school's admission decision, the student shall remain at the PSU at which the student is currently or was previously enrolled.

Prior to seeking a due process hearing under Article 9, parents are encouraged to pursue mediation under Article 9 to resolve any dispute regarding a determination of a student's eligibility for admission or the student's IEP.

IDEA Eligibility

The criteria and procedures set forth in this document are used exclusively to decide whether a student will be admitted to the ENCSD. Nothing in these criteria or procedures shall be construed as determining a student's eligibility for special education services under the Individuals with Disabilities in Education Act (IDEA). The hearing loss requirement is consistent with the definitions of "hearing impairment" in the State Board of Education Policies Governing Services for Children with Disabilities
(<http://www.dpi.nc.gov/documents/publications/catalog/ec144-policies-governing-services/open>)