

Schley County School System Federal Programs Procedures Manual



EXCELLENCE IN ALL WE DO

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Purpose of This Handbook

The purpose of this handbook is to provide a systematic approach to managing the rules and guidelines of all federal programs to ensure consistent compliance. Schley County staff members may use the provided information to ensure that all federal programs are being implemented accurately and effectively.

The information contained in this handbook will promote uniformity in operations as Federal Program Coordinators seek to carry out official duties and responsibilities. The Georgia Department of Education (GaDOE) provides Local Educational Agencies (LEAs) extensive guidance on the overarching requirements for all federal programs with the on-site monitoring document that is used to ensure that LEAs are meeting all statutory requirements for these programs. These specific requirements from the GaDOE document were used to create this handbook. It is hoped that this handbook will be useful in assisting faculty and staff to comply with all federal programs' statutory requirements.

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Handbook Update Tracking

| Date | Section/Topic | Page |
|---------------|--|-----------------|
| June 21, 2018 | IDEA Fiduciary Procedures – Updated IDEA Allowability Costs questions | Pg. 47 |
| July 16, 2018 | IDEA – GNETS section updated to fit new GADOE Board Rule 160-4-7-.15 | Pg. 119 |
| July 18, 2018 | Annual Title I Meeting, Migrant Education, Title III Parent Notification | Pgs. 33, 45, 47 |
| Dec. 4, 2018 | IDEA – Child Find section updated per GADOE Special Education Implementation Manual changes | Pg. 58-61 |
| Dec. 5, 2018 | IDEA – Evaluation & Reevaluation section updated per GADOE Special Education Implementation Manual changes | Pg. 61-75 |
| Dec. 6, 2018 | IDEA – Eligibility Requirements section updated per GADOE Special Education Implementation Manual changes | Pg. 75-91 |
| | | |

Contents

| | |
|---|----|
| Monitoring Process and Procedures..... | 8 |
| LEA Communication With and Monitoring of Participating Schools | 9 |
| Timeline for Monitoring of Title I Schools | 10 |
| Data Review | 10 |
| Reporting and Corrective Action Process | 11 |
| Technical Assistance | 11 |
| Comprehensive Needs Assessment Process to Inform CLIP, Equity, and School Improvement Plans | 11 |
| Comprehensive LEA Improvement Plan (CLIP) | 11 |
| Comprehensive Needs Assessment | 12 |
| Pre-Federal Award Requirements and Contents of Federal Awards | 12 |
| Suspension and Debarment | 12 |
| Post Federal Awards Requirements | 13 |
| Allowability Procedures | 13 |
| Authorization of Expenditures and Prior Approval of Purchases | 13 |
| Invoices | 14 |
| Grant Development and Budget Process | 14 |
| Supplement Not Supplant | 14 |
| Supplement Not Supplant for IDEA | 15 |
| Cash Management and Drawdown of Funds | 15 |
| Inventory Management for Federal Programs | 15 |
| Equipment | 16 |
| Inventory Records | 16 |
| Off-Site Use of Equipment | 17 |
| Disposition of Unusable, Damaged, Lost, or Stolen Equipment | 17 |
| Physical Inventory | 17 |
| Procurement | 18 |
| Conflict of Interest | 18 |
| Board Member Conflict of Interest, Policy BHA | 19 |
| Purchases Requiring Bids..... | 19 |
| Consultants, Contracts, Purchased Services for Federal Funds | 20 |
| Financial Reporting | 20 |

| | |
|--|----|
| Monitoring and Reporting Program Performance | 21 |
| Steps to Audit/ Monitoring Resolutions: | 21 |
| Cost Principles | 21 |
| Necessary, Reasonable and Allocable Costs | 21 |
| Compensation | 22 |
| Payroll | 22 |
| Time and Effort | 22 |
| Semi-Annual Periodic Certification | 22 |
| Time Log | 22 |
| Capital Expense Funds | 22 |
| Travel | 22 |
| Ethics, Fraud, Waste, Abuse, and Corruption | 22 |
| Procedures and Responsibilities | 23 |
| Complaint Procedures | 24 |
| Assessment Security | 24 |
| Services for Private School Children (Title Programs) | 26 |
| Services for Private School Children (IDEA) | 26 |
| Equitable Services for Private and Home School Students with Disabilities | 26 |
| Expenditure Guidelines for Private School Students with Disabilities | 27 |
| Notification to Private Schools | 27 |
| Timely and Meaningful Consultations | 27 |
| Service Plans for Parentally-Placed Private School Students with Disabilities | 28 |
| Property, Equipment, and Supplies for Participating Private Schools | 29 |
| Use of Personnel..... | 30 |
| Documentation for Equitable Services and Funding for Private and Home School Students .. | 30 |
| Title I, Part A Improving the Academic Achievement of the Disadvantaged | 30 |
| Parent Involvement Policy Overview | 30 |
| Parent Notifications | 31 |
| Priority Schools | 31 |
| Parental Involvement Policies/Plans | 31 |
| School/Parent Compacts | 32 |
| Annual Title I Meeting | 33 |

| | |
|--|----|
| Annual Evaluation of Parental Involvement | 33 |
| Capacity for Parent Involvement..... | 34 |
| Required 1% Set Aside for Parental Involvement | 34 |
| School Improvement Plans..... | 34 |
| Schoolwide Program | 35 |
| LEA Guidance | 35 |
| Consolidation of Funds | 35 |
| Targeted Assistance Programs | 35 |
| Reservation of Funds | 36 |
| Maintenance of Effort—Title I | 36 |
| Title I, School Improvement | 37 |
| Monitoring and Oversight of School Improvement | 37 |
| Review and Approval of School Improvement/Schoolwide Plans | 37 |
| Professional Development, Analyzing Data, Technical Support and Assistance | 37 |
| Title I, School Improvement 1003(g) Grant | 37 |
| McKinney-Vento Program Education of Homeless Children and Youth | 38 |
| Definitions of Homelessness | 38 |
| Enrollment and Awarding Credit | 39 |
| Disputes | 40 |
| Coordination | 40 |
| Preschool | 41 |
| Services for Children in Foster Care | 41 |
| Definition | 41 |
| Local Point of Contact..... | 42 |
| Educational Stability | 42 |
| Transportation for Children Placed in Foster Care | 43 |
| Immediate Enrollment and Records Transfer | 44 |
| Title I, Part C - Migrant Education Program (MEP) Services | 44 |
| Parent Occupation Survey | 44 |
| MEP Consortium | 44 |
| Services for Neglected and Delinquent Children | 45 |
| Purpose | 45 |

| | |
|---|-----|
| Title II, Part A - Teacher and Leader Effectiveness | 45 |
| Title III and English to Speakers of Other Languages (ESOL) | 46 |
| Purpose | 46 |
| Enrollment and Screening | 46 |
| Parent Notification | 46 |
| ESOL Endorsement | 46 |
| ACCESS | 46 |
| Title IV, Part A Student Support and Academic Enrichment | 46 |
| Individuals with Disabilities Act (IDEA) Fiduciary Procedures | 47 |
| Use of IDEA Funds | 47 |
| IDEA Allowable Costs | 47 |
| Supplement Not Supplant | 48 |
| Maintenance of Effort | 48 |
| IDEA Excess Cost Reporting | 49 |
| Grant for High Cost Funds | 50 |
| Coordinated Early Intervening Services | 50 |
| IDEA Program Monitoring and Compliance | 51 |
| Confidentiality of Personally Identifiable Information (160-4-7-.08) | 51 |
| Student Support Team (160-4-2-.32) | 55 |
| Child Find Procedures (160-4-7-.03) | 57 |
| Evaluations and Reevaluations (160-4-7-.04) | 61 |
| Eligibility Determination and Categories of Eligibility (160-4-7-.05) | 70 |
| Private Schools (160-4-7-.13) | 94 |
| Least Restrictive Environment (160-4-7-.07) | 102 |
| Discipline (160-4-7-.10) | 105 |
| Individualized Education Program (IEP) (160-4-7-.06) | 111 |
| Personnel, Facilities, and Caseloads (160-4-7-.14) | 118 |
| Georgia Network for Educational and Therapeutic Support (GNETS) (160-4-7-.15) | 120 |
| Free Appropriate Public Education (FAPE) (160-4-7-.02) | 123 |
| Procedural Safeguards/Parent Rights (160-4-7-.09) | 131 |
| Surrogate Parent (160-4-7-.11) | 137 |
| Dispute Resolution (160-4-7-.12) | 139 |

Building Resourceful Individuals to Develop Georgia’s Economy (BRIDGE) 142

Monitoring Process and Procedures

All directors, coordinators, and points of contact of federal programs will conduct self-monitoring of its schools and programs sufficient to ensure compliance with all federal program requirements. All directors or coordinators will undergo training from GaDOE and other sources to maintain proficiency in program compliance requirements.

All federal programs are monitored by the state to determine the effectiveness of the entire program, as well as individual student progress. It is mandated that instruction be individualized; therefore, diagnostic information must be obtained to plan each student's program. The Georgia Department of Education requires that the Schley County School System monitors the implementation of all federal programs and the expenditure of all funds associated with those programs.

The Local Education Agency (LEA)/Federal Programs Coordinator, Student Services Director, the Financial Director, and the Title III/MEP Coordinator will conduct self-monitoring of schools and programs sufficient to ensure compliance with all Federal Program requirements. The specific requirements are as follows:

- Federal Programs' Director(s) will undergo training from GaDOE and other sources to maintain proficiency in federal programs compliance requirements. Federal programs directors and coordinators provide technical assistance to local schools.
- The federal program directors and coordinators monitor program expenditures to verify that all program expenditures comply with federal program requirements.
- The Federal Program Coordinators and directors maintain all documentation the LEA may need for future auditing/monitoring according to the LEA Monitoring Form
- When the LEA does not receive an onsite visit, the federal program directors will complete the self-assessment checklist and to ensure compliance
- The LEA will undergo monitoring by the SEA on a four-year cycle. The LEA/Federal Program Coordinators and Directors will participate in training and technical assistance updates as provided by the SEA prior to the monitoring visit.
- Following on-site monitoring visits, the LEA will receive a comprehensive monitoring report, which will contain recommendations, findings, and required actions that together provide an analysis of the implementation of the LEA's federal programs.

Monitoring is an essential component of ensuring that all facets of the Federal Program are being implemented as prescribed by Every Student Succeeds Act (ESSA) under the Elementary and Secondary Act (ESEA). It is a process of systematically providing technical assistance and collecting data in order to provide information that can guide program implementation.

The Schley County School System Federal Programs make use of monitoring as a means of regular observation and recording of activities taking place in the district's schools. Critical

to this process is the feedback provided to schools that can assist in improving student academic achievement. District monitoring addresses the following:

- Ensuring that all federal program activities are carried out in accordance with federal compliance guidelines
- Monitoring inventory and equipment usage
- Attainment of academic achievement goals
- Compliance with budgetary guidelines

Monitoring by the Georgia Department of Education (GaDOE) consists of four major components:

1. Monitoring of Expenditures – Local educational agencies (LEAs) must submit for approval an annual budget through the Consolidated Application process. Federal Program Education Specialists review each application and budget to ensure that expenditures are appropriate for the program area before approving LEA budgets. Once budgets are approved, Title I Education Program Specialists track how well LEAs are requesting funds for expenditures to ensure that LEAs are likely to meet the expenditure requirements for Title I funds.
2. Single Audit – LEAs with single audit findings are flagged for technical assistance.
3. On-site Monitoring – An SEA on-site Cross-Functional Monitoring Team visits the school system to apply the criteria included in the LEA Monitoring Form.
4. Self-Monitoring Checklist – LEAs not receiving an on-site visit complete the Self-assessment Checklist and submit it to the Georgia Department of Education (GaDOE).

The following procedures are followed for the on-site monitoring visit:

- Selection of LEAs to be monitored.
- LEAs are monitored on a four-year cycle. Approximately one-fourth of the LEAs are monitored each year.
- LEAs were initially randomly selected from each of Georgia's thirteen service areas.
- LEAs with audit or monitoring findings requiring a return of monies or receiving a high number of complaints from parents and other stakeholders are monitored within the year of the LEA audit or monitoring report and the written complaint. Federal programs must follow the Division protocol when conducting an on-site monitoring of an LEA. A copy of all documentation is maintained with the SEA.

LEA Communication With and Monitoring of Participating Schools

Monitoring of participating schools is a critical component of ensuring compliance is taking place at each school and within each program. During the first two months of school, system Federal Program Coordinators will convene a meeting with the principals of all participating schools.

Principals are given detailed information on expectations and copies of program guidance. Specific training is provided in all facets of each program. Information is provided to principals related to timelines, budget forms, inventory information, schoolwide implementation,

professional learning, parental involvement, fraud policy and other areas of federal programs as appropriate. This process is monitored through ongoing technical assistance, site visits, and through the budgeting process.

Timeline for Monitoring of Title I Schools

June-July. Provide Summer Workshop for all Title 1 Schools following Title 1 state training in June to update principals on any new guidelines and to provide guidance for “new” Title 1 principals. Workshops will include the following topics: budgets, ordering, compliance, parental involvement, schoolwide programs, monitoring, academic achievement, inventory, scheduling, ethics, fraud, and waste.

July-August- Using CCRPI information determine the schools that will need to offer FLP services and work with principals to create and mail required letters. The Homeless Liaison contacts every school to update the system homeless list and to consult regarding the needs of homeless students in our non-Title I schools. The liaison also makes sure that every school has up-to-date homeless contact information posted. The Foster Care Liaison contacts every school to update the system foster care list and to consult regarding the needs of foster care students.

July/August—The Title III/Migrant Ed. Coordinator collects Parent Occupation and Language Surveys to determine students eligible for EL and MEP programs. **August-September-** Work with principals on annual revision of plans. The Title 1 Director, Parent Involvement Coordinator, and Curriculum Director will review plans and budgets to ensure that funds are being spent according to plans and that plans have all the necessary components.

August – June – Meetings with Principals. Additional training as needed.

August – June - Inventory all items purchased by Title I.

August – June – Title I Director monitors Homeless and N&D programs.

On-going review of school improvement data and plans in conjunction with other central office staff

February- Title I Director attends GCEL conference

On-going -Budgets and purchase orders are reviewed monthly by the Title Directors to assist schools in spending funds as planned.

March-April- Send the Annual Survey of Parent Involvement to parents to provide information as a means of gauging the effectiveness of parental involvement activities. Schools compile data at their site to determine needs for the following year. The Parental Involvement Coordinator compiles data to determine needs for the following year.

On-going – The Title Directors provide technical assistance and meets regularly with principals.

Data Review

Data is compiled, reviewed, and discussed during monthly administrative, teaching and learning meetings, and at Board of Education meetings. Schools meet and analyze data with the intent of improving instruction. Principals review data with their leadership teams to identify and

address areas in need of improvement. All schools have access to system-generated, secured data. School leaders discuss this information with all staff to ensure they fully understand the data presented.

Reporting and Corrective Action Process

Corrective action from previous monitoring is discussed with principals in order to assist them in understanding the critical need for compliance in all Title Programs. Professional learning is provided based on needs. In addition, professional learning is used as a preventive measure to ensure that all Title staff has a clear understanding of all expectations for every facet of the Title programs. The Federal Programs Director, along with district level staff, and outside consultants, provide on-going training as a means of ensuring that all Title staff are in compliance at all times.

Technical Assistance

Technical Assistance is offered at all times through e-mail and phone communication as well as school visits to assist schools in analyzing data to identify priorities in instruction, professional learning, and effective budgeting. Prior to the school start, a principals' meeting is held that reviews the purpose of all federal programs, as well as expectations and procedures related to allowable use of funds. A second principals' meeting is held mid-Spring to remind principals of end of the year information and to provide preliminary information related to the upcoming budget year. The Federal Programs Director maintains a file of all training conducted throughout the year. This notebook contains all staff training, handouts, meeting agendas, meeting notes, etc. Ongoing monitoring after training is conducted by the Federal Programs Director to ensure compliance.

Comprehensive Needs Assessment Process to Inform CLIP, Equity, and School Improvement Plans

Comprehensive LEA Improvement Plan (CLIP)

CLIP revisions take place annually using prior year data and needs assessment information. The CLIP serves as the plan detailing coordination of various federal programs and identification of needs and in- turn budgeting for such needs with federal funds. Department Directors, school and system leaders, as well as community and parent stakeholders are involved in the revision process. Title I parents are sent information inviting them to participate via mail, email, telephone, newspaper, social media, flyers, website, and newsletters. The district conducts an annual survey each year that allows parents to provide input on district policies and procedures. Parent input is examined and considered from these surveys. Documentation includes sign-in sheets, agendas, meeting minutes, emails, and returned plans with comments. Copies of comments are kept on file and put in meeting minutes. Several subsequent meetings are arranged to garner input from all stakeholders. For example, input is solicited from district, school, and curriculum leaders at monthly Principal, District Administrative, and School Leadership Team

meetings. The Federal Programs Directors gather all input and updates the Consolidated Action Plan. The plan is submitted to the Superintendent for final approval.

Comprehensive Needs Assessment

The Comprehensive Needs Assessment is conducted in the spring of each school year and reviewed prior to the beginning of the new school year. The Superintendent, all central office personnel, Principals, Assistant Principals, and other lead school staff review data from all state-mandated assessments to include Georgia Milestones Assessment System, ACCESS for ELLs, Georgia Alternate Assessment, Georgia Kindergarten Inventory of Developing Skills, SAT, ACT, PSAT, and AP exams.

Process, perception and demographic data, including Teacher and Leader Keys Effectiveness Systems reports; annual stakeholder surveys; demographic reports such as Student Record and FTE; and College and Career Ready Performance Index measures, are also part of the Comprehensive Needs Assessment. The local School Councils, which also includes community stakeholders, and central office administrators review the data/needs assessments and requirements of all federal programs on an annual basis. These needs assessments drive the action/implementation planning for the upcoming year. A comprehensive professional learning needs assessment is also collected by schools and submitted to the central office to determine the professional learning needs throughout the School System.

Data from these needs assessments are used to complete the Comprehensive LEA Improvement Plan (CLIP) within the Consolidated Application. The CLIP descriptors, which address all federal program funding as well as the state professional learning allocation, define the academic needs of the district and the aligned strategies to meet these needs. Budgets are submitted following the approval of the CLIP by each assigned GaDOE program specialist. In keeping with state and federal guidelines, prior to submitting the federal program budgets, the Superintendent signs off on the Consolidated Application denoting agreement with each assurance and certifying the accuracy of the final fiscal reports/vouchers requesting payment contained in the application.

Pre-Federal Award Requirements and Contents of Federal Awards

Suspension and Debarment

Each Federal Program Director checks the System for Award Management (SAM) web site, <https://www.sam.gov/> prior to approving any contract or subcontract expected to equal or exceed \$25,000 to ensure the vendor is not on the list of suspension and debarment. Schley County Schools cannot and will not purchase from any vendor or contracted person/company identified on this website as being suspended or debarred.

Post Federal Awards Requirements

Allowability Procedures

Any purchases made with federal funds must follow the guidelines for allowable costs. The Schley County School System Office of Federal Programs will follow guidelines as detailed in EDGAR, OMB Circulars (such as A-87), and applicable memos, letters, handbooks, and/or communication regarding allowable/unallowable purchases provided by the Georgia Department of Education. The appropriate program coordinator will direct any questionable expense to the GaDOE Area Program Specialist for that program for further clarification.

Federal funds cannot be used to purchase incentives for students, teachers, or to entice participation in professional learning activities. Food for parent involvement activities must be considered “light refreshments.” Light refreshments have been defined as donuts, fruit, muffins, juice, coffee, chips, pretzels, popcorn, raw vegetables and dip, nuts, cookies, brownies, punch, soda, and water. Light refreshments do not include pizza, sandwiches, or anything that could be considered any part of a meal. Federal funds can only be expended for those events that “build capacity.”

Authorization of Expenditures and Prior Approval of Purchases

The following procedures must be followed to ensure the proper handling of federal funds:

1. Each budget, after prepared at the District level, is reviewed by each principal, revised as necessary, and approved by the program coordinator. Once the system or school makes the necessary changes and the budget is submitted and approved by the GaDOE, each department or school completes a requisition.
2. Requisitions must include:
 - a. complete vendor information including phone number (and fax number if applicable)
 - b. ship to information including the address for the school
 - c. department information indicating funding code
 - d. sufficient detail to determine if each cost item is allocable, reasonable, and necessary.
 - e. The requisition is then sent to the appropriate Federal Program Coordinator for approval.
3. The appropriate Federal Program Coordinator reviews the requisition to assure that the purchase is included in the Schoolwide/School Improvement Plan/Equity Plan and that the expense is allocable, reasonable, and necessary.
4. If approved, the Federal Program Coordinator then signs off on the requisition and issues a purchase order.
5. The purchase order is then sent to the Finance Director for coding based on the budget.
6. The Finance Director then forwards the purchase order to the Accounts Payable Clerk who obtains final approval from the Superintendent.
7. The school or department will send signed/dated packing slip to Accounts Payable to issue payment for the items received.

Invoices

The following procedures will be used for invoices:

- Receipt of Invoice: Invoice is received and forwarded to the Accounts Payable Clerk who compares vendor invoices to purchase orders and packing slips. If these items match, the invoice is entered as an accounts payable. If not, the Accounts Payable Clerk alerts appropriate program coordinator who will work together to determine a solution.
- Payment of Invoice:
 1. The Accounts Payable Clerk charges the expenditures to the proper fund/program in the district financial software.
 2. If invoices exceed the amount of purchase orders, the Accounts Payable Clerk and the appropriate program coordinator work together to determine a solution.
 3. Disbursement is not made until the invoice is validated as owned by the district.
 4. Open purchase orders at year end are reviewed by the Accounts Payable Clerk, the appropriate program coordinator and /or designees, and the Finance Director to determine if goods or services have, in fact, been received but not invoiced by the vendor. Contact is made with the vendor to secure an invoice if such instances are noted.

Grant Development and Budget Process

Each federal fund program coordinator prepares a yearly budget showing the distributions for district, per school and /or per program/function/object code. Federal Program Coordinators ensure that all funds budgeted are allowable per funding source. The budget is forwarded to Finance Director after the GaDOE approves the budgets in the Consolidated Application. The Finance Director enters the budget into the system financial software system using the Consolidated Application Budget as the source.

Supplement Not Supplant

The following guidelines will be used for Title I Schoolwide Programs:

- Equitable distribution of non-Federal funds requires that a schoolwide program shall use Title I funds only to supplement the amount of funds that would, in the absence of the Title I funds, be available from non-Federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and English Learners.
- Supplemental activities are determined by the Schley County School System such that non-federal funds are distributed to all schools across the district in equitable ways.

Supplement Not Supplant for IDEA

Under the federal “supplement not supplant” requirement, the Schley County School System’s Federal Programs may only use federal funds to supplement and, to the extent practical, increase the level of funds that would, in the absence of the federal funds, be made available from local and state sources for the education of participating students. In no case will the school district use federal program funds to supplant—or take the place of—funds from other sources. The Schley County School System may use IDEA Part B funds only to pay the excess costs of providing special education and related services for the district’s children with disabilities. These IDEA funds must be used to supplement local, state, and other federal funds and shall not be used as the primary source of funding the education costs of students with disabilities.

Cash Management and Drawdown of Funds

Funds are drawn down based on actual program expenditures. It is the responsibility of the appropriate Federal Program Coordinators and the Finance Director to work cooperatively to review all expenditures on a quarterly basis after budget approval before funds are drawn down from GAORS. Moreover, the following practices are observed:

- Coordinators for each federal program must reconcile their respective budgets quarterly to ensure that all expenditures charged to their program are allowable.
- The Finance Director or designee will perform monthly reviews of the general ledger, including federal accounts and fund sources.
- Funds are drawn down quarterly based on actual expenditures.
- The system Finance Director reconciles all bank statements and performs periodic review of the general ledger.
- There is no cash involved as all drawdowns are directly deposited into the system’s bank account.
- All reporting documentation is kept in Finance Office and can be reviewed upon request.
- Reconciliation - the Finance Director works directly with the applicable Federal Program Coordinators to ensure expenditures and encumbered funds are balanced.

Inventory Management for Federal Programs

Equipment

Equipment is defined as an article of nonexpendable, tangible personal property having a useful life of more than one year, and an acquisition cost which equals or exceeds the lesser of the capitalization level of the district, or \$5,000. This includes all items purchased under state object codes 615 (expendable equipment) and 616 (expendable computer equipment). Once equipment has been received, the appropriate Federal Program Coordinator must complete an Equipment Inventory Form to submit to the Finance Director for entry into inventory.

Inventory of all equipment and property belonging to any federal program will be identified and inventoried once yearly by the appropriate Federal Program Coordinator. Materials purchased for use in federal programs will be labeled with an asset tag, with appropriate federal program name and fiscal year of purchase, and be utilized in the capacity for which it was purchased. Any equipment, materials and/or supplies purchased with federal funds are considered solely for the use of that program.

Inventory will be updated as equipment items are purged or new purchases are made.

Inventory Records

Inventories will be consistently maintained through digital spreadsheets and are available electronically. In addition, copies of the inventory list are kept on file at the system and school level. All inventory records must include the following information:

- The district **asset tag number**
- A **description** of the equipment
- A **serial number**
- The **funding source (including the FAIN) and percentage (who holds title)** under which the equipment was acquired. *Note:* Equipment purchased with federal funds shall be identified to indicate federal ownership by specific federal program (e.g., items purchased with Title I Part A monies must be marked as Title I, Part A with grant award year.) FAIN numbers are located on the Grant Award Notice (GAN) document in the upper right box #2.
- The **source of property (vendor)**.
- The **acquisition date** and **unit cost**.
- The present **location** of the equipment.
- Indication of the **use** of the equipment. For example, instruction, professional learning, parent and family engagement, administration, etc.
- The **condition** of the equipment.
- The **date** the information was added to the inventory.
- Who holds **title** to the equipment? If funds from more than one program was used to purchase the equipment then each program should be listed as the title, and if possible, notation of percentage should be listed.
- All pertinent information on the final transfer, replacement, or **disposition** of the equipment (including the date of disposal and sale price of the equipment).

Off-Site Use of Equipment

A written request must be submitted to the appropriate Federal Program Coordinator for the use of equipment off-site. If approved, the Federal Program Coordinator will complete the Off-Site Equipment Usage Form and obtain the signature of the individual responsible for maintaining equipment off-site. The information included on the form must include:

- Date of check out
- Purpose of use
- Description of equipment
- Signature of person responsible for utilizing equipment off-site

- Date returned
- Condition of equipment upon return
- Signature of Federal Program Coordinator

Disposition of Unusable, Damaged, Lost, or Stolen Equipment

At the close of the federal program, or in the event federally-funded equipment is no longer usable, damaged, lost or stolen, equipment will be disposed of using the following procedures:

1. Equipment that is damaged, lost, or stolen will be reported to the appropriate Federal Program Coordinator using a Disposal Form.
2. Damaged and inoperable equipment will be returned to Technology Department or Maintenance Department, depending on the type of equipment.
3. Lost equipment will be verified by the Director of each department and reported to Finance Director to be noted in the inventory.
4. Disposed inventory will be removed once approved by the Board.

When computer equipment is no longer operational, it will be recycled or disposed once approved by the appropriate Federal Program Coordinator. Inventory records will need to be corrected and maintained on the district digital spreadsheet. The Technology Department works with schools to dispose of and recycle all equipment.

In the event equipment or technology purchased with federal funds is stolen, the following procedure will be followed:

1. File an incident report with the Superintendent.
2. Attach the incident report to a Disposal Form and send to Finance Office.
3. Make corrections to the inventory on digital spreadsheet.
4. Send an email to the appropriate Federal Program Coordinator that the inventory has been updated.

Physical Inventory

All equipment purchased is monitored by the appropriate system-level Federal Program Coordinator. All equipment purchased by schools is inventoried on the district digital spreadsheet.

The appropriate Federal Program Coordinator of each funding source or designee will complete a physical inventory check at each facility annually. The Federal Program Coordinator will check to ensure that the item is in the location assigned and being used for the intended purpose. The appropriate Federal Program Coordinator of each funding source will meet with each principal and school level inventory contact to summarize the results of the inventory monitoring check. Inventory reviews shall be signed and dated by the individual conducting the physical inventory.

Procurement

The Schley County School System shall ensure that the process of procuring goods and services is fair and equitable by taking the following measures:

- Incorporating a clear and accurate description of the technical requirements for the material, product, or service to be procured. The description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use.
- Avoid providing detailed product specifications.
- When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description will be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers will be clearly stated.
- Identify all requirements which the offers must fulfill and all other factors to be used in evaluating bids or proposals.
- Ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the school system will not preclude potential bidders from qualifying during the solicitation period.

Conflict of Interest

Employees of the Schley County School System who are engaged in the selection, award and administration of contracts shall abide by the following:

- No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.
- Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
- Officers, employees, and agents of the Schley County School System may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
- Violation of these standards will result in reporting of said personnel to the Superintendent of Schools and if appropriate, local authorities. Any misconduct could result in suspension, loss of employment, and any other consequences that are applicable by law.
- Any violation of these procedures must be disclosed in writing, in a timely manner. All violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award must be reported as failure to make disclosures can result in (remedies for noncompliance, including suspension and debarment).

Board Member Conflict of Interest, Policy BHA

The Schley County Board of Education shall adhere to these Conflict of Interest provisions, as set forth in state law.

Purchases Requiring Bids

It is the intention of the Schley County Board of Education that the school district will purchase equipment, supplies and other materials that best meet the needs of the district at the most economical cost. The Superintendent or his/her designee is authorized to approve any and all purchases from budgeted funds.

Generally, a competitive process should be followed for each purchase based on a process to be determined by the Superintendent. The Superintendent or his/her designee shall have the authority to issue regulations, invitations to bid, requests for proposals or other procedures governing the process where there exists no specific state law or state board rule that must be followed. In addition to price, the process established by the Superintendent may consider performance of the vendor with the school district, performance of the vendor with other customers, the convenience of the vendor to the district, including whether the vendor is a local business, other benefits offered by the vendor, the uniqueness of the product or service or any other factor that may make the acceptance of a particular proposal from a particular vendor in the best interest of the school district.

For any purchase in excess of \$10,000, the Superintendent shall provide, upon request, to the Board documentation of the competitive process used and the proposals, bids or offers received in response to that process. In compliance with Section 200.320, any purchases in excess of \$150,000 including contract modifications will require a cost or price analysis, sealed bids, and/or competitive proposals. Cost analysis means evaluating the separate cost elements that make up the total price, including profit. Price analysis generally means evaluating the total price.

At all times, the Superintendent or his/her designee shall follow any mandated processes required by state law, set forth in State Board of Education rules or procedures or regulations of the State Department of Education.

Consultants, Contracts, Purchased Services for Federal Funds

Contracts are required for all consultants and purchased services. Agreements are entered into between the Schley County School System and the consultant. Each contract contains the following:

- Contracts are generated by appropriate Federal Program Coordinator.
- Specific duties are specifically spelled out for each contract.
- The person must also submit to be fingerprinted if they are working with students.
- The contract includes the number of hours to work and the rate of pay.
- Principals must submit tutoring time logs based on the payroll deadlines from the Finance Office.

Each contract is signed by the contractor and the appropriate Federal Program

Coordinator. The appropriate Federal Program Coordinator provides oversight in ensuring that all contractors' work is complete and that sub-recipient requests have been evaluated before funds are released for reimbursement. Artifacts, daily sign in sheets, and completion of all workshops are kept on file by the appropriate Federal Program Coordinator. The appropriate Federal Program Coordinator signs off on all invoices/contracts prior to the issuance of payment for services. These contracts must be maintained and kept by the appropriate Federal Program Coordinator

Financial Reporting

The following internal controls have been created and designed to provide reasonable assurance regarding the achievement of objectives in the reliability of reporting for internal and external use. Copies of completion reports for the previous fiscal year will be kept on file in the Finance Office. Accounting records to support the results of outlays (expenditures indicated in the completion report will be kept on file in the Finance Office). Copies of expenditure (cumulative through) reports for the respective quarter for total expenditures reported to GaDOE will be kept on file in the Finance Office. Federal Program Coordinators will examine budget summary and detailed expenditure reports for their respective budgets.

Completion reports are annual reports required by Georgia Department of Education (GaDOE) for all grant funds. Reports are due thirty days after the end date for each grant. Prior to preparing the completion report, the general ledger report for each grant will be reviewed to ensure that all expenditure postings are correctly recorded.

General ledger reports will be generated for each grant by function and object codes. The Finance Office completes these steps in the District financial system:

1. The Finance Director will run account activity summary report in the financial system for grant to get all related expenses (July thru September of current year for grants ending on September 30th or previous July thru June for grants ending on June 30th)
2. The Finance Director will send the summary report to appropriate Federal Program Coordinator for sign off.

Monitoring and Reporting Program Performance

The Schley County School System undergoes regular monitoring and audit visits as scheduled by the State of Georgia. Corrective action plans are created to reconcile any findings received. The school system will maintain the appropriate documentation to indicate that corrective actions have been completed and any findings have been cleared.

Steps to Audit/Monitoring Resolutions:

- Once the audit/ Cross-Functional Monitoring report is received, the appropriate Federal Program Coordinator will review all items. The Cross-Functional Monitoring report will be pulled from the GaDOE website under the Consolidated Application.
- Each item will be examined carefully, and a team of system level staff will determine the best means of corrective action.

- Items are gathered, and a report is written by the appropriate Federal Program Coordinator.
- The report is submitted to the Superintendent.
- The completed report is then sent to the GaDOE state auditors as a means of resolution.
- The district has 30 days from the receipt of the findings to respond to the GaDOE

Cost Principles

Necessary, Reasonable and Allocable Costs

Expenditure of federal funds must meet the clause of “allocable, reasonable, and necessary.” When considering a purchase with federal funds, ask:

1. Is the cost of goods or services chargeable or assignable to the federal award in accordance with relative benefits received (allocable)?
2. Do I have the capacity to use what I am purchasing (reasonable)?
3. Did I pay a fair rate, and can I prove it (reasonable)?
4. Does this expenditure exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost (reasonable)?
5. Is the proposed cost consistent with the underlying needs of the program (reasonable)?
6. Do I really need this (necessary)?
 - a. Do I need to spend these funds to meet the purposes and needs of the program (necessary)?
 - b. Is this expenditure related to an identified area of need in an improvement plan (necessary, allowable)?
 - c. Would I be comfortable defending this purchase (allocable, reasonable, and necessary)?

Compensation

Payroll

Federal Program Coordinators work with the Finance Director and Payroll Clerk to ensure payroll reports are accurate. In addition, each program coordinator ensures that the number of federally funded employees is consistent with the approved application. Monthly payroll reports, expenditure summary and detail reports, and substitute reports will be used to ensure that each object code is accurate.

Time and Effort

Charges to a federal fund for salaries and wages must be based on records that accurately reflect the work performed. A time sheet must be maintained by any employee who provides supplemental instruction outside of school hours. The appropriate Federal Program Coordinator will ensure that one of the following will be maintained for all employees paid with federal funds.

Semi-Annual Periodic Certification

A semi-annual periodic certification will be maintained for any employee who worked on one federal grant or one cost objective (job). These certifications will be completed after-the-fact. The first certification will be completed on the last work day in December and the second periodic certification will be completed at the end of the school year on the last day of school (May). The forms are signed and kept on file in the office of the appropriate federal fund coordinator.

Time Log

A time log will be maintained for any employee who works on more than one federal grant and more than one cost objective (job). Split-funded personnel paid with federal funds are required to maintain monthly time logs. The logs are shared among the employee, supervising principal, and the appropriate Federal Program Coordinator. Monthly certifications are required.

