

Georgia Special Needs Scholarship Program Frequently Asked Questions (FAQs)

IMPORTANT: This document is to answer frequently asked questions (FAQs) made by parent(s)/guardian(s) regarding the Georgia Special Needs Scholarship (GSNS) Program for the 2011 – 2012 school year.

This page is only a guide. The provisions written in GSNS law and rule take precedence.

The GSNS Program is administered by the Georgia Department of Education (GaDOE). Public or private schools and school districts are not responsible for providing information regarding the GSNS Program and are not responsible for administering the program.

A parent/guardian interested in the GSNS Program must also visit the GSNS web page at <http://public.doe.k12.ga.us/sb10.aspx> and read the information provided.

General Program Questions

1. What is the Georgia Special Needs Scholarship Program?

Senate Bill 10 as signed into law on May 18, 2007 created the Georgia Special Needs Scholarship (GSNS) Program. It allows eligible special needs students to transfer to another public school, public school district, state school, or authorized participating private school.

2. Will the GSNS Program continue in future years?

The GSNS Program will continue as long as it is authorized and funded in state law.

3. How does an interested parent/guardian find out more about the scholarship?

Parent(s)/guardian(s) can find out more about the program by visiting the GSNS web page at <http://public.doe.k12.ga.us/sb10.aspx>.

**Georgia Special Needs Scholarship Program
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Program Eligibility Questions

1. Which students are eligible for the Georgia Special Needs Scholarship (GSNS) Program?

The GSNS Program is only available to students who meet the following eligibility criteria:

Student Eligibility Criteria 1- The student's parent(s)/guardian(s) currently resides within Georgia and has been a Georgia resident for at least one year.

Student Eligibility Criteria 2- The student has spent the entire immediate prior school year (2010 – 2011) in attendance at a Georgia public school in grades K - 12.

Student Eligibility Criteria 3- Student was enrolled and reported by a public school district(s) for funding purposes during the preceding October 2010 and March 2011 full-time equivalent (FTE) program counts in accordance with O.C.G.A. § 20-2-160. The GaDOE will verify that a student has attended one full school year as required by O.C.G.A. § 20-2-2112 (5).

Student Eligibility Criteria 4 - The student was served at some point during the immediate prior school year under an Individualized Education Program (IEP) and was reported by a school district in either the October 2010 **OR** March 2011 FTE program counts **OR** in student record as a student receiving special education services.

2. What options are available to an eligible student under the GSNS Program?

If a student meets the eligibility criteria for the GSNS Program; parent(s)/guardian(s) has the right to request a transfer from a student's current public school to:
Another public school within their district of residence; or
Another public school district outside their district of residence; or
One of the three state schools for the blind or deaf; or
A private school authorized to participate in the GSNS Program.

3. Are any students ineligible for the GSNS Program?

Yes, the following are ineligible for the GSNS Program:

- Toddler and Pre-K students
- Home school students
- Students in residential treatment facilities (privately placed);
- Students attending a Department of Juvenile Justice School; and/or
- Students otherwise not eligible per the Official Code of Georgia (O.C.G.A.) § 20-2-2114.

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4. I am new to Georgia can the eligibility requirements be waived if my child has an IEP from another state?

No, the eligibility requirements cannot be waived. The GSNS Program is only available to students who meet the eligibility criteria set in law. The funds accessed for scholarships are the state funding a public school earned for a student during the immediate prior school year. Therefore, if a student was not attending a Georgia public school for the entire immediate prior school year and reported by the school district as a special needs student, there are no funds available for a scholarship for the following school year. The scholarship is made up of only the state funds a student earned. By law, federal and local funds are not included in the scholarship.

5. My family has a member in the military and we have been transferred to Georgia. Are military families exempt from the eligibility requirements if they have a special needs child?

No, there are no exemptions available to military families. The GSNS Program is only available to students who meet the eligibility criteria set in law. The funds accessed for scholarships are the state funding a public school earned for a student during the immediate prior school year. Therefore, if a student was not attending a Georgia public school for the entire immediate prior school year and reported by the school district as a special needs student, there are no funds available for a scholarship for the following school year. The scholarship is made up of only the state funds a student earned. By law, federal and local funds are not included in the scholarship.

6. If a child participated in the McKay Scholarship Program in Florida does he/she automatically qualify for the GSNS Program?

