



Georgia Department of Education Georgia Special Needs Scholarship Program

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

PARENT(S) RESPONSIBILITIES

INTRODUCTION

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.



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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 – a nonpublic, sectarian or nonsectarian school, which is accredited or in the process of becoming accredited by one or more of the entities listed:

1. The Georgia Accrediting Commission;
2. The Georgia Association of Christian Schools;
3. The Georgia Private School Accreditation Council;
4. The Association of Christian Schools International;
5. The Southern Association of Colleges and Schools;
6. The Southern Association of Independent Schools;
7. The New England Association of Schools and Colleges.
8. The Middle States Association of Colleges and Schools;
9. The North Central Association of Colleges and Schools;
10. The Northwestern Association of Schools and Colleges;
11. The Western Association of Schools and Colleges; and/or
12. The Alabama Independent School Association.

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.



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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. There are no exceptions to the 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.

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.



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PARENT RESPONSIBILITIES

Parent(s) of students eligible for the Georgia Special Needs Scholarship Program must follow the procedures outlined by the GaDOE in order to exercise the public and private school choice options available through the GSNS Program. As outlined below, parent(s) have specific responsibilities related to the GSNS Program.

Parent Responsibility 1- Parent(s) who wishes to use the public school choice transfer option for a student must complete the transfer request form made available by GaDOE.

Indicators for **Parent Responsibility 1-**

- a. Parents can request another public school within their district of residence or another public school district outside their district of residence. Parent must complete the transfer request form and send it directly to the school district the parent would like a child to attend.
- b. Parent(s) must contact the school district to find out to whom the form should be sent and any deadlines involved in making the request.
- c. Parent(s) must follow up with the school district regarding its decision for the transfer request.

Parent Responsibility 2- Parent(s) of students with the primary exceptionality of visual and/or individuals who are deaf or hard of hearing can choose to transfer a student to a State School.

Indicators for **Parent Responsibility 2:**

- a. Parent(s) would need to cooperate with their school district and the GaDOE regarding transferring a student to a State School.
- b. Only students with the primary exceptionality of visual and/or individuals who are deaf or hard of hearing qualify for a transfer to a State School.

Parent Responsibility 3- Parent(s) is responsible for transporting a student to and from a public school if a transfer request is granted by a school district.



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Parent Responsibility 4- Parent(s) who wish to use the private school choice option must determine a student's eligibility for the GSNS Program.

Indicators for **Parent Responsibility 4:**

- a. Parent(s) must obtain a potential scholarship award amount using the scholarship calculator made available annually on the GaDOE web site. Parents will only be able to obtain a scholarship amount for students who are eligible for the GSNS Program.
- b. Parents must have the following information to determine a student's potential scholarship award:
 - i. School district and school name that child attended the previous October;
 - ii. Student's last name, first initial (last name should be entered as documented on the student's most recent IEP); and
 - iii. Student's date of birth (as written on the student's most recent IEP document).
- c. If the scholarship calculator finds a match, a potential scholarship award will generate. This is proof of the student's eligibility for the GSNS Program. Parent(s) must print the award sheet generated by the web site and make copies of it. Parent(s) should always keep a copy for his/her records since it is proof of a student's eligibility.

Parent Responsibility 5- Parent(s) who obtains a scholarship award sheet can begin applying to private schools authorized to participate in the GSNS Program.

Indicators for **Parent Responsibility 5:**

- a. The scholarship can only be used at a private school authorized to participate in the GSNS Program by the State Board of Education.
- b. Parent(s) must follow all admissions procedures in place at a private school. Private schools participating in the GSNS Program are not required to change their admission procedures when considering students for enrollment.
- c. Parent(s) can enroll a student in an authorized private school if the private school grants admission to the student.



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- d. When admission has been granted by a private school to a student, a parent must notify the private school that a student is eligible for the GSNS Program by providing a copy of the scholarship award sheet to a private school. If parent(s) fails to notify a private school of a student's eligibility, the private school will not report that student as enrolled in the GSNS Program to the GaDOE. Without notification of a student's eligibility, the private school will not report that student as enrolled in the GSNS Program to the Georgia Department of Education. This will affect the scholarship payments for a student and could affect his/her eligibility for the GSNS Program.
- e. Follow up with a selected private school to ensure the school has enrolled and reported a child as a GSNS student to the GaDOE. If a school fails to report a GSNS student, it will affect the scholarship payments for a student and could affect his/her eligibility for the GSNS Program.
- f. A student cannot be dually enrolled at a public and private school and receive a scholarship. Once accepted into a private school, a parent must withdraw their child from the public school. The parent may be required to submit appropriate withdrawal documentation to the public school. Students found dually enrolled at both a public school and private school during a school year will lose their eligibility for the GSNS Program.
- g. When enrolling a student in a private school, a parent(s) assume full financial responsibility for the education of a GSNS student, including transportation to and from the participating private school. Scholarship funds received through the GSNS Program are only intended to offset the tuition and fees charged by a private school. The amount of the scholarship is equal to the amount of state funds the public school district received for the special education student during the immediate prior school year; or the amount of the private school's tuition and fees, whichever is less.
- h. In order to be participate in the private school option a student must be enrolled and attending an authorized private school by the deadline established annually by the GaDOE. There are no exceptions to the annual deadline.
- i. Parent(s) is responsible for transporting a student to and from a private school if a transfer request is granted by a school district.
- j. Parent(s) should read and understand any contracts/agreements entered into with an authorized private school.