Capital Expense Funds

The Schley County School System does not use federal funds to budget items under object code 700 (capital expense).

Travel

The Schley County School System follows the State Accounting Office Travel Policy.

Ethics, Fraud, Waste, Abuse, and Corruption

Each Federal Program Coordinator reviews ethics and fraud, waste, abuse, and corruption policies as it relates to federal programs with all administrators during meetings at the beginning of each school year. An agenda and sign in sheet will be kept by the appropriate program coordinator to document this has been completed. Program coordinators or principals discuss the same information with their personnel. Each principal or coordinator maintains agendas and sign-in sheets to verify the policies have been reviewed with all staff. A signature, by the person reviewing the policies, verifies the completion of this procedure. Principals are expected to inform their faculties about policies and updates as they are approved throughout the year. In addition, a presentation on ethics and fraud, waste, abuse, and corruption is emailed to all staff members at the beginning of each school year by the Director of Federal Programs.

Standard 5: Public Funds and Property - An educator entrusted with public funds and property shall honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to:

1. Misusing public or school-related funds;
2. Failing to account for funds collected from students or parents;
3. Submitting fraudulent requests or documentation for reimbursement of expenses or for pay (including fraudulent or purchased degrees, documents, or coursework);
4. Co-mingling public or school-related funds with personal funds or checking accounts; and
5. Using school property without the approval of the local board of education/governing board or authorized designee.

The Schley County School System takes the responsibility of properly managing federal funds seriously. Any individual who suspects that funds have been misused with any Title program should report the waste, fraud, abuse, or corruption using the following guidelines:

- Purpose: to ensure the reporting of suspicion of fraudulent activity, the Schley County Schools provides employees, clients and providers with confidential channels for such reporting.
- Definition of fraud: a false representation of a matter of fact, whether by words, by conduct, or by concealment of that which should have been disclosed, that is used for the purpose of misappropriating property and/or monetary funds.
- Statement of Administrative Regulations: the Schley County Schools thoroughly and expeditiously investigates and reported cases of suspected fraud to determine if disciplinary, financial recovery and/or criminal action should be taken.
- Confidentiality: all reports of suspected fraud must be handled under the strictest confidentiality. Only those directly involved in the investigation should be provided information regarding the allegation. Informants may remain anonymous but should be encouraged to cooperate with investigators and should provide as much detail and evidence of alleged fraudulent acts as possible.

Procedures and Responsibilities

1. Anyone suspecting fraudulent activity should report their concerns to the Schley County School System Superintendent at 229-937-2405.
2. Any employee with the Schley County Schools (temporary staff, full-time staff and contractors) who receives a report of suspected fraudulent activity must report this information within the next business day.
3. Employees have the responsibility to report suspected fraud. All reports can be made in confidence.
4. The Schley County Board of Education shall conduct investigations of employees, providers, contractors, or vendors.
5. If necessary, the person reporting will be contacted for additional information.

6. Periodic communication through meetings should emphasize the responsibilities and channels to report suspected fraud.

Complaint Procedures

Any individual, organization, or agency (“complainant”) may file a complaint with the Schley County School District if that individual, organization, or agency believes and alleges that the district is violating a federal statute or regulation that applies to a program under the Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA). The complaint must allege a violation that occurred not more than one (1) year prior to the date the complaint is received, unless a longer period is reasonable because the violation is considered systemic or ongoing.

Assessment Security

The Schley County School District has a Curriculum Director and Testing Coordinator on staff. The Schley County School Testing Coordinator conducts the assessment program as required by federal and state law. It is in compliance with the No Child Left Behind (NCLB) Act of 2001 and Georgia law relative to student assessment and data reporting. Schley County School District interacts with state and federal agencies relative to the assessment program and accountability mandates. The testing department handles assessment documents and reports including secure test materials, individual student score reports, and school/district data reports in both paper and electronic formats. Schley County School District delivers training/guidance related to the assessment program, assessment data, and accountability mandates to all stakeholders. All employees are informed in training that they are required to report waste, fraud, abuse, and corruption concerning assessment security.

Training Plan:

I. Materials:

- A. All school testing coordinators must have a sign-in sheet for documentation of teacher and proctor participation.
- B. A GaDOE update on each test being administered will be provided as a reference/resource for school testing coordinators.
- C. A District Update is provided to school testing coordinators to indicate any special requirements from the district.
- D. School coordinator’s manuals and examiner’s manuals are usually available on the GaDOE’s website. These manuals are used to assist in training. All manuals must be kept secure and accounted for after each use.
- E. School coordinators should distribute the roles/responsibilities for all individuals being trained: coordinator, principals, examiners, and proctors.

Discuss each group's roles/responsibilities, and have individuals sign at bottom. (This document can be found in the Student Assessment Handbook from the GaDOE).

II. Topics:

- A. Checking in materials at the district office is the responsibility of the School Testing Coordinator. They use the packing slip from each school's shipment to check the accuracy of the delivery. Checks are made of confirmations and notations of inaccuracies. The school testing coordinators meet with the district Testing Coordinator to then sign, date, and copy the packing slip. A copy is kept in the Testing Coordinator's office (229-937-2405).
- B. In order to maintain the integrity of the assessment program and its results, security must be established and maintained. The responsibility of the assessment program at the school level rests with the principal and his/her designated school test coordinator.
 - 1. Use the Student Assessment in Georgia Schools (PSC document) to discuss the testing ethics and consequences of violations.
 - 2. Use the Examiner "Must Do" page from the GaDOE's Student Assessment Handbook.
 - 3. School Coordinators are trained in using the Schley County School District Incident Sheet, Access Log for Secured Test Storage Area, and Transcribing or Scribing Answer Document Form.
- C. School Coordinators are responsible for ensuring proper coding of test documents.
- D. School Coordinators are responsible for checking the accuracy of student information.
- E. School Coordinators are required to have test examiner's sign materials in and out each day during test administration.
- F. Proctors are used when required. All test proctors are trained on their roles/responsibilities.
- G. Testing Procedures are clearly articulated to ensure a smooth and problem-free test administration. Schedules, groups and location assignments, and special directions are distributed and explained before testing administration.
- H. Accommodations are well documented by special education teachers, the School Testing Coordinator, the District Testing Coordinator and the Student Services Director. School coordinators and special education teachers carefully check to ensure students are provided the appropriate and accurate accommodations for each individual test.

III. Collection of Materials

- A. Sign-in and sign-out sheets are used to document who is responsible for each individual test booklet, the date, and number of test booklets received.
- B. Before testing documents are returned to district office, the school coordinator carefully accounts for all materials.

- C. During the document count, the school coordinator checks for complete information (Form Numbers, Labels, Names...etc.) on each answer document.
- D. Materials are returned to the District Office, where the materials are recounted by the District Testing Coordinator.
- E. Principal Certification Sheets are required on all standardized tests. This document must be returned at the time of delivery of the testing materials and is maintained for five years, per GaDOE guidelines.

Services for Private School Children (Title Programs)

Private schools are monitored by the Title I Director. Invitations for private schools to consult and participate in federal programs the following academic year are sent in the fall, usually October, via receipt delivery. When requested, a meeting is held to present information about the programs available to students in private schools. Currently, The Schley County School System is not serving any private schools.

Services for Private School Children (IDEA)

Equitable Services for Private and Home School Students with Disabilities

The Schley County School System shall provide parentally-placed private or home school children with disabilities, preschool through grade 12, an opportunity for equitable participation in the services funded with Federal Part B funds that the district has determined, after consultation, to make available to parentally-placed private school children with disabilities.

The term "parentally-placed private school children with disabilities" refers to children with disabilities enrolled by their parents in private schools, including religious, schools or facilities when the provision of a FAPE is not at issue. The term does not include private school children with disabilities placed by the Schley County School System as a means of providing special education and related services.

The term is also inclusive of eligible students with disabilities who are home schooled.

Expenditure Guidelines for Private School Students with Disabilities

For children ages three (3) to twenty-one (21), the Schley County School System must expend a proportionate share of Title VI, Part B IDEA Flow-through funds for students with disabilities enrolled in a private school or facility in Schley County.

The amount of Part B funds available for these services is based on the proportionate share calculation included in the Consolidated Application with IDEA Flow-through Section 611 Part B budget approval to determine the amount of proportionate share funds required. The Schley County School System shall include the proportionate share required amount as a line item in the budget for budget approval by GaDOE.

Unspent proportionate share funds shall be carried over, budgeted, and expended in the next fiscal year, unless a request for a waiver is submitted to and approved by the Special Education Services and Supports Budget Unit of the Georgia Department of Education.

Child Find activities are the responsibility of the Schley County School System; therefore, Child Find activities shall not be included in equitable services expenditure tests.

The Schley County Student Services Director will ensure that resources and/or equipment requested by the private school for children receiving special education and related services supplement and do not supplant the proportionate amount of federal funds required to be expended for the district's parentally-placed private school children with disabilities.

Currently, Schley, Dooly, Sumter, Taylor and Macon Counties comprise the regional consortium to fund the collaborative preschool program, Partners in the Early Education of Children with Handicaps (PEECH). Chattahoochee Flint RESA serves as the fiscal agent for the regional consortium. Therefore, Chattahoochee Flint RESA expends the IDEA Flow-through Section 619 Part B Grant funding for children ages three (3) to five (5). Should the Schley County School System ever receive these funds directly, the system would expend a proportionate share for students with disabilities, ages three (3) to five (5), enrolled in a private school or facility in Schley County, including private facilities that operate a kindergarten program.

Notification to Private Schools

Invitations for private and home schools located within the district's geographical boundaries to consult with and participate in the federal programs the following fiscal year. The District Invitation to Private Schools to Consult Forms are sent in the fall, usually October, via receipt delivery. When requested, a consultation meeting is held to present information about the various federal programs available to students in private schools.

Timely and Meaningful Consultations

A timely and meaningful consultation must occur before any decisions are made that will affect the participation of parentally-placed children in Part B programs. Decisions about services shall not be made in advance. The district is responsible for making final decisions about all aspects of services to be provided to parentally-placed private or home school children with disabilities, after consultations are held and input from all participants are considered, prior to the start of the school year.

Attendants to the consultation shall include: Representatives of private elementary and secondary schools within the geographical boundaries of the school system; parents or parent representatives of those students with disabilities (SWD) in the private schools; and, parents or representatives of eligible home school students with disabilities.

Schley County Special Services Division staff will consult with attendants over the following five essential items:

- a. The Child Find process, including how private school students can participate equitably and how parents, teachers, and private school officials will be informed of the child find procedures and activities;
- b. The determination and calculation of the proportionate share amount;
- c. The consultation process and how it will operate throughout the school year so

eligible students can participate in special education and related services comparable in quality to students served in the district's schools;

- d. Provisions for services, including how, where and by whom proportionate share funds will be allocated, as well as a description of the types and amounts of special education and related services provided.
- e. If service disagreements arise between the private school or parent attendees and the Schley County Student Services Department, the district will provide a written explanation of the reasons the district elected not to follow the views or recommendations of the private school participants.

Each consultation participant must be given an affirmation form to sign indicating that the five essential points were discussed, and private school views were considered. If the private school or home school representative refuses to sign an affirmation form, it should be maintained with a note to that effect.

Service Plans for Parentally-Placed Private School Students with Disabilities

The Schley County Student Services Director, with private school representatives and parent or parent representatives of students with disabilities in private schools or eligible home school students with disabilities, will complete the individualized service plans collaboratively. The service plan becomes effective at the beginning of the school year and shall be reviewed periodically, at a minimum of one time per school term. The Schley County Student Services Director will initiate and conduct meetings to assist in the development, review, and/or revision of all service plans.

The service plan will include a description of the special education and related services, as well as supplementary aids and services, which will be provided to the student with disabilities. The Schley County Student Services Director will ensure that instructional staff meets the same standards as personnel providing service within the school district, except the personnel will not be required to meet highly qualified status.

Parentally-placed private school children with disabilities shall receive services comparable in quality as children with disabilities enrolled in the Schley County School System.

Special education and related services for private school students with disabilities may be provided by an employee of the Schley County School System or contracted through an individual, organization, association, agency, or other entity.

Property, Equipment, and Supplies for Participating Private Schools

IDEA Flow-through funds may be used to purchase materials and equipment to meet the needs of eligible private and home school students with disabilities. The Schley County Student Services Director will supervise the expenditures of equipment and supply requests from private schools with enrolled students who receive special education and related services.

The Schley County School System retains the title of materials and equipment and must continue to account for the equipment through the inventory management system. The inventory shall contain the same requirements for any equipment purchased with federal funds. These requirements are:

- The district asset tag number
- A description of the equipment
- A serial number, model number, or other identification number
- The funding source (including FAIN) and percentage under which the equipment was acquired
- The source of property (vendor)
- The acquisition date and unit cost
- The present location of the equipment (school, classroom, etc.)
- Indication of the use of the equipment instruction, professional learning, parent and family engagement, administration, etc.
- The condition of the equipment
- The date the information was added to the inventory
- Who holds title to the equipment?
- All pertinent information on the final transfer, replacement, or disposition of the equipment (including the date of disposal and sale price of the equipment).

The Schley County Student Services Department will maintain property inventories and requisition forms for all property, equipment, and supplies used to provide special education and related services to private school students. The property, equipment, and supplies afforded to the private schools for special education and related services will remain at the facility for the period in which services are needed.

The Schley County Student Services Director will issue to private school officials a memorandum of understanding (MOU) which indicates that property, equipment, and supplies will be used for special education purposes only.

The Schley County School System will not authorize purchases which result in private school renovations, since the district must ensure that all purchases are removable from the private school facility at the end of the service period. The Schley County School System shall, also, remove property, equipment, and supplies from the private institution, if the materials are used for purposes other than providing special education or related services.

The Schley County School System will not approve funding requests, under IDEA Flow-through funds, for repairs, minor remodeling, or construction of private school facilities.

Use of Personnel

If special education or related services are not normally provided by the private school or facility, IDEA Flow-through funds may be used to provide personnel in a private school or facility in order to meet the needs of private school children with disabilities.

Personnel employed through IDEA Flow-through funds must complete services outside the regular hours of duty and must remain under the Schley County School System's supervision and control.

Documentation for Equitable Services and Funding for Private and Home School Students

The Student Services Director shall maintain all pertinent documentation related to the provision of equitable services and funding for the district's private and home school students with disabilities. Documentation includes, but is not limited to:

- Child Find notifications
- Schley County School District Invitation to Private Schools to Consult Forms
- Notices for consultation by mail, public media (newspaper, website), home school registrants
- Copies of attendance sheets, agendas, PowerPoint presentations, and all training materials
- Consultation Affirmation Forms
- Budget allocations
- Proportionate Share amounts and calculations
- Carry Over Notification for Proportionate Share funds
- Private School Requisition and Equipment Inventory Forms, MOU
- Private School Expenditure Spreadsheet
- Copies of Complaint Forms
- Copies of Service Plans, including types and amounts of services

Title I, Part A Improving the Academic Achievement of the Disadvantaged

Parent Involvement Policy Overview

The Schley County School System has an on-going commitment to our Title I parents. Parental involvement is defined as the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities. Our goal is to ensure that our Title I parents and their children receive extraordinary services and assistance that will lead to improved academic achievement. The district recognizes that parents are an integral part of a child's success in school, starting with the concept of being the child's first teacher. As a conduit for their children's success, the district will assist parents of all socioeconomic levels solidify their ongoing commitment to their child's success.

Parent Notifications

When parents indicate on the enrollment form that they need correspondence in another language, to the extent practical, efforts are made to provide either written support or support through an interpreter. The Title III Director supports these efforts as well as school staff who are fluent in multiple languages. Google Translate is available and can be used to translate documents. Furthermore, all parent communication is written in a format so that the content is easily understandable.

Priority Schools

The Schley County School System does not have any schools designated as a Priority School at this time. In the future, if a school does have this designation, the following procedures will be followed. A school identified as a Priority School will receive the support of the School Improvement Division of the GaDOE. This support will be through the assignment of a School Improvement Specialist who will work with the school on a regular basis and will bring in other staff to support identified areas for growth. The GaDOE School Improvement Specialists will provide support for schools needing comprehensive services. The LEA would sign a three-year Memorandum of Agreement with the GaDOE on behalf of Priority Schools. The Memorandum of Agreement will outline a set of non-negotiable actions and interventions required of each Priority School aligned with the turnaround principles. The MOA will be developed during the spring of the year before it is to be signed in the fall. Using the U.S. Department of Education's (US ED) definition and methodology for identification, schools identified as Priority Schools will receive school improvement support and intervention for a period of three years. Schools will be exited from Priority School status when the school no longer meets the definition of a Priority School and demonstrates a 5-percentage point increase in Content Mastery category performance or has graduation rates (most recent year and prior year 4-year cohort rates) >60%.

Parental Involvement Policies/Plans

District and school parent involvement policies are reviewed and revised annually with parents and other stakeholders (teachers, principals, administrators, other school personnel, and community members). The district will hold a meeting for review of the district and school Parent Involvement Policies at the Central Office. All Title I parents, teachers, administrators, and other school personnel in the district will be invited to the meeting to provide input. A notice will be put in the paper of the meeting dates. Parents and other stakeholders (community members) will be notified by invitation sent to each individual school. Meeting notices will be sent home from the school and posted on the district website. District parents who cannot attend the meeting will be given the opportunity to obtain a copy from Central Office and submit input before the final revisions are approved. The Title I Director will be responsible for collecting the required information (agenda, meeting notes, and sign in sheets). The district will hold the meeting in the spring to revise plans for the next school year. The LEA Parent Involvement Policy checklist will be applied to district and school policies. Revision dates will be clearly marked on each policy.

The Title I Director will review policies during on-site monitoring visits. Plans include activities/workshops that have been identified and requested through the previous year's annual parent involvement survey. School improvement and parent involvement policies are posted on the website, available at the school, and hard copies are either in the student handbook or beginning school packets at each school. Each school in the Schley County School System holds an annual open house. These meetings give parents the opportunity to review and provide feedback on system-wide student data, parent activities, district and school Parent Involvement Plans, Schoolwide Title I Plans, district and school Comprehensive Improvement Plans. Parents are notified about this opportunity through advertisements in local media, school-level flyers, social media websites, the automated calling system, and the system website. The school district uses the comments provided by parents during the annual review/revision of documents at system

Leadership Team meetings, parent workshops, and School Council meetings. After the school system review/revision process, district and school Parent Involvement Policies are made available to parents on the district website and on Title I schools' websites. Parents are also given the opportunity to provide feedback about Title I programs by completing annual parent surveys. These comments are used by the District and Title I schools when planning parenting programs. Several plans are shared with faculty, staff, students, parents and community members on the school district web site located at: <http://www.schleyk12.org>. Plans include district and school improvement plans, parent involvement policies, Title I schoolwide plans, school compacts, flexible learning program plans, comprehensive LEA improvement plan, parents' right to know, complaint procedures, and policy on ethics and fraud, waste and abuse. Many of these plans are included in student handbooks. An automated calling system and information in first day packets inform parents about the availability of these plans. Parental input into the content of each plan is solicited during multiple meetings throughout the school year but especially at the annual Title I meeting conducted each fall.

School/Parent Compacts

All Title I schools are required to have parent compacts. It is the responsibility of the principal in coordination with the Parent Involvement Coordinator to make sure that all compacts are reviewed and revised annually. The review and revision will occur in the spring of the year at the annual Parent Advisory Council meetings, school council meetings, and parent workshops. Revision dates will be clearly marked on each compact. An invitation will be sent home to all parents in the school and meeting dates will be given in school newsletters and through the school's web site. The Parent Involvement Coordinator (PIC) will be responsible for setting up meetings and collecting required information (agenda, meeting notes, and sign in sheets). Parent compacts will include responsibilities for the teacher, parent, and students. Compacts will be distributed to all parties involved for signatures in the fall of the year. Copies of the signed parent receipt of the compact are kept on file in each classroom at the school level. The Schley County Board of Education believes that the public schools belong to the people who create them and that student educational goals should reflect the goals of the community. We affirm and assure the rights of parents to participate in the development of the goals and objectives of the public schools and encourage involvement in all areas of their children's educational experiences.

Annual Title I Meeting

All Title I schools are required to hold an annual meeting at the beginning of school. It is the responsibility of the principal in coordination with the Title I Director to arrange meeting times and invite all stakeholders to the meeting. The Title I Director will be responsible for collecting and submitting documentation of the required Title I annual meeting, including a copy of the invitation to parents, sign in sheet, agenda, and minutes to the Title I Director. Many schools hold their Title I meetings in conjunction with open houses or PTA meetings. The Annual Title I Meetings are held before or after the open houses or PTA meetings. Meetings are also announced via paper copies to parents, web sites, call system, radio announcements, and marquees at each school as Title I Meetings.

Since Schley does not receive Title I, Part C funds directly, Title III funds, ESOL monies, or McKinney-Vento, English learners, migrant, and homeless students and their parents are included in this meeting. Information is provided in English and Spanish, inviting them to the meeting and informing them of various services and support available to them.

Annual Evaluation of Parental Involvement

Process to Collect: The annual survey is provided to schools after parent advisors have reviewed and made suggestions for improvement of the survey. The parent survey is conducted in the fall. However, parents are informed of the availability of a paper survey if they so desire. Advertisement of the surveys and requests for completion occur through the newspaper, newsletters, web site, automated phone calls and radio announcements. The surveys are collected and compiled, and the following year's parent involvement activities are built from the responses.

Process to Review: The results of the surveys are shared among several groups of stakeholders, including, but not limited to, parents, school and central office administration, Parent Involvement Coordinator, School councils/Title I advisors and those attending the annual Title I meeting. Stakeholders review the results of the surveys while reviewing and revising the schoolwide and parent involvement plans and components.

Actions Taken by LEA to Improve the Quality and Effectiveness of Parent Involvement Policies and Practices: Title I Director and Parent Involvement Coordinator review the annual spring survey as well as the results from the previous spring surveys. Additions/deletions/revisions are discussed and agreed upon during this meeting. Formatting and revisions are made after the meeting and then sent back to advisors for comment. If no further suggestions are made, the surveys are sent to schools to print and send to parents without being embedded in other materials.

Parent involvement workshops and activities are planned for the following year from the annual spring survey results. Materials are also purchased for the parent resource center from expressed needs. Many opportunities are provided for building strong parent capacity to support academic achievement. The purpose is to ensure effective involvement of parents and to support a partnership among the schools, parents, and the community to improve student academic achievement through, at minimum, the following activities: annual meetings, conferences, e-mail communications, phone calls, parent workshops and activities, family nights, volunteering; School Council meetings, Open Houses, annual notification of CCPRI status, Newsletters/flyers/brochures, website information, and Board of Education meetings.

Capacity for Parent Involvement

Information is provided to school personnel and parents on how to build parent capacity through presentations made during meetings, through response to parent needs on surveys, through information received from the GADOE Parent Engagement department, and through student handbooks, newsletters/flyers. The Parent Involvement Coordinator considers and plans based on the six requirements for building capacity by answering the following questions:

1. What strategies/materials have been offered to parents on understanding academic content standards?

2. What training has been offered to parents related to literacy and the use of technology?
3. How have faculty and staff been encouraged to communicate with and involve parents in their child's education?
4. What efforts have been made to foster parental involvement in Pre-K programs?
5. What attempts have been made to communicate parental involvement information to parents using language parents can understand?
6. What other support do parents receive for parental involvement activities?

Required 1% Set Aside for Parental Involvement

Principals have the option of expending the 1% in Parent Involvement funds or submitting them back to the system level. Principals typically decide to direct those funds to a district level parent involvement activity/project by signing a District-wide Parent Activity Assurance form. The funds are used at the district level to fund a Parent Involvement Coordinator that serves all schools. Title I parent advisors participate in the discussion regarding this requirement during the system Title I meeting.

School Improvement Plans

School Improvement Plans are updated and revised each spring for the following school year. Each school leadership team conducts a spring retreat at which representatives from each grade level, content area, and department, as well as administration and parents meet to develop a plan. School administrators then present the plan at the Leadership Team meetings as they work with other schools, system leaders, and parents to develop a system improvement plan. It is through this process that the LEA oversees the development of school improvement plans. During the meetings, data is analyzed to identify and develop solutions to challenges related to instructional strategies, parent involvement, professional learning, and budgets. Additionally, system leaders attend leadership team meetings at each school. During various meetings throughout the school year, parents are involved in the planning, revising, and implementing phases of the process. Parents are also sent information inviting them to participate in the revision process at School Council meetings, via mail, email, telephone, flyers, website, and newsletters. Once revisions are made, the plan is placed on the website. Hard copies are also available at the schools.

Schoolwide Program

All schools within the Schley County School System conduct Schoolwide Programs. This allows all children and all parents an opportunity to have equal access to all related Title I assistance. School Improvement Plans/Schoolwide Plans are updated and verified at Leadership Team meetings after receiving feedback at Annual Title I Parent Meetings. Parents are also invited to a system level Spring Parent Advisory Council meeting. All schools will notify stakeholders in multiple ways. Notice of the meeting dates will be placed on each school's marquee and on the web site. Additionally, parents and other stakeholders will be notified by invitation sent from each individual school and all stakeholders will be notified using the

automated phone messaging system. Parents who cannot attend the meeting will be given the opportunity to obtain a copy from each school and submit input before the final revisions are approved. Revision dates will be clearly marked on each plan. At these meetings, parents and other stakeholders are given an opportunity to provide input on the Continuous Improvement Plan/Schoolwide Title I Plan, Parent/ Student/Teacher Compacts, Parent Involvement Plans, Flexible Learning Programs, and the Comprehensive LEA Improvement Plan.

LEA Guidance

Technical assistance and support to schools is provided in the areas of the annual needs assessment, comprehensive planning, implementation, and ongoing evaluation of each improvement plan. On-site meetings are held with principals to discuss the current status of their plans regarding improvement components. Items missing or in need of revision are marked on the plan and then rechecked when the revised plan is submitted. Copies of agendas and sign-in sheets from such meetings are collected and stored in a Title I notebook as evidence and documentation of meetings. As previously stated, system leaders support schools in developing, revising, implementing and coordinating school improvement/schoolwide plans during monthly District Administrative Leadership Team meetings. During the meetings, data is analyzed to identify and develop solutions to challenges related to instructional strategies, parent involvement, professional learning, and budgets.

Consolidation of Funds

Schley County Schools does not consolidate federal funds.

Targeted Assistance Programs

The Schley County School System does not have any targeted assistance programs.

Reservation of Funds

Title I schools are required to set aside funds within their budgets to meet the needs of homeless children and youth. When a student is identified as homeless, notes related to the situation are maintained, and a memo/email is sent to the Director of Food and Nutrition so that free meals are immediately available to the student. Homeless set-aside funds are used to purchase needed supplies and for tutoring services for identified homeless students on an as needed basis. The reservation amount provided by GADOE in the Title I, Part A allocation letter and worksheet is the amount set aside for Neglected and Delinquent children. The Annual Survey of Local Institutions for Neglected and Delinquent Children is completed each year; there are currently no residential institutions within Schley County. The Schley County School System currently has no Private Schools that have chosen to participate in the Title I program. If the Schley County School System ever has any Private School that choose to participate all Title I regulations for private school participation will be followed. The private school worksheet would be completed and attached to the Consolidated Application to ensure that all reservations related to parental involvement, instructional lead teachers, professional learning, and paraprofessionals have been reserved. The district uses the information provided by the GaDOE to determine

reservations for parental involvement, Private Schools, Foster Care, and Neglected and Delinquent.

Maintenance of Effort—Title I

GADOE compares the fiscal effort of the preceding year to the second preceding fiscal year and makes the maintenance of effort determination available to the system through a marked “met” or “unmet” on the consolidated application. Documentation for MOE is only required for districts that do not meet the required maintenance of effort. The Title I Director will pull the MOE information from the Consolidated Application each school year for documentation purposes.

Carryover

Typically, carryover funds are allocated in one of two ways: (1) to schools by increasing the per pupil amount or (2) the funds are allocated back to all the schools on an equal basis, giving each school an opportunity to spend the funds. Either way, schools must submit a written description of the expenditure requests. Equitable services are also recalculated depending on an allocation of funds for district level activities. Monthly budget sheets are monitored regularly throughout the year and calculations are made from these near the end of the school year to determine that no more than 15% will be carried into the following year. Title I Director tracks the spending of each program/school through the year via budget sheets. At the end of the school year, carryover information is updated and reviewed. Parent involvement, Flexible Learning Program (FLP), and professional development for Focus, and Priority schools are taken into consideration.

Title I, School Improvement

Monitoring and Oversight of School Improvement

All schools within the Schley County School System conduct Schoolwide Title I Programs. This allows all children and all parents an opportunity to have equal access to all related Title I assistance. All schools within an LEA will be involved in school improvement efforts through the work of the LEA, the RESA, and GaDOE. District School Improvement Specialists will work with schools to implement practices that have proven effective with improving schools. District School Improvement Specialists, along with the GaDOE, will establish clear expectations for personnel as they systemically support continuous improvement in all schools.

Review and Approval of School Improvement/Schoolwide Plans

School Improvement and Schoolwide Plans are updated each spring for the following school year. Each school leadership team conducts a spring retreat at which representatives from each grade level, content area, and department, as well as district and school administration and parents meet to develop a plan. During school leadership retreats, instructional strategies, parental involvement initiatives, and professional development activities are planned after a careful analysis of various data. Assistance is also provided to schools in their use of school improvement

funds to accomplish initiatives in their school improvement and schoolwide plans. School administrators then present their school plans at the Leadership Team meetings as they work with other schools, system leaders, and parents to develop a system improvement plan. It is through this process that the LEA oversees the development of school improvement plans.

Professional Development, Analyzing Data, Technical Support and Assistance

System leaders support schools in developing, revising, implementing and coordinating school improvement and schoolwide plans during monthly District Administrative and School Leadership Team meetings. During the meetings, data is analyzed to identify and develop solutions to challenges related to instructional strategies, parent involvement, professional learning, and budgets.

Title I, School Improvement 1003(g) Grant

The Schley County School System does not currently have any participating schools in this grant.

McKinney-Vento Program Education of Homeless Children and Youth

Although homeless individuals are not visible on the streets of Schley County, homelessness exists in our community. A combination of high housing costs and poverty causes many families to lose their housing. Many young people leave their homes due to abuse, neglect and family conflict. Children and youth who have lost their housing live in a variety of places, including motels, shelters, shared residences, transitional housing programs, cars, campgrounds and others. Their lack of permanent housing can lead to potentially serious physical, emotional and mental consequences. The Schley County School District will ensure that all children and youth receive a free appropriate public education and are given meaningful opportunities to succeed in our schools, in complete compliance with the requirements of the McKinney-Vento Act.

Under federal law, children and youth in transition must have access to appropriate public education, including preschool, and be given a full opportunity to meet state and local academic achievement standards. They must be included in state- and district- wide assessments and accountability systems. Our schools will ensure that children and youth in transition are free from discrimination, segregation and harassment.

Information regarding this policy will be: distributed to all students upon enrollment and once during the school year; provided to students who seek to withdraw from school; and posted in every school in the district, as well as other places where children, youth and families in transition receive services, including family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments, health departments and other social service agencies.

Definitions of Homelessness

- Children and youth in transition means children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and lack a fixed, regular, and adequate nighttime residence, including:
- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, camping grounds or trailer parks due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

High mobility rates have also been shown to lower test scores for stable students. Keeping students in their schools of origin enhances their academic and social growth, while permitting our schools to benefit from the increased test scores and achievement shown to result from student continuity. Therefore, in selecting a school, children and youth in transition shall remain at their schools of origin to the extent feasible, unless that is against the parent's or youth's wishes. Students may remain at their schools of origin the entire time they are in transition, and until the end of any academic year in which they become permanently housed. The same applies if a child or youth loses his or her housing between academic years.

Feasibility shall be a child-centered determination, based on the needs and interests of the student and the parent's or youth's wishes. Potential feasibility considerations include:

- Safety of the student;
- Continuity of instruction;
- Likely area of family's or youth's future housing;
- Time remaining in the academic year;
- Anticipated length of stay in temporary living situation;
- School placement of siblings; and
- Whether the student has special needs that would render the commute harmful.

Services that are required to be provided, including transportation to and from the school of origin (see below) and services under federal and other programs, shall not be considered in determining feasibility.

Procedures for Enrollment and Awarding Credit

Consistent, uninterrupted education is vital for academic achievement. Due to the realities of homelessness and mobility, students in transition may not have school enrollment documents readily available. Nonetheless, the school selected for enrollment must immediately enroll any child or youth in transition. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

- Proof of residency;
- Transcripts/school records (The enrolling school must contact the student's previous school to obtain school records. Initial placement of students whose records are not

immediately available can be made based on the student's age and information gathered from the student, parent and previous schools or teachers.);

- Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the liaison to assist with obtaining immunizations and/or immunization and other medical records. Health records may often be obtained from previous schools or state registries, and school- or community-based clinics can initiate immunizations when needed.)

The following services will be immediately available for homeless youth enrolling in Schley County Schools:

- Transportation
- Title I services, including free meals;
- Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners;
- Vocational and technical education programs; • Gifted and talented programs; and • School nutrition programs.

The district recognizes that homeless youth struggle to earn full or partial credit for completed work as they struggle with food and housing security issues. Schley County offers partial credit to students transferring into the district in the middle of a grading period. They also offer credit recovery programs free of charge to homeless youth, and, when necessary, academic support with online learning and independent study programs.

The district recognizes that children and youth in transition suffer from disabilities at a disproportionate rate, yet frequently are not evaluated or provided appropriate special education and related services. To address this problem, evaluations of children and youth in transition suspected of having a disability shall be given priority and coordinated with students' prior and subsequent schools as necessary, to ensure timely completion of a full evaluation. When necessary, the district shall expeditiously designate a surrogate parent for unaccompanied youth suspected of having a disability. If a student has an Individualized Education Program (IEP), the enrolling school shall immediately implement it. Any necessary IEP meetings or re-evaluations shall then be conducted expeditiously. If complete records are not available, IEP teams must use good judgment in choosing the best course of action, balancing procedural requirements and the provision of services. In all cases, the goal will be to avoid any disruption in appropriate services.

When applying any district policy regarding tardiness or absences, any tardiness or absence related to a child's or youth's living situation shall be excused. Our school district will follow state procedures to ensure that youth in transition and youth who are out of school are identified and accorded equal access to appropriate secondary education and support services. School personnel shall refer children and youth in transition to appropriate health care services, including dental and mental health services. The liaison will assist the school in making such referrals, as necessary.

School personnel must also inform parents of all educational and related opportunities available to their children and provide parents with meaningful opportunities to participate in their children's education. All parent information required by any provision of this policy must be provided in a form, manner and language understandable to each parent.

Disputes

If a dispute arises over any issue covered in this policy, the child or youth in transition shall be immediately admitted to the school in which enrollment is sought, pending final resolution of the dispute. The student shall also have the rights of a student in transition to all appropriate educational services, transportation, free meals and Title I services while the dispute is pending. The liaison shall also obtain from every school the name and contact information of a building liaison. Building liaisons will lead and coordinate their schools' compliance with this policy and will receive training from the district liaison annually.

Coordination

The liaison shall coordinate with and seek support from the State Coordinator for the Education of Homeless Children and Youth, public and private service providers in the community, housing and placement agencies, the pupil transportation department, liaisons in neighboring districts and other organizations and agencies. Coordination will include conducting outreach and training to those agencies and participating in the local continuum of care, homeless coalition, homeless steering committee, and other relevant groups. Both public and private agencies will be encouraged to support the liaison and our schools in implementing this policy.