No, a student that participated in the McKay Scholarship does not automatically qualify for the GSNS Program. The GSNS Program is only available to students who meet the eligibility criteria set in law. The funds accessed for scholarships are the state funding a public school earned for a student during the immediate prior school year. Therefore, if a student was not attending a Georgia public school for the entire immediate prior school year and reported by the school district as a special needs student, there are no funds available for a scholarship for the following school year. The scholarship is made up of only the state funds a student earned. By law, federal and local funds are not included in the scholarship.

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7. Can a student that attends the Georgia Cyber Academy (GCA) gain eligibility for the GSNS Program?

GCA is considered a public charter school, so students that attend GCA can gain their eligibility for the GSNS Program by attending the school. Students must still meet the following eligibility criteria:

Student Eligibility Criteria 1- The student's parent(s)/guardian(s) currently resides within Georgia and has been a Georgia resident for at least one year.

Student Eligibility Criteria 2- The student has spent the entire immediate prior school year (2010 – 2011) in attendance at a Georgia public school in grades K - 12.

Student Eligibility Criteria 3- Student was enrolled and reported by a public school district(s) for funding purposes during the preceding October 2010 and March 2011 full-time equivalent (FTE) program counts in accordance with O.C.G.A. § 20-2-160. The GaDOE will verify that a student has attended one full school year as required by O.C.G.A. § 20-2-2112 (5).

Student Eligibility Criteria 4 - The student was served at some point during the immediate prior school year under an Individualized Education Program (IEP) and was reported by a school district in either the October 2010 **OR** March 2011 FTE program counts **OR** in student record as a student receiving special education services.

8. Can a student that attends charter school gain eligibility for the GSNS Program?

Charter schools are considered public schools, so students that attend charter schools can gain their eligibility for the GSNS Program. Students must still meet the eligibility requirements of the program.

9. How long can a student receive a scholarship through the GSNS Program?

A student may continue to receive a scholarship through the GSNS Program as long as:

- Student remains a resident of Georgia; and
- Student's parent(s)/guardian(s) remain residents of Georgia; and
- Student has continual enrollment and attendance in a private school participating in the GSNS Program; and
- Parent(s)/guardian(s) comply with State Board Rule 160-5-1-.34 and all applicable state laws.

Parent(s)/guardian(s) must keep a student enrolled and attending a participating private school throughout the school year. A scholarship received through the GSNS Program ends once a student graduates from high school or if the student turns 21 years old and has not received a high school diploma.

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10. How do I apply for a scholarship for my child?

There is no formal application process for the GSNS Program. Go to the GSNS web page <http://public.doe.k12.ga.us/sb10.aspx> and read the *Understanding the Program* in the "For Parents" box. This document outlines the choice options available and how a parent/guardian can exercise those options.

11. Does a parent/guardian need to go through "due process" in order to receive a scholarship through the GSNS Program?

No. A student is eligible for the GSNS Program as long as he/she meets the established eligibility criteria set in law.

12. Does a parent/guardian have to prove that the public school did not provide adequate services for their child?

No, such proof is not required to participate in the GSNS Program. A student is eligible for the GSNS Program as long as he/she meets the established eligibility criteria set in law.

13. Once a student is participating in the GSNS Program, does their IEP need to be kept up to date in order to continue their eligibility for the program?

No, the status of a student's IEP does not affect his/her eligibility for continued participation in the GSNS Program.

A student may continue to receive a scholarship through the GSNS Program as long as:

Student remains a resident of Georgia; and

Student's parent(s)/guardian(s) remain residents of Georgia; and

Student has continual enrollment and attendance in a private school participating in the GSNS Program; and

Parent(s)/guardian(s) comply with State Board Rule 160-5-1-.34 and all applicable state laws.

Parent(s)/guardian(s) must keep a student enrolled and attending a participating private school throughout the school year. A scholarship received through the GSNS Program ends once a student graduates from high school or if the student turns 21 years old and has not received a high school diploma.

14. If a student attended a private school the immediate prior school year that did not participate in the GSNS program, will the student have to re-enter public school to be eligible for the scholarship in another private school in later years?

The student would need to re-enter a Georgia public school. A student is only eligible for the GSNS Program if he/she meets the established eligibility criteria set in law.

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15. When are local school districts required to notify special education parent(s)/guardian(s) about the GSNS Program?

