



Dr. John D. Barge, State School Superintendent
"Making Education Work for All Georgians"

Georgia Special Needs Scholarship Program School District Responsibilities

Senate Bill 10 as signed into law on May 18, 2007 created the Georgia Special Needs Scholarship Program codified in O.C.G.A. § 20-2-2110 through § 20-2-2118 allows eligible special needs students to transfer to another public school, public school district, state school, or authorized participating private school.

DEFINITIONS and ACRONYMS USED IN THIS DOCUMENT

Americans with Disabilities Act, Amendments Act of 2008- a federal law, codified at 42 U.S.C. § 12101, et seq, that was enacted to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

Authorized private school – a private school that has submitted a completed application to the GaDOE, complies with all program requirements, and has been authorized by the State Board of Education to participate in the Georgia Special Needs Scholarship Program.

Eligibility – all students who meet the requirements under O.C.G.A. § 20-2-2114.

Family Educational Rights and Privacy Act (FERPA) – the Family Educational Rights and Privacy Act 20 USC § 1232 (g).

Full-time Equivalent (FTE) – a student count consisting of six state funded segments per student authorized under O.C.G.A. § 20-2-161.

GaDOE- refers to the Georgia Department of Education.

Georgia Special Needs Scholarship (GSNS) – the Georgia Special Needs Scholarship Program, O.C.G.A. § 20-2-2110 through O.C.G.A. § 20-2-2118. The GSNS Program allows parents of eligible special needs students to transfer their children to another public school, public school system, state school, or authorized participating private school within Georgia.

GNETS- refers to Georgia Network for Educational and Therapeutic Support.

Individuals with Disabilities Education Act (IDEA) - the federal law, codified at 20 U.S.C. § 1400, et seq, that was enacted to ensure that all students with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living; to ensure that the rights of students with disabilities and their parents are protected; to assist states, localities, educational service agencies, and federal agencies to provide for the education of students with disabilities; and to assess and ensure the effectiveness of efforts to educate students with disabilities.

Individualized Education Program (IEP) – a written statement for each student with a disability that is developed, reviewed, and revised in accordance with Individuals with Disabilities Education Act, 20 U.S.C. § 1414(d).

Parent– a biological parent, legal guardian, custodian, or other person with legal authority to act on behalf of a child.

Prior school year in attendance – the reporting of a student as enrolled in a public school for funding purposes during the preceding October and March full-time equivalent (FTE) program counts in accordance with O.C.G.A. 20-2-160.

Private school – schools meeting requirements under O.C.G.A. § 20-2-2112(6) and § 20-2-2115.



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Quality Basic Education Formula (QBE Formula) – the State of Georgia funding formula used for determining the amount of state education funds a school district earns annually as described in O.C.G.A. § 20-2-161.

Resident School District – the public school district in which the student would be enrolled based on his or her residence.

Scholarship – a Georgia Special Needs Scholarship awarded pursuant to O.C.G.A. § 20-2-2114 and § 20-2-2116. A scholarship is received when a parent enrolls an eligible student in a private school participating in the GSNS Program.

State School- the Atlanta Area School for the Deaf, Georgia Academy for the Blind or the Georgia School for the Deaf.

ELIGIBLE STUDENTS

A student must meet the criteria outlined in law to be eligible for the Georgia Special Needs Scholarship Program. The following applies if a child participates in the Georgia Special Needs Scholarship Program during the 2012 - 2013 school year for the first time. There are no exceptions to the eligibility criteria.

Student Eligibility Criteria 1- A student have must a parent/guardian who currently lives in Georgia and has been a resident for at least one calendar year.

Student Eligibility Criteria 2- A student was enrolled and attended a Georgia public school (grades K – 12) the entire 2011 – 2012 school year. Pre-school special education students do not qualify. A student must complete a full school year in kindergarten before he/she can be eligible.

Student Eligibility Criteria 3- A student was reported by a school district(s) during student counts conducted by public schools in October 2011 and March 2012.

Student Eligibility Criteria 4 - A student does not need to have an Individualized Education Plan (IEP) for the entire school year to qualify for the GSNS Program. A student must have received special education services at some point during the 2011 – 2012 school year under an IEP. A student must be reported by a school district(s) in either the October 2011 OR March 2012 student counts OR in the student record as a student receiving special education services by the end of the school year.