Preschool

Preschool education is a very important element of later academic success. Children in transition have experienced many difficulties accessing preschool opportunities. To facilitate preschool enrollment and attendance, the provisions of this policy will apply to preschools. Our district will ensure that children in transition receive priority enrollment in preschool programs operated by the district, including exempting children in transition from waiting lists. Children in transition with disabilities will be referred for preschool services under the Individuals with Disabilities Education Act (IDEA). Children in transition under age three will be referred for at-risk services under Part C of IDEA (Babies Can't Wait) and screened to determine if referrals for additional Part C services are appropriate. The liaison will collaborate with Head Start, PEECH programs and other preschool programs to ensure that children in transition can access those programs.

Services for Children in Foster Care

Definition

“Foster Care” means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed, and payments are made by the State, Tribal or local agency for the care of the

child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made.

General Provisions

In December 2015, Congress passed Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA) and built on the legislative successes outlined above by instituting new protections for children in foster care. On December 10, 2016, the Ensuring Educational Stability for Children in Foster Care Guidance became effective. The foster care provisions of Title I, Part A (Title I) of the ESEA emphasize the importance of collaboration and joint decision-making between child welfare agencies and educational agencies to increase the educational stability of and to improve educational outcomes for foster care youth placed in homes within the geographical boundaries of a school district. The district shall implement the Title I educational stability requirements for children and youth in foster care, ensuring that:

1. A child in foster care remains in his or her school of origin (the school in which a child is enrolled at the time of placement in foster care), unless it is determined that remaining in the school of origin is not in that child's best interest;
2. If it is not in the child's best interest to stay in his or her school of origin, the child is immediately enrolled in the new school even if the child is unable to produce records normally required for enrollment; and,
3. That the new (enrolling) school immediately contacts the school of origin to obtain relevant academic and other records.

Local Point of Contact

The Schley County School System designates a foster care liaison to work with school staff and child welfare agencies. The Student Services Director serves as the Foster Care Point of Contact (POC) for the district and will assume responsibility for streamlined communication, collaboration, and coordination with The Department of Family and Children Services (DFCS), DFCS Case Managers, and Educational Programming, Assessment and Consultation (EPAC) Services. Such collaboration will ensure the smooth implementation of provisions outlined in ESSA to include: thoughtful best interest determinations; appropriate and timely transportation plans for those children placed out of the zone of their school of origin; and, immediate enrollment and records transfer.

The responsibilities of the District Foster Care POC include:

- coordinating with the corresponding child welfare agency POC on the implementation of the Title I provisions;
- leading the development of a process for making the best interest determination;
- documenting the best interest determination;
- facilitating the transfer of records and immediate enrollment;
- facilitating data sharing with the child welfare agencies, consistent with FERPA and other privacy protocols;
- ensure effective and confidential data collection and sharing;
- developing and coordinating local transportation procedures;

- managing best interest determinations and transportation costs disputes; • ensuring that children in foster care are enrolled in and regularly attending school; and
- providing professional development and training to school staff on the Title I provisions and educational needs of children in foster care, as needed.

Educational Stability

When determining best interest determinations, every effort will be made to gather meaningful input from relevant parties, in addition to required child welfare and school representatives, in deciding what school placement is in a child's best interest. The best interest determination should follow these steps:

1. The child welfare agency notifies the child's current school that the child will be moving to a new residence and the necessary time frame for determining the child's most appropriate school placement.
2. The school provides the child welfare agency information on the appropriateness of the current educational setting and the child welfare agency considers this information and the distance from potential placements to the child's current school in the decision-making process.
3. The child welfare agency and the child's current school jointly determine the child's best interest for school placement, in consultation with the child and other key partners (foster parents, biological parents, school counselors, etc.).
4. The best interest determination for school placement is completed as quickly as possible after the child welfare agency notifies the school of the decision of the child's new residence; the child remains in the same school during that time, unless contrary to the child's best interest.
5. The child welfare agency arranges for transportation and payment of transportation expenses for the child to remain in the school of origin.

Transportation for Children Placed in Foster Care

Some children in foster care will need transportation to remain in their school of origin when it is in their best interest. To facilitate transportation for these children, any district receiving Title I funds must collaborate with the State or local child welfare agency/agencies to ensure that transportation for children in foster care is provided, arranged, and funded.

When transportation is an issue, Schley County Schools will collaborate with DFCS, case managers, foster parents, and other appropriate agencies and/or persons to develop a transportation plan that meets the needs of the individual child in foster care. "No cost plans" will be explored initially and may include the following:

- a. Foster parent transports child to school of origin (within 25 miles round trip);
- b. Foster parent transports child to nearest school transportation pick-up location; or
- c. SCSS will follow existing plan for transporting children with disabilities when the foster child is disabled.

In the event that the above options are not feasible and additional costs are incurred, Schley County Schools and DFCS will share transportation costs: DFCS assuming responsibility

for extraordinary costs, such as contracting with transportation companies, and SCSS assuming liability/or costs associated with re-routing district transportation. Together, all parties will explore the following options:

- a. SCSS will re-route transportation to pick up child at nearest bus stop or at foster home (as determined by the district's Transportation Director) and transport directly to school of origin;
- b. SCSS will re-route transportation to pick up child at agreed-upon point at county line in the event that child is placed in a neighboring county;
- c. DFCS will arrange for payment to foster parent(s) for transportation greater than 25 miles round trip; or
- d. DFCS will utilize existing contracts with transportation companies to provide transportation to school of origin or to agreed-upon point at the county line when the child is placed in a neighboring county.

In the event of a dispute, Schley County Schools and the Schley County DFCS will defer to the district's Title I Director and DFCS County Director for final determination of resolution. The school district will provide or arrange for adequate and appropriate transportation during the dispute resolution process.

Immediate Enrollment and Records Transfer

Children in foster care who change schools frequently may not have the documentation required to enroll in a new school. In addition, failure of schools to promptly transfer records to the new school can lead to further delays in enrollment. These delays can negatively impact attendance and lead to other adverse consequences, such as being incorrectly enrolled in classes and not receiving the necessary academic services. When a determination is made that remaining in the school of origin is not in a child's best interest, Schley County Schools must ensure that a child in foster care is immediately enrolled in his or her new school even if the student does not have the required documentation. In addition, enrollment must not be denied or delayed for any population of students (e.g., justice-involved youth in foster care, students with disabilities receiving special education and related services, or ELs receiving language services) because documents normally required for enrollment have not been provided. The enrolling school must then contact the student's prior school for relevant records and documentation.

Title I, Part C - Migrant Education Program (MEP) Services

Parent Occupation Survey

All students, at the beginning of each year, or upon enrollment, complete the GaDOE Parent Occupation Survey. Students who check two of the boxes (that indicate a recent move and an agricultural career) affirmatively are referred to our Area MEP Program Specialist, who determines their eligibility for the Migrant Education Program, and, through the consortium, offers a variety of services, including, but not limited to tutoring, home visits, career guidance, and college/finance guidance.

MEP Consortium

Teachers are notified of migrant students in their classes and made aware of the abovenamed resources. Together, with the district's Migrant Education Coordinator and the Area MEP

Program Specialist, they work to meet the needs of these students. Services offered by the Consortium include tutoring, translation services, and transportation to and participation in statewide MEP programs.

The Migrant Education Coordinator sends progress reports to the Area Program Specialist each grading period, report cards each grading period, along with attendance, standardized test scores, and, when applicable, discipline reports. Teachers of MEP students give written feedback on each student at least once a year. That feedback is forwarded to the Area MEP Program Specialist.

Schley County's numbers of migrant students have been very small, from two in 2010 to seven in 2016-17. Still, we do all we can to support them and their families to not only keep them in school but help them maintain a measure of success in school. We initiate contact with parents early in the year, at the annual Title I meeting, and make teachers aware of these students' additional needs for support. Home visits to the families, by the area MEP Program Specialist, reveal various needs of the families, from translation services to school supplies.

Services for Neglected and Delinquent Children

Purpose

The purpose of Title I, Part D is to:

1. improve educational services for children and youth in local and state institutions for neglected or delinquent children and youth so that such children and youth have the opportunity to meet the same challenging state academic content standards and academic achievement standards that all children in the
2. State are expected to meet;
3. to provide such children and youth with the services needed to make a successful transition from institutionalization to further schooling or employment, and
4. to prevent youth who are at-risk from dropping out of school, and to provide dropouts and children and youth returning from correctional facilities with a support system to ensure their continued education.

Currently, there are no local or state institutions for neglected or delinquent youth in the geographical boundaries of the Schley County School District.

Title II, Part A - Teacher and Leader Effectiveness

The goal of the Title II-A program is to increase student achievement consistent with challenging state academic standards; to improve the quality and effectiveness of teachers and

principals; to increase the number of teachers and principals who are effective in improving student academic achievement in schools; and to provide low-income and minority students greater access to effective teachers and principals. The Schley County School System will monitor the implementation of federal programs and the expenditure of all funds associated with these programs.

Title III and English to Speakers of Other Languages (ESOL)

Purpose

The English Language program is designed to provide consistent and non-discriminatory procedures throughout each school within Schley County as recommended by the U.S. Office for Civil Rights, Department of Education.

Enrollment and Screening

Upon entering school in Schley County, students and their parents complete enrollment forms that include the State-approved Home Language Survey. Students who indicate that English is not their primary language are screened using the WIDA screener to indicate their level of English proficiency, within the first 30 days of enrollment.

Parent Notification

Parents are notified within the first two weeks of school of their child's level of English proficiency and the services he/she/they will receive based on that screening. Parents are notified again at the end of the year, following ACCESS testing for ELs. In addition, students who indicate that English is not the primary language spoken in their home receive handouts and letters home in their home language. A translator, when available is used for all communications; when one is not available, Google Translate is used to convert documents from English to the students' home language.

ESOL Endorsement

Students who are identified as English learners are served by an ESOL-certified teacher in the building, within the regular classroom setting.

Schley County is no longer part of a Title III Consortium, which helped fund staff development for ESOL endorsement and other professional development opportunities, including the Federal Programs Conference and Title III Consortium workshops. Regular ESOL and general curriculum funds are now used to purchase materials and equipment for EL students and their teachers.

ACCESS

In the spring of each year, ELs are administered the ACCESS test for English proficiency. Test administrators and the Testing Coordinator participate in WIDA training for administering the tests. Students earning a score of 4.7 or higher are considered English proficient and are exited

from the program. Students exited from the program are monitored for four calendar years following their exit.

Title IV, Part A Student Support and Academic Enrichment

Authorized in December 2015, the Every Student Succeeds Act (ESSA) introduced a new block formula grant under Title IV, Part A. Title IV, Part A, Student Support and Academic Enrichment (SSAE) grants are intended to improve students' academic achievement by increasing the capacity of States, LEAs, schools, and local communities to:

- provide all students with access to a well-rounded education;
- improve school conditions for student learning, and
- improve the use of technology in order to improve the academic achievement and digital literacy of all students. (*ESEA* section 4101).

Current plans are for the Georgia Department of Education (GaDOE) to award grant funds under the new SSAE program, through formula, to eligible school districts in Georgia beginning in the 2017-2018 school year (July 2017).

Individuals with Disabilities Act (IDEA) Fiduciary Procedures

Use of IDEA Funds

IDEA Grant (611 and 619 Part B) funds that are allotted to the districts may be used for staffing, educational materials and supplies, equipment and other excess cost items to provide special education and related services, as well as for supplementary aids and services, to students with disabilities. Funds must only be used for special education purposes unless otherwise specified by a permissive use of funds form.

IDEA Allowable Costs

Any purchases made with federal funds must follow the guidelines for allowable costs. The Schley County School System's Federal Programs will follow federal regulations included in Title 2, Subtitle A, Chapter II, Part 200, ensuring that costs must be necessary, reasonable, allocable, and documented. Purchases will also adhere to any memos, letters, and/or communication regarding allowable or unallowable purchases.

Expenditure of funds must meet the clause of "necessary, reasonable, allocable, and documented." When considering a purchase with IDEA funds, ask:

1. Is the cost reasonable to address a valid need?
2. Is the cost necessary for the performance of the grant?
3. Do sound business practices support the expenditure?

4. Does the expense support the purpose of the grant?
5. Is the expense in compliance with laws, regulations and grant terms?
6. Is the cost a fair rate?
7. Does the district have the capacity to use the purchase?
8. Will the expenditure have an educational benefit within the grant period of availability?
9. To prove and document allocability, is the amount charged to the grant commensurate with the benefit received?

For a cost to be allowed, it must be an excess cost of providing special education and related services for IDEA Part B or Preschool federal funds.

For equipment purchases not originally included in the Consolidated Application, prior written approval from GaDOE is required for purchases of those items of equipment that have a per unit cost of \$5,000 or more.

Supplement Not Supplant

Under the federal “supplement not supplant” requirement, the Schley County School System’s Federal Programs may only use federal funds to supplement and, to the extent practical, increase the level of funds that would, in the absence of the federal funds, be made available from local and state sources for the education of participating students. In no case will the school district use federal program funds to supplant—or take the place of—funds from other sources. The Schley County School System may use IDEA Part B funds only to pay the excess costs of providing special education and related services for the district’s children with disabilities. These IDEA funds must be used to supplement local, state, and other federal funds and shall not be used as the primary source of funding the education costs of students with disabilities.

Maintenance of Effort

In general, federal funds appropriated under Part B of IDEA may only be utilized to cover the excess costs of providing special education and related services to students with disabilities. These federal funds must supplement/increase the level of other federal, state and local funds expended for special education and related services and in no case supplant these funds.

The term “Maintenance of Effort” (MOE) generally refers to a requirement placed upon many federally funded grant programs that demonstrate that the district’s level of state and local funding remains constant from year to year.

IDEA requires that school districts, as a condition of eligibility for Title VI, Part B funds, must complete the MOE Eligibility Form along with IDEA budget submission, in which the district budgets to expend, at the least the same amount in one of the four sources: state and local aggregate, state and local per pupil, local aggregate, or local per pupil. The eligibility standard must be met for IDEA 611 and 619 grants to be approved.

The school system must expend, at least the same amount from each of the following sources: state and local aggregate, state and local per pupil, local aggregate, or local per pupil, for the education of students with disabilities.

GADOE uses a compliance test to annually compare the fiscal effort of the preceding year to the second preceding fiscal year and makes the MOE determination available to the system through a marked “met” or “unmet” in the Consolidated Application.

If an LEA does not meet eligibility or compliance, the LEA may request allowable exceptions or adjustments to be processed. There are five allowable exceptions by which a district may reduce its level of expenditures:

- a. The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel;
- b. A decrease in the enrollment of children with disabilities;
- c. The termination of the obligation of the agency to provide a program of special education to a child with a disability that is an exceptionally costly program because the child has left the jurisdiction, aged out of special education, or no longer needs the program of special education;
- d. The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities; (this requires prior approval from GADOE); and
- e. The assumption of cost by the high cost fund operated by the state department under §300.704(c).

IDEA Excess Cost Reporting

Excess costs are those costs for the education of an elementary school or secondary school student with a disability that are in excess of the average annual per pupil expenditure in each school district. Every district must spend at least the average annual per pupil expenditure on the education of a child with a disability before funds under IDEA, Part B are used to pay the excess costs of providing special education and related services. This Excess Cost calculation demonstrates that the school system is not using federal funds in place of local and state funds for the core educational program regarding students with disabilities. In other words, the school system must be able to demonstrate that it expended the total average annual per pupil expenditure for the education of children with disabilities during that fiscal year, in addition to the Part B funds received. However, these funds must be used to supplement state, local, and other federal funds and not to supplant them.

Federal law requires the school district to compute the minimum average amount separately for children with disabilities in its elementary schools and for children with disabilities in its secondary schools. This will provide the total expenditure amount, at minimum, to spend on students with disabilities before using federal IDEA funds for excess costs. These costs are calculated each year based on average per pupil expenditures and student population information. The following documents used when calculating excess cost:

DE046 - Financial Analysis Report (Actual) FTE reports:

FT002 - Student Enrollment by Grade Level

FT017 - Special Education Child Count

When determining Excess Cost, consider the following questions:

In the absence of special education needs, would this cost exist?

Yes – the cost is not allowed

No – the cost may be allowed

Is this cost also generated by students without disabilities?

Yes – the cost is not allowed

No – the cost may be allowed

If it is a child specific service, is the service documented in the student's IEP?

Yes – the cost may be allowed

No – the cost may not be allowed

Grant for High Cost Funds

High Cost Funds are those used to assist school districts in covering the direct special education instructional costs of “High Needs” children with disabilities. A “High Needs Child” is defined as a child who has been identified as eligible for special education and related services and has a current Individualized Education Program (IEP). The intensity, frequency and diversity of the special education and related services needs of the child exceed the typical needs of a child with a disability and may present a significant impact on the financial resources of a school system.

Districts may request reimbursement for instructional costs for a high needs child, if the district can show that the expenditures for the child exceeded three times the average per pupil expenditure calculated for the system.

Allowable expenditures include, but are not limited to; one to one assistance, extended school year services, specially trained related service providers, public or private day programs, specialized equipment or materials/supplies specific to the child and contracted services. The costs eligible for reimbursement shall not include the following: legal fees, court costs or other costs associated with a cause of action brought on behalf of a child with a disability to ensure a free appropriate public education, non-extraordinary nursing costs, English language instruction, indirect costs and administrative or leadership costs associated with the provision of the services to the child.

Transportation costs are limited to personnel, equipment or services required for the specific high need costs as identified in the child's IEP. Any transportation costs not specific to the high need student or prorated for this student will be unallowable.

Currently, the Schley County School System has no high need students that significantly exceed the per pupil expenditure amounts.

Coordinated Early Intervening Services

Coordinated Early Intervening Services (CEIS) are provided to assist students in K – 12th grades (with an emphasis on students in K – 3rd grades) who are not currently identified as needing special education or related services, but who need additional academic and/or behavioral assistance to enable them to be successful in a general education environment. IDEA permits, and in some instances, requires school districts to use a portion of funds provided under Part B of the IDEA for the purpose of providing CEIS to reduce academic and behavioral problems in the

general education environment, thereby leading to fewer and more appropriate referrals for special education services.

Whenever a district is determined by the State, based on the district's numerical data, to have significant disproportionality in the identification, placement and/or discipline of children with disabilities, the district must use the maximum amount of 15 percent of federal funds for CEIS to help address issues of disproportionality.

Federal regulations specify (1) how and on whom CEIS funds may be spent; (2) the reporting requirements for school districts providing CEIS; (3) the requirement for using CEIS funds by a district that is identified as having significant disproportionality; and (4) the relationship of CEIS to maintenance of effort requirements. To apply to use IDEA funds for CEIS, the district must describe how the proposed expenditures for CEIS will be used. The plan must be relevant in assisting the district to address the targeted area of disproportionality.

Currently, the Schley County School System has not been cited as significantly disproportionate. Therefore, no 611 and 619 Part B IDEA funds are being used to provide CEIS.

IDEA Program Monitoring and Compliance

Confidentiality of Personally Identifiable Information (160-4-7-.08)

Definition

Education records are records that are:

- a. directly related to a student; and
- b. maintained by an educational agency or institution; or by a party acting for the agency or institution.

Confidential Information

The Schley County Student Services Department shall protect the confidentiality of personally identifiable information for all students at collection, storage, disclosure, and destruction.

All special education records will be handled and maintained in such a manner as to insure confidentiality. Confidentiality information will be provided in the parent's native language.

Access Rights and Required Procedures

The Schley County School System Student Services Department will adhere to the system's policies regarding compliance with FERPA regulations, the Student Data Privacy, Accessibility, and Transparency Act of Georgia (the Act) as well as the Georgia Open Records Act (see Schley County School District, Policy Descriptor Code: JR – Student Records). Parents are permitted to inspect and review any educational records that are collected, maintained, or used by the Schley County School System. Special education staff at each school

shall refer all requests to the Schley County Student Services Department. The Schley County Student Services Department will comply with the request prior to an IEP meeting, due process hearing, or resolution session. At no time will the Schley County Student Services Department respond beyond forty-five (45) days of receiving a request to inspect or review a student's educational records.

Parents will have the following rights pertaining to records:

- a. the right to inspect, review, and have copies of all education records;
- b. the right to have an explanation and interpretation of records;
- c. the right to have a representative of the parents inspect and review the records, unless the district has been advised that the parents do not have legal authorization, as identified through legal documents concerning guardianship, separation, or divorce; and
- d. the right to request an amendment of any records with which they disagree.

At the age of 18, the rights of parents regarding education records will transfer to the adult student.

Student records are stored in locking file cabinets. Selected system personnel have unlimited access to records, including:

- a. Building principals,
- b. Assistant principals,
- c. Schley County Student Services Department personnel,
- d. School psychologists,
- e. Special education teachers, and
- f. Guidance counselors

The district shall keep a record of parties obtaining access to education records collected or maintained. Exclusions include access made by parents and authorized Schley County School System employees. When there is a legitimate purpose, other school personnel may access records after:

- a. printing and signing the folder's access form,
- b. listing the purpose for reviewing or using the records, and
- c. entering the date access was given.

For education records that contain information on more than one student, Schley County School System personnel may inform the parent of specific information, pertaining to his or her child. If a parent requests to inspect or review the data which contains information on more than one student, Schley County School System personnel will redact the personally identifiable information on other students, before allowing the parent to inspect or review the record. Following the placement committee meeting, confidential records shall be kept under lock and key. Once a student is evaluated for special education eligibility, records are maintained as follows:

- a. If the child is eligible to receive special education services and consent for services is obtained, records will be filed in the Student Services Department at the Board of Education. Selected portions of the student's working file may be photocopied and retained student's IEP Case Manager. All original documents will be filed and maintained in the Student Services Department at the Board of Education.

- b. If the student is not eligible for special education services, the documentation remains with the SST Coordinator at each school site to be moved up as child proceeds to higher grades. The SST Coordinator ensures that all documents are always maintained under lock and key. All psychological evaluations are identified as confidential information and shall not be readily accessible to any stakeholder.

The Schley County School System may elect to charge a fee for photocopying special education records, if, and only if, the fee does not effectively prevent the parents from exercising their right to review and inspect those records. No fee may be charged for the search and retrieval of information or records.

Amendment of Records at Parent's Request

If a parent believes that students' rights have been violated, or that information is inaccurate or misleading, the parent may request an amendment to educational records. Special education staff at each school shall refer all requests for an amendment to the Schley County Student Services Director. Within forty-five (45) days, the district shall decide whether to amend the information, as identified by the parent's request, or to refuse the amendment request.

For amendment refusals, the Schley County Student Services Director will inform the parent, in writing, of the district's decision. Correspondence shall also include the parent's right to a hearing.

Results of a Hearing

If the results of a hearing indicate that information included in education records information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, the Schley County Student Services Director will amend the information accordingly and will inform the parent, in writing, of the necessary changes in the education record.

If, however, the district determines that the education record does not violate any student's rights or does not contain any inaccurate or misleading information, the Schley County Student Services Director will notify the parent, in writing, of the district's decision to maintain the document as recorded. In the written correspondence, the district will inform the parent of the right to place a statement in the education record, indicating the parent's dispute with the record and justification for disagreeing with the district's decision.

Any statements or explanations will remain in the student's record, until time of destruction, as stipulated by the Schley County School Board Records Policy (see Schley County School District, Policy Descriptor Code: BE). The statements or explanations must be included, as part of any record's request.

Consent

The Schley County Student Services Director will receive parental consent, in writing, before disclosing personally identifiable information to any third party. Exceptions include:

- a. Parents of eligible children;
- b. School personnel, including teachers and cooperating or shared service agency representatives;

- c. School officials from another school system or postsecondary education institution. When the district receives a request from a postsecondary education institution, the Schley County School System will notify the student's parents of the transfer and will provide the parent with a copy of the transferring record. If the parent wishes to challenge the contents of the record, the district will conduct a hearing, allowing the parent to challenge the content of the record;
- d. Authorized Federal, State, or local representatives in connection with an audit or evaluation of supported education programs, as well as enforcement of or compliance with legal requirements;
- e. Financial aid representatives for which a student has applied or has received funding, if the information is necessary to assist the student;
- f. Organizations conducting studies for educational agencies or institutions to develop, validate, or administer predictive tests, administer student aid programs, or improve instruction;
- g. Accrediting organizations;
- h. Representatives of the judicial circuit, whereby the agent has issued a judicial order or subpoena. The Schley County School System will attempt to notify the parent of the request before releasing the records, unless the judicial order or subpoena strictly prohibits disclosure to the parent;
- i. Health or safety emergency personnel, if the records contain information that would protect the health or safety of the student or other individuals;
- j. Data identified as "directory information" (Prior to releasing "directory information," the Schley County School System will release a public notice to parents and eligible students of the types of personally identifiable information that the district deems as directory information. The public notice will inform parents and students of the right to refuse any or all types of information about the student as directory information. If a parent or student refuses disclosure of directory information, the Schley County School System must receive, in writing, within forty-five (45) days the request to disclose any or all types of information as directory information;
- k. The Office for Civil Rights;
- l. Officials within the Department of Human Resources, Department of Corrections, Department of Juvenile Justice, and Department of Labor for the purposes of making appropriate educational decision regarding the student's placement; and
- m. Vocational Rehabilitation requests for records.

Safeguards

The Schley County Student Services Department will maintain confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction states. Unauthorized persons are not permitted to receive personally identifiable information without parent consent. The Schley County Student Services Department will ensure that parent consent is received before releasing personally identifiable information to any third party, unless the third party serves as an exclusionary member listed under the Consent section of this manual. To

ensure compliance with the collection or use of personally identifiable information, the Schley County School Superintendent will assign a designee to provide annual training on the district's policies and procedures.

Destruction of Information

The Schley County School System Student Services Department will adhere to the system's policies regarding the destruction of education records, in accordance with FERPA regulations, as well as the Georgia Open Records Act (see Schley County School District, Policy Descriptor Code: BE – School Board Records).

Prior to the destruction of any student record, the Schley County Student Services Department will notify parents by mail that the special education records are no longer needed to provide education services to the student.

Special education records may only be destroyed when:

- a. The child is twenty-seven (27) years old or older; and
- b. The district publishes (in the newspaper, on the district website) notification at least thirty (30) in advance to inform parents that personally identifiable information collected, maintained, or used in the provision of a FAPE is no longer needed to provide educational services to the child.

The information must be destroyed at the request of the parents when the information is no longer needed to provide educational services to the child. If an outstanding request to inspect records has been issued by a parent or eligible student, the Schley County Student Services Department will refrain from destroying any educational record.

Selected portions of the records, specifically a permanent record of a child's name, address and telephone number, grades, attendance record, classes attended, grade level completed, and year completed, may be maintained without limitation. A student's educational permanent record will be maintained by the Schley County Board of Education indefinitely.

Student Support Team (160-4-2-.32)

Definition

Student Support Team (SST) is an interdisciplinary group that uses a systematic process to address learning and/or behavior problems of students, K-12, in a school.

Requirements

The Schley County School personnel shall follow the Student Support Team (SST) procedures as outlined in the Schley County School Response to Intervention and Section 504 Plan Manuals. Each school shall have a minimum of one SST Coordinators and shall establish support team procedures.

Before submitting a referral for supplemental or support services, the School Level SST Coordinator shall ensure that the Consent for Evaluation/Assessment has been reviewed and signed by the parent(s), guardian(s), or surrogate(s). Any prior evaluation and/or assessment,

conducted for a state or federal program, shall be considered as having met the evaluation and/or assessment requirement.

The SST Committee shall include, at a minimum, the referring teacher and at least two of the following participants (as appropriate to the needs of the student):

- a. Parent
- b. Principal/Assistant Principal,
- c. General education teacher,
- d. Counselor,
- e. Lead teacher,
- f. School psychologist,
- g. Subject area specialist/Academic Coaches,
- h. ESOL instructor,
- i. Special education teacher,
- j. School social worker,
- k. Central office personnel,
- l. Student Services Director, and
- m. Any other appropriate personnel.

Parents/guardians shall be invited to participate in all meetings of their child's SST and in the development of interventions for their child. Each school shall include the following steps in the SST process:

1. Identification of learning and/or behavior problems.
2. Assessment, if necessary.
3. Educational plan/Interventions
4. Implementation of plan
5. Follow-up and support
6. Continuous monitoring and evaluation

Documentation of SST activities shall include, at a minimum, the following:

- a. Student's name,
- b. Names of team members,
- c. Meeting dates,
- d. Initial referral to SST,
- e. Notice of SST Referral
- f. Identification of student learning and/or behavior problems,
- g. Student Background Information,
- h. Any records and results of assessments (in-school screenings), completed within a 12-month period,
- i. SST minutes,
- j. Education plan and intervention implementation results (SST strategies and interventions for Tiers I – III, depending on the student's progression in the MTSS process),

- k. SST final recommendation

Student Support Team Process Checklist

This checklist serves as a guide to completing the SST process and may not be all inclusive for all MTSS/SST cases.

1. Teacher notifies the school MTSS coordinator that there is a need to open an MTSS /SST case for an unresolved academic or behavioral problem.
2. MTSS coordinator activates the RTI /SST file and provides the teacher with the Referral to SST Form.
3. Teacher mails or sends home the Parent Invitation Letter and Parent Background Information form.
4. Initial SST meeting held with the teacher, the parent, and at least one other School Level Team member (a minimum of three team members required) and student records reviewed. Examples of records to be reviewed include, but are not limited to:
 - a. Background Information Form
 - b. Baseline data from Tier I and Tier II
 - c. Interventions developed to address individual student needs
 - d. Cumulative records
5. Interventions implemented with fidelity and progress monitored regularly documented.
6. Follow up SST meeting scheduled
7. Follow up SST meeting held to review data from progress monitoring plan. If progress is being made, continue with intervention and set a new goal. If progress is not being made, review other interventions and create new intervention and progress monitoring plan with a new schedule.
8. Interventions must be delivered for a minimum of 4 ½ weeks. Multiple meetings may be held to review and adjust goals and interventions during those 4 ½ weeks as deemed appropriate for the student by the SST.
9. Conduct additional SST meeting(s) as needed following steps 6 and 7 above.
10. If the student is not making adequate progress and a disability is suspected, the SST Coordinator will contact the School Special Education Liaison or Student Services Director to arrange attendance at the follow-up meeting to determine if a referral for a 504 or a special education evaluation is merited.

Exceptions to the Use of the SST Process

If school personnel and parents/guardians determine that a reasonable cause exists to bypass the SST process, the school personnel, in conjunction with the parents/guardians, shall issue a justification statement explaining the reasons for bypassing the SST process. The document must contain a statement which indicates the parents/guardians agreement with the decision to bypass SST, as well as signatures of all parties involved in the decision-making process. The student's record must, also, identify interim strategies, interventions, and modifications that will be used to aid the student.

Students who transfer into the district with a current and valid Individualized Education Program (IEP) or Section 504 Plan are not required to enter the Student Support Team process.

Child Find Procedures (160-4-7-.03)

Definition

Child Find is a component of Individual with Disabilities Education Act (IDEA) that requires states to identify, locate, and evaluate all children with disabilities, aged birth to 21, who need early intervention or special education services.

General Procedures

Under the Individuals with Disabilities Education Act (IDEA), the Georgia Department of Education and the Schley County School System have an obligation under the Individuals with Disabilities Education Act (IDEA) to identify, locate, and evaluate all students with disabilities residing within the district who need special education and related services from ages 0 through 21 years, regardless of the severity of their disability. Schley County Schools serve children, ages 3 through 21, with identified special education needs. This includes:

- preschool children, ages 3 through 5, who may not be enrolled in a Georgia-funded prekindergarten and kindergarten, including children who are parentally placed in private preschools or daycare centers outside the LEA;
- children who are enrolled in a public school within the LEA, including public charter schools;
- children who are parentally placed in private and home schools located within the LEA's jurisdiction (refer to the Private Schools Chapter of this manual for additional information on private school Child Find responsibilities);
- highly mobile children, including migrant, homeless, and children who are wards of the state;
- children served in community programs, such as rehabilitation centers, daycare centers, etc.;
- children who are incarcerated in facilities operated by the local sheriff's office or other municipalities;
- with regard to Georgia Department of Juvenile Justice and Georgia Department of Corrections, children incarcerated in state juvenile or correctional facilities; and
- any other children suspected of having disabilities, even when those children may be progressing from grade to grade.

Each year, the Schley County Schools Student Services Department initiates an awareness campaign for the purpose of discovering those individuals who may candidates for special education and/or related services. The Student Services Director posts Child Find information on the district website, as well as flyers in local clinics, the community's health department, private day care centers, and post offices within the district. Child Find activities are also announced annually in local newspapers, through meetings with private and home school representatives, and through collaboration with other public agencies throughout the year in order to identify

suspected children with disabilities, including those children who are homeless, highly mobile, are wards of the State, detained or incarcerated in jails or correctional facilities, or are parentally-placed in private schools (including religious, elementary and secondary schools) or home school/study programs, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located and evaluated.

Referrals of School-Aged Children (ages 6-21)

A referral may be made by anyone who has a concern about a child's development. All referrals are considered confidential. The parent retains the right to refuse services. Children may be referred by any of the following:

- Parents/legal guardians/foster parents
- Other family members
- Physicians/health care providers
- Preschool programs/Head Start
- Daycare providers
- School system personnel
- Community agencies
- Private school personnel
- Others who are concerned about a child's development

A child should be referred when:

- A health or medical disorder interferes with development or learning
- A child seems to have difficulty seeing or hearing
- A child appears to have social, emotional or behavioral difficulties that affect his/her ability to learn
- A child has diagnosed progressive or degenerative condition may impair or impede the child's ability to learn
- A child seems to have difficulty understanding directions like others that are his/her age
- A child's speech is not understandable to family or friends
- A child has difficulty with reading, math, or other school subjects

IDEA does not require that a child receive scientific, research, or evidence-based interventions before being referred for consideration for eligibility for special education and related services. See 34 C.F.R. § 300.111. However, per our State Child Find Rule, the implementation of a multitiered system of supports, including the use of scientific, research, or evidence-based interventions are required before referring a child for an initial evaluation for special education. See Georgia Rule 160-4-7-.03(2)(b). The use of interventions before referring a child for an initial evaluation for special education can have a positive impact on reducing the disproportionate representation of racial and ethnic groups in special education and related services. In addition, if a parent or teacher requests an evaluation and interventions have not been provided prior to the referral, interventions may be provided while the child is being evaluated (within the 60-day timeline requirement). Although a child's receipt of interventions can provide a critical piece of information in helping to determine eligibility for special education, the lack of

interventions must not be a reason for determining that a child is not eligible for special education services.

As described in the Student Support Team section of these guidelines and in the Schley County Schools Response to Intervention Handbook, student referrals are accompanied by documentation of scientific, research or evidence-based academic or behavioral interventions that have been implemented as designed for the appropriate period of time to show effect or lack of effect that demonstrates the child is not making sufficient rate of progress to meet age or State-approved grade-level standards within a reasonable time frame. In addition, any screening of children by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services.

Exceptions may be made in circumstances where immediate evaluation and/or placement is required due to a significant disability that precludes access to instruction; however, exceptions are an infrequent and rare occurrence, and the circumstances evidencing the need for the local education agency's use of the exception will be clearly documented in the eligibility decision.

Identifying and Serving Preschool-Aged Children within the District (ages 0-5)

The Individuals with Disabilities Education Improvement Act (IDEIA) 2004 requires that services be provided for young children with disabilities beginning at birth through age five. Early identification and intervention for young children with special needs is critical for their future academic success. It is Schley County School System's philosophy that early intervention is essential to providing support to children at an early age in order to lessen the impact of entering Kindergarten with developmental delays.