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

16. As a parent/guardian, what do I need from the public school before the current school year ends in order to participate in the GSNS Program for the upcoming school year?

Parent(s)/guardian(s) do not need anything from the public school to participate in the GSNS Program.

17. Are pre-K students eligible for the scholarship program?

No, pre-k students do not qualify for the GSNS Program. Students must complete one school year in grades K-12 in a Georgia public school before they are eligible for a scholarship. Pre-k students are funded with a separate funding source and do not generate full-time equivalent (FTE) funding which is the source of the funding for the scholarships through the GSNS Program. A child must complete a school year in kindergarten in a Georgia public school and meet the eligibility criteria set in law to qualify for the GSNS Program.

18. My child did not have an IEP for the entire previous year but was enrolled at the public school for the entire school year. My child began receiving services through an IEP after the March Full-Time Enrollment (FTE) student count. Will my child still qualify for the GSNS Program for the upcoming school year?

A student does not have to an IEP for the entire school year to qualify for the GSNS Program. Students who were served by an IEP after the March FTE student count need to have their primary area changed from an R for regular education to an S for special education in their final student records. The GaDOE does not receive this information from school districts until late June. When the data is received those students who are now designated as special needs students are added to the scholarship calculator in mid-July.

Keep in mind that the Georgia Special Needs Scholarship amount is based on information reported by each school system during the previous year's October (FTE) count which means a child's scholarship amount will be lower than a student who was receiving services under an IEP when the October FTE student count was completed. The amount of state funds a school system earns for a special education student in Georgia is based on four factors: the student's disability, severity of that disability as rated by the IEP team, segments (hours) served at time of October Full-Time Enrollment-1 count, and the level of service for those segments.

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Therefore, a parent/guardian has two options. First, a parent/guardian can decide to take the scholarship amount and have a student attend a participating private school. In subsequent years, the student's scholarship payments will be calculated using the data from the last year he/she was in a Georgia public school. The data is entered into the State public education funding formula that applies to the upcoming school year. Second, a parent/guardian can decide to have a student attend a Georgia public school year for an additional year which could increase the scholarship amount for the student in the following school year since the student will be receiving services under an IEP at the October FTE student count.

19. If my child has always attended a private school, what is the process for applying to a public school and for being evaluated for special needs services and an IEP?

To inquire about enrollment, contact your school system office or neighborhood school and the special education director for your school system. The referral and evaluation process for special education services is comprehensive to identify the educational needs of a student.

20. Can GSNS students, who have been accepted into an approved participating private school, attend a public school while they wait for the private school's first day of school?

No. Students who have been accepted into an approved participating private school must wait for the private school's first day of school. A student cannot be dually enrolled in a private school and public school. Students found to be dually enrolled will lose their eligibility for the GSNS Program.

21. Can a scholarship be forfeited?

Yes. There are several ways that a scholarship may be forfeited.

The scholarship may be forfeited when a parent:

- Fails to endorse the scholarship payment to the private school within the 30 days provided;
- Refuses to endorse the scholarship payment to the private school for deposit into the account of the participating school;
- Enrolls the student in a non-participating private school; or
- Re-enrolls the student in a public school; or
- Places student in a home school setting; or
- Is no longer a resident of Georgia.

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The scholarship may be forfeited when a student:

- Does not remain in attendance at a private school throughout the school year (unless excused by the school for illness or other good cause);
- Is expelled from a private school and does not enroll in another participating private school within 30 calendar days; or
- Enrolls in a school operating for the purpose of providing educational services to youth in any Department of Juvenile Justice (DJJ) programs.

22. My child is in private school, and receives minimal service from the public school. Each year, instead of an IEP, we write a services plan. Will my child be eligible?

No. The child must be enrolled in a public school the previous year and have an active IEP, not a services plan. A services plan indicates the student was already in a private or home school situation and was not enrolled in the public school with the free and appropriate public education (FAPE) protection of IDEA.

23. My child is 2 1/2 years old and will be able to start special education at age 3. When will she or he be eligible for the scholarship?

Students must complete one school year in grades K-12 in a Georgia public school before they are eligible for a scholarship. Pre-k students are funded with a separate funding source and do not generate full-time equivalent (FTE) funding which is the source of the funding for the scholarships through the GSNS Program. A child must complete a school year in kindergarten in a Georgia public school and meet the eligibility criteria set in law to qualify for the GSNS Program.