If a student meets the eligibility criteria for the GSNS Program; parent(s) has the right to request a transfer from a student's current public school to:

1. Another public school within their district of residence; or
2. Another public school district outside their district of residence; or
3. One of the three state schools for the blind or deaf; or
4. A private school authorized to participate in the GSNS Program.

SCHOOL DISTRICT RESPONSIBILITIES

School District Responsibility 1- School districts must annually notify the parent(s) of a student with an IEP of the school choice options available to them under the GSNS Program.



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- a. School districts must annually notify the parent(s) of a student with an IEP by letter, electronic means, or other reasonable means of the school choice options available to parent(s) under the GSNS Program. Notification for the upcoming school year must take place no later than ten school days prior to the last day of the current school year.

School District Responsibility 2- Accurately report students through the full-time equivalent (FTE) program counts. A student is only eligible for the GSNS Program if the student was reported by a school district for funding purposes during the preceding October or March FTE program counts or in Student Record as a student receiving special education services.

- a. In collecting and reporting FTE data, school districts are required to ensure and verify the accuracy before submission to the GaDOE. Representatives of the local school district must certify that all information and data are correct before it is submitted to the GaDOE.
- b. School districts must following FTE data collection guidelines provided by the GaDOE.

School District Responsibility 3- Process requests made by a parent for a public school within a student's school district of residence. (Intra-district transfers)

- a. A school district will designate a person responsible for receiving and evaluating public school choice option forms submitted by parents to a school district. A public school transfer request form is provided for parents on the GSNS Program web page. A school district can choose to create its own form for parents to submit.
- a. A school district will provide instructions for parents indicating to whom the public school choice option form must be sent, how the form will be accepted (e.g. via fax), deadlines established for requests, and when parents will be notified if a request has been granted or denied.
- b. A school district considering a transfer request between schools in its district must look at capacity and IEP alignment at the requested school. A school district may deny a parent(s') request for transfer based on lack of capacity and/or the lack of a program available at another school that is aligned with the student's IEP. Capacity is defined in two ways:
 - i. Capacity of the school building based on established health and safety provisions; and
 - ii. Class-size capacity by grade and subject, based on state law and rule.

School District Responsibility 4- Process requests made by parents for a public school outside a student's school district of residence. (Inter-district transfers)

- b. A school district will designate a person responsible for receiving and evaluating public school choice option forms submitted by parents to a school district. A public school transfer request form is provided for parents on the GSNS Program web page. A school district can choose to create its own form for parents to submit.



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- c. A school district will provide instructions for parents indicating to whom the public school choice option form must be sent, how the form will be accepted (e.g. via fax), deadlines established for requests, and when parents will be notified if a request has been granted or denied.
- d. A school district considering a request for a transfer to its school system from another school system has the authority to approve or deny a public school transfer request for any reason. A school district considering a transfer request can deny a request even if there is capacity and a program available that is aligned to the student's IEP within its system.
- e. If a request is approved, the school district can charge parent(s) out of district tuition while the student is attending a public school out of district.

School District Responsibility 5- Requirements when a transfer request has been authorized by a school district.

- a. Once a transfer request has been authorized by a school district, the student must be allowed to complete all grades at a school. For example, if a student was granted a transfer request to a middle school that serves grades 6 - 8, his transfer request would apply to his attendance through grade 8.
- b. The receiving school district must report the student for FTE purposes. The school district of residence cannot report the student for FTE purposes.

School District Responsibility 6- Work with parent(s) and the GaDOE when request is made by parent(s) to transfer a student to a State school.

- a. Students with the primary exceptionality of visual and/or individuals who are deaf or hard of hearing qualify for transfer to a State School. A school district in conjunction with the GaDOE provides guidance to parent(s) about whether a transfer to a State School is an appropriate placement based on the needs of the student as outlined in the IEP.

School District Responsibility 7- Requirements regarding proportionate share for GSNS students whose parents have chosen the private school choice option.

- a. A school district in which a private school is located must consider a student participating in the GSNS Program for receipt of proportionate share if the student enrolls in a private school within the school district.
- b. The school district makes the decision as to which students will receive services, what services will be provided, and will develop a services plan for students that will receive services. The parent of the GSNS student has no individual right, but has the right to have his/her child in the group of students for whom services are considered.