In Georgia, the Child Find Process for infants and toddlers with disabilities, birth to age 3, is coordinated through the Georgia Department of Public Health Early Intervention Program, Babies Can't Wait (BCW). The Babies Can't Wait program provides early intervention services to young children with disabilities through the public schools for young children with disabilities beginning at age three. Referrals for children (birth through age three) within the school district will be forwarded to a representative from The Babies Can't Wait (BCW) Early Intervention Program for screening and possible progress monitoring.

Preschool Intervention is a special education program established to serve children three to five years of age who exhibit Significant Developmental Delays (SDD) in at least one of five developmental areas: cognition, communication, self-help/adaptive development, physical development, and/or social/emotional development; or who meet eligibility in any of the "categorical" eligibility areas such as: Speech Impaired, Visually Impaired, Hearing Impaired, and/or Orthopedically Impaired. Preschool Intervention Services are provided throughout the state of Georgia and are free of charge to parents. Referrals of children between the ages of three and five and not yet eligible for state-funded kindergarten will be forwarded to the Consortium's PEECH Program Director.

Referrals from Babies Can't Wait (BCW) to PEECH

Babies Can't Wait coordinates and facilitates the referral process to the local school district through a transition conference. A parent or guardian must give consent for BCW to contact the local district. Children being referred from BCW are children with disabilities who:

- Are the appropriate age of three
- Are transitioning from BCW
- Have an Individualized Family Service Plan (IFSP)
- Are identified as being potentially eligible for preschool special education services

BCW Transition Conferences

1. The transition conference will be held as early as nine months, but not later than 90 days prior to the child's 3rd birthday.
2. The parent/guardian, BCW Coordinator, local school district representative, and other persons appropriate attend the conference and serve as the transition team.
3. The transition team reviews the IFSP and other documents that pertain to the child's disability.
4. The local school district representative obtains the parental/guardian written consent to conduct a comprehensive evaluation.
5. The local school district conducts a comprehensive evaluation, following the 60-day timeline for initial evaluations.
6. The parent/guardian, BCW coordinator, regular education childhood provider (as appropriate), special education early childhood provider, and local school district representative participate in the eligibility determination and the development of an Individualized Education Program (IEP), if appropriate.

Although the transition conference may be held as early as nine months of age, the school district will not implement the IEP until the child's 3rd birthday.

For a Child Referred who is not transitioning from BCW (ages 3-5)

Once a referral and all the required documentation is received, the PEECH staff will schedule a screening. Required documentation includes a copy of the child's birth certificate, a copy of the child's social security card, and a recent hearing and vision screening that has been conducted within the current year

The PEECH Preschool Staff will then screen the child. Depending on the results of the screening, the child will undergo a minimum of a two-week intervention/progress monitoring process in which the child's progress should be documented. If progress is noted during the two-week interval, progress monitoring will continue until the child's skills are within functional limits for his/her age or the child is no longer making progress. During this intervention process, the PEECH Preschool Staff will contact the teacher and parent/guardian to schedule follow up conferences, if necessary.

Exceptions to the use of interventions may occur for some students who require immediate consideration of special education eligibility. Appropriate intervention instruction should never delay the evaluation process or deny a parental request for an evaluation.

If the child is not making sufficient progress with interventions (progress monitoring documentation will be gathered at this time), the PEECH staff will determine if further evaluation is necessary. With written parental consent, the PEECH staff will evaluate the child within 60 days of receiving the written consent. After compiling evaluation results, the Special Education Teacher will schedule an eligibility/IEP meeting and invite all required committee members. The meeting committee members include the Special Education Teacher, Regular Education Teacher, Therapist, Parent, and LEA Representative. During the eligibility meeting, the committee determines if the child meets eligibility based upon evaluation results. If the child is found eligible and the parent/guardian gives consent for Special Education Placement, an IEP will be developed and all paperwork will be signed. The parent/guardian will then be provided a copy of the finalized eligibility and IEP.

Evaluations and Reevaluations (160-4-7-.04)

Definition

For purposes of the Schley County Special Education Compliance and Procedural Manual, an evaluation is defined as a comprehensive set of diagnostic assessment tools, administered by a licensed psychologist or licensed speech language pathologist, to assist in determining a student's eligibility for receiving special education services.

A reevaluation is a comprehensive set of diagnostic assessment tools, which may be administered once every three years and not more than once a year, unless the parent and district personnel decide otherwise. A reevaluation must be administered by a licensed psychologist to determine changes in a student's academic achievement and functional performance. A speech reevaluation must be administered by a licensed speech pathologist.

Initial Evaluations

The IDEA requires that before a child can receive special education services, school districts must determine whether the child requires specialized instruction and meets eligibility requirements for special education. Each district must conduct (or arrange for) a comprehensive evaluation that:

- provides sufficient data to determine whether the child is a child with a disability;
- documents how the disability affects the child's academic, developmental, social/emotional, and/or behavioral performance in school; and
- provides appropriate information for the development of an Individualized Education Program (IEP), if eligible.

A full and individual initial evaluation must be conducted prior to the initial provision of special education and related services. Once a child is referred for an evaluation by a parent or Student Support Team (SST) to determine if the child is a child with a disability, the initial evaluation and placement process shall be completed without undue delay:

1. Must be completed within sixty (60) calendar days from the receipt of parental consent from parent(s), guardian(s), or surrogate(s) for initial evaluation to the completion of the

evaluation report(s). An eligibility meeting should be held within ten (10) calendar days of receiving the completed evaluation report(s).

2. Holiday periods and other circumstances when children are not in attendance for five consecutive school days shall not be counted toward the 60-calendar day timeline, including the weekend days before and after such holiday periods, if contiguous to the holidays except:
 - a. Any summer vacation period in which the majority of an LEA's teachers are not under contract shall not be included in the 60-day timeline for evaluation.
 - b. However, an LEA is not prohibited from conducting evaluations over a summer vacation period, if the district and school psychologist are in agreement.
3. For parental consents received thirty (30) or more days prior to the end of the school year, psychological evaluations must be conducted within the sixty (60) day time frame.
4. The Consortium's PEECH Director and staff will ensure that any student who turns three (3) years of age, referred from Babies Can't Wait, will receive an eligibility decision and an IEP (if appropriate) in place by the third birthday.
5. The sixty (60) calendar day time frame for evaluations, after receiving parental consent, will apply, unless the following exceptions occur:
 - a. The parent of a child repeatedly fails or refuses to produce the child for an evaluation;
 - b. A child enrolls in another school district, after the relevant timeline has begun and prior to an eligibility determination meeting. (If the enrolling school is making sufficient progress to complete the evaluation process and the enrolling school personnel and parents have agreed upon a completion date, the exception does not apply.); or
 - c. Extenuating circumstances (i.e. illness, unusual evaluation needs, or revocation of parent's consent for evaluation) adversely affect the timeline. The Schley County Student Services Director will document the exception and maintain the record in the student's file.

Parental Rights

Whenever the parent requests an evaluation or when a child has been referred for an initial comprehensive evaluation, the district will give the parent a copy of "Your Rights as Parents - Special Education" document and provide an explanation to ensure that the parent understands these rights. If a parent's primary language is not English, a translated copy in his or her language must be given to the parent whenever feasible.

Parental Consent for Evaluation

Before submitting a request for an evaluation to the school psychologist or licensed speech pathologist, a signed, informed parental consent form requesting permission to conduct a comprehensive evaluation shall be obtained. If the parent is unable to meet in person, the Special Education Liaison will utilize communication methods, in the following order, for obtaining signed, parental consent forms:

- Telephone call
- E-mail

- Home or employment visit
- U.S. Mail, via Certified Delivery

The Special Education Liaison will maintain contact logs, identifying the date and type of communication, as well as the results.

If a parent refuses to sign consent for an evaluation or fails to respond to a consent request, the district may pursue the initial evaluation by utilizing the mediation and impartial due process hearing procedures provided in the procedural safeguards.

For students who are home schooled or parentally-placed in private schools and whose parents refuse consent or fail to respond to consent requests, the Student Services Director shall maintain documentation of contact attempts. The Student Services Director will document the date and type of attempts and will indicate that no services will be provided.

When a student is a ward of the State and is not residing with his or her parents, parental consent is not required for an initial evaluation to determine if the child is eligible for special education or related services. The following stipulations shall apply:

- District personnel are unable to discover the whereabouts of the parents;
- The parents' rights have been terminated in accordance with State law; or
- A judge has appointed a surrogate parent to make educational decisions for the child.

Parental consent is not required under the following circumstances:

- the review of existing data on a student as a part of an evaluation or reevaluation;
- the administration of group tests or evaluations, unless parental consent is required for all students;
- the administration of screening tools to assist with determining intervention strategies for curriculum implementation. Such screening tools are not to be considered as a form of evaluation to determine eligibility for special education or related services.

Information Sources:

Evaluations often use many of the following:

- Individually administered tests and tools
 - Academic achievement
 - Cognitive ability
 - Social/Emotional/Behavioral
 - Speech/Language
- Parent/Teacher/Child Questionnaires
 - Social/Emotional/Behavioral
 - Adaptive behavior
- Parent information and input
- Teacher input (verbal or written descriptions/analyzed classroom work samples)
- Schoolwide standardized testing results
- Medical information, as appropriate
- Classroom observations
- Prior testing done in private settings

- Prior testing done in other school settings, such as formative assessments from classroom progress monitoring

Comprehensive Evaluation

An initial evaluation needs to look at the needs of the whole child, regardless of the reason for the referral. In a comprehensive evaluation, the LEA will:

- informally and formally assess all areas related to any suspected disability, including, if appropriate, vision and hearing, health, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- use a variety of evaluation tools and strategies to gather relevant academic, functional, and developmental information about the child, including information provided by the parents;
- not use any single procedure as the only criterion for determining whether a child is a child with a disability or for determining an appropriate educational program for the child;
- use assessment techniques that may assess developmental, physical, intellectual, academic, communication, and social/emotional skills;
- use evaluation tools and strategies to provide relevant information that will directly assist the eligibility team in determining the educational needs of the child;
- use assessments and other evaluation materials to assess specific areas of educational need and not only those that are designed to provide a single general intelligence quotient (IQ) score; and
- select assessment methods that, when administered to a child with impaired sensory, manual, or communication skills (to include English Learner (EL) barriers), the results accurately reflect the child's aptitude or achievement level and are not culturally biased.

Steps in the Evaluation Process

1. Appropriate LEA staff or the parent make a referral for an evaluation. A parental consent for evaluation is received from the parent. Once LEA staff receives the signed consent, the 60-calendar-day timeline begins.
2. Review all other data about a child, which include the permanent record, current classroom assessment and progress, results of any provided interventions, previous results of statewide assessments, attendance data, and disciplinary history.
3. Classroom observations in a setting in which the concern has been noted are conducted to determine current performance and to look for specific causes or reasons why the child is not learning or behaving at the expected levels. The observations are usually conducted by a diagnostician or other professional with expertise.
4. The current and previous teachers of the child are interviewed. The focus of the interviews is to determine whether the concerns cited as the reason for the evaluation are new issues or recurring issues. In addition, the interviews will provide information on any interventions or strategies that may have been tried previously.
5. The parents are interviewed as part of the evaluation process. If the parents have any independent evaluations or medical information they have not provided to the LEA, they should provide this information now. Information the parents have about learning at home,

such as how long it takes the child to complete his or her homework and how much help the child requires, assists in the evaluation. Often the behavior of the child at home is also discussed to determine whether the parents see the same behaviors as the school sees, what kind of interventions work at home, and how frequently certain behaviors occur. In addition, many times the LEA needs to screen for adaptive behavior, and it may ask questions about household chores or tasks, about money management, and about other things that do not always feel educational to the parent. This information contributes to the whole picture of the child.

6. All previous information and data on the child is reviewed (e.g., previous evaluations, medical reports, psychological evaluations, and independent evaluations). This helps the team determine which evaluations to administer for the current evaluation.
7. Many evaluations include the administration of surveys or questionnaires. These are usually published forms of surveys or questionnaires that gather information about the typical day-to-day behavior of the child. The surveys or questionnaires are often completed by multiple people who know the child in order to provide a comprehensive view that encompasses school, home, and the community.
8. As all this information is received, the multidisciplinary evaluation team begins to review the information and determine what individual assessments are needed, and by whom, to provide more in-depth information. The needed assessments are then conducted and may include a variety of instruments that look at learning, listening, speaking, behavior, sensory, motor, and/or academics.
9. As these assessments are administered, other areas of concern may arise that need to be evaluated and additional assessments will be conducted as necessary. For example, fine motor skills may not have been a concern when the evaluation was requested; but, information from the assessments and observations may indicate a concern that warrants an evaluation of the fine motor skills as a component of the comprehensive evaluation.
10. All instruments are scored, and the results are analyzed and interpreted by the professionals who administered the instruments.
11. The person coordinating the evaluation discusses the results of the evaluation with the parent and educators, with accompanying evaluation report(s) at this time. This discussion could occur at the completion of the 60-day initial evaluation period or at the eligibility meeting, which as a matter of best practice, should occur within 10 calendar days of the completion of the initial evaluation.
12. An eligibility meeting is conducted. The eligibility meeting determines whether a disability exists and what the impact is on the education of the child. If there is an adverse impact, the team may determine that the child is a child who needs special education and related services. Evaluation report(s) and an eligibility report are created regardless of whether the child is determined eligible or ineligible.

Evaluation Procedures

1. Procedural Safeguards Notice (Parental Rights)

The term “Procedural Safeguards Notice” also refers to the document commonly identified as “Parental Rights” which, must be given to and explained to parents only one time per school year, except that a copy shall also be given to parents in the following circumstances:

- Upon initial referral or parent request for evaluation;
- Upon receipt of the first state complaint in a school year;
- Upon receipt of the first request for a due process hearing in a school year;
- Upon notification by the LEA to the parent of the decision to remove the child from his or her current placement and the removal constitutes a change of placement under the discipline provisions of IDEA and state rules because of a violation of a code of student conduct;
- Prior to accessing a child’s or parent’s public benefits or insurance for the first time; and
- Upon request by the parent.

2. Conduct of Evaluation

A. Upon receipt of the referral packet to RESA, the school psychologist will schedule and conduct a full psychological evaluation which will:

1. utilize a variety of evaluation tools and strategies to gather relevant academic, functional and developmental information about the child, including information provided by the parents that may assist in determining:
 - a. whether the child is a child with a disability; and
 - b. the content of the child's individualized education program including information related to enabling the child to be involved in and progress in the general curriculum (or for a preschool child to participate in appropriate activities);
2. not use any single procedure as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and
3. use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

B. At the completion of the psychological battery, the psychologist will provide the system with a psychological report. If further diagnostic work is required to determine special education eligibility, the psychologist will notify the Student Services Director of recommended areas to be assessed. The Student Services Director will notify the Special Education Liaison and Case Manager of pending evaluations.

C. With evaluation procedures completed, the student’s eligibility is ready for consideration by the school’s Eligibility Team. The school psychologist will confirm the eligibility meeting date with the school’s Special Education Liaison or Student Services Director.

3. Other Evaluation Procedures

The Schley County Special Education Department shall ensure that:

A. Assessments and other evaluation materials used to assess a child under this section:

1. Are selected and administered so as not to be discriminatory on a racial or cultural basis;
 2. Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;
 3. Are used for the purposes in which the evaluations or measures are valid and reliable;
 4. Are administered by trained and knowledgeable personnel; and
 5. Are administered in accordance with any instructions provided by the producer of the assessments.
- B. The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
- C. Evaluation tools and strategies are used which provide relevant information that directly assists persons in determining the educational needs of the child.
- D. Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
- E. Assessment selection and administration is such that, when administered to a child with impaired sensory, manual or speaking skills, the results accurately reflect the child's aptitude or achievement level, or whatever other factors the assessment purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills, except where those skills are the factors which the assessment purports to measure.
- F. If an evaluation is not conducted under standard conditions, a description of the extent to which it varied from standard conditions, i.e., the qualifications of the person administering the test, or the method of test administration must be included in the evaluation report.
- G. In evaluating each child with a disability under this rule, the evaluation shall be sufficiently comprehensive to identify all the child's special education and related service needs, whether commonly linked to the disability category in which the child has been classified.
- H. Evaluations of children with disabilities who transfer from the Schley County School System to another LEA in the same school year are coordinated with those children's prior and subsequent schools, as necessary and expeditiously as possible, to ensure prompt completion of full evaluations.
- I. The evaluation of children referred because of learning and/or behavior problems is the responsibility of a multidisciplinary evaluation team. For children who require a psychological and clinical evaluation, it must be conducted by a qualified psychological examiner. Initial evaluations must be conducted by the following:
1. a psychologist with a valid S-5 (or higher) certificate in school psychology,

2. a psychologist licensed by the Georgia Board of Examiners of Psychologists and having training and experience in school psychology or child clinical psychology,
3. a full-time graduate student in an approved, properly supervised school psychology or child clinical psychology training program internship/practicum, who has completed a minimum of one year of approved appropriate graduate training, or
4. a Georgia Merit System employee who has a classification rating of psychologist, senior psychologist, or psychology program specialist.

Additional Requirements

1. Review of Existing Evaluation Data

As part of an initial evaluation (if appropriate) and as part of any re-evaluation, the parent and other qualified professionals, as appropriate, must review existing evaluation data on the child, including:

- a. Evaluations and information provided by the parents of the child;
- b. Current classroom-based, local, or State assessments and classroom-based observations; and
- c. Observations by teachers and related services providers.

Based on the review and input from the child's parents, identify what additional data, if any, are needed to determine:

- a. Whether the child is a child with a disability and the educational needs of the child, or in case of a reevaluation of a child, whether the child continues to have such a disability and the educational needs of the child;
- b. The present levels of academic achievement and related developmental needs of the child;
- c. Whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services; and
- d. Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general curriculum.
- e. The parent and other qualified professionals may conduct its review without a meeting.
- f. The Schley County Student Services Department, in conjunction with CFRESA psychologists, must administer such assessments and other evaluation measures as may be needed to produce the data identified.

2. Requirements If Additional Data Are Not Needed

If the IEP Team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs, the Schley County School System:

- a. Must notify the child's parents of that determination and the reasons for it and notify the parents of the right to request an evaluation to determine whether the child continues to be a child with a disability and to determine the child's educational needs;
- b. Is not required to conduct such an evaluation to determine whether the child continues to be a child with a disability unless requested by the child's parents.

3. Evaluations before Change in Eligibility

Before determining that a student no longer requires special education services, Schley County School System must evaluate the student. The Eligibility Team shall meet to review evaluation and additional data to determine eligibility (or ineligibility).

The evaluation is not required before termination of a child's disability due to graduation from high school with a regular education diploma, or due to exceeding the age eligibility for FAPE. Schley County School System will provide the student with a summary of academic achievement and functional performance (Summary of Performance), which shall include recommendations on how to assist the child in meeting post-secondary goals.

Reevaluations

Reevaluations are consistent with initial evaluations in terms of "what" you should be able to do with them when they are complete. Specifically, the purpose of the reevaluation process is to review current evaluation information and to consider what additional information might be needed to determine, among other things, whether the child continues to have a disability and the educational needs of the child. Reevaluations are considered just as important as the initial evaluation for special education. Throughout the child's educational career, their educational needs may change constantly, and the reevaluation assesses the child's evolving needs.

Federal and state regulations require that the reevaluation of a student with a disability is to be conducted at least once every three years unless the parent and the district agree that there is current and sufficient data to determine the student continues to meet eligibility requirements. A reevaluation may also be conducted if the LEA determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrants a reevaluation; or a reevaluation may be conducted if the child's parent or teacher requests one. However, a reevaluation may not occur more than once within a twelve-month period, unless the parents and district staff agree otherwise.

The Schley County School System shall obtain informed parental consent prior to conducting any reevaluation of a child with a disability, except that such informed parental consent need not be obtained if the district can demonstrate that it has taken reasonable measures to obtain such consent and the child's parents failed to respond. With such occurrence, the Schley County Student Services Director will maintain contact logs, identifying the date and type of communication, as well as the results. The Student Services Director will insert copies of the

attempted contacts, as well as all other pertinent documents, in the reevaluation packet and will forward to the School Psychologist or licensed Speech Language Pathologist.

Reevaluation Process: Review of Existing Evaluation Data

As part of the reevaluation process, the IEP Team, including the parent and other qualified professionals must review evaluation data, including but not limited to the current full eligibility on the child that is already available. This review may include evaluations and information provided by the parent, current classroom-based local or state assessments, classroom-based observations, and observations by the teacher and related service providers. This review may be conducted without a meeting if the parent and LEA agree not to convene a meeting for this purpose. The team will, based on that review, and considering how long it has been since a comprehensive evaluation of the child last occurred, identify additional data needed, if any, to determine the following:

- the present levels of academic achievement and related developmental needs of the child;
- whether the child continues to have a disability or additional areas of need due to a disability;
- whether the child continues to need special education and related services;
- whether the child needs any additions or modifications to the special education and related services to meet the measurable annual goals set in the IEP; and
- whether the child needs any additions or modifications to special education and related services to enable participation, as appropriate, in the general education curriculum.

After reviewing the existing data on the child, if the IEP Team determines that no additional information is needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs, then the LEA must notify the child's parent of that determination, the reasons for the determination, and the parent's right to request assessments for the determination of eligibility and the child's educational needs. If no additional information is needed, this completes the reevaluation process and the date of this determination is the child's reevaluation date. In no more than three years from that date, the need for a reevaluation must be considered again.

After reviewing the existing data on the child, if additional information is needed to determine:

- A. the present levels of academic achievement and related developmental needs of the child;
- B. whether the child continues to have a disability or additional areas of need due to a disability;
- C. whether the child continues to need special education and related services;
- D. whether the child needs any additions or modifications to the special education and related services to meet the measurable annual goals set in the IEP; and/or
- E. whether the child needs any additions or modifications to the special education and related services to enable participation, as appropriate, in the general education curriculum, then the Team will determine which assessments are needed to provide the additional information. If a decision is made to conduct additional assessments, then

after the assessments are complete, the Team reviews those assessments and determines the child's continued eligibility and educational needs.

Once this determination is made, this completes the reevaluation process and the date of this determination is the child's reevaluation date. In no more than three years from that date, the need for reevaluation must be considered again.

The LEA must provide written notice to the parent and must receive written informed parental consent before conducting any additional assessments as part of a reevaluation of a child with a disability. If the LEA makes multiple reasonable attempts to contact the parent for written consent to conduct additional assessments as part of a reevaluation and the parent does not respond after several attempts, the LEA must keep documentation of those attempts and lack of responses, and then the LEA may move forward with the reevaluation. In circumstances where the parent refuses to provide consent to administer additional assessments as part of a reevaluation, the LEA may, but is not required to, pursue the reevaluation by using mediation or due process hearing procedures.

In addition, if a parent refuses to provide consent to administer additional assessments as part of the reevaluation process, the LEA may decide to discontinue the provision of special education services and supports to the child, if the LEA believes based on a review of existing evaluation data, that the child does not continue to have a disability or does not continue to need special education and related services. If the LEA discontinues the provision of special education services, it must provide the parent with prior written notice of its proposal to discontinue the provision of a free appropriate public education (FAPE) to the child, including the right of the parent to use the mediation or due process procedures, if the parent disagrees with the district's decision to discontinue the provision of FAPE to the child.

Multidisciplinary Evaluation Team

When a referral for special education evaluation is made due to a concern that the child may have a disability and need special education and related services, the comprehensive evaluation will be conducted by a multidisciplinary team. This team may consist of the district's psychologist, educational diagnostician, speech-language pathologist, occupational therapist, physical therapist, the child's teacher(s), and others as appropriate to the evaluation. The child's parents are considered vital members of this team. The child should be evaluated in any area which committee members have determined to be an area of weakness. The team is responsible for formally or informally assessing the child in all areas related to a suspected disability. Formal assessments may include standardized, criterion-referenced tests, and norm-referenced tests, while informal assessments may include teacher-made assessments, naturalistic observations, and interviews. The child's parents will be asked to provide input during the evaluation process. Their information is valuable in developing the total picture of the child.

Determination of Eligibility

An eligibility report must be completed anytime Consent for Evaluation has been signed and received, and an evaluation report has been completed. This includes initial evaluations, reevaluations and referrals to a new program. Reevaluations and referrals to new programs will be completed by the assigned Case Manager.

Upon completion of test administrations and other evaluation measures, the following procedures are conducted:

1. An Eligibility Team, consisting of qualified professionals, including (but not limited to) the school psychologist, SST Coordinator, Regular Education teachers, Special Education teachers, the Case Manager, an LEA representative or designee, Speech Language Pathologist (if applicable) and the child's parents, must review all pertinent data and information to determine special education eligibility.
2. Schley County Schools will provide a copy of the evaluation report and eligibility determination report at no cost to the parents.
3. When determining eligibility, a student must not be determined to be a child with a disability:
 - a. If the determinant factor for that eligibility is a lack of appropriate instruction in reading or math;
 - b. limited English proficiency; and
 - c. if the student does not otherwise meet the program area eligibility criteria for a child with a disability.

When interpreting data for the purpose of determining if a child has a disability and the educational needs of the child, Schley County Schools will ensure to draw upon information from a variety of sources, including aptitude and achievement test, parent input, and teacher recommendations, as well as information regarding the student's physical condition, social or cultural background, and adaptive behavior.

If the Eligibility Team determines that a student has a disability that affects educational performance (academic, functional, and/or development), the student is eligible to receive special education and related services.

An eligibility report which documents the area of disability shall be completed and placed in the child's special education folder. The eligibility report shall provide statements for each component of the eligibility and shall be comprehensive enough to serve as the evaluation report when necessary. The student's assigned Case Manager shall complete eligibility report and will develop an IEP for the student within thirty (30) calendar days of eligibility determination. Students requiring Comprehensive Speech and Language Evaluations will be referred to the attending Speech and Language Pathologist to complete the eligibility process. The singular eligibility form must document the following information prior to determining eligibility for a student:

- a. Student information
- b. A documented case history
- c. A summary of evidence-based interventions and data prior to referral
- d. A summary of progress monitoring towards achieving standards
- e. Results of relevant district, state and benchmark assessments
- f. Individual student data, as applicable
- g. Consideration of exclusionary factors
- h. Decision making of education impact
- i. A summary of considerations
- j. Eligibility determination

Eligibility must be demonstrated prior to initial placement in a program and must be demonstrated at the time of reevaluation consideration.

For students who are determined ineligible for special education and related services by the Eligibility Team, the eligibility report shall clearly explain the determination. The student will return to Tier III, and the SST Team should determine the best evidence-based interventions to implement based on the student's needs. A copy of the psychological evaluation and eligibility report shall be presented to the parent at no cost.

Schley County Schools Initial Referral Process

Student Support Team (SST) Components

Students are referred for special education eligibility consideration through the SST team based on documentation of response to interventions over a period of time. Prior to referral, the SST team must have documentation of limited progress or lack of progress and screening results, including hearing/vision and academic screenings, which were conducted alongside the implementation of Tier III interventions. The school's SST Coordinator, with the guidance of a special education liaison, will ensure that the file contains all necessary documentation in order to process and evaluation and/or move forward with eligibility consideration. The special education liaison will initiate the student's profile in GOIEP and enter all progress monitoring data within the program. The documentation must contain a signed Consent to Evaluate form created in GOIEP.

The initial referral steps for students are outlined below:

Step 1 – SST Meeting/Referral for Initial Evaluation

1. School SST Coordinator schedules the SST meeting to include the parents, Special Education Liaison, regular education teacher, Speech Language Pathologist (if applicable), and if possible, the Student Services Director.
2. The SST Team shares a summary of progress monitoring data of evidence-based interventions, academic and/or behavioral screening results, and other relevant information
3. When psychological testing is required, the Special Education Liaison provides and explains Parents' Rights document, as well as the written Description of Types of Evaluations to the parent(s), guardian(s), or surrogate(s).
4. A signed Consent to Evaluate must be obtained before any evaluation or assessment is conducted. Upon receipt of signed Consent for Evaluation, the Special Education Liaison will notify, in person or via e-mail, the SST Coordinator the final date (sixty days) to complete the evaluation report(s).
5. The SST Coordinator and Special Education Liaison assembles the referral packet per the Initial Referral Checklist and send the completed packet to the Student Services Director for approval and sign-off. The Student Services Director will log receipt of the 'packet' and check contents for due process compliance and delivers approved referral packet to RESA.

6. The Student Services Director assigns the student to a case manager in GOIEP and initiates the referral process in the online system, ensuring accurate timeline dates. Hearing and vision screenings, academic or behavioral screening results, and SST progress monitoring data must be uploaded in the student's GOIEP Documents tab.

Step 2 – Conduct of Evaluation

1. Upon receipt of the referral packet to RESA, the school psychologist will schedule and conduct a full psychological evaluation.
2. At the completion of the psychological battery, the psychologist will provide the system with a psychological report. If further diagnostic work is required to determine special education eligibility, the psychologist will notify the Student Services Director of recommended areas to be assessed. The Student Services Director will notify the Special Education Liaison and Case Manager of pending evaluations.
3. With evaluation procedures completed, the student's eligibility is ready for consideration by the school's Eligibility Team. The school psychologist will confirm the eligibility meeting date with the school's Special Education Liaison or Student Services Director.
4. The district has 60 calendar days after receiving parental consent to complete the initial evaluation. Completion of the initial evaluation is defined as completion of the evaluation report(s).

Step 3 – Eligibility/IEP Meeting

The Special Education Liaison will notify the necessary participants of the date, time and location for the eligibility meeting. The LEA Representative and Special Education Liaison will conduct the eligibility meeting, and the meeting will result in:

The student is determined to not be eligible for special education services, the SST Coordinator will schedule a follow-up SST meeting to review appropriate interventions to continue at the Tier III level.

OR

The student is determined to be eligible for special education services, the LEA Representative must conduct an IEP meeting, either

- a) immediately after the eligibility meeting, or
- b) within 30 calendar days from the date of the eligibility.

If the parent agrees to services, the Case Manager obtains signature on the Consent for Placement. All documents are then scanned and attached to the student's GOIEP Documents tab before finalizing the IEP.

Note: Exceptions may be made in circumstances where immediate evaluation and/or placement is required due to a significant disability that precludes access to instruction; however, exceptions are an infrequent and rare occurrence, and the circumstances evidencing the need for the local education agency's use of the exception will be clearly documented in the eligibility decision.

Evaluation before Termination of Eligibility

The district must comprehensively reevaluate a child with a disability before determining that the child is no longer a child with a disability who requires special education services. However, reevaluation is not needed:

1. when the child graduates from high school with a regular education diploma, or
2. when the child has exceeded the age of eligibility (22nd birthday) for a FAPE.

The Schley County School System will provide the students who graduate or reach the age of 22 with a summary of academic and functional performance that includes recommendations for meeting postsecondary goals when the child is graduating with a regular diploma or aging out of school. As a matter of best practice, the system will also provide the Summary of Performance for any child who receives a special education diploma or other exit document.

Independent Educational Evaluation

The parent always has the right to obtain an outside IEE at his or her own expense, before or after the system's evaluation. If the evaluation was conducted by someone who meets the qualifications for school system's evaluations, the district must consider the results of the parentally obtained evaluation.

A parent does not have the right to an independent educational evaluation (IEE) at public expense until he or she has allowed the school system to conduct its own evaluation. Then, if the parent disagrees with the results of the evaluation, he or she may request an IEE.

If a parent disagrees with the results of a completed evaluation completed by the LEA, the parent may request that the Schley County School System pay for an outside independent educational evaluation (IEE). The district must agree to pay for the IEE or begin the due process hearing procedures to show that the evaluation conducted by the district is adequate. If there is a due process hearing and the district's evaluation is judged to be sufficient, then the district will not have to pay for an IEE. A parent is entitled to only one IEE at public expense each time the school system conducts an evaluation with which the parent disagrees. The list of criteria of the independent evaluator must be the same as those required of the district's evaluators. The school system may set a reasonable limit on the cost of the IEE. However, parents must be afforded the opportunity to prove extraordinary circumstances warranting an IEE at public expense that does not meet the school system's criteria.

Eligibility Determination and Categories of Eligibility (160-4-7-.05)

Definition

A child or youth from 3 through 21 years of age is considered to have a disability under the Individuals with Disabilities Education Improvement Act (IDEA 2004) if the child or youth meets the eligibility criteria in any of the recognized eligibility categories and needs special education and related services.

Special Education Eligibility Decision Making and Determination

The Schley County School System must recognize the direct and relevant relationship between a multi-tiered system of supports, Student Support Team (SST), and the individual evaluation requirements of the IDEA. Once problem-solving teams determine that a child is suspected of having a disability, a comprehensive evaluation shall be provided to the child being considered for special education eligibility. However, an eligibility determination cannot occur until the existing data are reviewed to determine whether one or more of the exclusionary factors is the determinant factor(s) for the determination that the child is a child with a disability and the child does not otherwise meet the specific eligibility criteria.

All eligibility categories include the following exclusionary factors:

- Lack of appropriate instruction in reading, including the essential components of reading instruction as defined in section 1208(3) of ESEA or
- Lack of appropriate instruction in mathematics or
- Limited English proficiency

*Additional exclusionary factors exist for Specific Learning Disability (SLD)

An eligibility determination must be made using the convergence of data from multiple sources to document each of the following:

- achievement tests
- aptitude/cognitive functioning
- parent input
- teacher recommendations
- physical condition (medical, motor, vision, hearing)
- social/cultural background
- adaptive behavior
- communication/language
- observations by teachers and related service providers

Eligibility teams should consider multiple data sources that include quantitative and qualitative data from classroom work samples, observations, and teacher and parent reports. It is the responsibility of an eligibility team to determine which children exhibit the required characteristics to be considered a child with a disability. The need for support is not always parallel to the data indicating an educational impact. Therefore, collaboration among general, remedial, and special education will ensure that children who require specially-designed instruction will be those who are determined to be children with disabilities. Schley County Schools shall follow the framework of a multi-tiered system of supports, so that all children will have access to high quality instruction and needed intense interventions.

Special Education Eligibility Categories in Georgia

The State of Georgia recognizes twelve categories for special education eligibility:

- A. Autism Spectrum Disorder
- B. Deafblind
- C. Deaf/Hard of Hearing
- D. Emotional and Behavioral Disorder
- E. Intellectual Disability (mild, moderate, severe, profound)

- F. Orthopedic Impairment
- G. Other Health Impairment
- H. Significant Developmental Delay
- I. Specific Learning Disability
- J. Speech-Language Impairment
- K. Traumatic Brain Injury
- L. Visual Impairment

A. Autism Spectrum Disorder (AUT) Definition

Autism Spectrum Disorder is a developmental disability generally evident before age three that adversely affects a child's educational performance and significantly affects developmental rates and sequences, verbal and non-verbal communication and social interaction and participation. Other characteristics often associated with Autism Spectrum Disorder are unusual responses to sensory experiences, engagement in repetitive activities and stereotypical movements and resistance to environmental change or change in daily routines. Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance as defined in the eligibility category of Emotional and Behavioral Disorder (EBD). Children with Autism Spectrum Disorder vary widely in their abilities and behavior.

The term of Autism Spectrum Disorder includes all subtypes of Pervasive Developmental Disorder (such as Autistic Disorder; Rett's Disorder; Childhood Disintegrative Disorder; Asperger Syndrome; and Pervasive Developmental Disorder, Not Otherwise Specified) provided the child's educational performance is adversely affected and the child meets the eligibility criteria. Autism Spectrum Disorder may exist concurrently with other areas of disability.

Evaluations and Assessments

The following evaluations and assessments shall be utilized to determine the presence of the characteristics of Autism Spectrum Disorder.