24. Is my child eligible if the school delayed setting up the IEP even though I asked for an IEP meeting months ago and only just recently got a meeting to discuss the IEP, but it has not been written yet?

The only students eligible are those who had an IEP in place and were served under it at some time during the previous school year. There are no exceptions to this requirement.

25. My child is going to be retained by his public school will this affect his eligibility for the GSNS Program?

Promotion or retention of a student **does not** affect eligibility for the GSNS Program.

26. My child did not pass a CRCT will this affect her eligibility for the GSNS Program?

Failure to pass a state-administered test such as the CRCT **does not** affect eligibility for the GSNS Program.

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Private School Choice Questions

1. When will the list of participating private schools be revised for the upcoming school year and made available to the public?

The list of participating private schools for the upcoming school year will be available on the GSNS web page when new schools are authorized by the State Board of Education (SBOE) to participate. This typically happens annually between March and July.

2. Are all private schools required to participate in the GSNS Program?

No. Private schools are not required to participate in the GSNS program. Participation in the GSNS Program is voluntary on the part of private schools and is open to all private schools. If there is a school you are interested in that is not on the current approved private school list on the web site ask it to apply. The deadline established in law for a private school to send in a completed application for the upcoming school year is June 30. The application with instructions and eligibility requirements for private schools for each school year is available on the website from early January through June 30. Many of the schools currently participating in the GSNS Program do so because parents asked them.

3. Will a private school's acceptance of GSNS students in any way hinder its ability to continue religious education at the school?

No, a private school participating in the Georgia Special Needs Scholarship Program is not required to change its curriculum or program of instruction.

4. What type of testing is a private school required to give GSNS students should it choose to accept them?

The legislation requires that private schools assess students using both a pre-test and post-test. A private school must administer valid and reliable pre- and post- academic assessments to GSNS students. The specific assessment type is a private school's decision. Private school must report annually to the GaDOE the results of pre- and post-academic assessments administered to GSNS students.

5. Do private schools have to provide related services?

No, private schools are not required to provide related services. The Official Code of Georgia Annotated 20-2-2114 (f) states ***Acceptance of a scholarship shall have the same effect as a parental refusal to consent to services pursuant to the Individuals with Disabilities Education Act, 20 U.S.C.A. Section 1400, et seq.*** IDEA is a federal law that requires public schools to provide all children with disabilities a free and appropriate public education (FAPE). In most circumstances, when a parent chooses to remove a child from public school (even if the student is not receiving the Georgia Special Needs Scholarship), IDEA no longer applies.

If you choose to remove your child from the public school—even if the state is providing some funds for the private school— then you are refusing parental consent to services under IDEA. Therefore, private schools are not required to provide related services.

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6. Can a parent/guardian select a religiously based private school?

A scholarship can be used at any eligible participating private school, including religious schools that are on the GSNS participating private school list.

7. Will private schools have to account for federal and local funds?

No. Funds for the Georgia Special Needs Scholarship come only from state funding.

8. Can a parent/guardian move a child from a public school to a participating private school during the middle of the school year?

No. A student must have been enrolled and attending one of the GSNS participating private schools by the deadline set by the Georgia Department of Education for the school year – **no exceptions**.

9. Can a parent/guardian move a child from a participating private school to a public school during the middle of the school year?

Yes, a student can return to a public school at any point during a school year. The parent/guardian would forfeit the scholarship and the student's eligibility for the GSNS Program would end. A student would need to regain eligibility for the GSNS Program.

Be aware that leaving a private school may not void a parent/guardian's contract and related costs with the private school. A parent/guardian will need to discuss this with a private school before transferring a student.

10. Can a parent move a child from a participating private school to another participating private school during the middle of the school year?

Yes, at any point during a school year, a parent can transfer a student to another authorized private school. To maintain a student's scholarship, a parent should not remove a student from his/her current private school until a parent has received acceptance from another authorized private school.

Be aware that leaving a private school mid-year may not void a parent/guardian's contract and related costs with the private school. A parent/guardian will need to discuss this with a private school before transferring a student.

11. Can a state school student transfer to a participating private school?

Yes, students eligible for the GSNS Program attending one of the three state schools for the blind or deaf are eligible for the private school choice option. A parent/guardian would need to contact a private school authorized to participate in the GSNS Program about its admissions procedures.