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- k. Parent(s) should obtain written copies of any contracts/agreements entered into with a private school (e.g. tuition reimbursement, fee schedules).
- l. Parent(s) should keep records of any payments made to a private school. GaDOE staff cannot resolve any disputes that may arise between a parent(s) and a private school.
- m. A private school participating in the GSNS Program is not required to alter any of its business practices under the program. Parent(s) must comply with all a private school's policies. GaDOE staff cannot resolve disputes that may arise between a parent(s) and a private school.
- n. Parent(s) must keep a student in attendance at a participating private school throughout the school year unless excused by the school for illness or other good cause.

Parent Responsibility 6- *Acceptance of 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. Section 1400, et seq.*

Indicators for Parent Responsibility 6:

- a. When parents accept a GSNS scholarship for their children they are refusing to provide parental consent for special services under IDEA and a participating private school is not required to follow a student's IEP nor is it required to provide special education services to a student.
- b. 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 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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Parent Responsibility 7- Parent(s) must know and understand the requirements for continuance funding through the GSNS Program.

Indicators for **Parent Responsibility 7:**

- a. A student may continue to receive a GSNS scholarship as long as:
 - i. Student remains a resident of Georgia; and
 - ii. Student's parent(s) remain residents of Georgia; and
 - iii. Student has continual enrollment and attendance in a private school participating in the GSNS Program; and
 - iv. Parent(s) complies with State Board Rule 160-5-1-.34 and all applicable state laws.
- b. Parent(s) must keep a student enrolled and attending a participating private school throughout the school year.
- c. A GSNS student must be enrolled and attending an authorized private school for a majority of school days during a payment cycle to be eligible to receive payment for that cycle. If a student withdraws from a private school prior to having attended for a majority of a payment cycle and does not transfer to another authorized private school, no scholarship payment for the student will be issued. A private school can collect amounts owed it directly from student's parent(s). Go to the GSNS web page to see the payment calendar for the current school year.
- d. The GSNS scholarship ends once a student graduates from high school or if the student turns 21 years old and has not received a high school diploma.

Parent Responsibility 8- Parent(s) must know and understand the requirements for transferring a GSNS student from one authorized private school to another authorized private school participating in the GSNS Program.

Indicators for **Parent Responsibility 8:**

- a. At any point during the school year, a parent/guardian can transfer a student to another authorized private school.



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- b. To maintain a student's scholarship, parent(s) should not remove a student from his/her current private school until parent(s) has received acceptance from another authorized private school.
- c. Transferring a student to another private school does not dismiss parent(s) from their obligation to pay tuition and/or fees owed to the original private school.

Parent Responsibility 9- Parent(s) must know and understand the procedures for maintaining a GSNS student's scholarship if the student is expelled from an authorized private school.

Indicators for **Parent Responsibility 9:**

- a. If a GSNS student is expelled from a private school, parent(s) will have 30 calendar days to find another placement for a student at another authorized private school.
- b. If by day 31 parent(s) 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 attend a public school for one full school year and retain his/her IEP to regain eligibility for the GSNS Program.
- c. Expulsion of a GSNS student from a private school does not release parents from their obligation to pay tuition and/or fees owed to a private school.

Parent Responsibility 10- Parent(s) must know and understand the procedures for regaining eligibility for the GSNS Program if a student transfers back into a Georgia public school.

Indicators for **Parent Responsibility 10:**

- a. If parent(s) transfers a GSNS student back into public school during the school year, the scholarship for a student will end. A student will need to regain his/her eligibility for the GSNS Program if the parent/guardian would like to use the private school choice option.
- b. Returning a student to public school does not release parents from their obligation to pay tuition and/or fees owed to a private school.



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Parent Responsibility 11- Parent(s) must know and understand the procedures for processing scholarship payments received for a student through the GSNS Program.