- a. Comprehensive psychological evaluation to include a formal assessment of intellectual functioning and an assessment of adaptive behavior. Educational evaluation to include an assessment of educational performance and current functioning levels.
- b. Communication evaluation to include assessment of verbal and non-verbal communication, prosody (linguistics including intonation, rhythm and focus in speech), and pragmatic language utilizing both formal and informal measures.
- c. Behavioral evaluations to include assessment of social interaction and participation, peer and adult interactions, capacity to relate to others, stereotypical behaviors, resistance to change, atypical responses to sensory stimuli, persistent preoccupation with or attachment to objects and other behaviors often associated with autism spectrum disorder.
- d. Developmental history to include developmental differences and delays and age of onset, which is typically before the age of three. A child may be diagnosed as a child with Autism Spectrum Disorder after age three if the characteristics of Autism Spectrum Disorder are met. The Schley County Student Services Director will ensure that the district receives all pertinent records from the PEECH Program Director.

Eligibility shall be based on assessment of the five characteristic areas associated with autism spectrum disorder. The assessments shall minimally document that each of the characteristic areas of (1) developmental rates and sequences, (2) social interaction and participation and (3) verbal and non-verbal communication are affected. The adverse effect on a child's educational performance shall be documented and based on the following criteria:

1. Developmental rates and sequences - A child exhibits delays, arrests, and/or inconsistencies in the acquisition of motor, sensory, social, cognitive, or communication skills. Areas of precocious or advanced skill development may also be present, while other skills may develop at typical or extremely depressed rates. The order of skill acquisition frequently differs from typical developmental patterns.
2. Social interaction and participation - A child displays difficulties and/or idiosyncratic differences in interacting with people and participating in events. Often a child is unable to establish and maintain reciprocal relationships with people. A child may seek consistency in environmental events to the point of exhibiting rigidity in routines.
3. Communication (verbal and/or nonverbal) - A child displays a basic deficit in the capacity to use verbal language for social communication, both receptively and expressively. Characteristics may involve both deviance and delay. Verbal language may be absent or if present, may lack usual communicative form, or the child may have nonverbal communication impairment. Some children with autism may have good verbal language but have significant problems in the effective social or pragmatic use of communication.
4. Sensory processing - A child may exhibit unusual, repetitive or unconventional responses to sensory stimuli of any kind. A child's responses may vary from low to high levels of sensitivity.
5. Repertoire of activities and interests - A child may engage in repetitive activities and/or may display marked distress over changes, insistence on following routines and a persistent preoccupation with or attachment to objects. The capacity to use objects in an appropriate or functional manner may be absent, arrested, or delayed. A child may have difficulties displaying a range of interests and/or imaginative play. A child may exhibit stereotypical body movements.

A child with Autism Spectrum Disorder may be served by any appropriately certified teacher in any educational program as described in the child's individualized education program (IEP). The identification of Autism Spectrum Disorder for educational programming does not dictate a specific placement; however, it is based on the assessed strengths, weaknesses, and individual goals and objectives of the child.

B. Deafblind (DB) Definition

Deafblind means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

Eligibility and Placement

For a child to be determined eligible for placement in special programs for the deafblind, the child shall have current optometric or ophthalmological examination and an audiological evaluation, all administered by qualified professionals. Children who are deafblind shall have an audiological evaluation administered by a certified/licensed audiologist annually, or more often if needed. The annual audiological evaluation shall include, but is not limited to: an otoscopic inspection, unaided and aided pure tone and speech audiometry (as applicable), immittance testing, word recognition, hearing aid check and electro-acoustic analysis of the hearing aid (if amplified), and an analysis of a frequency modulated (FM) system check (if utilized). A comprehensive written report is required indicating the dates of the audiological evaluation and a description of the results of the audiological testing and amplification evaluation. In addition, the report should include a description of classroom environmental modifications which will assist the Individualized Education Program (IEP) Team in making instructional decisions, the child's ability to understand spoken language with and without amplification, and an interpretation of the results as they apply to the child in his or her classroom setting.

Children who are deafblind may receive educational services in classes with other disabled children. However, the class-size ratio for deafblind shall be maintained.

Additional Requirements

Each child who has been diagnosed as deafblind shall be reported in the Georgia Deafblind Census.

C. Deaf/Hard of Hearing (D/HH) Definitions

A child who is deaf or hard of hearing is one who exhibits a hearing loss that, whether permanent or fluctuating, interferes with the acquisition or maintenance of auditory skills necessary for the normal development of speech, language, and academic achievement and, therefore, adversely affects a child's educational performance.

1. A child who is deaf can be characterized by the absence of enough measurable hearing (usually a pure tone average of 66-90+ decibels American National Standards Institute without amplification) such that the primary sensory input for communication may be other than the auditory channel.
2. A child who is hard of hearing can be characterized by the absence of enough measurable hearing (usually a pure tone average range of 30-65 decibels American National Standards Institute without amplification) that the ability to communicate is adversely affected; however, the child who is hard of hearing typically relies upon the auditory channel as the primary sensory input for communication.

Eligibility and Placement

1. The eligibility report shall include audiological, otological and educational evaluation reports.
 - a. Audiological evaluations shall be provided with initial referral. Children who are deaf or hard of hearing shall have an audiological evaluation administered by a certified/licensed audiologist annually, or more often if needed. The annual

- audiological evaluation shall include, but is not limited to: an otoscopic inspection, unaided and aided pure tone and speech audiometry (as applicable), immittance testing, word recognition, hearing aid check and electro-acoustic analysis of the hearing aid (if amplified), an analysis of a frequency modulated (FM) system check (if utilized). A comprehensive written report shall be included in the audiological evaluation. This written report shall include but is not limited to: the date of the audiological evaluation, description of the results of the audiological testing, an amplification evaluation including the child's ability to understand spoken language with and without amplification, as well an interpretation of the results as they apply to the child in his or her classroom setting.
- b. An otological evaluation report from appropriately licensed or certified personnel is required at the time of initial placement in the program for the deaf/hard of hearing. The otological evaluation report is required as medical history pertinent to the absence of hearing. If such a report is not available upon initial placement, it shall be obtained within 90 days of placement. The initial or most recent otological evaluation result shall be summarized and that otological evaluation report shall be attached to the eligibility report.
 - c. A comprehensive educational assessment shall be used in the development of the child's Individualized Education Program (IEP). The educational evaluation shall include assessment data from more than one measure and shall include, but is not limited to, information related to academic/achievement levels, receptive and expressive language abilities, receptive and expressive communication abilities, social and emotional adjustment and observational data relative to the child's overall classroom performance and functioning.
2. A psychological evaluation, using instruments appropriate for children who are deaf or hard of hearing, is recommended as part of the overall data when eligibility is being considered.
 3. Children who exhibit a unilateral hearing loss may be considered for eligibility provided documentation exists that indicates academic or communicative deficits are the result of the hearing loss.

Additional Requirements

1. An evaluation of the communication needs of a child who is deaf or hard of hearing shall be considered in the program and class placement decisions. An evaluation of a child's communication needs shall include but is not limited to: language and communication needs and abilities, opportunities for direct communication with peers and professional personnel in the child's preferred language and communication mode, severity of loss, educational abilities, academic level and full range of needs, including opportunities for direct instruction in the child's language and communication mode.
2. Any classroom to be used for a child who is deaf or hard of hearing shall be sound-treated and present an appropriate acoustical environment for the child. All placements, including regular education placements and desk arrangements within classrooms shall be made so that environmental noise and interruptions are minimized.

3. Recommendation of the appropriate educational environment, including acoustical considerations, should be made by the IEP Team.
4. The Schley County Student Services Department and Personnel shall adhere to the following written procedures to ensure the proper functioning of assistive amplification devices used by children who are deaf or hard of hearing.
 - A. Annually, the Special Education Teacher and Paraprofessional, if assigned, will receive training from CF-RESA on the proper maintenance and techniques required to ensure proper functioning of assistive amplification devices.
 - B. The Special Education Teacher and Paraprofessional, if assigned, will test the assistive amplification devices used by children who are deaf or hard of hearing each morning before class begins.
 - C. The Special Education Teacher will maintain a daily log, indicating the time and date of the test and the responsible person. Logs will remain in the classroom, until the last working day of the month. On the last working day of the month, the special education teacher will forward a copy of the log to the Schley County Special Services Director.
 - D. The Special Education Teacher will advise parents to submit, in writing, verification of device checks by the Audiologist and will include the documentation in the submission of the monthly logs to the Schley County Special Education Director.
 - E. During the summer, the Schley County Special Services Director will ensure that equipment purchased by the Schley County Board of Education receives annual testing by CF-RESA.
 - F. These procedures shall include the designated qualified responsible personnel, daily and ongoing schedules for checking equipment, as well as follow-up procedures.

D. Emotional and Behavioral Disorder (EBD) Definition

An emotional and behavioral disorder is an emotional disability characterized by the following:

1. An inability to build or maintain satisfactory interpersonal relationships with peers and/or teachers. For preschool-age children, this would include other care providers.
2. An inability to learn which cannot be adequately explained by intellectual, sensory or health factors.
3. A consistent or chronic inappropriate type of behavior or feelings under normal conditions.
4. A displayed pervasive mood of unhappiness or depression.
5. A displayed tendency to develop physical symptoms, pains or unreasonable fears associated with personal or school problems.

A child with EBD is a child who exhibits one or more of the above emotionally based characteristics of sufficient duration, frequency and intensity that interferes significantly with educational performance to the degree that provision of special educational service is necessary. EBD is an emotional disorder characterized by excesses, deficits or disturbances of behavior. The

child's difficulty is emotionally based and cannot be adequately explained by intellectual, cultural, sensory general health factors, or other additional exclusionary factors.

Eligibility and Placement

1. A child may be considered for placement in a program for children with EBD based upon an eligibility report that shall include the following:
 - A. Documentation of comprehensive prior extension of services available in the regular program to include counseling, modifications of the regular program or alternative placement available to all children, and data-based progress monitoring of the results of interventions;
 - B. Psychological and educational evaluations;
 - C. Report of behavioral observations over a significant period of time;
 - D. Appropriate social history to include information regarding the history of the child's current problem(s), the professional services and interventions that have been considered or provided from outside the school; and
 - E. Adequate documentation and written analysis of the duration, frequency and intensity of one or more of the characteristics of emotional and behavioral disorders.
2. A child must not be determined to be a child with an Emotional and Behavioral Disorder if the primary factor for that determination is:
 - A. Lack of appropriate instruction in reading, including the essential components of reading instruction;
 - B. Lack of appropriate instruction in math;
 - C. Lack of appropriate instruction in writing;
 - D. Limited English proficiency;
 - E. Visual, hearing, or motor disability;
 - F. Intellectual disabilities;
 - G. Cultural factors;
 - H. Environmental or economic disadvantage; or
 - I. Atypical education history (multiple school attendance, lack of attendance, etc.).
3. The term does not include children with social maladjustment unless it is determined that they are also children with EBD. A child whose values and/or behavior conflict with the school, home or community, or who has been adjudicated through the courts or other involvement with correctional agencies is neither automatically eligible for nor excluded from EBD placement. Classroom behavior problems and social problems, e.g., delinquency and drug abuse, or a diagnosis of conduct disorder, do not automatically fulfill the requirements for eligibility for placement.

E. Intellectual Disability (ID) Definition

Intellectual disabilities refer to significantly subaverage general intellectual functioning which exists concurrently with deficits in adaptive behavior that adversely affects educational performance and originates before age eighteen (18). Intellectual disability does not include conditions primarily due to a sensory or physical impairment, traumatic brain injury, autism

spectrum disorders, severe multiple impairments, cultural influences or a history of inconsistent and/or inadequate educational programming.

Significantly subaverage general intellectual functioning is defined as approximately 70 IQ or below as measured by a qualified psychological examiner on individually administered, nationally normed standardized measures of intelligence.

- a. All IQ scores defining eligibility for children with intellectual disabilities shall be interpreted as a range of scores encompassed by not more than one standard error of measurement below and above the obtained score. The standard error of measurement for a test may be found in the technical data section of the test manual.
- b. Any final determination of the level of intellectual functioning shall be based on multiple sources of information and shall include more than one formal measure of intelligence administered by a qualified psychological examiner. There may be children with IQ scores below 70 who do not need special education. Interpretation of results should consider factors that may affect test performance such as socioeconomic status, native language, and cultural background and associated disabilities in communication, sensory or motor areas. Significantly subaverage intellectual functioning must be verified through a written summary of at least one structured observation that demonstrates the child's inability to progress in a typical, age appropriate manner and with consideration for culturally relevant information, medical and education history.

Deficits in adaptive behavior are defined as significant limitations in a child's effectiveness in meeting the standards of maturation, learning, personal independence or social responsibility, and especially school performance that is expected of the individual's age-level and cultural group, as determined by clinical judgment.

The child demonstrates significantly subaverage adaptive behavior in school and home, and, if appropriate, community environments. These limitations in adaptive behavior shall be established through the use of standardized adaptive behavior measures normed on the general population, including people with disabilities and people without disabilities. On these standardized measures, significant limitations in adaptive behavior are operationally defined as performance that is at least two standard deviations below the mean of either:

- A. one of the following three types of adaptive behavior: conceptual, social, or practical, or
- B. an overall (composite) score on a standardized measure of conceptual, social, and practical skills.

Documentation must include information from at least two sources. The first source shall be someone from the local school who knows the child and the second source shall be someone who knows the child outside of the school environment such as a parent, guardian, or person acting as a parent. Interpretation of results should consider the child's cultural background, socioeconomic status and any associated disabilities that may limit or impact the results of the adaptive behavior measures. Deficits in intellectual functioning and adaptive behavior must have existed prior to age eighteen (18).

A child must not be determined to be a child with an Intellectual Disability if the determinant factor for that determination is:

- a. Lack of appropriate instruction in reading, including the essential components of reading instruction;
- b. Lack of appropriate instruction in math;
- c. Lack of appropriate instruction in written expression;
- d. Limited English proficiency;
- e. Visual, hearing or motor disability;
- f. Emotional disturbances;
- g. Cultural factors;
- h. Environmental or economic disadvantage; or
- i. Atypical educational history (multiple school attendance, lack of attendance, etc.).

Eligibility and Placement

A child may be classified as having an intellectual disability (at one of the levels listed below) when a comprehensive evaluation indicates deficits in both intellectual functioning and adaptive behavior.

Intellectual functioning and adaptive behavior shall be considered equally in any determination that a child is eligible for services in the area of intellectual disability. A comprehensive educational evaluation shall be administered to determine present levels of academic functioning. The report shall be prepared for each child to provide an adequate description of the data collected and explicit pre-referral interventions prior to evaluation and to explain why the child is eligible for services in a program for children with intellectual disabilities. In situations where discrepancies exist between test score results from intellectual functioning, adaptive behavior and academic achievement, the eligibility report must contain a statement of specific factors considered which resulted in the decision of the eligibility team. Eligibility teams must establish that any limits in performance are not primarily due to the exclusionary factors and must document this in the eligibility report.

A child may be classified as having an intellectual disability at one of the levels listed below:

- a. Mild intellectual disability (MID) - Intellectual functioning ranging between an upper limit of approximately 70 to a lower limit of approximately 55 and deficits in adaptive behavior that significantly limit a child's effectiveness in meeting the standards of maturation, learning, personal independence or social responsibility, and especially school performance that is expected of the individual's age level and cultural group, as determined by clinical judgment.
- b. Moderate intellectual disability (MOID) - Intellectual functioning ranging from an upper limit of approximately 55 to a lower limit of approximately 40 and deficits in adaptive behavior that significantly limit a child's effectiveness in meeting the standards of maturation, learning, personal independence or social responsibility, and especially school performance that is expected of the individual's age-level and cultural group as determined by clinical judgment.
- c. Severe intellectual disability (SID) - Intellectual functioning ranging from an upper limit of approximately 40 to a lower limit of approximately 25 and deficits in adaptive behavior

that significantly limit a child's effectiveness in meeting the standards of maturation, learning, personal independence or social responsibility and especially school performance that is expected of the individual's age-level and cultural group as determined by clinical judgment.

- d. Profound intellectual disability (PID) - Intellectual functioning below approximately 25; and deficits in adaptive behavior that significantly limit a child's effectiveness in meeting the standards of maturation, learning, personal independence or social responsibility and especially school performance that is expected of the child's age-level and cultural group, as determined by clinical judgment.

F. Orthopedic Impairment (OI) Definition

Orthopedic impairment refers to a child whose severe orthopedic impairments adversely affect their educational performance to the degree that the child requires special education.

This term may include:

- Impairment caused by congenital anomalies, e.g., deformity or absence of some limb;
- Impairment caused by disease (poliomyelitis, osteogenesis imperfecta, muscular dystrophy, bone tuberculosis, etc.); and/or
- Impairment from other causes, e.g., cerebral palsy, amputations, and fractures or burns that cause contractures.

Secondary disabilities may be present, including, but not limited to, visual impairment, hearing impairment, communication impairment and/or intellectual disability.

Eligibility and Placement

Evaluation for initial eligibility shall include the following:

1. A current medical evaluation from a licensed Doctor of Medicine. The evaluation report used for initial eligibility shall be current within one year. The evaluation shall indicate the diagnosis/prognosis of the child's orthopedic impairment, along with information as applicable regarding medications, surgeries, special health care procedures and special diet or activity restrictions.
2. A comprehensive educational assessment to indicate the adverse effects of the orthopedic impairment on the child's educational performance.
3. Assessments shall document deficits in: pre-academic or academic functioning, social/emotional development, adaptive behavior, motor development or communication abilities resulting from the orthopedic impairment. When assessment information indicates significant deficit(s) in cognitive/academic functioning, a psychological evaluation shall be given.

Children served in a program for orthopedic impairments should function no lower than criteria outlined for mild intellectual disabilities programs. For those children with orthopedic impairments served in other special education programs due to the severity of their sensory or intellectual disability, support by the OI teacher regarding the implications of the child's orthopedic impairment may be appropriate.

G. Other Health Impairment (OHI) Definition

Other health impairment means having limited strength, vitality, or alertness including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that:

- a. Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficient hyperactivity disorder, diabetes, epilepsy, or heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette Syndrome; and
- b. Adversely affects a child's educational performance.

In some cases, heightened awareness to environmental stimulus results in difficulties with starting, staying on and completing tasks; making transitions between tasks; interacting with others; following directions; producing work consistently; and, organizing multi-step tasks.

Eligibility

Evaluation for initial eligibility shall include the following:

- a. The medical evaluation from a licensed Doctor of Medicine, or in the case of ADD and ADHD, an evaluation by a licensed Doctor of Medicine or licensed clinical psychologist, should be considered by the child's Eligibility Team as part of the process of determining eligibility. The evaluation report shall indicate the diagnosis/prognosis of the child's health impairment, along with information as applicable regarding medications, special health care procedures and special diet or activity restrictions. The evaluation report used for initial eligibility shall be current within one year and must document the impact of the physical condition on the vitality, alertness or strength of the child. In cases of illness where the child's physical health and well-being are subject to deterioration or change, this report shall be updated as frequently as determined by the IEP Committee. A medical diagnosis does not automatically include or exclude a child from determination of eligibility.
- b. A comprehensive developmental or educational assessment to indicate the effects of the health impairment on the child's educational performance. Assessments shall document deficits in pre- academic or academic functioning, adaptive behavior, social/emotional development, motor or communication skills resulting from the health impairment. When assessment information indicates significant deficits in cognitive/academic functioning, a psychological evaluation shall be given.
- c. A child must not be determined to be a child with Other Health Impairment if the determinant factor for that determination is:
 - i. Lack of appropriate instruction in reading, including the essential components of reading instruction;
 - ii. Lack of appropriate instruction in math;
 - iii. Lack of appropriate instruction in writing;
 - iv. Limited English proficiency;
 - v. Visual, hearing or motor disability;
 - vi. Intellectual disabilities;
 - vii. Emotional disturbances;

- viii. Cultural factors;
- ix. Environmental or economic disadvantage; or
- x. Atypical educational history (attendance at multiple schools, lack of attendance).

Placement and Service Delivery

A child meeting eligibility criterion may be served by any appropriately certified teacher in any educational program, as specified in the child's individualized education program (IEP). According to State Board of Education Rule 160-1-3-.03 Communicable Diseases, the district shall allow a child infected with a communicable disease to remain in his or her educational setting unless he or she currently presents a significant risk of contagion as determined by the district after consultation with the child's physician, a knowledgeable public health official, and/or a physician designated by the Schley County School District.

H. Significant Developmental Delay (SDD) Definition

The term Significant Developmental Delay refers to a delay in a child's development in adaptive behavior, cognition, communication, motor development or emotional development to the extent that, if not provided with special intervention, the delay may adversely affect a child's educational performance in age-appropriate activities. The term does not apply to children who are experiencing a slight or temporary lag in one or more areas of development, or a delay which is primarily due to environmental, cultural, or economic disadvantage or lack of experience in age appropriate activities. The SDD eligibility may be used for children from ages three through nine (the end of the school year in which the child turns nine).

Eligibility

Initial eligibility must be established, and an IEP in place, on or before the child's seventh birthday. SDD eligibility is determined by assessing a child in each of the five skill areas of adaptive development, cognition, communication, physical development (gross and fine motor), and social/emotional development. Any child who scores at least 2.0 standard deviations below the mean in one or more of the five areas or 1.5 standard deviations below the mean in two or more areas shall meet eligibility for SDD.

For children who are kindergarten age or older, initial eligibility shall also include documented evidence that the impact on educational performance is not due to:

- a. Lack of appropriate instruction in reading or literacy readiness, including the essential components of reading instruction;
- b. Lack of appropriate instruction in math or math readiness skills;
- c. Limited English proficiency;
- d. Visual, hearing or motor disability;
- e. Emotional disturbances;
- f. Cultural factors; or
- g. Environmental or economic disadvantage

The application of professional judgment is a critical element at every stage of eligibility determination: as test instruments are selected, during the evaluation process, in the analysis of evaluation results, as well as the analysis of error patterns on standardized, teacher made or other tests.

All five skill areas shall be assessed using at least one formal assessment. In those areas in which a significant delay is suspected, at least one additional formal assessment must be utilized to determine the extent of the delay. All formal assessments must be age appropriate, and all scores must be given in standard deviations.

For children eligible under SDD with hearing; visual; communication; or orthopedic impairments, a complete evaluation must be obtained to determine if the child also meets eligibility criteria for deaf/hard of hearing, visual impairments, speech and language impairments, or orthopedic impairments. Students with sensory, physical or communication disabilities must receive services appropriate for their needs, whether specific eligibility is determined.

Placement and Service Delivery

Preschool-aged (3-5) children meeting eligibility criteria as SDD and needing special education services may receive those services in a variety of placement options, as determined by the child's IEP Team and participation by other agencies, such as, but not limited to:

- a. Regular Early Childhood Setting; Head Start Programs; Georgia Pre-K Classes; Community Daycares; Private Preschools
- b. Separate Early Childhood Special Education Setting;
- c. Day School;
- d. Residential Facility;
- e. Service Provider Location; or
- f. Home

School-aged children with SDD shall be served by any appropriately certified teacher in any education program designed to meet the needs of the child, as specified by the child's IEP team.

I. Specific Learning Disabilities (SLD) Definition

Specific Learning Disability is defined as a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not apply to children who have learning problems that are primarily the result of visual, hearing or motor disabilities, intellectual disabilities, emotional or behavioral disorders, environmental, cultural or economic disadvantage.

The child with a specific learning disability has one or more serious academic deficiencies and does not achieve adequately according to age to meet State-approved grade-level standards. These achievement deficiencies must be directly related to a pervasive processing deficit and to the child's response to scientific, research-based interventions. The nature of the deficit(s) is such that classroom performance is not correctable without specialized techniques that are

fundamentally different from those provided by general education teachers, basic remedial/tutorial approaches, or other compensatory programs. This is clearly documented by the child's response to instruction as demonstrated by a review of the progress monitoring available in general education and Student Support Team (SST) intervention plans as supported by work samples and classroom observations. The child's need for academic support alone is not sufficient for eligibility and does not override the other established requirements for determining eligibility.

Exclusionary Factors

A child must not be determined to be a child with a specific learning disability if the determinant factor for that determination is:

- a. Lack of appropriate instruction in reading, to include the essential components of reading instruction (phonemic awareness, phonics, fluency, vocabulary, and comprehension);
- b. Lack of appropriate instruction in math;
- c. Lack of appropriate instruction in writing;
- d. Limited English proficiency;
- e. Visual, hearing or motor disability;
- f. Intellectual disabilities;
- g. Emotional disturbances;
- h. Cultural factors;
- i. Environmental or economic disadvantage; or
- j. Atypical educational history (such as irregular school attendance or attendance at multiple schools)

Required Data Collection

In order to determine the existence of a specific learning disability, the group must summarize the multiple sources of evidence to conclude that the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards and intellectual development. Ultimately, Specific Learning Disability is determined through professional judgment using multiple supporting evidences.

Data collected must include:

- a. At least two current (within twelve months) assessments such as the results of the CRCT or other state-required assessment, norm-referenced achievement tests or benchmarks indicating performance that does not meet expectations for State-approved grade-level standards;
- b. Information from the teacher related to routine classroom instruction and monitoring of the child's performance. The report must document the child's academic performance and behavior in the areas of difficulty.
- c. Results from supplementary instruction that has been or is being provided:
 - i. that uses scientific, research or evidence-based interventions selected to correct or reduce the problem(s) the student is having and was in the identified areas of concern;

- ii. such instruction has been implemented as designed for the period of time indicated by the instructional strategies. If the instructional strategies do not indicate a period of time the strategies should be implemented, the instructional strategies shall be implemented for a minimum of 12 weeks to show the instructional strategies' effect or lack of effect that demonstrates the child is not making sufficient progress to meet age or State- approved grade-level standards within a reasonable time frame;
- d. the interventions used, and the data-based progress monitoring results are presented to the parents at regular intervals throughout the interventions.

Any educationally relevant medical findings that would impact achievement must also be included. After consent is received from the parents for a comprehensive evaluation for special education determination the following must occur:

- a. An observation by a required group member;
- b. Documentation that the determination is not primarily due to any of the exclusionary factors;
- c. Current analyzed classroom work samples indicating below level performance as compared to the classroom normative sample; and
- d. Documentation of a pattern of strength and weaknesses in performance and/or achievement in relation to age and grade level standards must include:
 - i. A comprehensive assessment of intellectual development designed to assess specific measures of processing skills that may contribute to the area of academic weakness. This assessment must be current within twelve months,
 - ii. Current Response to Intervention data-based documentation indicating the lack of sufficient progress toward the attainment of age or State-approved grade-level standards.
 - iii. As appropriate, a language assessment as part of additional processing batteries may be included.

Eligibility Determination

The child who is eligible for services under the category of Specific Learning Disability must exhibit the following characteristics: a primary deficit in basic psychological processes and secondary underachievement in one or more of the eight areas along with documentation of the lack of response to instructional intervention as supported by on-going progress monitoring.

Deficits in basic psychological processes typically include problems in attending, discrimination/perception, organization, short-term memory, long-term memory, conceptualization/reasoning, executive functioning, processing speed, and phonological deficits. Once a deficit in basic psychological processes is documented, there shall be evidence that the processing deficit has impaired the child's mastery of the academic tasks required in the regular curriculum. Though there may exist a pattern of strengths and weaknesses, evidence must be included documenting that the processing deficits are relevant to the child's academic underachievement as determined by appropriate assessments that are provided to the child in

his/her native language. Though a child may be performing below age or state-approved grade level standards, the results of progress monitoring must indicate that the child is not making the expected progress toward established benchmarks. This is indicated by comparing the child's rate of progress toward attainment of grade level standards.

Underachievement exists when the child exhibits a pattern of strengths and weakness in performance, achievement, or both, relative to age, state-approved grade level standards and intellectual development and when a child does not achieve adequately toward attainment of grade level standards in one or more of the following areas:

- a. Oral expression- use of spoken language to communicate ideas;
- b. Listening comprehension-ability to understand spoken language at a level commensurate with the child's age and ability levels;
- c. Written expression - ability to communicate ideas effectively in writing with appropriate language;
- d. Basic reading skills-ability to use sound/symbol associations to learn phonics in order to comprehend the text;
- e. Reading comprehension-ability to understand the meaning of written language based in child's native language;
- f. Reading Fluency Skills- the ability to read and process a text with appropriate rate and accuracy;
- g. Mathematics calculation-ability to process numerical symbols to derive results, including, but not limited to, spatial awareness of symbol placement and choice of sequence algorithms for operations required; and
- h. Mathematical problem solving -ability to understand logical relationships between mathematical concepts and operations, including, but not limited to, correct sequencing and spatial/symbolic representation.

Progress monitoring includes the data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting child progress during instruction. When reviewing progress monitoring data, those students that exhibit a positive response to the research validated instruction being provided by general education cannot be considered as having a specific learning disability even though they may show deficits on achievement tests in the specified areas. In addition, children whose achievement in classroom academics indicates performance that is commensurate with pervasive weaknesses that are not indicative of a pattern of strengths and weaknesses may not be considered as having a specific learning disability.

One group member responsible for determining a specific learning disability must conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parental consent for special education evaluation is obtained. The observation of the child is conducted in the learning environment, including the regular classroom setting, to document the child's academic performance and behavior in the areas of difficulty. The observation must include information from the routine classroom instruction and monitoring of the child's performance.

The SLD Eligibility Group

The determination of whether a child suspected of having a specific learning disability is a child with a disability must be made by the child's parents and a team of qualified professionals that must include:

- a. The child's regular teacher; or if the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age;
- b. A highly qualified certified special education teacher; and
- c. A minimum of one other professional qualified to conduct individual diagnostic assessments in the areas of speech and language, academic achievement, intellectual development, or social- emotional development and interpret assessment and intervention data (such as school psychologist, reading teacher, or educational therapist). Determination of the required group member should be based on the data being reviewed and the child's individual needs.

Each group member must certify in writing whether the report reflects the member's conclusions. If it does not reflect the member's conclusion, the group member must submit a separate statement presenting the member's conclusion.

J. Speech-Language Impairment (SI) Definition

Speech or language impairment refers to a communication disorder, such as stuttering, impaired articulation, language or voice impairment that adversely affects a child's educational performance. A speech or language impairment may be congenital or acquired. It refers to impairments in the areas of articulation, fluency, voice or language. Individuals may demonstrate one or any combination of speech or language impairments. A speech or language impairment may be a primary disability, or it may be secondary to other disabilities.

- I. **Speech Sound Production Impairment (e.g. articulation impairment)**- atypical production of speech sounds characterized by substitutions, omissions, additions or distortions that interferes with intelligibility in conversational speech and obstructs learning, successful verbal communication in the educational setting. The term may include the atypical production of speech sounds resulting from phonology, motor or other issues. The term speech sound impairment does not include:
 - A. Inconsistent or situational errors;
 - B. Communication problems primarily from regional, dialectic, and/or cultural differences;
 - C. Speech sound errors at or above age level according to established research-based developmental norms, speech that is intelligible and without documented evidence of adverse effect on educational performance;
 - D. Physical structures (e.g., missing teeth, unrepaired cleft lip and/or palate) are the primary cause of the speech sound impairment; or
 - E. Children who exhibit tongue thrust behavior without an associated speech sound impairment.

- II. **Language Impairment** - impaired comprehension and/or use of spoken language which may also impair written and/or other symbol systems and is negatively impacting the child's ability to participate in the classroom environment. The impairment may involve, in any combination, the form of language (phonology, morphology, and syntax), the content of language (semantics) and/or the use of language in communication (pragmatics) that is adversely affecting the child's educational performance. The term language impairment does not include:
- A. Children who are in the normal stages of second language acquisition/learning and whose communication problems result from English being a secondary language unless it is also determined that they have a speech language impairment in their native/primary language.
 - B. Children who have regional, dialectic, and/or cultural differences
 - C. Children who have auditory processing disorders not accompanied by language impairment.
 - D. Children who have anxiety disorders (e.g. selective mutism) unless it is also determined that they have a speech language impairment. There must be a documented speech-language impairment that adversely affects the educational performance for these children to qualify for special education services.
- III. **Fluency Impairment** - interruption in the flow of speech characterized by an atypical rate, or rhythm, and/or repetitions in sounds, syllables, words and phrases that significantly reduces the speaker's ability to participate within the learning environment. Excessive tension, struggling behaviors and secondary characteristics may accompany fluency impairments. Secondary characteristics are defined as ritualistic behaviors or movements that accompany dysfluencies. Ritualistic behaviors may include avoidance of specific sounds in words. Fluency impairment includes disorders such as stuttering and cluttering. It does not include dysfluencies evident in only one setting or reported by one observer.
- IV. **Voice/Resonance Impairment** – interruption in one or more processes of pitch, quality, intensity, or resonance resonance that significantly reduces the speaker's ability to communicate effectively. Voice/Resonance impairment includes aphonia or the abnormal production of vocal quality, pitch, loudness, resonance, and/or duration, which is inappropriate for an individual's age and/or gender. The term voice/resonance impairment does not refer to:
- A. Anxiety disorders (e.g. selective mutism)
 - B. Differences that are the direct result of regional, dialectic, and/or cultural differences
 - C. Differences related to medical issues not directly related to the vocal mechanism (e.g. laryngitis, allergies, asthma, laryngopharyngeal reflux (e.g. acid reflux of the throat, colds, abnormal tonsils or adenoids, short-term vocal abuse or misuse, neurological pathology)

- D. Vocal impairments that are found to be the direct result of or symptom of a medical condition unless the impairment impacts the child's performance in the educational environment and is amenable to improvement with therapeutic intervention.

Evaluation, Eligibility and Placement

All the special education rules and regulations related to evaluation, eligibility and placement must be followed including:

1. Evaluation

- A. Documentation of the child's response to prior evidenced-based interventions prior to referral for a comprehensive evaluation.
- B. A comprehensive evaluation shall be performed by a certified or licensed Speech-Language Pathologist (SLP) for consideration of speech-language eligibility. Following receipt of a clear hearing and vision screening and medical clearance for voice (as appropriate) this evaluation consists of an initial screening of the child's speech sounds, language, fluency, voice, oral motor competency, academic, behavioral, and functional skills using either formal or informal assessment procedures to assist in determining if the child is a child with a disability. An in-depth evaluation of each area suspected of being impaired, using at least one formal test and/or procedure.
- C. A full and individual initial evaluation for each area suspected of being a disability must be provided and considered prior to the child's eligibility for speech-language services. This may include assessments in the areas of health (e.g. ENT, otolaryngologist, ophthalmologist, and optometrist), vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.
- D. The evaluation is sufficient to identify all the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been referred or classified.
- E. Children with voice/resonance impairment must have a medical evaluation to rule out physical structure etiology by a medical specialist either prior to a comprehensive evaluation or as part of a comprehensive evaluation. The presence of a medical condition (e.g., vocal nodules, polyps) does not necessitate the provision of voice therapy as special education or related service nor does a prescription for voice therapy from a medical doctor. A written order from a medical practitioner is a medical opinion regarding the medical evaluation or treatment that a patient should receive. When directed to a school, these medical orders should be considered by the team as a part of the eligibility process. The team, not a medical practitioner, determines the need for an evaluation for special education services based on documented adverse effect of the voice impairment on the child's educational performance.
- F. A variety of assessment tools and strategies must be used to gather relevant functional, developmental and academic information about the child, including information provided by the parent. Information from the evaluation is used to determine whether the child is a child with a disability and the content of the child's IEP including

information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities).

2. Eligibility

Determining eligibility for speech-language impaired special education services includes three components:

- A. The Speech-Language Pathologist determines the presence or absence of speech language impairment based on Georgia rules and regulations for special education,
- B. Documentation of an adverse effect of the impairment on the child's educational performance, and
- C. Eligibility team decision indicating that the student is eligible for special education and needs appropriate specialized instruction to access the student's curriculum.