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12. How are payments made through the GSNS Program?

A payment calendar is posted each school year on the GSNS web page. On a quarterly basis, checks are made out to parent/guardian of record as submitted by the private school, but are mailed directly to a private school. The private school is required to notify all parent(s)/guardian(s) when it receives scholarship payments. By law, parent(s)/guardian(s) are required to endorse scholarship checks over to a private school using a restrictive endorsement within 30 days of the notice from the private school. A private school must give a parent/guardian a reasonable opportunity to endorse a scholarship check. A parent/guardian cannot take a scholarship check from a school nor can he/she refuse to endorse a check; both will result in forfeiture of scholarship. It is illegal for private schools to endorse scholarship checks for parent(s)/guardian(s).

13. If the private school my child is currently attending decides to no longer participate in the GSNS Program can my child continue to attend the school and receive the scholarship?

No, you would need to transfer your child to a private school that is participating in the GSNS Program to continue your child's eligibility for the GSNS Program.

14. I live outside the metro-area and notice there are no private schools participating in the program. What can be done about this?

Participation in the GSNS Program is voluntary on the part of private schools and is open to all private schools. If there is a school you are interested in that is not on the current approved private school list on the web site ask it to apply. The deadline established in law for a private school to send in a completed application for the upcoming school year is June 30. The application with instructions and eligibility requirements for private schools for each school year is available on the website from early January through June 30. Many of the schools currently participating in the GSNS Program do so because parents asked them.

15. None of the private schools on the authorized list can accommodate my child's needs. Aren't private schools participating in the GSNS Program required to provide services to special needs students?

Private schools participating in the GSNS Program are not required to provide special education services to students eligible for the GSNS Program.

16. Aren't private schools participating in the program required to accept all GSNS students that apply to the school?

There is no obligation on the part of a private school participating in the program to accept GSNS students.

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17. Can a private school expel a GSNS student?

Yes, a private school can expel a GSNS student. If a GSNS student is expelled from a private school, a parent/guardian has 30 calendar days to find another placement for a student at another authorized private school. If by day 31 a parent/guardian has not secured a placement for a GSNS student at another authorized private school, the student's eligibility for the GSNS Program will end. A student will need to regain eligibility for the GSNS Program. Expulsion of a GSNS student from a private school does not release a parent/guardian from his/her obligation to pay tuition and/or fees owed to a private school.

18. I could not find private school participating in the GSNS Program in my area for my child, so I sent him to a private school that does not participate in the GSNS Program. He qualified for the GSNS Program. Can he still receive a scholarship?

No, the scholarship can only be used at a private school that is authorized to participate in the GSNS Program.

19. Are charter schools private schools?

No, charter schools are publicly funded and are considered public schools. Charter schools are available to parent(s)/guardian(s) through the public school choice option of the GSNS Program.

20. Can anyone file a complaint against a private school?

Any individual, organization or agency may file a complaint with the Georgia Special Needs Scholarship (GSNS) program if that individual, organization or agency alleges that a school on the GSNS approved private school list is violating a statute or regulation that applies to the Georgia Special Needs Scholarship Act. Complaints cannot be taken over the phone. The complaint must be submitted on the form provided by GaDOE on its website <http://www.gadoe.org/sb10.aspx>.

21. There is a private school I am interested in for my child, but the school is not on the list. Can they apply to participate?

Participation in the GSNS Program is voluntary on the part of private schools and is open to all private schools. If there is a school you are interested in that is not on the current approved private school list on the web site ask it to apply. The deadline established in law for a private school to send in a completed application for the upcoming school year is June 30. The application with instructions and eligibility requirements for private schools for each school year is available on the website from early January through June 30. Many of the schools currently participating in the GSNS Program do so because parents asked them.

22. The private school I am interested in for my child is not located in Georgia. Can the school apply to participate?

Private schools that apply to participate in the GSNS Program must be located in Georgia.

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23. Can an on-line private school participate in the GSNS Program?

On-line private schools cannot participate in the GSNS Program because the law governing the program requires a private school to have a physical location in Georgia where the scholarship students attend classes and have direct contact with the school's teachers.

24. The private school my child attends is authorized to participate in the GSNS Program. The school offers an all on-line option for students. Can I have my child use this option and still receive funds through the GSNS Program?