Indicators for Parent Responsibility 11:

- a. A private school will receive four times during a school year scholarship checks issued by the GaDOE.
- b. The GaDOE is authorized to make one payment per student per quarter and is not authorized to make any partial or retroactive payments. Payment for each quarter is for instruction and services provided to a student.
- c. A GSNS student must be enrolled and attending an authorized private school for a majority of school days during a payment cycle to be eligible to receive payment for that cycle. If a student withdraws from a private school prior to having attended for a majority of a payment cycle and does not transfer to another authorized private school, no scholarship payment for the student will be issued. A private school can collect amounts owed it directly from student's parent(s). Go to the GSNS web page to see the payment calendar for the current school year.
- d. Scholarship checks issued by the GaDOE are made out to the parent(s) of record submitted by a private school.
- e. A private school must notify the parent(s) of students in writing when scholarship payments are received by the school. Scholarship checks will be mailed directly to a private school.
- f. Parent(s) is required to endorse scholarship checks over to a private school using a restrictive endorsement within 30 days of his/her receipt of the notice from the private school that the parent(s) is to endorse the check.
- g. A private school must provide a reasonable opportunity for parent(s) to restrictively endorse a check to the school.
- h. Upon endorsing a check to the private school, the parent(s) and the private school validate that the payment amount is correct. Any discrepancies thereafter shall be resolved between the parent(s) and the private school.



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- i. Parent(s) cannot remove a scholarship check from a school's premises nor can parent(s) refuse to endorse a check; either or both will result in forfeiture of scholarship. Parent(s) would remain responsible for payment of any tuition and/or fees owed to the private school.
- j. The Internal Revenue Service has determined that acceptance of a scholarship under this program is not considered personal family income as long as a parent(s) does not attempt to deposit it or cash the check against a personal account.
- k. Fees and tuition not covered by GSNS funds can be charged by private schools. Parent(s) are financially responsible for these fees if they are charged by a private school. Refer to Private School Responsibility 9 to review allowable uses of GSNS Program funds.

Parent Responsibility 12- Parent(s) must know and understand the procedures to have a GSNS participate in state-wide assessments.

Indicators for **Parent Responsibility 12:**

- 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 advise in writing the public school district from which the student was withdrawn of their intent for a student to participate in a statewide assessment. If the family has moved out of the public school district's zone since withdrawal, the parent(s) may contact the public school district in which they currently reside to determine if the resident public school district can make arrangements for testing. Otherwise arrangements will have to be made with the public school district from which the student was originally withdrawn for participation in the GSNS Program.
- c. Parent(s) must inform in writing the public school district of their intent to participate in statewide assessments as soon as possible so that appropriate testing materials can be ordered and resources can be dedicated to support the test event. Intent must be received by the public school district no later than two weeks following the start of the public 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.



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- d. 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.
- e. Parent(s) must inform in writing the public school district of any changes in phone or address so that information about testing arrangements can be communicated on an on-going basis.
- f. Parent(s) must sign a consent form detailing how the scores should be released. Parent(s) may opt for scores to be sent either to themselves or to the private school. If the parent(s) wants the scores to go to the private school, then the consent form must reflect the appropriate language for release of student test results. This language must adhere to the FERPA guidelines, state law, and state board rule and/or policies regarding release of student information and test performance results. If results are to be sent to parent(s), parent(s) must provide the public school district with self-addressed, stamped envelope. If results are to be sent to the private school, parent(s) must provide the public school district with a stamped envelope addressed to the attention of the head of the private school.
- g. Parent(s) electing for a student to participate in a statewide assessment must conform to the public school district's testing calendar, including dates, hours of administration, and content order. The public school district is not obligated to make any special arrangements not afforded to other students.
- h. If testing accommodations are to be provided for the student during assessment, then the parent(s) must provide evidence of the type of accommodations and rationale for such accommodation at time of request for testing so that the public school can make the necessary arrangements. The evidence for the need for accommodations during testing is typically part of a student's IEP. A current IEP from the private school is the preferred documentation. If a current IEP from the private school is not available, the parent(s) is responsible for producing documentation from the student's current school that describes the accommodations that the private school affords the student in instruction and assessment at that school. Documentation should be written on the private school letterhead and signed by the head of the private school. The school district may not honor any accommodations that are not authorized by the GaDOE as indicated in the current Student Assessment Handbook and/or Examiners Manual. These documents may be accessed on the GaDOE testing web site.



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- i. Parent(s) are responsible for paying costs that are reasonable and appropriate to accommodate a GSNS student participation in state assessments. Billable expenses are those that the school district would not have otherwise incurred in the course of testing the students already enrolled. School districts may not charge parent(s) for testing materials (i.e. test books and answer sheets) or for ordering or shipping of these materials. However, 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 district may charge the rate for the lowest paid staff member available and qualified to perform the duties.