Eligibility shall be determined based on the documented results of at least two or more measures or procedures, at least one of which must be formal, administered in the area of impairment and documentation of adverse effect.

A speech-language disorder does not exist if:

- A. Environmental, cultural, or economic disadvantage cannot be ruled out as primary factors causing the impairment; or
- B. A child exhibits inconsistent, situational, transitory or developmentally appropriate speech-language difficulties that children experience at various times and to various degrees.

Because children who have communication difficulties do not necessarily have speech or language impairments, the speech-language program may not be the appropriate service delivery model to adequately meet the child's educational needs. For this reason, all children who are suspected of having communication problems shall be the subject of a Student Support Team (SST) to problem solve and implement strategies to determine and limit the adverse effect on the child's educational performance.

For nonverbal or verbally limited children and those with autism and/or significant intellectual, sensory, or physical disabilities, a multidisciplinary team of professionals shall provide a functional communication assessment of the child to determine eligibility for speech language services. The multidisciplinary team shall consist of professionals appropriately related to the child's area of disability.

A child is eligible for placement in a speech-language program if, following a comprehensive evaluation; the child demonstrates impairment in one or more of the following areas: speech sound, fluency, voice or language that negatively impacts the child's ability to participate in the classroom environment. The present adverse effect of the speech-language impairment on the child's progress in the curriculum, including social and/or emotional growth, must be documented in writing and used to assist in determining eligibility.

3. Placement

Placement in the speech-language program shall be based on the results of the comprehensive assessment, and eligibility, along with all other pertinent information. Children shall not be excluded from a speech-language program based solely on the severity of

the disability. Cognitive referencing (i.e., comparing language scores to IQ scores) is not permissible as the only criteria for determining eligibility for speech-language impaired services.

Communication Paraprofessionals

A communication paraprofessional is an adjunct to the Speech Language Pathologist (SLP) and assists with certain duties and tasks within the speech-language program. The communication paraprofessional is under the supervision of a certified or licensed SLP. The communication paraprofessional cannot carry their own caseload, nor do they increase the certified SLP's caseload outside of a self-contained classroom. The primary responsibility for the delivery of services, as indicated on the IEP, remains with the certified or licensed SLP. Children who receive services from the communication paraprofessional shall also receive services from the supervising SLP and/or licensed or certified SLP a percentage of the time designated in the IEP for speech-language services, but no less than one hour per month.

Procedures for Supervision of Communication Paraprofessionals

- a. The SLP will provide specific training to the communication paraprofessional, during preplanning.
- b. The communication paraprofessional will observe the SLP providing instructional/therapy sessions at a minimum of two (2) weeks before working with students individually.
- c. The SLP will observe the communication paraprofessional providing instruction or interventions to students receiving services, at a minimum of two (2) sessions per nine-week period.
- d. The SLP will provide instruction/therapy to the student receiving speech and language services after receiving a minimum of one (1), initial hour of direct contact with the communication paraprofessional, after receiving training.
- e. The SLP will consult directly with the communication paraprofessional at a minimum of one (1) hour per week. During the conference time, the SLP will review written logs and data maintained by the communication paraprofessional.
- f. After the initial training and monitoring session, the SLP will conduct at least one (1) therapy/instructional session with the student receiving speech and language services in every five (5) consecutive sessions.
- g. After ten (10) hours of intense, direct supervision, the amount of supervision may be adjusted depending on the competency of the communication paraprofessional, the needs of the student receiving services, and the nature of the assigned task. The SLP, however, will complete instructional/therapy sessions with students receiving services at a minimum of one (1) per ten (10) consecutive sessions.
- h. The SLP, communication paraprofessional, and the Student Services Director will collaborate on the development of a professional learning plan to assist the communication paraprofessional in obtaining the necessary skills to boost instructional effectiveness. The plan may include the review of audio or videotaped sessions, attendance at supervisory conferences, and participation in specific webinars, sponsored

by the Georgia Department of Education or selected in the online professional development software purchased by the Schley County School System.

- i. The communication paraprofessional will remain under the supervision of a speech and language pathologist, at all times. If a speech and language pathologist is not available to provide supervisory assistance, the communication paraprofessional will cease instructional/intervention session, until a fully qualified speech and language pathologist is assigned.

K. Traumatic Brain Injury (TBI) Definition

Traumatic Brain Injury (TBI) refers to an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects the child's educational performance. The term applies to open or closed head injuries resulting in impairments which are immediate or delayed in one or more areas, such as cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, speech and information processing. The term does not apply to brain injuries that are congenital or degenerative in nature, brain injuries induced by birth trauma.

Eligibility

1. Evaluation

Evaluation for eligibility shall include the following:

- A. A summary of the child's pre-injury functioning status. This information may be available through previous formal evaluations, developmental assessments, achievement tests, classroom observations and/or grade reports.
- B. Verification of the TBI through the following:
 - i. A medical evaluation report from a licensed Doctor of Medicine indicating that TBI has occurred recently or in the past, or
 - ii. Documentation of TBI from another appropriate source, such as health department or social services reports, or parents' medical bills/records
- C. A neuropsychological, psychological or psychoeducational evaluation that addresses the impact of the TBI on the following areas of functioning:
 - i. Cognitive - this includes areas such as memory, attention, reasoning, abstract thinking, judgment, problem solving, speed of information processing, cognitive endurance, organization, receptive and expressive language and speed of language recall.
 - ii. Social/Behavioral - this includes areas such as awareness of self and others, interaction with others, response to social rules, emotional responses to everyday situations and adaptive behavior.
 - iii. Physical/Motor - this includes areas such as hearing and vision acuity, speech production, eye-hand coordination, mobility and physical endurance.

2. Deficits

Deficits in one or more of the above areas that have resulted from the TBI and adversely affect the child's educational performance shall be documented.

Placement and Service Delivery

The identification of TBI for educational programming does not dictate a specific service or placement. The child with TBI shall be served by any appropriately certified teacher in any educational program, as specified in the child's individualized education program (IEP) Team minutes.

L. Visual Impairment (VI) Definition

A child with a visual impairment is one whose vision, even with correction, adversely impacts a child's educational performance. Examples are children whose visual impairments may result from congenital defects, eye diseases, or injuries to the eye. The term includes both visual impairment and blindness as follows:

1. Blind refers to a child whose visual acuity is 20/200 or less in the better eye after correction or who has a limitation in the field of vision that subtends an angle of 20 degrees. Some children who are legally blind have useful vision and may read print.
2. Visually impaired refers to a child whose visual acuity falls within the range of 20/70 to 20/200 in the better eye after correction or who have a limitation in the field of vision that adversely impacts educational progress.

Progressive visual disorders may also fall under the definition of Visual Impairment. Children, whose current visual acuity is greater than 20/70, but who have a medically-indicated expectation of visual deterioration may be considered for vision impaired eligibility based on documentation of the visual deterioration from the child's optometrist or ophthalmologist.

Eligibility and Placement

1. A current (within one year) eye examination report shall be completed and signed by the ophthalmologist or optometrist who examined the child. A report from a neurologist in lieu of the optometrist/ophthalmologist report is acceptable for students who have blindness due to cortical vision impairment.
2. A clinical low vision evaluation shall be completed by a low vision optometrist for children who are not totally blind. If the student is under the age of 8 and/or has a severe cognitive and/or physical disability that would make the use of low vision aids unfeasible, a functional vision evaluation may be used instead of a low vision evaluation to establish eligibility.
 - a. The low vision evaluation should be completed by age 10 for children who do not have one during eligibility determination prior to age 8 unless other circumstances apply.
 - b. The low vision evaluation is often difficult to schedule within the sixty (60) day timeline; therefore, if children meet all other eligibility requirements, the eligibility report shall document the date of the scheduled upcoming low vision evaluation and the team may proceed with the eligibility decision.

3. Once the low vision evaluation has occurred the eligibility information shall be updated, and as appropriate, included in the revision and/or development of the IEP. The low vision evaluation must occur within 120 days of receipt of parental consent to evaluate to determine eligibility for visual impairment.
4. A comprehensive education evaluation shall be administered to determine present levels of functioning. The impact of the visual impairment on the child's educational performance shall be considered for eligibility.
5. Educational assessments may include cognitive levels, academic achievement, and reading ability. Educational assessments related to vision must be completed by a teacher certified in the area of visual impairments.
6. In some cases, comprehensive psychological evaluations may be indicated and must be completed by appropriately certified personnel.
7. Braille instruction is always considered critical to appropriate education for a child who is blind. Children identified with visual impairments shall be evaluated to determine the need for Braille skills. The evaluation will include the present and future needs for Braille instruction or the use of Braille. For children in which Braille instruction and use is indicated, the individualized education program (IEP) shall include the following:
 - a. Results obtained from the evaluation conducted for the purpose of determining the need for Braille skills;
 - b. How instruction in Braille will be implemented as the primary mode for learning through integration with other classroom activities;
 - c. Date on which Braille instruction will commence;
 - d. The length of the period of instruction and the frequency and duration of each instructional session; and
 - e. The level of competency in Braille reading and writing to be achieved by the end of the period and the objective assessment measures to be used.
8. For those children in which Braille instruction is not indicated, the IEP shall include a statement with supporting documentation that indicate the absence of Braille instruction will not impair the child's ability to read and write effectively.

Private Schools (160-4-7-.13)

Definitions

A private school is a school or educational facility operated and supported by private individuals or a corporation rather than by a government or public agency.

Equitable Services for Private and Home School Students with Disabilities

The Schley County School System shall provide parentally-placed private or home school children with disabilities, preschool through grade 12, an opportunity for equitable participation in the services funded with Federal Part B funds that the district has determined, after consultation, to make available to parentally-placed private school children with disabilities. The term "parentally-placed private school children with disabilities" refers to children with

disabilities enrolled by their parents in private schools, including religious, schools or facilities when the provision of a FAPE is not at issue. The term does not include private school children with disabilities placed by the Schley County School System as a means of providing special education and related services.

The term is also inclusive of eligible students with disabilities who are home schooled.

Requirements for Children with Disabilities in Private Schools Placed or Referred by the Schley County School System

The Schley County Student Services Director will ensure that special education and related services provided by the private school or facility is:

- a. in compliance with the student's IEP,
- b. at no cost to the parents,
- c. provided an education that meets the standards provided by the Georgia Department of Education and the Schley County School System, and
- d. afforded all the rights for a child with a disability who is served in the Schley County School System.

Requirements for Children with Disability Parentally-Placed in Private Schools When Free Appropriate Public Education (FAPE) Is at Issue

The Schley County School System is not responsible for the cost of educating a student in a private school or facility, if the district made FAPE available and the parents elected to enroll the student in the private school or facility. Parentally-placed private school students are afforded all the rights for a child with a disability who is served in the Schley County School System.

Procedural safeguards/parental rights are provided to parents of a student with disabilities. If the parents disagree with the district about the provision of FAPE, regarding the availability of an appropriate program and the financial responsibility of the district. Please refer to the Procedural Safeguards/Parental Rights section of this manual for more information.

Reimbursement for Private School Placement

If the parents of a child with a disability, who previously received special education and related services in the district, enroll the student in a private school or facility without a consent or referral by the district, a court or an administrative law judge may require the district to reimburse the parents for the cost of the enrollment, if the court of judge finds that FAPE was not made available to the student in a timely manner, prior to the private school enrollment and placement in the private facility was appropriate. Parental placement in a private school or facility may be deemed appropriate by the court, although the institution may not utilize state standards.

Limitation on Reimbursement

The reimbursement costs for private school enrollment may be reduced or denied if:

- a. the parents, at the last attended IEP meeting, failed to inform the IEP Team of the parents' rejection of the proposed placement by the district to provide FAPE and failed to verbalize the intent to enroll the child in a private facility;

- b. the parents failed to provide written notification to the district within ten (10) business days prior to the student's withdrawal of the rejection for the proposed placement to provide FAPE and failed to state the parents' concerns or intent to enroll the student in a private facility at public expense;
- c. the district informed the parents, through notification requirements, of the intent to evaluate the student, prior to the parents' withdrawal, and included the purpose and scope of the evaluation, and the parents failed to make the student available for testing; or
- d. judicial findings of unreasonableness were issued with respect to actions taken by the parents.

Exception to Limitation on Reimbursement

The cost of reimbursement will not be reduced or denied for a parent's failure to provide written notification of intent to withdraw the student or to voice proposed placement concerns, if:

- a. the school prevented the parents from issuing a written notice;
- b. the parents did not receive parental rights notification under IDEA and were not aware of the requirement for submitting a written notice;
- c. the provision of notice would likely result in physical or emotional harm to the student; or
- d. the parents are not literate or cannot write in English.

Requirements for Parentally-Placed Private School Students with Disabilities

The Schley County Student Services Department will locate, identify, and evaluate all private school children with disabilities, including out-of-state students, enrolled in a private school or facility located in Schley County. Please refer to the Child Find Procedures section of this manual for more information.

The Student Services Director will consult with private school representatives to complete Child Find activities comparable to the activities performed by the district for students with disabilities enrolled in public schools.

The district's Student Services Director will ensure that each parentally-placed private school student with disabilities or eligible home school student with disabilities has a service plan which indicates the special education and related services provided by the Schley County School System.

The Schley County Schools' Student Services Department will maintain records of parentally-placed private school or home school students and will provide the following information to the Georgia Department of Education:

- a. the number of children evaluated;
- b. the number of children determined to be children with disabilities; and
- c. the number of children served.

The Student Services Director will consult with private school representatives to determine the number of private school children with disabilities in the annual count and will

determine the amount of funds that the district must spend on equitable services to private school children with disabilities for the upcoming fiscal year.

Expenditure Guidelines for Private School Students with Disabilities

For children ages three (3) to twenty-one (21), the Schley County School System must expend a proportionate share of Title VI, Part B IDEA Flow-through funds for students with disabilities enrolled in a private school or facility in Schley County.

The amount of Part B funds available for these services is based on the proportionate share calculation included in the Consolidated Application with IDEA Flow-through Section 611 Part B budget approval to determine the amount of proportionate share funds required. The Schley County School System shall include the proportionate share required amount as a line item in the budget for budget approval by GaDOE.

Unspent proportionate share funds shall be carried over, budgeted, and expended in the next fiscal year, unless a request for a waiver is submitted to and approved by the Special Education Services and Supports Budget Unit of the Georgia Department of Education. Child Find activities are the responsibility of the Schley County School System; therefore, Child Find activities shall not be included in equitable services expenditure tests.

The Schley County Student Services Director will ensure that resources and/or equipment requested by the private school for children receiving special education and related services supplement and do not supplant the proportionate amount of federal funds required to be expended for the district's parentally-placed private school children with disabilities.

Currently, Schley, Dooly, Sumter, Taylor and Macon Counties comprise the regional consortium to fund the collaborative preschool program, Partners in the Early Education of Children with Handicaps (PEECH). Chattahoochee Flint RESA serves as the fiscal agent for the regional consortium. Therefore, Chattahoochee Flint RESA expends the IDEA Flow-through Section 619 Part B Grant funding for children ages three (3) to five (5). Should the Schley County School System ever receive these funds directly, the system would expend a proportionate share for students with disabilities, ages three (3) to five (5), enrolled in a private school or facility in Schley County, including private facilities that operate a kindergarten program.

Notification to Private Schools

Invitations for private and home schools located within the district's geographical boundaries to consult with and participate in the federal programs the following fiscal year. The District Invitation to Private Schools to Consult Forms are sent in the fall, usually October, via receipt delivery. When requested, a consultation meeting is held to present information about the various federal programs available to students in private schools.

Timely and Meaningful Consultation with Private School Representatives

A timely and meaningful consultation must occur before any decisions are made that will affect the participation of parentally-placed children in Part B programs. Decisions about services shall not be made in advance. The district is responsible for making final decisions about all aspects of services to be provided to parentally-placed private or home school children with

disabilities, after consultations are held and input from all participants are considered, prior to the start of the school year.

Attendants to the consultation shall include: Representatives of private elementary and secondary schools within the geographical boundaries of the school system; parents or parent representatives of those students with disabilities (SWD) in the private schools; and, parents or representatives of eligible home school students with disabilities.

Schley County Special Services Division staff will consult with attendants over the following five essential items:

- a. The Child Find process, including how private school students can participate equitably and how parents, teachers, and private school officials will be informed of the child find procedures and activities;
- b. The determination and calculation of the proportionate share amount;
- c. The consultation process and how it will operate throughout the school year so eligible students can participate in special education and related services comparable in quality to students served in the district's schools;
- d. Provisions for services, including how, where and by whom proportionate share funds will be allocated, as well as a description of the types and amounts of special education and related services provided.
- e. If service disagreements arise between the private school or parent attendees and the Schley County Student Services Department, the district will provide a written explanation of the reasons the district elected not to follow the views or recommendations of the private school participants.

Each consultation participant must be given an affirmation form to sign indicating that the five essential points were discussed, and private school views were considered. The district's Student Services Director will obtain these signed affirmations within ten (10) business days of the meeting. If the private school or home school representative refuses to sign an affirmation form, it should be maintained with a note to that effect. In addition, the Student Services Director will contact the Georgia Department of Education.

Service Plans for Parentally-Placed Private School Students with Disabilities

The Schley County Student Services Director, with private school representatives and parent or parent representatives of students with disabilities in private schools or eligible home school students with disabilities, will complete the individualized service plans collaboratively. The service plan becomes effective at the beginning of the school year and shall be reviewed periodically, at a minimum of one time per school term. The Schley County Student Services Director will initiate and conduct meetings to assist in the development, review, and/or revision of all service plans.

The service plan will include a description of the special education and related services, as well as supplementary aids and services, which will be provided to the student with disabilities. The Schley County Student Services Director will ensure that instructional staff meets the same standards as personnel providing service within the school district, except the personnel will not be required to meet highly qualified status.

Parentally-placed private school children with disabilities shall receive services comparable in quality as children with disabilities enrolled in the Schley County School System. Special education and related services for private school students with disabilities may be provided by an employee of the Schley County School System or contracted through an individual, organization, association, agency, or other entity.

Property, Equipment, and Supplies for Participating Private Schools

IDEA Flow-through funds may be used to purchase materials and equipment to meet the needs of eligible private and home school students with disabilities. The Schley County Student Services Director will supervise the expenditures of equipment and supply requests from private schools with enrolled students who receive special education and related services.

The Schley County School System retains the title of materials and equipment and must continue to account for the equipment through the inventory management system. The inventory shall contain the same requirements for any equipment purchased with federal funds. These requirements are:

- The district asset tag number
- A description of the equipment
- A serial number, model number, or other identification number
- The funding source (including FAIN) and percentage under which the equipment was acquired
- The source of property (vendor)
- The acquisition date and unit cost
- The present location of the equipment (school, classroom, etc.)
- Indication of the use of the equipment instruction, professional learning, parent and family engagement, administration, etc.
- The condition of the equipment
- The date the information was added to the inventory
- Who holds title to the equipment?
- All pertinent information on the final transfer, replacement, or disposition of the equipment (including the date of disposal and sale price of the equipment)

The Schley County Student Services Department will maintain property inventories and requisition forms for all property, equipment, and supplies used to provide special education and related services to private school students. The property, equipment, and supplies afforded to the private schools for special education and related services will remain at the facility for the period in which services are needed.

The Schley County Student Services Director will issue to private school officials a memorandum of understanding (MOU) which indicates that property, equipment, and supplies will be used for special education purposes only.

The Schley County School System will not authorize purchases which result in private school renovations, since the district must ensure that all purchases are removable from the private school facility at the end of the service period. The Schley County School System shall, also, remove property, equipment, and supplies from the private institution, if the materials are used for purposes other than providing special education or related services.

The Schley County School System will not approve funding requests, under IDEA Flow-through funds, for repairs, minor remodeling, or construction of private school facilities.

Location of Services

Services for private school students with disabilities will be provided at one of the Schley County School System sites. Services may be provided at the private school, including a religious school, to the extent consistent with the law.

Transportation of Private School Students with Disabilities

To ensure that private school students with disabilities receive special education and related services, transportation by the Schley County School System will be provided. Transportation includes transferring the student from home or the private facility to the service location and returning the student to the private school or home after receiving special education and related services.

The Schley County School System will not provide transportation from the student's home to the private school or facility.

Transportation costs shall be included in the proportionate share funding calculations.

Complaints

Failure to engage in consultation with private school officials, parent/parent representatives of parentally-placed students with disabilities, or parent/parents of eligible home school students with disabilities may result in the submission of a complaint to the Georgia Department of Education. The grievance must be submitted in accordance with the Formal Complaint Process, as identified under the Dispute Resolution section of this manual.

If the private school officials are dissatisfied with the Georgia Department of Education's decision, the private school officials may issue a complaint to the United State Department of Education, whereby the Georgia Department of Education must forward all appropriate documentation. Procedural Safeguards/Parents Rights shall not apply to complaints that the Schley County School District has failed to provide services as indicated on the students' service plans, unless the complaint addresses Child Find activities or failure to meet equitable and timely consultation requirements. Complaints concerning Child Find activities must be forwarded to the Georgia Department of Education.

Requirement That Funds Not Benefit a Private School

IDEA Flow-through funds will not be used to finance the existing level of instruction in a private school or facility or to meet the general needs of students enrolled in the private school or facility.

IDEA Flow-through funds will not be used to benefit the private school or facility.

Use of Personnel

If special education or related services are not normally provided by the private school or facility, IDEA Flow-through funds may be used to provide personnel in a private school or facility in order to meet the needs of private school children with disabilities.

Personnel employed through IDEA Flow-through funds must complete services outside the regular hours of duty and must remain under the Schley County School System's supervision and control.

Separate Classes

The Schley County School System will not use IDEA Flow-through funds for class organized separately based on school enrollment or religion, if:

- a. the classes are located at the same site, and
- b. the classes contain students enrolled in public and private schools.

Property, Equipment, and Supplies for Participating Private Schools

IDEA Flow-through funds may be used to purchase materials and equipment to meet the needs of eligible private and home school students with disabilities. The Schley County Student Services Director will supervise the expenditures of equipment and supply requests from private schools with enrolled students who receive special education and related services.

The Schley County School System retains the title of materials and equipment and must continue to account for the equipment through the inventory management system. The inventory shall contain the same requirements for any equipment purchased with federal funds. These requirements are:

- A description of the equipment.
- A serial number, model number, or other identification number.
- The funding source (including FAIN) and percentage under which the equipment was acquired.
- The source of property (vendor).
- The acquisition date and unit cost.
- The present location of the equipment (school, classroom, etc.).
- Indication of the use of the equipment instruction, professional learning, parent and family engagement, administration, etc.
- The condition of the equipment.
- The date the information was added to the inventory.
- Who holds title to the equipment?
- All pertinent information on the final transfer, replacement, or disposition of the equipment (including the date of disposal and sale price of the equipment). The Schley County Student Services Department will maintain property inventories and requisition forms for all property, equipment, and supplies used to provide special education and related services to private school students. The property, equipment, and supplies afforded to the private schools for special education and related services will remain at the facility for the period in which services are needed.

The Schley County Student Services Director will issue to private school officials a memorandum of understanding (MOU) which indicates that property, equipment, and supplies will be used for special education purposes only.

The Schley County School System will not authorize purchases which result in private school renovations, since the district must ensure that all purchases are removable from the private school facility at the end of the service period. The Schley County School System shall, also, remove property, equipment, and supplies from the private institution, if the materials are used for purposes other than providing special education or related services.

The Schley County School System will not approve funding requests, under IDEA Flow-through funds, for repairs, minor remodeling, or construction of private school facilities.

Documentation for Equitable Services and Funding for Private and Home School Students

The Student Services Director shall maintain all pertinent documentation related to the provision of equitable services and funding for the district's private and home school students with disabilities. Documentation includes, but is not limited to:

- Child Find notifications
- Schley County School District Invitation to Private Schools to Consult Forms
- Notices for consultation by mail, public media (newspaper, website), home school registrants
- Copies of attendance sheets, agendas, PowerPoint presentations, and all training materials
- Consultation Affirmation Forms
- Budget allocations
- Proportionate Share amounts and calculations
- Carry Over Notification for Proportionate Share funds
- Private School Requisition and Equipment Inventory Forms, MOU
- Private School Expenditure Spreadsheet
- Copies of Complaint Forms
- Copies of Service Plans, including types and amounts of services

Least Restrictive Environment (160-4-7-.07)

Definition

The Least Restrictive Environment (LRE) is a term used to ensure that all students have a right to an education under IDEA and are educated, to the maximum extent appropriate, with nondisabled peers. Removal of students with disabilities from the general education environment occurs only when the nature or severity of the disability is such that education in a general education class with the use of supplementary aids and/or services cannot be satisfactorily attained.

Determining Educational Placements

The Individuals with Disabilities Education Improvement Act (IDEA) guarantees students with disabilities the right to be educated with their peers in the Least Restrictive Environment (LRE) to the maximum extent appropriate. IDEA guarantees students with disabilities access to a full continuum of services, and it is the responsibility of the IEP team to determine the Least Restrictive Environment for an individual student. In addition, the IEP team determines the supports and accommodations necessary for successful participation in the LRE and other special education services as needed.

When determining a student's educational placement of a child with a disability, including a preschool child with a disability, the Schley County School System will ensure that each child's placement decision:

- is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options appropriate to each student's specific needs;
- conforms to LRE provisions outlined in state and federal laws, rules, and associated regulations;
- is determined annually, at a minimum;
- Is based on the identified needs of each individual student and documented in the IEP;
- is as close as to the student's home as possible with first consideration given to the school the student would attend if nondisabled;
- considers any potential harmful effect on the child or quality of services he or she needs; and
- does not remove a child with a disability from obtaining an education in age appropriate regular education classrooms solely due to needed modifications, supports, or services required in the general education curriculum.

Continuum of Alternate Placements

The Schley County School System will ensure that a continuum of alternative placements be available to meet the varying needs of students with disabilities for special education and related services.

Alternative placements which may be made available for students in Kindergarten through 12th grade include the following:

1. General education classroom with age-appropriate non-disabled peers, if required by the IEP:
 - A. Additional supportive services. The child remains in regular classroom with supplementary aids and services provided to the teacher and/or child to implement the IEP. The services provided may be from personnel such as paraprofessionals, interpreters, or others.
 - B. Direct services. The child remains in the regular classroom with direct services from special education personnel on a consultative, collaborative, or co-teaching basis.

2. Special education classrooms where instruction is provided by a certified special education teacher, outside the general education classroom for individuals or small groups, for part or all the school day
3. Separate day school programs
4. Residential school programs
5. Home and hospital programs; and
6. Other settings, including combinations of placements.

Placements for preschool students with disabilities include:

1. Regular Early Childhood Setting
2. Head Start Programs
3. Georgia Pre-K Classes
4. Community Daycares
5. Private Preschools
6. Separate Early Childhood Special Education Setting
7. Day School;
8. Residential Facility;
9. Service Provider Location; or
10. Home.

Nonacademic Settings

The Schley County School System and the Special Education Staff shall ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child and has the supplementary aids and services determined by the child's IEP to be appropriate and necessary for the child to participate in nonacademic settings.

Nonacademic and extracurricular services may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the district, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available.

Children in Public and Private Institutions

Schley County Schools will assure that no child with a disability placed by the district in a public or private institution is denied access to an education in the least restrictive environment, with the exception such students house in adult prisons. In addition, all students with a disability placed by the district in a public or private institution shall receive appropriate physical education instruction.

Technical Assistance

The Schley County School System will ensure that all teachers and administrators are fully informed and regularly trained over their responsibilities for implementing LRE.

District LRE Practices and Procedures

The Schley County Special Education Staff will adhere to the following procedures to ensure that LRE is used to educate students with disabilities from the age of three (3) through twenty-one (21), to the maximum extent appropriate, with nondisabled peers, whether the student is enrolled in a public or private facility.

The IEP Team shall:

1. Review and document student's present levels of academic achievement and functional performance.
2. Develop IEP goals (and objectives or transition plan, if needed) based on present levels.
3. Determine whether the goal or objective can be taught in the general education classroom and what level of technical assistance will be needed for appropriate instructional practices (i.e., accommodations and modifications, personnel supports, general education settings). Determine appropriate continuum of services or setting based on data.
 - A. The IEP Team will consider serving students with disabilities in the general education environment, as a first placement option.
 - B. The second placement option will include special education services in the general education environment with supplemental aids and services, as needed.
 - C. Separate classes, schools, or other placements whereby students are removed from the general education environment will only be considered when the IEP Team determines that the nature and/or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily.
4. Determine how the student will be monitored.
5. Evaluate the student's performance on goals and objectives and determine if mastered based on data.

Full-time placement of a student with a disability in the general education setting is not appropriate where the student, despite the provisions of supplemental aids and services, is so disruptive in all or part of a general education setting that he/she significantly impairs the education of other students. However, to the maximum extent appropriate, students with disabilities are involved in the regular education curriculum. The IEP must include a statement regarding the effect of the child's disability on his or her progress and involvement in the general education curriculum.

Each student's IEP states whether the student will participate in state and/or local district assessments, and if so, whether fully or in part, and whether any modifications or accommodations are appropriate and necessary. If the student with a disability is excluded from these assessments, the IEP team describes what alternate assessment techniques will be used and how scores will be integrated and reported.

Discipline (160-4-7-.10)

Definition

Discipline is the practice of training people to obey rules or codes of behavior, using positive behavior supports to reduce inapt or inappropriate behavior.

The Student Code of Conduct

The realizations of each student's potential and providing a safe environment for which this can occur are the primary goals of Schley County Schools. Discipline is an integral element for attaining these goals. It is our belief that through a structured climate with set limits, a positive learning environment will be created and maintained.

The Schley County School System Code of Conduct exists in order to provide students with an effective and safe learning environment. This code has been prepared in accordance with the discipline policy of the Schley County Board of Education and contains information for school personnel, students, and parents. Included in the policy is an outline of expected behaviors and the consequences related to various violations.

The Code of Conduct for the Schley County School System applies to all children unless a child's Individualized Education Program (IEP) specifically provides otherwise. The district ensures that the parents and the child with a disability receive notice of the rules and regulations applicable to children with disabilities with respect to child management, discipline and suspension/expulsion upon the child's entry into a special education program or at the annual IEP review, at a minimum.

Schley County School System personnel must consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of state rules, is appropriate for a child with a disability who violates a code of student conduct.

Authority of School Personnel

Students with disabilities should be expected to follow the code of conduct. When violations occur, school administration has the option of removing a student with disabilities from the current placement to 1) an appropriate interim alternative educational setting (i.e. another teacher's classroom), or 2) another setting or suspension, for not more than ten (10) consecutive or cumulative school days within the same school year. School administration may also issue additional removals of not more than ten (10) consecutive or cumulative school days within the same school year for separate incidents of misconduct, as long as the removals do not constitute a change of placement.

Every effort should be made to minimize the number of Out-of-School (OSS) suspensions. The school administrator or designee is required to proceed through the following steps prior to taking disciplinary action for students with chronic behavior infractions:

1. Notify and involve the student's special education teacher to discuss the current behavior management plan (which is part of the IEP) to assure that the current plan is being implemented.
2. Follow the Behavior Intervention Plan (BIP). If there is no Behavior Intervention Plan

(BIP), the case manager must obtain parent permission to complete a Functional Behavior Assessment (FBA) and conduct an IEP meeting within ten school days to develop a behavior management plan.

3. Review previous suspension history. The school should maintain an accurate record of the days a student with a disability is suspended out-of-school so as not to exceed the ten-day maximum.

Services

When disciplinary infractions result in removals that exceed ten (10) consecutive or cumulative school days and the IEP Team has determined that the violation of the students' code of conduct is not a manifestation of the student's disability, school administration may use disciplinary consequences in the same manner and the same duration as the procedures utilized for non-disabled students.

1. The IEP team will ensure that a student who is removed for more than ten consecutive or cumulative days continue to receive special education and related services (if appropriate). Continued services will enable the student to participate in the general education curriculum and to progress towards meeting the goals set in the student's IEP.
2. The Schley County School System will administer a functional behavior assessment (FBA).
3. The IEP team will review behavioral intervention plan (BIP) and IEP to address the violations in order to alleviate recurrences of inapt behavior.
4. The IEP team may consider providing services in an interim alternative educational setting (IAES), as long as the changes are reflected in the student's IEP.

“Ten-Day Rule”

The following guidelines are applicable to all student eligible for special education services, as well as students suspected of a disability. Please note that the ten-day rule is for the duration of the current school year and the days of removal prior to the student being found eligible for special education services counts towards the cumulative ten days.

While In-School Suspension (ISS) days are not included in the ten-day rules, the number of ISS days a student with a disability receives will be reported to GaDOE and will impact the system's disproportionate data for discipline.

Out of School Suspension (OSS) of 10 School Days or Less

Any time a student is having chronic behavior problems, it is best practice to hold an IEP meeting to discuss the behaviors with the team. However, the case manager must convene an IEP meeting immediately if the disciplinary consequence results in a suspension of seven days or an accumulation of seven days.

The IEP team must consider conducting a Functional Behavior Assessment (FBA) to determine if a Behavior Intervention Plan (BIP) should be developed. If a BIP is already in place, the team will need to show evidence that behavior interventions have been in effect, but have not been successful, before the student can receive discipline that results in the alternative placement.

Students with disabilities who are in In-School Suspension (ISS) must continue to have access to the general curriculum and to progress toward the goals in the IEP in order for ISS not to be considered a removal and not to be counted toward the ten days of suspension.

The student's teachers are required to provide instruction and assignments for students in ISS. The teachers will need to spend at least forty-five minutes of the day in ISS to ensure that the student has support with completing their assignments. A notebook should be kept in ISS for the teachers to sign in and out to document that the student has had access to the general curriculum and have received the accommodations outlined in their IEP, as needed.

Out of School Suspension (OSS) of 10 School Days or More

When frequent disciplinary actions add up to more than ten school days in a school year, or when frequent disciplinary actions clearly indicate a pattern that is a change in placement, the IEP team must determine appropriate services that allow the student to continue to participate in the general education curriculum and progress toward meeting the goals outlined in the student's IEP, although in another setting. The IEP team should conduct a manifestation meeting within ten school days from the beginning of a disciplinary action that either exceeds ten school days in a row or that constitutes a pattern of removals (a change in placement).

If administrators want to suspend a student from school for more than ten consecutive school days, or to have a student's educational setting changed to an interim alternative educational setting for up to 45 school days for weapon or drug possession or for infliction of serious bodily injury on another person, district officials must notify the parent immediately of this decision.

District personnel may consider unique circumstances when determining whether a change in placement is appropriate for a student with a disability. These circumstances are best determined at the local level by school personnel, including case managers, who know the student and the facts and factors related to the behavioral violation. School personnel may consider various forms of information such as the student's disciplinary history, ability to understand the consequences, and expression of remorse, as well as the supports that were provided to the student prior to the behavioral violation. Teachers and case managers will need to provide documentation of the interventions that have been in place to provide behavior support for the student in question.

Manifestation Determination

Within ten school days from the beginning of a disciplinary action that either exceeds ten school days in a row or that constitutes a pattern of removals (a change in placement), the student's IEP team must meet to determine whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability or whether the conduct was a result of the district's failure to implement the student's IEP. These steps are referred to as a "manifestation determination review" (MDR). The MDR is a process to determine the relationship between the student's disability and a specific behavior that may result in disciplinary action.

In making this determination, the district, the parent, and relevant members of the IEP team (as determined by the parent and the district), will review the student's IEP, Behavior

Intervention Plan, the teachers' observations, progress monitoring data, and any other information presented by the parents.

The MDR Team must conduct an inquiry based on the relevant information by asking the following two questions:

- Did the disability cause, or have a direct and substantial relationship to the misconduct?
- Did the district's failure to implement the IEP cause the misconduct?