Your child **could not** participate in this all on-line option. He/she would need to attend classes at the private schools because the law governing the GSNS Program requires a private school to have a physical location in Georgia where the scholarship students attend classes and have direct contact with the school's teachers.

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Public School Choice Questions

- 1. Does the law provide parent(s)/guardian(s) the choice of which public school a child can attend within a system regardless of attendance zone as long as the school has the capacity and offers a program aligned with a student's IEP?**

Yes, students who meet the Georgia Special Needs Scholarship eligibility criteria in law, now have greater public choice options available to them. Go to the GSNS web page at <http://public.doe.k12.ga.us/sb10.aspx> to locate the public school choice transfer request form and follow the directions found on the form.

- 2. If my child participated in the GSNS Program using the private school choice option last school year, will I be able to use the public school choice option for the upcoming school year?**

Yes, if an eligible student attended a private school through the GSNS Program during the immediate prior school year a parent/guardian can make a request for a public school transfer for the upcoming school year. Go to the GSNS web page at <http://public.doe.k12.ga.us/sb10.aspx> to locate the public school choice transfer request form and follow the directions found on the form.

- 3. Can a parent/guardian make an appointment to visit a potential public school of choice to observe the special education services and classes that are available?**

A parent/guardian will need to call the school system office to inquire about such arrangements. State law does not provide for or prohibit such visits, so this will be a local school system's decision. You can link to any school district from the Georgia Department of Education website <http://public.doe.k12.ga.us>.

- 4. Can a public school student transfer to a state school?**

Yes. However, only students with the primary exceptionality of visual and/or individuals who are deaf or hard of hearing qualify for transfer to a State School. You would need to work with your local school and local school system regarding transferring to a State School.

- 5. What are the procedures for selecting a public school in another district?**

A parent/guardian must apply directly to the local school system using the public school transfer request form on the GSNS web page at <http://public.doe.k12.ga.us/sb10.aspx> and follow the directions found on the form.

- 6. Does the new public school I choose for my child to attend have to implement his/her IEP as it is written?**

The local school system will provide Free and Appropriate Public Education (FAPE) as soon as the student transfers to the new public school. It will then either implement the IEP as written, or develop a new IEP.

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7. If a parent/guardian chooses a public school in another county, does the student still have IEP rights?

Yes. All rights and entitlements follow the student to the new public school. However, transportation for the student is not provided by the school district.

8. My child was granted a public school choice transfer for the upcoming school year. How long will it apply?

Once a transfer request has been approved by a school district, the student must be allowed to complete all grades at a school. There is no requirement to reapply for a transfer each school year. For example, if a student was granted a transfer request to a public middle school for 6th grade, he/she must be allowed to attend the school through the eighth grade. Once the student completes middle school and the parent/guardian wishes to have the student attend a different high school, the parent/guardian would need to submit another public school choice transfer request to the local school district at that time.

9. What are the criteria local school districts use to approve transfer requests?

A local school district considering a transfer request between schools in its system may grant or deny a parent/guardian request for transfer based on capacity and/or the availability of a program at another public school which is aligned with the student's IEP.

Capacity is defined in two ways:

- Capacity of the school building based on established health and safety provisions; and
- Class-size capacity by grade and subject, based on state law and rule.

10. Can a state school student transfer to a public school and receive a scholarship?

A student can transfer to another public school, but as with any transfer to another public school, a scholarship is not necessary.

11. Can the scholarship be used to purchase curriculum and supplies for home schooling?

Funds received through the GSNS Program can only be used to offset tuition and fees at an authorized private school.

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Scholarship Funding Questions

1. How is the scholarship amount for a student calculated?

The Georgia Special Needs Scholarship amount is based on information reported by each school system during the previous year's October student count -- FTE. The amount of state funds a school system earns for a special education student in Georgia is based on four factors: the student's disability, severity of that disability as rated by the IEP team, segments (hours) served at time of October Full-Time Enrollment-1 count, and the level of service for those segments. The level of state funding for students in the same school and grade with the same disability can vary. The scholarship is made up of only the state funds a student earned. By law, federal and local funds are not included in the scholarship.

2. Who provides transportation for GSNS Students?

If a parent/guardian chooses to transfer their child to another public school or private school the parent/guardian is responsible for providing transportation.