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School District Responsibility 8- Requirements regarding state-assessments for GSNS students whose parents have chosen the private school choice option.

- a. A parent of a GSNS student attending a private school can request that a student participate in the following state wide assessments: Criterion-Referenced Competency Tests (CRCT) in grades one through eight, the Georgia High School Graduation Tests (GHSGT) in grade eleven, and the Writing Assessments in grades five, eight, and eleven.
- b. Parent(s) must inform the school district in writing of their intent to participate in statewide assessments and work with the GaDOE and school district regarding state-assessment procedures for GSNS students. Intent must be received by the school district no later than two weeks following the start of the school district term (i.e. semester) in which the test is to be administered in order to ensure the student can participate in the assessment. If intent is received later, the school district may decline to allow the student to participate if resources are not available.
- c. School districts are only obligated to make arrangements for those GSNS students that once attended schools within the district. They are not obligated to assess a GSNS student who has moved from the school district from which he/she originally withdrew and currently resides within their public school zone.
- d. School districts should designate a contact person responsible for making arrangements for assessing GSNS students enrolled in private school. School district's designated point of contact will work with the District Test Coordinator or designee to make the necessary arrangements and inform parent(s) of the arrangements made for the GSNS student, including testing location, dates, and times.
- e. School districts must be sure that the appropriate materials are ordered in accordance with the specific assessment's material ordering process.
- f. Public school districts should maintain a record of requests including the test requested, the parent(s) contact information, and dates the student actually took the assessment.
- g. School districts must administer the assessment to any GSNS student within the timeframe that the school district selected as its testing window within the statewide window for the assessment.
- h. School district and school must adhere to the test administration manual for giving the assessment and cannot make any special allowances or unsanctioned accommodations for GSNS scholarship students. Adherence to all state board testing policies and other guidelines issued in the annual Student Assessment Handbook apply to the testing of GSNS scholarship students.
- i. School districts must follow all directions for coding and/or packaging GSNS students so that results are returned appropriately and so that the scores of these students can be extracted from any aggregated reports for the school, district, or state.
- j. School districts should be reasonable in their attempts to assess GSNS private school students.



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- k. School districts are not required to make a special purchase of equipment or services in order to assess GSNS private school students; in other words, the school district is only required to provide the assessment opportunity with the equipment it already has in its inventory.
- l. School districts assume responsibility for notifying the parent(s) of any costs associated with test participation within two weeks of receiving intent to participate in statewide assessments with request for accommodations.
- m. Results for GSNS students will be returned to the public school district. The public school district will then distribute the results to the parent(s) or private school as indicated by the parent(s) on the release consent.
- n. School district and school must adhere to the test administration manual for giving the assessment and cannot make any special allowances or unsanctioned accommodations for GSNS scholarship students. Adherence to all state board testing policies and other guidelines issued in the annual Student Assessment Handbook apply to the testing of GSNS scholarship students.
- o. School districts must follow all directions for coding and/or packaging GSNS students so that results are returned appropriately and so that the scores of these students can be extracted from any aggregated reports for the school, district, or state.
- p. School districts should be reasonable in their attempts to assess GSNS private school students.
- q. School districts are not required to make a special purchase of equipment or services in order to assess GSNS private school students; in other words, the school district is only required to provide the assessment opportunity with the equipment it already has in its inventory.
- r. School districts may assess costs associated with providing special accommodations such as materials and personnel costs for providing a one-on-one administration. To determine personnel costs, the school district may charge the rate for the lowest paid staff member available and qualified to perform the duties. Parent(s) are responsible for paying these costs.
- s. School districts assume responsibility for notifying the parent(s) of any costs associated with test participation within two weeks of receiving intent to participate in statewide assessments with request for accommodations.
- t. Parent(s) assumes responsibility for the transportation of the GSNS student to and from the designated testing location on the scheduled day. Parent(s) must make sure that the GSNS student arrives punctually for the testing.
- u. Results for GSNS students will be returned to the public school district. The public school district will then distribute the results to the parent(s) or private school as indicated by the parent(s) on the release consent.