If the answer to either question is yes, the MDR Team must find that the student's misconduct was a manifestation of the disability. If the answer to both questions is no, the MDR Team may find that the misconduct was not a manifestation of the disability. If the IEP team finds that the student's behavior was caused by or had a direct and substantial relationship to the student's disability, or that the behavior was a direct result of the district's failure to implement the IEP, then the behavior is a manifestation of the student's disability. In this case, if the student does not have a behavior intervention plan, the IEP team must conduct a functional behavioral assessment and implement a behavior intervention plan to address the behavioral violation. If the student already has a behavior intervention plan that addresses the conduct in question, the IEP team must review and modify it as necessary to address the behavior.

If the IEP team finds that the student's behavior was not a manifestation of the student's disability, the same disciplinary actions can be imposed on the student with a disability as those imposed on any student. If these actions include expulsion, the IEP team must determine how the student will continue to receive educational services that allow him or her to continue to participate in the general education curriculum and progress toward meeting the goals in the IEP. In addition, the IEP team, if appropriate, will conduct a functional behavior assessment and develop a behavior intervention plan.

Special Offenses

Certain serious behavior problems can lead to a student being moved to an interim alternative educational setting (IAES) for up to 45 school days, even if the conduct is determined to be a manifestation of the student's disability. Removing the student for these offenses does not require parent consent or agreement, nor does it require a tribunal hearing. These offenses involve:

- Weapons-If a student carries or possesses a weapon at school, on school premises, or at a school function.
- Drugs-If the student knowingly possesses or uses illegal drugs or sells or solicits the sale of controlled substances at school, on school premises, or at a school function.
- Serious bodily injury-If a student has inflicted bodily injury upon another person at school, on school premises, or at a school function.

Notification

When the IEP team agrees to a change of placement for conduct violations, the Schley County Schools Student Services Department will notify the parents of the team's decision. The communication must include the parent's procedural safeguards notice.

Appeal

1. If a parent of a student with disability disagree with the IEP decision regarding placement or manifestation determination, the parent may file a due process hearing request.
2. Schley County School System personnel may request a due process hearing, if staff members believe that maintain the current placement of a student is substantially likely the result in injury to the student or others.
3. A judge or hearing officer submits a decision regarding the parents or district's appeal. The administrative judge or hearing officer may:
 - a. Return the student to the placement from which the student was removed, OR
 - b. Order a change of placement for the student to an appropriate interim alternative educational setting for not more than 45 days.
4. Appeal procedures may be repeated if the Schley County School System personnel believe returning the student to the original placement would substantially likely to result in injury to the student or others.
5. When parties request a due process hearing for a dispute resolution, GaDOE is responsible for expeditiously arranging the due process hearing. The due process hearing must occur within twenty days of the date the complaint was filed, and the administrative law judge or hearing officer must make a determination within ten school days after the hearing.
6. All parties must adhere to the aforementioned timelines unless the parents and the Schley County School System agree in writing to waive the resolution meeting and agree to use the mediation process,
 - a. A resolution meeting must occur within seven days of receiving notice of the due process hearing request/complaint.
 - b. The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within fifteen days of the receipt of the due process hearing request/complaint.
 - c. The decisions on expedited due process hearing are appealable.
7. While waiting on the due process hearing, the student must remain in the interim alternative education setting pending the decision of the administrative law judge or hearing officer or until 45 days of the enrollment period has expired; unless both parties agree otherwise.
8. If Schley County School System personnel suspects a possible disability and has initiated the referral and evaluation process on a student, the student must receive the same protections as a student with an identified disability.
 - a. Schley County School System personnel must have knowledge that a child is a child with a disability before the behavior that precipitated the disciplinary action.
 - b. The parent of the student has expressed concerns in writing to administrative personnel or a teacher that the student is in need of special education and related services.
 - c. The parent of the student has requested an evaluation of the student.

- d. A teacher or other personnel has express specific concern about a pattern of behavior demonstrated by the student to the district and/or school administration.
9. Schley County School System personnel would not be deemed to have knowledge that a student is suspected of a disability if the parent of the student has not consented to a psychological evaluation or has refused services.
10. If the district has received parent consent for a psychological evaluation and an evaluation has been administered but the student has not met eligibility requirements for special education and related services, the Schley County School System personnel would have no knowledge that the student is a student with disabilities.
11. When school administrators have no knowledge that a student is a student with disabilities prior to the disciplinary actions, the student may be subjected to the same consequences of a nondisabled student who has engaged in similar misconduct.
12. If a psychological evaluation had been submitted during the time in which the student is subjected to disciplinary actions, the Schley County School's Student Services Department will communicate with the school psychologist to expedite the evaluation process. However, the student will remain in the education placement setting determined by the school administration until the evaluation is completed. Suspension or expulsion without educational services may be consequences issued by the school administration. If the student is determined to be eligible for special education and related services, the Schley County School System will make provisions to ensure that the student receives special education and related services.

Referral to and Action by Law Enforcement and Judicial Authorities

Nothing in the State Board of Education rules regarding discipline for a student with disabilities prohibits the Schley County School System from reporting a crime committed by a child with a disability to appropriate authorities or prevents State law enforcement or judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability. When the district reports a crime committed by a child with a disability, it must ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime, but only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

Change of Placement Because of Disciplinary Removals

A change of placement occurs if:

1. The removal is for more than ten consecutive school days.
2. The student has been subjected to a series of removals that constitutes a pattern:
 - a. The series of removals total more than ten school days in a school year;
 - b. The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in a series of removals; and

- c. The length of each removal and the proximity of the removals to one another are additional factors that must be reviewed.

Schley County School System personnel will determine on a case by case basis whether a pattern of removals constitute a change of placement. The decision is subject to review through the due process hearings and judicial proceedings.

Individualized Education Program (IEP) (160-4-7-.06)

Definition

The Individualized Education Program (IEP) is a written plan/program for each child with a disability, developed by the district's special education team with input from the parents and general education teachers. The IEP specifies a student's academic goals and methods to aid attaining the goals. The plan will identify supports and services needed for the students with disabilities to succeed educationally. The plan will include transition arrangements, as appropriate, to assist with post-secondary goals and objectives. While the IEP is designed to increase student's success, it does not guarantee promotion, passing grades, or prevent consequences for inappropriate behavior.

Roles and Responsibilities of the IEP Team

The IEP Team is comprised of individuals responsible for developing, reviewing, or revising an IEP for a child with a disability. The IEP Team must include the following participants:

1. The parent(s) of the student (or the person acting as the parent under the IDEA),
2. Not less than one general education teacher of the student, (if the student is or may be participating in the general education environment),
3. Not less than one special education teacher/special education provider of the student,
4. An LEA representative or designee who:
 - a. is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities;
 - b. is knowledgeable about the general education curriculum; and
 - c. is knowledgeable about the availability of resource within the school district.
5. An individual who can interpret the instructional implications of the evaluation results,
6. At the discretion of the parent or district, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate, AND
7. Whenever appropriate, the child with a disability.
8. When applicable, the participants required for the planning of transition services.

IEP Team Attendance

A member of the IEP Team described above is not required to attend an IEP Team

meeting, in whole or in part, if, and only if, the parent of a child with a disability and the district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.

A member of the IEP Team described above may be excused from attending an IEP Team meeting, in whole or in part, prior to the meeting, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if:

- a. the parent, in writing, and the LEA consent to the excusal; and
- b. the member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting.

Parent Participation

Parents are a vital part of the IEP Team, and parent participation is required for all IEP Team meetings. The Schley County Student Services Department shall exhaust every effort to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate, including notifying parents of the meeting early enough to ensure that they will have an opportunity to attend, and scheduling the meeting at a mutually agreed upon time and place.

1. A meeting notice should be submitted to the parent(s) at least ten days prior to meeting.

The meeting notice must:

- a. Indicate the purpose(s), time, date, and location of the meeting;
 - b. Identify all the members that have been invited to attend, including the student;
 - c. Inform the parent(s) of the right to invite other individuals who have special expertise regarding the child; and
 - d. Identify the representative(s) of any outside agency that may be invited to assist with transition planning (including Babies Can't Wait or post-secondary transitioning).
2. The case manager shall attempt three methods of contact (written notice, email, phone call, etc.) to confirm parent attendance. Documentation of all attempts to contact parents regarding IEP meetings must be maintained.
 3. If neither parent can attend an IEP Team meeting, the district will use other methods to ensure parent participation, including individual or conference telephone calls or video conferences. A meeting may be conducted without the parents in attendance if the district is unable to convince the parents that they should attend. In these cases, the Schley County School System personnel and/or the case manager must keep a record of all attempts to make parent contact and must write a statement in the meeting notes about their efforts to involve the parent(s) in the IEP Team meeting. Documentation may include:
 - detailed records of telephone calls made or attempted and the results of those calls;
 - copies of correspondence sent to the parents and any responses received; and
 - detailed records and results of visits made to the home or place of employment and the results of those visits.

4. If the parent requires an interpreter, the case manager should notify the Student Services Director immediately to arrange for an interpreter to attend the meeting.
5. While “in person” attendance is preferred, a parent can attend a meeting via phone conference at their request.

Babies Can’t Wait (BCW) Initial IEP

In case of a child, birth through age three, who was previously served through the Babies Can’t Wait (BCW) program, an invitation to the initial IEP team meeting must be sent to the BCW services coordinator or representative, upon receipt of the parent(s)’ permission, to assist with the smooth transition of services.

IEP Reporting

The IEP is a written statement for each child with a disability that is developed, reviewed, and revised by the IEP Team and must include:

1. A statement of the student’s present levels of academic achievement and functional performance, including:
 - a. How the student’s disability affects the student’s involvement and progress in the general education curriculum, or
 - b. For preschool children, how the disability affects the student’s participation in appropriate activities.
2. A statement of parental concerns at the time of the meeting;
3. Summary of initial or most recent evaluations;
4. Special Factors consideration in the areas of:
 - a. behavior,
 - b. English language proficiency,
 - c. communication needs,
 - d. assistive technology,
 - e. Braille
5. A statement of measurable annual goals, including academic and functional goals designed to:
 - a. Meet the student’s needs to enable the student’s involvement and progression in the general education curriculum; and
 - b. Meet the student’s other educational needs that result from the student’s disability.
6. For students with disabilities who take alternative assessments, include a description of benchmarks or short-term objectives;
7. A description of:
 - a. how the student’s progress towards meeting the annual goals will be measured; and
 - b. when periodic reports on the student’s progress towards meeting annual goals will be provided.
8. A statement of the special education and related services, as well as supplementary aids and services, which will be provided and a statement of the modification or supports

which will be issued to school personnel to assist the student in attaining annual goals and participating and making progress in the general education curriculum and in extracurricular and other nonacademic activities;

9. An explanation of the extent, if any, to which the student will participate with nondisabled peers in the general education classroom and in non-academic and extracurricular activities. If a student will be receiving services outside of the general education setting, a statement of how the services will be provided in a significantly different way outside of the general education environment must be provided.;
10. A statement of individual appropriate accommodation which are necessary to measure a student's academic achievement and functional performance on state and local assessments;
11. If the IEP Team determines that the student must take an alternate assessment, a statement of why the student cannot participate in the regular state and local assessments and why the selected alternate assessment is appropriate for the student;
12. When the IEP Team decides that an alternative assessment is needed for a student with disabilities, the parent of the student must be informed that the student will participate in an alternate assessment which modifies the achievement standards and must be explained the consequences of the participation;
13. Extended school year must be considered annually to ensure the student receives FAPE.
IEPs requiring ESY must:
 - a. not limit services to a disability category or unilaterally limit the type, amount, or duration of the ESY service.
 - b. include goals to be addressed during the ESY service time.
 - c. indicate the amount of time for ESY service to include the beginning and ending dates.
 - d. indicate the location of the ESY services.
14. The projected date for the beginning of the services and program modifications, as well as anticipated frequency, location, and duration of those services and program modifications.

Upon the completion of the IEP meeting, the parent should be provided a copy of the finalized IEP document at no cost.

The IEP must be reviewed at least annually to determine the student's progress and needs to adjust the plan.

State and Local Assessments Stipulations

Assessment accommodations selected by the IEP Team shall not invalidate the student's score, as stipulated by the GaDOE Standards. Students with disabilities who are incarcerated in an adult prison are not required to participate in state and local assessments.

Transition Activities, Planning, and Reporting

Beginning no later than entry into ninth grade or by the age of sixteen, whichever comes first, the IEP must include the following:

1. Appropriate measurable post-secondary goals based upon age appropriate transition assessments related to training, education, employment, and independent living skills (as appropriate); and
2. The transition services, including courses of study, needed to assist the student attaining postsecondary goals.

Transition Services Participants

When the IEP team is developing, reviewing, or revising a student's transition plan and in addition to the required IEP Team members, the following participants must be invited:

1. The district must invite the student with a disability to attend if the purpose of the meeting will be the consideration of postsecondary goals and transition services needed to assist the student in reaching those goals.
2. If the student does not attend the IEP meeting, the LEA Representative must ensure that the student's preferences and interests are considered when developing, reviewing, or revising the IEP Transition Plan.
3. To the extent appropriate, with the consent of the parents or adult student who has reached the age of 18, in implementing the transition requirements, the district must invite a representative of any participating agency (Vocational Rehab, Easter Seals, etc.) that is likely to be responsible for providing or paying for transition services.

Failure to Meet Transition Objectives

Students may not be exited or graduated from school prior to their 22nd birthday if there is a failure to meet their transition objectives. An IEP Team must meet to determine alternative strategies to assist meeting transition objectives for the students.

Incarcerated students who turn 22 years of age before the incarcerated period ends are not required to participate in transition planning and transition services.

Transfer of Rights at 18 Years of Age

At age 18, students become their own educational decision makers, unless a court decides they are not able to make these decisions. On or before the student's 17th birthday, the district shall inform the parents and the student that, at age 18, the student attains the age of majority in Georgia and will become his or her own educational decision maker. An IEP meeting must be held in order to document the date and decision in the student's IEP. Once the rights have transferred to the student at age 18, the district shall provide any notice required to both the child and the parent. All rights given to the parent transfer to the student.

For students whose parents have petitioned the courts for permission to remain legal guardians, a statement indicating that the parent remains the sole decision maker for the child must be included on the IEP.

Procedure for Students Transferring into Schley County Schools

Upon enrollment, the Student Services Director must evaluate the registration form of all entering transfer students to determine if the enrolling parent(s) indicated a student with an

Individualized Education Program (IEP). This is critical for providing Free and Appropriate Public Education (FAPE) to all students.

A student that enters school with a copy of a current IEP or other special education documentation from another school system (in-state or out-of-state) is eligible for placement and must be provided services immediately. Verbal verification of placement from an appropriate school official is permissible as long as the information is properly documented (contact name, date, and phone number).

There are specific procedures for processing in-state or out-of-state transfers:

1. Intrastate Transfer - If a child with a disability transfers into the Schley County School System in the same school year within Georgia, the district (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child's IEP from the previous district), until the district:
 - a. adopts the child's IEP from the previous school system; or
 - b. develops, adopts, and implements a new IEP that meets the IEP requirements outlined by GaDOE.
2. Interstate Transfer – If a child with a disability (who had an IEP in effect in another state) transfers to SCSS within the same school year, the district must provide the child with FAPE, including services comparable to those described in the IEP from the previous district), until the district:
 - a. conducts an evaluation if determined to be necessary; or
 - b. develops, adopts, and implements and new IEP, if appropriate.

Transmittal of Records

The Schley County School System must take reasonable steps to promptly obtain the special education records of a child with a disability new to the district, including the IEP, supporting documents, and any other records relating to the provision of special education or related services to the child, from the child's previous school district, pursuant to the Family Educational Rights and Privacy Act (which does not require prior parental consent to disclose education records to officials of another school where the student seeks or intends to enroll).

An immediate request for special education records should be sent by the Student Services Director to the previous school district. When the IEP and eligibility are received, the Student Services Director must review any and all documentation to determine whether SCSS chooses to accept the documents per Georgia requirements or to amend the IEP. If the school does not receive or chooses not to accept the eligibility determination, the reason must be documented, and the student should be referred for a comprehensive evaluation to determine eligibility under Georgia Special Education Rules.

The Schley County Student Services Department shall respond to all received requests for special education records in a thorough and swift manner, to help ensure that all students receive access to FAPE.

IEP and Individual Family Service Plan (IFSP) Implementation

1. At the beginning of each school year, Schley County School System must have an IEP in effect for each child with a disability within the district's jurisdiction.

2. In the case of a child with disability age three through five, an IEP or Individualized Family Service Plan (IFSP) should be developed. An IFSP must be consistent with the rules for Georgia IEPs and agreed to by the Schley County School System and the child's parents.
3. The Schley County Special Education Department personnel shall provide a detailed explanation of the differences between an IFSP and an IEP.
4. If parents choose an IFSP, the Schley County Special Education Department personnel shall obtain a written, informed consent from the parents.

Special Education Services

1. The Schley County School System Special Education Department will ensure that:
 - a. A meeting to develop an IEP for a student is conducted within 30 days of a determination that the student is eligible for special education and related service;
 - b. Special education and related services are made available to the student, in accordance with the IEP, as soon as possible following the development of the IEP;
 - c. The student's IEP is accessible to each regular education teacher, special education teacher, related services provide, and any other service provider responsible for its implementation;
 - d. Special education and related service providers are informed of the individual's responsibilities for implementing the student's IEP; and
 - e. Special education and related service providers are informed of the specific accommodations, modifications, and supports necessary for implementation of the student's IEP.
2. All students with disabilities incarcerated in a correctional facility located within the geographical boundaries of the school district will receive special education services from the Schley County School System.

IEP Review and Revisions

After the annual IEP meeting, the IEP may need to be changed. This can be done either by reconvening the IEP team to amend it or by mutual agreement between the parent and district to make changes to the written document without a meeting. The parent always retains the right to request a meeting for any and all changes or amendments to the IEP. Regardless of the method of changing the IEP, the parent must be provided with both a copy of the changes and an explanation of those changes in a timely manner. IEP amendments may be made by the entire IEP Team at a full IEP Team meeting, or by an agreement between the parents and the case manager and/or Student Services Director.

If any changes are made to the IEP, all IEP Team members should be fully aware of the changes. Copies of the amended IEP must be provided to the parent(s) of the student.

The IEP Team of an incarcerated student with disabilities may modify the student's IEP or placement if the state has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated.

Technical Assistance

The Student Services Department will train teachers and administrators of the Special Education Department over IEP compliance and procedures annually.

The Student Services Director will conduct on-going IEP audits throughout the school year. Failure of special education personnel to follow written procedures will warrant notification to the supervising building administrator and may be reflected on personnel annual evaluations.

Personnel, Facilities, and Caseloads (160-4-7-.14)

Definitions

“Personnel” refers to staff members employed by the Schley County Board of Education. “Facilities” refer to the designated locations for providing job-related services. “Caseloads” refer to the number of students assigned to a special education staff member and/or case manager are responsible for leading the development, implementation, review, and revision of IEPs.

Requirements

1. Maintain current credentials for providing special education and related services are the sole responsibility of the Schley County Board of Education personnel. Copies of current credentials shall be forwarded to the Schley County Board of Education for maintenance in an individual’s personnel file.
2. The Schley County School System is responsible for recruiting, hiring, training, and retaining an adequate supply of highly qualified (certified or licensed) personnel, including special education, related services, and leadership personnel to meet the needs of students with disabilities.
3. Related services personnel who deliver services in a discipline or profession must maintain current, state approved or recognized certification, licensing, registration or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services. Related service personnel shall not have certification or licensure requirements waived on an emergency, temporary, or provisional basis.
 - a. The required standard credential for all personnel providing educational interpreting for children who are deaf or hard of hearing in the Schley County School System, regardless of the job title, shall hold a current Georgia Quality Assurance Screening (G-QAS) rating of Level III or higher in both interpreting and transliterating, as approved and maintained by the Georgia Department of Labor/Vocational Rehabilitation Program (DOL/VR), and/or documentation of advanced interpreting skills and qualifications through current national certification from the Registry of Interpreters for the Deaf (RID), and/or documentation of advanced interpreting skills and qualifications through current national certification from the National Association of the Deaf (NAD) Levels III, IV, or V, and/or documentation of advanced interpreting skills and qualifications through a current Educational Interpreter

Performance Assessments (EIPA) rating of Level 3.5 or higher. The EIPA rating cannot be more than 5 years old.

- b. Maintenance of current credentials shall be the ongoing responsibility of any educational interpreter employed by an LEA for purposes of educational interpreting for children who are deaf or hard of hearing. The Schley County School System shall maintain current credentials of educational interpreters and shall remain on file in the interpreter's personnel file at the Central Office.

Facilities

1. The Schley County Board of Education shall provide a classroom of suitable size in a distraction-free area, as required by the type of program or services to be established, with appropriate furniture, materials, supplies, and equipment to meet the needs of the class or individual children to be served.
2. Thirty-eight (38) square feet shall be provided for each child in the class with a variance of ten (10) percent, depending upon the total number of personnel in the class at any time, the type of children and class, the kind and amount of furniture and equipment required and the necessity for storage capabilities. For special circumstances, the Schley County School System shall identify the unique situation in the local facility plan. The local facility plan shall be reviewed and approved by the Facilities Department of GaDOE.

Classroom Size and Appropriateness

The following are maximum class sizes* and caseloads for personnel providing services for children, ages 3-5, in the Community (C), Full Day, and Part Day classes. All numbers shown for Maximum Class Size are with a paraprofessional.

| | Maximum Class Size | Caseload |
|-----------|--------------------|----------|
| Full Day | 8 | 16 |
| Part Day | 12 | 32 |
| Community | - | 32 |

Class Sizes and Caseloads by Eligibility Category

| Program Area | Self -Contained (SC) Resource (R) | Maximum w/o Paraprofessional | Maximum with Paraprofessional* | Caseload |
|--------------|--------------------------------------|---------------------------------|-----------------------------------|----------|
|--------------|--------------------------------------|---------------------------------|-----------------------------------|----------|

1. Intellectual Disabilities

| | | | | |
|----------|---------|----------|----------|----------|
| Mild | SC R | 10 10 | 13 13 | 14 26 |
| Moderate | SC | NA | 11 | 11 |
| Severe | SC | NA | 7 | 7 |
| Profound | SC | NA | 6 | 6 |

2. Emotional and Behavior Disorders

| | | | | |
|-----|----|---|----|----|
| EBD | SC | 8 | 11 | 12 |
| | R | 7 | 10 | 26 |

3. Specific Learning Disabilities

| | | | | |
|-----|----|----|----|----|
| SLD | SC | 12 | 16 | 12 |
| | R | 8 | 10 | 26 |

4. Visual Impairments

| | | | | |
|----|------|----|---|----|
| VI | SC R | NA | 6 | 7 |
| | | 8 | 4 | 13 |

5. Deaf/Hard of Hearing

| | | | | |
|-----|------|---|---|----|
| DHH | SC R | 6 | 8 | 8 |
| | | 3 | 4 | 11 |

6. Speech-Language Impairments

| | | | | |
|----|------|----|----|----|
| SI | SC R | 11 | 15 | 15 |
| | | 7 | NA | 55 |

7. Deaf-Blind

| | | | | |
|----|----|----|---|---|
| DB | SC | NA | 6 | 7 |
|----|----|----|---|---|

8. Orthopedic Impairments

| | | | | |
|----|----|----|----|----|
| OI | SC | NA | 11 | 11 |
| | R | 4 | 5 | 15 |

** The Schley County School System is a Strategic Waiver (SWSS) district and may waive class sizes. Special Education class sizes are based on the school district's determination.*

Georgia Network for Educational and Therapeutic Support (GNETS) (160-4-7-.15)**Definitions**

GNETS are programs available to support the Schley County School System's continuum of services by providing comprehensive special education and therapeutic support for all students served.

"Therapeutic supports" refer to intensive individualized interventions and/or therapy that remediates severely disruptive and self-destructive behaviors.

"Zoned school" refers to the K-12 public school that a student is assigned by the school district.

Purpose

The Georgia Network for Educational and Therapeutic Support (GNETS) is a service available within the continuum of supports for LEAs to consider when determining the least restrictive environment for students with disabilities, ages 5-21. GNETS services is an option in

the continuum of supports that prevents children from requiring residential or more restrictive placement. Specifically, GNETS provides comprehensive educational and therapeutic support services to students who exhibit intense social, emotional and/or behavioral challenges with a severity, frequency or duration such that the provision of education and related services in the general education environment has not enabled him or her to benefit educationally based on the IEP.

GNETS services aim to support students with social, emotional and/or behavioral challenges. These students' behaviors may include but are not limited to, significant, aggressive, self-destructive, atypical, and withdrawal behaviors. Children receiving GNETS services are taught coping skills, behavior regulation, and adaptive behaviors, with a keen focus on developing positive interpersonal relationships with others.

GNETS services are implemented with greater intensity and frequency than what is typically delivered in a general education school environment. The supplemental aids and services available at GNETS must be appropriate and necessary for the child's IEP team to consider GNETS services.

GNETS will be staffed to meet the needs of a unique population of students requiring intensive individualized supports, including providing appropriate therapeutic services identified in the IEP. The staff receive specialized training in skills designed to deescalate major disruptive behaviors and assist students with meeting their IEP goals.

GNETS staff will collaborate with professionals from a variety of agencies to enhance students' social, emotional, behavioral and academic development based on their IEPs.

The IEP team will assess at least annually whether the student with disabilities is ready to transition to a less restrictive setting. Progress monitoring data aligned with IEP goals should be reviewed to determine if the student is ready to receive a free appropriate education (FAPE) in the lesser restrictive environment.

Consideration for GNETS Services

All programs may serve children ages three (3) through twenty-one (21) years by the program staff in classes, with direct therapeutic services, evaluation, assessment or other services as appropriate.

Consideration for GNETS services is determined by the student's Individualized Education Program (IEP) team, which must include the following participants:

1. The parent(s) of the student (or the person acting as the parent under the IDEA),
2. GNETS Director or his/her designee,
3. Not less than one general education teacher of the student, (if the student is or may be participating in the general education environment),
4. Not less than one special education teacher/special education provider of the student,
5. An LEA representative or designee who:
 - a. is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities;
 - b. is knowledgeable about the general education curriculum; and

- c. is knowledgeable about the availability of resource within the school district,
- 6. An individual who can interpret the instructional implications of the evaluation results,
- 7. At the discretion of the parent or district, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate, AND
- 8. Whenever appropriate, the child with a disability.
- 9. When applicable, the participants required for the planning of transition services.

An individual student is considered for GNETS services only if his or her IEP team recommends GNETS services based on the existence of all the following, which shall be documented in the student's education record:

- 1. documentation that indicates evidence of annual IEP reviews, progress monitoring data aligned with IEP goals, documentation indicating prior services were delivered in a lesser restrictive environment and the student's inability to receive FAPE in that environment;
- 2. Functional Behavioral Assessment (FBA) and/or Behavior Intervention Plan (BIP) administered within the past year; and
- 3. documentation that a comprehensive reevaluation has been completed within the last three years.

Continuum of GNETS Service Delivery and Environments

- 1. The IEP team must determine that GNETS services are necessary for students to receive FAPE. Removal from the general education setting will occur only when the nature or severity of students' social, emotional and/or behavioral challenges are such that education in a general education setting with the use of supplementary services and intensive individualized interventions cannot be achieved.
- 2. The IEP team will consider the various setting in which GNETS services may be delivered and determine whether the individual student is likely to receive FAPE in each environment, beginning with the least restrictive setting.
- 3. The GNETS continuum of services by environment may be delivered as follows:
 - a. Services provided in the general education setting in the student's Zoned School or other public school;
 - b. Services provided in the student's Zoned School or other public-school setting by way of a "pull out" from the general education setting for part of the school day;
 - c. Services provided in the student's Zoned School or other public school for part of the school day in a setting dedicated to GNETS;
 - d. Services provided in the student's Zoned School or other public school for the full school day, in a setting dedicated to GNETS;
 - e. Services provided in a facility dedicated to GNETS for part of the school day; or

- f. Services provided in a facility dedicated to GNETS for the full school day.

Operational Regulations and Procedures

- Classes shall operate a minimum of 180 days each fiscal year and may operate up to 200 days. The recommended maximum class size for preschool, elementary, and middle school classes is eight. The recommended maximum class size for high school is ten.
- GNETS programs shall utilize evidence-based positive behavioral interventions, supports, and other strategies designed to increase student's resilience and social competence.
- The academic curriculum for all students shall be Georgia's general education curriculum.
- The IEP team will assess at least annually whether the student with disabilities is ready to transition to a less restrictive setting. Progress monitoring data aligned with IEP goals should be reviewed to determine if the student is ready to receive a free appropriate education (FAPE) in the lesser restrictive environment.

District Duties and Responsibilities

The Schley County School System shall:

- Ensure that FAPE is delivered to students recommended for GNETS services in the least restrictive environment (LRE);
- Convene IEP team meetings as required by GaDOE Special Education Rules;
- Conduct FBAs/BIPs for any student considered for GNETS services;
Collaborate with the GNETS to determine opportunities for students to have access to general education activities;
- Provide transportation to and from a GNETS, as required, including transportation to and from home/school for students receiving GNETS services for part of the school day and for students participating in extracurricular activities;
- Maintain and report student record data in accordance with GaDOE Special Education Rules and guidance;
- Provide student outcome assessments and other relevant data to GNETS director or designee;
- Monitor student IEP goals annually to determine students' progress and access to services in a lesser restrictive environment;
- Provide ongoing professional learning opportunities and best practices for teachers to support students who exhibit social, emotional and/or behavioral challenges;
- Allocate supports and resources, which may include in-kind services to GNETS to facilitate flexible models of service delivery and best practices for equitable educational support as appropriate;
- To the maximum extent possible, collaborate with community service providers to deliver mental health services and/or family support in students' Zoned schools;
- Collaborate with GNETS to examine student records and discuss the coordination of service provisions for students being considered for GNETS;

- Provide GNETS staff access to longitudinal data for all students receiving GNETS services to ensure teachers can access records for students included on their rosters;
- Submit student schedules to the GaDOE with the GNETS code; and
- Monitor facilities for safety and accessibility for students served by GNETS and report identified concerns to all key stakeholders such as fiscal agents, GNETS directors and any other appropriate parties.

Free Appropriate Public Education (FAPE) (160-4-7-.02)

Definition

“Free Appropriate Public Education (FAPE)” is a term used to refer to the right of all students, regardless of disability, to have access to free and appropriate public education.

General Provisions of FAPE

All students with an IEP are entitled to a free appropriate public education. This includes children that are eligible for special education from the ages of three (3) through twenty-one (21). Entitlement to FAPE ends upon reaching age 22 or graduating with a regular diploma, whichever comes first. This also includes students eligible for special education services who have been suspended or expelled from school.

Special education and related services, including special education at the preschool, elementary, and secondary levels, are services that are provided so eligible students can make progress toward and/or meet the educational standards of Georgia. All students will be provided an education that includes access to the Georgia curriculum and addresses the unique needs of the individual student and his or her disability.

The goal is to transition students to a desired activity in collaboration with other agencies or supports so that transition has occurred, and the student can continue in appropriate adult activities.

The education provided to the student with an IEP must be appropriate and must address what the individual student needs in order to make educational progress, but this is neither a guarantee of achievement of each goal on the IEP nor a guarantee of promotion, passing grades, or graduation. Likewise, passing from grade-to-grade or receiving all passing grades does not mean that a student is receiving FAPE. Each student is an individual and his or her appropriate education is determined on a case-by-case basis. In addition, the term “appropriate” is not the same as “best”; “appropriate” is a minimal standard that assures the student has the opportunity to make educational progress.

Students Entitled to FAPE

Students are entitled to FAPE when they are determined eligible for special education and related services. This can be as early as three (3) years of age. If a child is receiving services prior to age three (3) through the Babies Can’t Wait (BCW) program, then both the BCW program and

the district have an obligation to work together to transition the child to the public-school program by the child's 3rd birthday. Children should have eligibility for special education determined and an IEP developed and in place by age three if they were previously receiving services.

Children are entitled to continue to receive special education and related services through their 21st year (up to their 22nd birthday) if they remain eligible for special education and they have not graduated with a regular high school diploma. Entitlement to FAPE ends upon reaching age 22 or graduating with a regular diploma, whichever comes first.

When a student with an IEP reaches his or her 22nd birthday while attending a school in the Schley County School System, services will continue until the conclusion of the semester in which the student turns 22, unless otherwise indicated by the IEP Team in the student's IEP.

When a student with an IEP graduates with a regular diploma or ages out of school (i.e., turns 22 years of age), he or she must be provided with a Summary of Performance (SOP) of his or her academic and functional needs. The SOP also includes strategies to assist the student in achieving his or her desired postsecondary goals. Those students who do not earn a regular diploma or transition to a specific job are those who will most likely need all the assistance available to develop successful adult lifestyles, and the SOP is a tool that can assist with this.

In addition, students with disabilities incarcerated in a correctional facility located within the geographical boundaries of the school district are entitled to FAPE and will receive special education services from the Schley County School System.

Limitations/Exceptions for FAPE for Certain Ages

The obligation to make FAPE available to all children with disabilities does not apply with respect to the following:

1. FAPE is not required for adult students aged 18 through 21 who in the last educational placement, prior to their incarceration in an adult facility:
 - a. were not actually identified as a student with a disability;
 - b. did not have an IEP in effect; and
 - c. graduates from high school with a regular diploma. Written prior notice is required when a change in placement occurs.
2. The exception does not apply to adult students with disabilities, aged 18 through 21, who
 - a. was identified as a child with a disability and was receiving services in accordance with an IEP, but left school prior to their incarceration in an adult correctional facility or local jail
 - b. did not have an IEP in their last educational setting, but who had been identified as a child with a disability; or
 - c. they graduated from high school but did not receive a regular education diploma.

FAPE – Methods and Payments

Georgia may use whatever State, local, Federal, and private sources of support that are available in the State to meet the requirements of FAPE. For example, if it is necessary to place a child with a disability in a residential facility, the state could use joint agreements between the agencies involved for sharing the cost of that placement. Nothing relieves an insurer or similar

third party from an otherwise valid obligation to provide or to pay for services provided to a child with a disability.

The Schley County School District ensures that there is no delay in implementing a child's IEP, including any case in which the payment source for providing or paying for special education and related services to the child is being determined.

Students with Disabilities Who are Covered by Public Benefits or Insurance

1. The Schley County School System may use the Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for services required under IDEA, as permitted by the public benefits or insurance, except:

- a. with regard to services required to provide FAPE, the district may not require the parents to sign up for or enroll in public benefits or insurance programs for their child to receive FAPE;
- b. the district may not require the parents to incur any out-of-pocket expenses such as the payment of a deductible or co-pay amount incurred in filing a claim for services provided, but may pay the cost the parents would otherwise be required to pay; and
- c. the district may not use a student's benefits under a public benefits or insurance program if:
 - that use would decrease available lifetime coverage or any other insured benefits;
 - result in the family paying for services that would otherwise be covered by the public benefits or insurance program and are required for the student outside of the time the student is in school;
 - increase premiums or lead to the discontinuation of benefits; or
 - risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenses.

2. The Schley County School System shall obtain parental consent prior to accessing a child's or parent's public benefits or insurance for the first time and after providing notification to the child's parents. The parental consent to access a child's or parent's public benefits or insurance shall:

- a. specify the personally identifiable information that may be disclosed (e.g., records or information about the services that may be provided to a child);
- b. the purpose of the disclosure (e.g., billing for services provided under IDEA), and the agency to which the disclosure may be made (e.g. the Georgia Department of Community Health); and specify that the parent understands and agrees that the district may access child's or parent's public benefits or insurance to pay for services provided under IDEA.