3. I took my child out three weeks before the March FTE count. Can I get a partial scholarship?

Partial scholarships are not available. The GSNS Program is only available to students who meet the eligibility criteria as outlined in the law.

Student Eligibility Criteria 1- The student's parent(s)/guardian(s) currently resides within Georgia and has been a Georgia resident for at least one year.

Student Eligibility Criteria 2- The student has spent the entire immediate prior school year (2010 – 2011) in attendance at a Georgia public school in grades K - 12.

Student Eligibility Criteria 3- Student was enrolled and reported by a public school district(s) for funding purposes during the preceding October 2010 and March 2011 full-time equivalent (FTE) program counts in accordance with O.C.G.A. § 20-2-160. The GaDOE will verify that a student has attended one full school year as required by O.C.G.A. § 20-2-2112 (5).

Student Eligibility Criteria 4 - The student was served at some point during the immediate prior school year under an Individualized Education Program (IEP) and was reported by a school district in either the October 2010 **OR** March 2011 FTE program counts **OR** in student record as a student receiving special education services.

There is no funding for the GSNS Program. The funds accessed for scholarships are the state funding a public school earned for a student during the immediate prior school year. Therefore, if a student was not attending a Georgia public school for an entire prior school year and reported by the school district as a

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special needs student, there are no funds available for a scholarship for the upcoming school year. The scholarship is made up of only the state funds a student earned. By law, federal and local funds are not included in the scholarship.

4. My child qualified, but I chose not to enroll him in a private school. Can I use the scholarship funds to pay for tutoring?

No, funds received through the GSNS Program can only be used to offset tuition and fees at a private school.

5. Can scholarship funds be used to pay for summer school or camps at a private school?

No, funds received through the GSNS Program are not available to pay for summer school or camps at a private school.

6. What is the process for getting a reimbursement from a private school for a deposit I have paid for my place in a private school?

Private schools report tuition and fees electronically to the Georgia Department of Education (GaDOE). A parent/guardian will need to speak with the private school to ensure they are reporting allowable fees to the GaDOE. In most cases funds received through the GSNS Program, are only intended to offset tuition and fees at a private school. If the tuition and fees charged by a private school are higher than a student's scholarship award, a parent/guardian is responsible for paying the additional tuition and fees. Refer to the documents provided by a private school regarding its tuition and fee policies.

7. Where does the money go if I do not use the whole amount available for the scholarship?

Funds not used revert to the State treasury.

8. Must parent/guardian claim the scholarship amount awarded to a child on State or Federal Income Tax forms?

No. The IRS has determined that acceptance of a scholarship under this program is not considered personal family income as long as a parent/guardian does not attempt to deposit in or cash the check against an account.

9. Could the scholarship amount change if state education funding changes?

As with all state funded programs, the level of funding for k-12 education can change each school year. Scholarships actually paid through the Georgia Special Needs Scholarship Program are dependent on appropriations made by the Georgia General Assembly.

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10. Will the scholarship be based on the IEP from the previous year or the one written for the upcoming year?

The scholarship is based on the amount of state funds the public school received for a student during the last year they were enrolled in a Georgia public school – not future years. The Georgia Special Needs Scholarship amount is based on information reported by each school system during the previous year's October student count -- FTE. The amount of state funds a school system earns for a special education student in Georgia is based on four factors: the student's disability, severity of that disability as rated by the IEP team, segments (hours) served at time of October Full-Time Enrollment-1 count, and the level of service for those segments.

11. My child's IEP includes Occupational Therapy and Physical Therapy. If related services are listed on the application with the appropriate fees the private school will charge, can it be included as part of the scholarship amount?

The scholarship amount is based on the amount of state funds the public school received for your student for the immediate prior school year. If a private school is planning on providing those services as part of its program and is including the costs in the tuition and fees charged, they may be covered up to the maximum scholarship amount for your child. Note that if tuition and fees charged are higher at a private school than a student's scholarship award, a parent/guardian is responsible for paying the additional tuition and or fees.

12. Does the scholarship program provide financial assistance for transportation costs?

Assistance with transportation is not provided. Parent(s)/guardian(s) are responsible for providing transportation for students participating in the GSNS Program.

13. I removed my child from a private school that participates in the GSNS Program and now it is telling me I still owe them money. Can a school do this?