3. Prior to accessing a child's or parent's public benefits or insurance for the first time, and annually thereafter, the LEA shall provide written notification to the child's parents that includes:

- a. a statement of parental consent provisions;
- b. a statement of the "no cost" provisions;

- c. a statement that the parents have the right under to withdraw their consent to disclosure of their child's personally identifiable information to the agency responsible for the administration of Georgia's public benefits or insurance program at any time; and
- d. a statement that the withdrawal of consent or refusal to provide consent to disclose personally identifiable information to the agency responsible for the administration of Georgia's public benefits or insurance program does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parents.

Students with Disabilities Who are Covered by Private Insurance

With regard to services required to provide FAPE to an eligible student, the Schley County School System may access the parents' private insurance proceeds only if the parent provides consent.

Each time the LEA proposes to access the parents' private insurance proceeds, district staff must obtain parental consent and inform the parents that their refusal to permit the district to access private insurance companies does not relieve the LEA of its responsibility to ensure that all required services are provided at no cost to the parents.

Residential Placement

If placement in a public or private residential program is necessary to provide special education and related services to a child with a disability, the program, including non-medical care and room and board, must be at no cost to the parents of the child.

Accessible Instructional Materials

1. The Schley County School System shall provide print instructional materials in specialized, accessible formats (i.e. braille, audio, digital, and large-print) to children who are blind or other print disabled in a timely manner. The district will take all reasonable steps to ensure that the students with print disabilities have access to accessible forms of instructional materials at the same time as students without print disabilities.
 - a. Print instructional materials include textbooks and related core materials that are required by the district for use by students in the classroom.
 - b. Specialized formats are also included when the materials are distributed exclusively for use by students who are blind or other persons with print disabilities.
 - c. Large print formats are also included when the materials are distributed exclusively for use by students who are blind or other persons with print disabilities.
2. Specialized formats do not include altering the content (e.g. breadth, depth, or complexity) of the print instructional materials in the production of accessible instructional materials.
3. Children who are blind or print disabled include:

- a. Children whose visual acuity, as determined by competent authority, is 20/200 or less in the better eye with correcting glasses or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees;
- b. Children whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material;
- c. Children certified by competent authority as unable to read or unable to use standard printed materials as a result of physical limitations;
- d. Children certified by competent authority as having a reading disability resulting from organic dysfunction and sufficient severity to prevent reading printed material in a normal manner. The following groups of individuals are eligible to certify children who are blind or other print disabled for specialized format instructional materials:
 - In cases of blindness, visual disability, or physical limitations, competent authority is defined to include Doctor of Medicine, doctors of osteopathy, ophthalmologists, optometrists, registered nurses, therapists, professional staff of hospitals, institutions, and public or welfare agencies (e.g. social workers, case workers, counselors, rehabilitation teachers, and superintendents).
 - In cases of a reading disability from the organic dysfunction, competent authority is defined as a Doctor of Medicine who may consult with colleagues in associated disciplines.
- e. In order to insure the timely provision of high quality, accessible instructional materials to children who are blind and other print disabled, the Schley County School System must adopt the National Instructional Materials Accessibility Standard (NIMAS).
 - The NIMAS refers to a standard for source files created by textbook publishers for the purpose of producing accessible instructional materials. NIMAS files are not child ready files and will be used by authorized users and entities to produce accessible materials for children who are blind and visually impaired.
 - Children who are certified as minor other print disabled are eligible to receive accessible instructional materials produced with NIMAS files.
- f. The Schley County School System will coordinate with the National Instructional Materials Access Center (NIMAC) to facilitate the production and delivery of accessible materials to children who are blind or other print disabled.
 - The NIMAS refers to the central repository which is responsible for processing, storing, and distributing NIMAS files of textbooks and core instructional materials.
 - The district must provide written assurance to the GaDOE regarding the intention to coordinate with the NIMAC.
 - The Schley County School System will require textbook publishers to deliver the contents of the print instructional materials to the NIMAC in a

NIMAS form at file on or before delivery of the print instructional materials. The files will be used in the production of accessible instructional materials.

- Instructional materials may also be purchased from the textbook publishers that are produced in or may also be purchased from the textbook publishers that are produced in or may be rendered in a specialized format.
- g. If the district chooses not to coordinate with the NIMAC, assurances must be made to GaDOE that the district will provide accessible instructional materials to children who are blind or other print disabled in a timely manner. In addition, the Schley County School System will be responsible for purchasing, producing or otherwise providing high-quality, accessible and specialized, formatted instructional materials in a timely manner for children who are blind or print disabled.
- h. The Schley County School System is also responsible for providing accessible materials to children who require instructional materials in accessible formats, but who do not qualify for the materials under the definition of blind and other print disabled or who need materials that cannot be produced from NIMAS.
- i. Some children who require accessible instructional material will be need assistive technology to access the materials (e.g. text reader to read digital file, screen magnification program to read digital files).

Assistive Technology

1. Children with disabilities who require assistive technology in order to receive FAPE are eligible for assistive technology devices or services, or both, as part of the child's special education, related services, or supplemental aids and services.
2. Each IEP Team will consider whether a child requires assistive technology devices and services in order to receive FAPE. Minimal compliance will be indicating the appropriate response in the Consideration of Special Factors section of the IEP. Assistive technology can also be addressed when considering other factors such as communication needs and instruction in the use of Braille.
3. An assistive technology evaluation may be required if appropriate assistive technology solutions are known to the student's IEP Team through the consideration process. This evaluation shall be conducted by multidisciplinary team of professional knowledgeable about assistive technology devices in the technology area being assessed. The child and family should also be included in this evaluation process. The evaluation should result in recommendations for assistive technology devices and services, if required.
4. If the student's IEP Team determines that assistive technology devices or services are required for the student to receive FAPE, a statement to the effect must be included in the student's IEP.
5. If assistive technology is required for the student to participate in local or statewide testing, the need for technology should be documented in the appropriate section of the IEP and provided to the student.

6. If assistive technology devices or services, or both, are required for a child who is blind or other print disabled to access alternative form at instructional materials, the assistive technology should be documented in the IEP and provided to the student.
7. If the IEP Team determines that the child with a disability requires school-purchased assistive technology at home or in the settings to receive FAPE, the assistive technology must be provided to the student at no cost to the parent. The need for assistive technology in the non-school setting should be documented in the student's IEP.

Physical Education

1. Physical education services, specially designed if necessary, shall be made available to every child with a disability receiving FAPE, unless the district enrolls students without disabilities and does not provide physical education to students without disabilities in the same grades.
2. Each student with a disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled peer unless the student is enrolled full-time in a separate facility or the student's need specially-designed physical education, as prescribed in the student's IEP.
3. If specially-designed physical education is prescribed in the student's IEP, the district is responsible for the education of that student and must provide the services directly enrolled in a separate facility. The district must ensure that the students receives appropriate physical education services.

Charter Schools

1. Students with disabilities who attend public charter schools and their parents retain all rights to FAPE.
2. The Schley County School System must ensure that public charter schools of the district must:
 - a. Serve students with disabilities attending those charter schools in the same manner as the district serves children with disabilities in its other schools, including providing supplementary related services on site at the charter school to the same extent to which the district has a policy or practice of providing such services on the site to its other public schools; and
 - b. Provide funds to the district's other public schools, including proportional distribution based on relative enrollment of children with disabilities.
3. If the public charter school is an LEA itself, the charter school is responsible for ensuring that all requirements are met.

Program Options

The Schley County School System shall take steps to ensure that student with disabilities have available a variety of educational programs and services as non-disabled peers, including art, music, and Career, Technical, and Agricultural Education.

Routine Checking of Hearing Aids/Other Components

1. Hearing aids - The Schley County School System shall ensure that hearing aids worn in school by students with hearing impairments, including deafness are functioning properly.
2. External components of surgically implanted medical devices - The Schley County School System ensures that external components of surgically implanted medical devices are functioning properly. The district is not responsible for the post-surgical maintenance, programming, or replacement of the medical devices that have been surgically implanted (or of an external component of the surgically implanted medical device).

Extended School Year

Schley County Schools must provide extended school year (ESY) services to students who need such services to receive FAPE. ESY services are those services a student requires beyond the normal school year of the district and are not limited to only the summer months. The IEP Team makes the determination regarding whether a student needs ESY and, if so, what services will be provided. This includes determining the details of ESY, such as what services will be provided, when and where the services will take place, and the frequency and the duration of the services. Any services provided as ESY must meet the requirements of FAPE.

Nonacademic and Extracurricular Activities

FAPE can also include nonacademic and extracurricular services. The district must consider supplementary aids and services necessary to provide students with disabilities the equal opportunity to participate in nonacademic and extracurricular activities. This may include, but is not limited to:

- participation in clubs,
- referral to agencies that provide services,
- special interest groups,
- employment assistance,
- counseling,
- health services, or
- athletics.

An IEP does not negate eligibility requirements, such as having to try out for the team or having an “A” average to be in Foreign Language Club.

Prohibition on Mandatory Medication

SCSS may not require medication as a condition of attending school, receiving an evaluation, or receiving services. Parents make the decisions regarding their children and any medication they may/may not administer. However, nothing prohibits the district from sharing observations regarding the academic or behavioral performance of a child with the parents in order to inform the parents of the student’s behavior and academic performance while taking/not taking medication. If the school or case manager believes a student is not receiving medication that is essential for his or her health or education, it is allowable to refer the family to DFCS for assistance.

Procedural Safeguards/Parent Rights (160-4-7-.09)

Definition

Procedural Safeguards/Parent Rights are procedures designed to protect the legal rights of students and parents.

Requirements

1. The term “Procedural Safeguards Notice” also refers to the document commonly identified as “Parent Rights” which, must be given to parent only one time per school year, except that a copy shall also be given to parents in the following circumstances:
 - A. upon initial referral or parent request for evaluation;
 - B. upon receipt of the first state complaint in a school year;
 - C. upon receipt of the first request for a due process hearing in a school year;
 - D. upon notification by the district to the parent of the decision to remove the child from his or her current placement and the removal constitutes a change of placement under the discipline provisions of IDEA and state rules because of a violation of a code of student conduct;
 - E. prior to accessing a child’s or parent’s public benefits or insurance for the first time; and
 - F. upon request by the parent.
2. The parent may elect to receive the Procedural Safeguards/Parent Rights notice by electronic mail.
3. The State and the district may place a copy of the Procedural Safeguards/Parent Rights on the district’s website.
4. The content of the notice must include a full explanation of all the procedural safeguards available relating to:
 - A. Independent educational evaluations;
 - B. Prior written notice;
 - C. Parental consent;
 - D. Access to educational records;
 - E. Opportunity to present and resolve complaints through the State complaint procedures and a due process hearing including:
 - i. The time period in which to file a complaint or due process hearing;
 - ii. The opportunity for the agency to resolve the complaint; and
 - iii. The difference between the due process hearing and the state complaint process, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures;
 - F. The availability of mediation;
 - G. The child’s placement during the pendency of any due process hearing;
 - H. Procedures for children who are subject to placement in an interim alternative educational setting;

- I. Requirements for unilateral placement by parents of children in private school at public expense;
 - J. Due process hearings, including requirements for disclosure of evaluation results and recommendations;
 - K. Appeals of due process hearings, including the time period in which to file those actions;
 - L. Attorneys' fees; and
 - M. Notice provided in a language understandable to the parents.
5. The district shall establish and maintain procedures to provide an opportunity for the parents of a child with a disability to:
 - A. Inspect and review all education records relating to the identification, evaluation, educational placement and provision of FAPE to the child;
 - B. Participate in meetings with respect to the identification, evaluation, and educational placement of the child and the provision of FAPE to such child; C. Obtain an independent educational evaluation of the child.
 6. The Schley County School System shall establish and maintain procedures to provide and ensure that parents:
 - A. Receive notice before the school initiates or changes (or refuses to initiate or change) the identification, evaluation, educational placement of the child, or the provision of FAPE to the child;
 - B. Receive notice of places to contact for assistance in understanding the procedural safeguards/parents' rights;
 - C. Receive procedural safeguards notice and a full explanation of the procedural safeguards.

Parental Opportunity to Examine Records

The Schley County School System shall establish and maintain procedures which permit the parents of a child with a disability an opportunity to inspect and review any educational records relating to their children that are collected, maintained or used in the identification, evaluation, educational placement and provision of FAPE. These rights include the right to a response from the district to reasonable requests for explanations and interpretations of the records, the right to request the district to provide copies of the records and the right to have a representative of the parent to inspect and review the records.

All rights of parents to examine educational records shall transfer to the child at age eighteen (18). The district may presume that the parent has these rights unless the district has been advised that the parent does not have the authority due to State law governing guardianship, separation and divorce.

Parental Participation in Meetings

1. The parents of a child with a disability must be afforded an opportunity to participate in meetings with respect to the identification, evaluation, educational placement and provision of FAPE to the student.

2. A meeting does not include informal or unscheduled conversations involving district personnel and does not include conversations on issues such as teaching methodology, lesson plans, or coordination of service provision.
3. A meeting also does not include preparatory activities that district personnel engage to develop a proposal or to respond to the parent's proposal that will be discussed at a later meeting.
4. The district shall ensure that a parent of each student with a disability is a member of any group that makes decisions on the educational placement of the parent's child.
5. If the parents cannot participate in a meeting in which a decision is to be made relating to the educational placement of their child, the district shall use other methods to ensure that their participation, including individual or conference telephone calls or video conferencing.
6. A placement decision may be made by a group without the involvement of the parent(s) if the district is unable to obtain their participation in the decision. In this case, the district must have a record of its attempts to ensure their involvement.
7. The Schley County School System shall make reasonable efforts to ensure that the parents understand and are able to participate in any group discussions relating to the educational placement of their child, including arranging for an interpreter for parents with deafness or whose native language is other than English.
8. The district shall provide notices to ensure that parents of children with disabilities have the opportunity to participate in meetings.

Independent Educational Evaluation

1. Parents have the right to an independent educational evaluation at public expense if the parents disagree with an evaluation conducted/obtained by the district, subject to the following conditions:
 - A. If a parent requests an independent educational evaluation at public expense, the Schley County School System shall, without unnecessary delay either, initiate an impartial due process hearing to show that its evaluation is appropriate, or ensure that an independent educational evaluation is provided at public expense, unless the district demonstrates in a hearing that the evaluation obtained by the parent did not meet agency criteria.
 - B. If the final decision is that the district's evaluation is appropriate, the parents still have the right to an independent educational evaluation but not a public expense.
 - C. If a parent requests an independent educational evaluation, the district may ask for the parent's reason why he or she objects to the public evaluation. However, the explanation by the parent may not be required and the district may not unreasonably delay either providing the independent educational evaluation at public expense or initiating an impartial due process hearing to defend the LEA's decision.
 - D. The district shall provide to the parents, upon request, information about where an independent educational evaluation may be obtained and the LEA's criteria applicable for independent educational evaluations.

2. If the parent obtains an independent educational evaluation at public or private expense, the results of the evaluation:
 - A. Shall be considered by the district, if the evaluation results meet state and local criteria, in any decision made with respect to the provision of FAPE to the student; and
 - B. May be presented by either party as evidence at an impartial due process hearing.
3. If the administrative law judge or hearing officer conducting the impartial due process hearing requests an independent educational evaluation as part of a hearing, the cost of the evaluation shall be at public expense.
4. Whenever the state or school district pays for an independent educational evaluation, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria which the state or district uses when it initiates an evaluation. Except for the criteria described in the aforementioned, the district may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.
5. A parent is entitled to only one independent educational evaluation at public expense each time the district conducts an evaluation with which the parent disagrees.

Notice to Parents/Guardian/Surrogate

1. The parents shall be provided notice written in language understandable to the general public a reasonable time before the district proposes to initiate or change the identification, evaluation or educational placement of a child or the provision of FAPE to the student. Written notice shall also be provided if the district refuses to take such action. After rights have been transferred to a child who has reached the age of majority, any written notice shall be provided to both the student and to the parent(s) of the student.
2. The Schley County School System shall provide a full explanation of all procedural safeguards/parent's rights available to the parent(s). The communication to the parent(s) shall include a description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to act, and a description of any options the district considered and the reasons why those options were rejected. Communication to the parent(s) shall include a description of each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action. Also included shall be a description of any other factors which are relevant to the district's proposal or refusal, a copy of procedural safeguards/parents' rights, a statement of the means by which a copy of the procedural safeguards/parents' rights may be obtained, and information providing sources to contact for assistance in understanding the procedural safeguards/parents' rights.
3. In most cases, notice requirements can be addressed by providing the parent(s) with a copy of the report, invitation to a meeting, the full IEP (with minutes taken), and/or other relevant documents, as appropriate. However, there may be circumstances when a parent makes a request, but these items have not yet been generated for the child. In such a case, the district must respond to the request through an alternative manner, such as through a letter to the parent(s), which provides all the required elements previously identified.

4. Graduation from high school with a regular education diploma constitutes a change in placement and requires written prior notice.

Language Understandable to the General Public

The Schley County School System shall ensure that notices shall be written in language understandable to the general public or in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

In cases when the native language or other mode of communication of the parent is not a written language, the public agency must take steps to ensure the notice is translated orally or by other means to the parent in his or her native language or other mode of communication. The district must ensure the parent understands the content of the notice and maintain written evidence that the requirements have been met.

Consent

At a minimum, informed parental consent shall be obtained before:

1. Conducting an initial evaluation to determine if the child qualifies as a child with a disability;
2. Conducting any re-evaluation of a child with a disability;
3. Providing initial special education and related services to a student with a disability, including
 - a. Consent to provide special education and related services applies to all services described in the IEP which will ensure FAPE, and
 - b. Annual decisions about what services are to be provided are made through the IEP process and are not part of the consent requirement;
4. Disclosing personally identifiable information; or
5. Accessing a child's or parent's public benefits or insurance for the first time;

Except for an initial evaluation, initial placement, and re-evaluation, consent is not required as a condition of any benefit to the parent(s) or child. Consent for initial evaluation shall not be construed as consent for initial provision of special education and related services.

The district must make reasonable efforts to obtain the informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability. For initial evaluations only, if the child is a ward of the state and is not residing with the child's parent, the district is not required to obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if:

1. Despite reasonable efforts to do so, the LEA cannot discover the whereabouts of the child's parent;
2. The rights of the parents of the child have been terminated in accordance with state law;
3. The rights of the parent to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

If the parent of a child in public school or seeking to enroll in public school does not provide consent for initial evaluation or the parent fails to respond to a request to provide consent,

the district may, but is not required to pursue, the initial evaluation by utilizing the procedural safeguards of mediation or due process hearing. The district does not violate its obligation under Child Find if the district declines to pursue the evaluation.

The district must obtain informed consent from the parent of the child before initial provision of special education and related services to the student. If the parents of a child fail to respond or refuse to consent to services, the district may not utilize the procedural safeguards of mediation or a due process hearing in order to obtain agreement that service may be provided. If the parents of the child do not provide consent for the initial provision of special education and related services, or the parents fail to respond to a request to provide consent for the initial provision of special education and related services, the Schley County Schools will not be considered in violation of the requirement to make FAPE available to the child for which the system sought consent. In addition, the district is not required to convene an IEP Team meeting to develop an IEP for the student for whom the system requests consent.

The district must obtain informed parental consent prior to conducting a re-evaluation of a student with a disability. If the parent refuses to consent to the re-evaluation, the district may, but is not required to, pursue the re-evaluation by using the consent override procedures by accessing the mediation or due process hearing procedures. The Schley County School System does not violate its obligation if it declines to pursue the evaluation.

The district does not have to obtain informed parental consent if the district can demonstrate that reasonable efforts to obtain consent were made, and the child's parents failed to respond.

Parental consent is not required before reviewing existing data as a part of an evaluation or re-evaluation administering a test or other evaluation that is administered to all children (unless consent is required of parents of all children).

The Schley County School System shall not use a parent's refusal to consent to one service or activity to deny the parent or child any other service, benefit, or activity.

Consent for Home School or Parentally Placed Private School Students

If the parent of a child who is home schooled or placed in a private school by the parents at their own expense does not provide consent for the initial evaluation or re-evaluation, or the parent fails to respond to a request to provide consent, the district may not use the consent override procedures. However, the district is not required to consider the child as eligible for services. The district must thoroughly document its attempts to obtain parental consent.

Revocation of Consent

A parent may revoke consent for the receipt of special education and related services once the student is initially provided special education and related services. Revocation of consent to provide special education and related services is for all special education and related services; not individual services. The intent to withdraw the child from special education and related services must be made in writing by the parent to the school system.

The school system may not continue to provide special education and related services to the child, but must, prior to removing the child from special education and related services, provide the parent prior written notice.

The school system may not use the procedures of mediation or due process hearings to override the withdrawal of consent. The school system will not be in violation of the responsibility to provide a free and appropriate public education (FAPE) to a child with a disability because of the failure to provide further special education and related services. The school system is not required to convene an IEP meeting for a student whose consent to receive special education and related services has been revoked. Subsequent referrals for special education and related services shall be considered an initial evaluation and subject to the sixty-day evaluation time period.

The school system is not required to amend the records of the student to remove any references to the provision of special education and related services prior to the receipt of the revocation of consent.

Parental Training and Assistance

Parents may be provided assistance:

1. To understand the special needs of their child and information about child development; and
2. To acquire the necessary skills to support the implementation of the student's IEP if determined by the IEP team as a related service.

The Schley County School System and its special education personnel will provide parent training over IDEA, parental and student rights, and educational/post-secondary opportunities for students with disabilities annually.

Surrogate Parent (160-4-7-.11)

Definition

IDEA defines the term "parent" as a natural or adoptive parent, a legal guardian, a person acting as a parent, or a surrogate parent who has been appointed to represent the child in educational issues or a foster parent if the foster parent was trained and appointed the surrogate parent of a child with a disability.

"Person acting in the place of a parent" means a person such as a grandparent, a stepparent or other relative with whom the child lives, or a person other than a parent who is legally responsible for the welfare of the child.

"Surrogate Parent" means an individual appointed by the district to make education decisions regarding the free appropriate education (FAPE) of a child with a disability. A "surrogate parent" is a person appointed for a student for whom no parent can be identified or who is a ward of the state or whose parent's whereabouts cannot be discovered, after reasonable efforts by the school system.

"Guardian" means a person authorized to act as the child's parent and/or to make educational decisions, but it does not mean the State if the child is a ward of the State.

Appointment

In order to provide every child eligible for a public education with the protection of procedural due process, a surrogate parent shall be appointed by the Schley County School System when:

1. no parent can be identified;
2. the district, after reasonable efforts, cannot locate the parents;
3. the child is a ward of the State under the laws of Georgia; or
4. the child is an unaccompanied youth, as defined in section 725(6) of the McKinney Vento Homeless Assistance Act.

Criteria for Selection of Surrogate Parents

The surrogate parent may represent the child in all matters relating to the identification, evaluation, and educational placement of the child, and the provision of a FAPE to the child. A surrogate parent must:

1. have no personal or professional interest that conflicts with the interests of the student represented;
2. have knowledge and skills that ensure adequate representation of the student; and
3. not be an employee of the GaDOE, the Schley County School System, the Department of Family and Children Services, or any other agency that is involved in the education or care of the child.

When a child is a ward of the State, the surrogate may alternatively be appointed by the judge overseeing the child's case provided that the surrogate meets the requirements of IDEA.

Responsibilities of a Surrogate Parent

The surrogate parent has no financial responsibility or other responsibility for the day-to-day care of the student. The surrogate parent must:

- protect the child's rights in the educational and decision-making processes,
- follow confidentiality requirements of Georgia Rules and federal law;
- use discretion in the sharing of information;
- participate in developing the student's IEP;
- exercise other rights given to parents under the IDEA and Georgia Rules;
- have no interest that conflicts with the child he or she represents; and
- have the knowledge and skills that ensure adequate representation of the child.

Surrogate Parent Procedures

The school system shall make reasonable efforts to ensure the assignment of a surrogate not more than thirty (30) days after there is a determination by the system that the child needs a surrogate.

Schools requiring a surrogate parent for a student with a disability should contact the Student Services Director. The Student Services Department will maintain a list of trained surrogate parents. In the event that a school has someone to recommend for training who meets the qualifications, training will be provided by the Student Services Department.

Dispute Resolution (160-4-7-.12)

Definition

“Dispute Resolution” refers to the formal process of resolving disputes regarding a special education that may occur between a child’s parents and the school system. IDEA refers to this formal process as “Due Process” and relates to the identification, evaluation, or educational placement of a child with a disability or the provision of a free appropriate public education (FAPE).

Components of the Dispute Resolution Process

A resolution in a dispute with the Schley County School System over the rights and services afforded to students with disabilities and their families can be accomplished several different ways. The quickest and most efficient method is to contact the Student Services Department. The Student Services Director can often assist a family in working out the differences with minimal time and conflict.

When a resolution cannot be worked out locally, other processes are guaranteed to students with disabilities under the Individuals with Disabilities Education Act (IDEA). These include (1) formal complaints, (2) mediation, and/or (3) a due process hearing.

1. Formal Complaint Process

Formal complaints are filed in writing and sent to the local district and the Georgia Department of Education (GaDOE), Division for Special Education. A formal complaint form, which may be used to submit a formal complaint, is located at the bottom of the Formal Complaint web page on the GaDOE website.

- a. Upon receipt of the written complaint, the Schley County School System will provide the parent with Prior Written Notice.
- b. The GaDOE will initiate an investigation of the allegations.
- c. Schley County Schools will provide a copy of procedural safeguards to the parent(s).
- d. The Schley County School System must send a written response to the GaDOE, as well as the complainant(s) within ten (10) days of receipt of complaint.
- e. The district will contact the person filing the complaint to propose a resolution to the complaint. If resolved successfully, the GaDOE will be notified and the investigation may be discontinued.
- f. During the investigation, data and information will be exchanged between the Schley County School System, the GaDOE, and the parent(s) that filed the complaint.
- g. If the parties are unable to resolve the issues during the investigation, mediation may be recommended and will be made available at no cost.
- h. If the GaDOE determines a violation of the law or regulations has occurred, a resolution will be required. The resolution may include technical assistance activities, compensatory services, reimbursement, and other corrective actions to achieve compliance.
- j. If the GaDOE determines there were no violations, the case will be dismissed.

2. Mediation Process

An impartial or neutral individual, called a mediator, may be called upon to assist the school and parent in clarifying the problem, exploring interests, discussing resolution options, and reaching a mutually agreeable solution. Either the parent and the student or Schley County School System may request mediation.

- a. The first step is to ask the other party if he/she/it is willing to mediate the disputed issues.
- b. If a family member is requesting mediation, contact Schley County Schools' Student Services Department, and district personnel will complete the request for mediation and submit it to the GaDOE. A mediation request form is located at the bottom of the Mediation Requests webpage on the GaDOE website.
- c. The mediation request is faxed to the GaDOE Legal Services, 404-657-8376.
- d. Upon receipt, Legal Services assigns the request to a mediator.
- e. The mediator will contact both parties to develop the timeline, set up the meeting location, and begin preparation.
- f. Mediation will occur at a location and time convenient to both parties.
- g. Once parties have agreed to a date and location, participants should be prepared to spend most of the day in mediation.
- h. If a resolution is reached, the mediator will facilitate the agreement, and all parties will sign the mediation agreement.
- i. After mediation, both parties are expected to carry out the activities they agreed to during the mediation as outlined in the agreement, which is a legally binding document.
- j. If mediation is being requested as part of a due process hearing, the mediation will not delay nor deny the right to a due process hearing. However, discussions during mediation cannot be used as evidence in any due process hearing or civil proceeding.

3. Impartial Due Process Hearing

When the parent and the district disagree over the identification, evaluation, placement, or provision of FAPE, either party may request an impartial due process hearing, designed to provide an opportunity to resolve differences between concerned parties in the identification, evaluation, placement, or provision of a free appropriate public education for a student with a disability. A hearing may be requested by either the school district or the family when the parties cannot agree and other means of dispute resolution have not been successful.

A due process hearing request must allege a violation that occurred not more than two years before the date the parent or district knew or should have known about the alleged action that forms the basis of the request, with some exceptions. The two-year timeline does not apply if the parent was prevented from filing a due process complaint due to specific misrepresentations by the school district indicating that it had resolved the problem forming the basis of the complaint, or if the school district withheld information from the parent that was required to be provided to the parent.

Due process hearings are provided at no cost to either party; however, each party is responsible for his, her, or its costs associated with hiring legal counsel or expert witnesses unless a court awards the recovery of these costs to a prevailing party. The district must inform

the parents of low cost legal and other relevant services available if the parent requests the information or whenever a due process request is received by the district.

When requesting an impartial Due Process Hearing:

- A. The initiating party should inform the other party of the request, and the other party must respond to the due process request within ten (10) days.
- B. The district must send the GaDOE the request for a due process hearing on the day the request is received. The request is required to contain the name of the student, the school, and the district in which the student is enrolled, contact information for the family, and school district contact information. The request must also contain a description of the problem and a proposed resolution. The district must use the form that is located at the bottom of the Due Process Hearing Requests web page of the GaDOE website.
- C. A hearing may not occur until the party or the attorney representing the party files a request that meets all the requirements.
- D. Schley County Schools may assist the parent in completing the form as necessary in order to obtain a sufficient complaint notice.
- E. Once received by GaDOE, immediate contact will be made with the Office of State Administrative Hearings (OSAH) to assign the case to an administrative law judge (ALJ).
- F. The ALJ will contact the parties and begin to set up the logistics of the hearing.
- G. An expedited due process hearing may be requested if the request is related to manifestation determination or placement in an alternative educational setting.
- G. The hearing will be conducted at a time and place convenient to the parent and the district involved and at an impartial location.
- H. The district shall provide the parent/guardian information about low cost or no cost legal services.
- I. Parents have the right to request and obtain copies of all records concerning the student from the school district five (5) or more business days prior to a hearing.
- J. Either party may be accompanied and advised by legal counsel or another individual with knowledge or training related to the student about whom the hearing is being conducted.
- K. Either party may compel the attendance of witnesses. One party must provide a list of witnesses to the other party at least five (5) business days prior to the hearing.
- L. Both parties will receive a copy of the written record of the hearing.
- M. Parents have the right to have the student present at the hearing.
- N. Confidentiality of information shall be maintained even when in a hearing.
- O. Parents in a hearing have a right to obtain relief that the ALJ determines appropriate, which may include payment for an independent evaluation, reimbursement for services, alteration of the IEP, alteration of the placement, or other relief as determined by the ALJ.

Timeline

A due process hearing must be conducted, and the decision issued within 45 days of the request for a hearing. If a resolution meeting or mediation is used, the timeline of 45 days begins

at the conclusion of a 30-day resolution period, or earlier if the meeting does not result in a settlement. Other extensions may only be allowed when both parties agree and the extension does not violate the rights of the student. Any appeals to the due process hearing must be filed within 90 days in a State or District Court.

Student Status During the Hearing

When a hearing has been requested by either party, the student shall remain in his or her current educational placement unless the parent and the district agree to an alternate placement. If the hearing is the result of an initial admission to public school, the student shall be placed, with the consent of the parent, in the school program until completion of the hearing proceedings. The current educational placement includes the services provided in the IEP and all related services.

Other special circumstances may apply, and the Georgia Rule (160-4-7-.18) should be reviewed to determine the student status pending a due process hearing.

Building Resourceful Individuals to Develop Georgia's Economy (BRIDGE)

Definition

The BRIDGE (Building Resourceful Individuals to Develop Georgia's Economy) Act, House Bill 400, was signed into law May 2010 to create an atmosphere motivating middle- and high-school students to learn because they see the relevance of education to their dreams and future plans. The implementation of the BRIDGE Act provides all middle- and high-school students with career counseling and regularly-scheduled advisement to choose a focused plan of study.

Critical Parts of the BRIDGE Act

The most critical parts of the BRIDGE Act mandate all students in middle and high school receive counseling and regularly-scheduled advisement. The second mandate is that students choose a career area, create an Individual Graduation Plan (IGP), and graduate high school prepared to go to college or to enter the workforce. The third mandate requires regularly scheduled advisement for all high- and middle school students.

Before the end of the 8th grade, each student shall develop an individual graduation plan in consultation with their parents/guardians. High School students shall have opportunities to prepare for a seamless transition to post-secondary study, further training or employment.

The Individual Graduation Plan

Another part of the BRIDGE Act is the requirement that all 8th grade students during their spring semester create an Individual Graduation Plan (IGP). This graduation plan helps "map out" the rigorous academic core subjects and focused work in mathematics, science, or humanities, fine arts, world languages or sequenced career pathway coursework. The IGP is based on the student's selected academic and career area to prepare them for their chosen career.

This plan must be developed in consultation with parents/guardians, students, school counselor or teacher as advisor. Additional parts of the IGP may include career-oriented and work-based learning experiences and postsecondary studies. The individual graduation plan shall:

1. Include rigorous academic core subjects and focused course work in mathematics and science or in humanities, fine arts and foreign language or sequenced career pathway course work;
2. Incorporate provision of a student's Individualized Education Program, where applicable;
3. Align educational and broad career goals and a student's course of study;
4. Be based on the student's selected academic and career focus areas as approved by the student's parent/guardian;
5. Include experience based, career-oriented learning experiences which may include, but not be limited to, internships, apprenticeships, mentoring, co-op education and service learning;
6. Include opportunities for post-secondary studies through articulation, dual enrollment, and joint enrollment;
7. Be flexible to allow change in the course of study but be sufficiently structured to meet graduation requirements and qualify the student for admission to post-secondary education; and
8. Be approved by the student and the student's parent/guardian with guidance for the student's school counselor or teacher adviser

The Individual Graduation Plan (IGP) and the Individualized Education Program (IEP) Transition Plan

The Individual Graduation Plan (IGP) helps create the pathway to successful postsecondary outcomes for all students. For students with disabilities, the IEP is developed by using the information from the IGP to inform a successful transition for life after high school graduation for students with disabilities.

The Individualized Education Program (IEP) is a written plan/program for each child with a disability, developed by the district's special education team with input from the parents and general education teachers. The IEP specifies a student's academic goals and methods to aid attaining the goals. The plan will identify supports and services needed for the students with disabilities to succeed educationally.

A transition plan is the section of the IEP that outlines a carefully planned process which help students move from school to adult life in their community. The transition plan is based on a high school student's individual needs, strengths, skills, and interests. Transition planning is used to identify and develop goals which need to be accomplished during the current school year to assist the student in meeting his post-high school goals, specifically related to training, education, employment, and independent living skills (where appropriate).

Transition Activities, Planning, and Reporting for Students with Disabilities

Beginning no later than entry into ninth grade or by the age of sixteen, whichever comes first, the IEP must include the following:

1. Appropriate measurable post-secondary goals based upon age appropriate transition assessments related to training, education, employment, and independent living skills (as appropriate); and
2. The transition services, including courses of study, needed to assist the student attaining postsecondary goals.

Transition Services Participants

When the IEP team is developing, reviewing, or revising a student's transition plan and in addition to the required IEP Team members, the following participants must be invited:

1. The district must invite the student with a disability to attend if the purpose of the meeting will be the consideration of postsecondary goals and transition services needed to assist the student in reaching those goals.
2. If the student does not attend the IEP meeting, the LEA Representative must ensure that the student's preferences and interests are considered when developing, reviewing, or revising the IEP Transition Plan.
3. To the extent appropriate, with the consent of the parents or adult student who has reached the age of 18, in implementing the transition requirements, the district must invite a representative of any participating agency (Vocational Rehab, Easter Seals, etc.) that is likely to be responsible for providing or paying for transition services.