Yes, a parent/guardian can still owe funds to a private school even if your child no longer attends the school. Refer to the contracts or agreements you entered into with a private school. In addition, review your records of any payments made to a private school. This will allow you to know if you actually owe funds to the private school. A private school participating in the GSNS Program is not required to alter any of its business practices. Parent(s)/guardian(s) must comply with all a private school's policies. GaDOE staff cannot resolve disputes that may arise between a parent/guardian and a private school.

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Special Education Questions

1. Why does the law for the GSNS Program state that the *acceptance of a Georgia Special Needs Scholarship shall have the same effect as a parental refusal to consent to services pursuant to the Individuals with Disabilities Education Act?*

IDEA is a federal law that requires public schools to provide all children with disabilities a free and appropriate public education (FAPE). In most circumstances, when a parent/guardian chooses to remove a child from public school (even if the student is not receiving the Georgia Special Needs Scholarship), IDEA no longer applies.

If you choose to remove your child from the public school—even if the state is providing some funds for the private school— then you are refusing parental consent to services under IDEA.

However, at any time, should your child return to the public school and stop receiving the scholarship, your child would again be entitled to all rights and services pursuant to IDEA as long as the child remains eligible to receive services through an IEP.

2. What happens when a child, with a current IEP, is not attending a public school because the parent/guardian disagrees with the recommended services? Will he/she qualify on some type of waiver?

There are no waivers to the eligibility requirements. In order to qualify for the GSNS Program a student must meet the following eligibility requirements:

Student Eligibility Criteria 1- The student's parent(s)/guardian(s) currently resides within Georgia and has been a Georgia resident for at least one year.

Student Eligibility Criteria 2- The student has spent the entire immediate prior school year (2010 – 2011) in attendance at a Georgia public school in grades K - 12.

Student Eligibility Criteria 3- Student was enrolled and reported by a public school district(s) for funding purposes during the preceding October 2010 and March 2011 full-time equivalent (FTE) program counts in accordance with O.C.G.A. § 20-2-160. The GaDOE will verify that a student has attended one full school year as required by O.C.G.A. § 20-2-2112 (5).

Student Eligibility Criteria 4 - The student was served at some point during the immediate prior school year under an Individualized Education Program (IEP) and was reported by a school district in either the October 2010 OR March 2011 FTE program counts OR in student record as a student receiving special education services.

There are no exceptions to the eligibility criteria.

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- 3. Is a child receiving hospital or homebound services included in the Full Time Equivalent (FTE) counts?**
Yes, students receiving hospital or homebound services are enrolled public school students and are required to be reported by their public schools in the FTE counts.
- 4. Is a student attending a Georgia Network for Educational and Therapeutic Support (GNET) school eligible for the GSNS Program?**

Yes, a student attending a GNET school is eligible for the GSNS Program as long as the student meets the eligibility requirements.

- 5. Can you still access federal funds for related services, if you use the state funds for the scholarship program?**

When parent(s)/guardian(s) accept funds for a student's scholarship under the GSNS Program they are refusing parental consent to services under IDEA. 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. The school district makes the decision on which students will receive services, what services will be provided, and will develop a services plan for students that will receive services. The parent/guardian 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.

- 6. Will assistive technologies impact the scholarship amount?**

Assistive Technology is not part of the State Quality Basic Education (QBE) funding formula and will not impact the scholarship amount. In addition, there is no obligation on the part of a private school to provide IEP required assistive technology supports or services to a student participating in the GSNS Program.

- 7. My child's previous public school has contacted me about updating my child's IEP. The school is telling me I have to update the IEP even though my child is attending a private school through the GSNS Program. Is this correct?**

No, there is no requirement to update a student's IEP to continue to receive funds through the GSNS Program if a parent/guardian has a student attending a private school.

- 8. If my child's IEP expires while he is a GSNS student in a participating private school, can I request that the school district complete another evaluation for an IEP? Would such a request affect my child's eligibility for the GSNS Program?**

A student's eligibility for the GSNS Program would not be affected if a parent/guardian requests an evaluation for services due to an expired IEP. When a request is made for evaluation of a student

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receiving funds through the GSNS Program, 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. The school district makes the decision as to whether a student will be evaluated to receive services, what services will be provided, and will develop a services plan for students that will receive services. The parent/guardian 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.