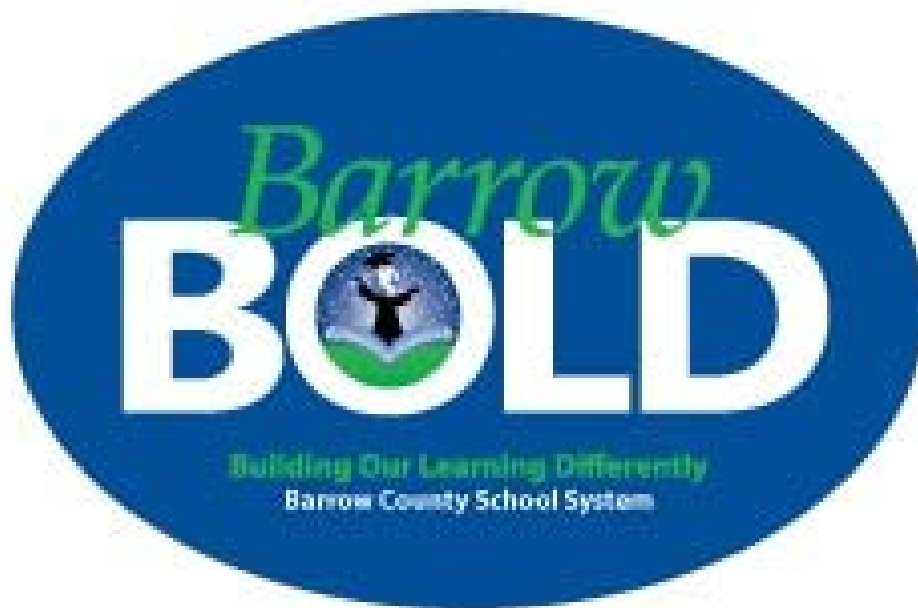


Barrow County School System Special Education Implementation Manual



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including:

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Children who are suspected of being children with disabilities

Highly mobile children, including migrant children

Children who are detained or incarcerated in jails or correctional facilities

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- (f) Orthopedic impairment.
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- Effect of the disability
- Parental concerns
- Consideration of special factors
- Measurable annual goals
- Benchmarks/short-term objectives for students on alternative assessment
- Criteria for measurement of goals/objectives
- Progress reporting and schedule
- Plan for services (special education, related services, modifications/accommodations, positive behavioral supports) with frequency, location, and duration of services
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Sixth, seventh, and eighth grade students receive:

- Counseling
- Regularly scheduled advisement
- Career awareness
- Career interest inventories
- Information to assist students in evaluating their academic skills and career interests

Individual Graduation Plan for 8th grade students

High School students receive:

- Career counseling
- Career guidance
- Regularly scheduled career advisement
- Information to enable students to successfully complete their individual graduation

plans

Area of General Supervision I: Identification Processes

[State Rule: 160-4-7-.08- Confidentiality of Personally Identifiable Information](#)

Confidential Information

[Confidentiality](#) is one of the rights afforded to parents in the [Parent Rights](#) document (procedural safeguards). Confidentiality of educational records is a basic right shared by all children in public schools and their parents. These fundamental rights are described in the [Family Educational Rights and Privacy Act or FERPA of 1974](#), which applies to all students, not just those with disabilities. All district personnel (including contracted employees) are governed by confidentiality requirements and receive training each year and information regarding the law. Written and dated parent consent must be obtained before personally identifiable information can be disclosed to unauthorized individuals, organizations, or agencies (unless otherwise authorized to do so under FERPA). Personally identifiable information includes the following:

- ❖ the name of the student, the student's parent, or other family member;
- ❖ the student's address;
- ❖ any personal identifier such as the student's social security number or student number; and
- ❖ any personal characteristics or other information that would make it possible to identify the student.

FERPA allows parents to inspect and review all educational records of their child maintained by an educational agency that receives federal funds. This includes all public schools and most private schools. The school must comply with a [request to inspect records](#) within a reasonable amount of time, and in no case more than 45 days after the request has been made.

Access Rights and Required Procedures

All special education folders are kept and maintained in the special education office. Confidential information is stored in file cabinets and drawers that can be locked. All official files are located at the Barrow County School System Central Office.

Each special education folder has the child's name on the top of the folder and all personnel reviewing records signs the access sheet indicating the staff member's name and date, and purpose of the review.

Authorized to access special education records include:

- ❖ Director of Special Education
- ❖ Special Education Coordinators
- ❖ School Administrators
- ❖ [School Psychologists](#)
- ❖ Special Education Secretary
- ❖ Special Education teachers

- ❖ SLPs
- ❖ Physical Therapist
- ❖ [Occupational Therapists](#)

Student Records

For students enrolled in special education any reference to special education status documented in a student's permanent records would place the record under the [Individuals with Disabilities Education Act \(IDEA\) confidentiality requirements](#). It is mandated that reference to special education status be maintained in a separate supplemental file and not specifically by reference on the student's permanent record.

Verbal references to a student's [special education program](#) should be restricted only to professionals working directly with the student. There will be no documentation that the student receives special education services on the official transcript.

General Requests for Records by Other School Systems or by Parents

The official Special Education Records are maintained at the Central Office in the Special Education Department. All requests for records beyond a copy of the current [IEP](#) must be handled at the county office. The Special Education Records Clerk will communicate with the parents and set up a time that the records can be picked up. Following an **official request**, the Special Education Records Clerk will submit records to the requesting school system.

Social Security Administration (SSI) Request for Records

The school system frequently receives requests from the Social Security Administration for records on special education students. When schools receive requests from this agency, teachers or staff should:

- ❖ Complete their portion of the form include copies of grades, discipline, etc.;
- ❖ Retain a copy for their records and send all documentation to the Central Office Special Education Department;
- ❖ The Special Education Records Clerk will make copies and send all requested records along with the teacher questionnaire to the Social Security Administration.

Request for Special Education Records

All requests for special education records beyond the most recent IEP must be requested in writing and given to the special education records clerk at the county office. The Special Education Records Clerk will communicate with the parents to set up a time the records can be picked up.

When a new student enrolls, the registration department gets a parent signature on **Confidential Release of Records**. This form is then given to the Special Education Records Clerk to obtain records if it is indicated on the form that the student was served in special education. The Special

eEducation Records Clerk contacts the sending school on the date that the request is made. Individual schools should not send the Release of records as this slows the process in obtaining records.

Amendment of Records at Parent Request

Parents who believe that information contained in the education records collected, maintained, or used are inaccurate or misleading or violate the privacy or other rights of the student may request that the Barrow County School System amend the information in question. The school system will make a determination and decide whether to amend the information in accordance with the request within a reasonable amount of time of receipt of the request. If the school system decides to refuse to amend the information in accordance with the request, it will inform the parents of the refusal and advise the parents of the right to a hearing. The system will, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

When the school gets official documentation of legal name changes, school staff make a copy of the legal document that describes the change and send it to the Special Education records Clerk for documentation and correction.

Results of Hearing

If, as a result of the hearing, the school system decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the information will be amended accordingly and the parents will be informed in writing.

If, as a result of the hearing, the school system decides the information is accurate and not misleading, or not otherwise in violation of the privacy or other rights of the student, the system will inform the parents of their right to place in the record a statement commenting on the information and setting forth the reasons for disagreeing with the decision of the school system.

Any explanation placed in the records of the student will be maintained by the Barrow County School System as part of the records of the student as long as the record or contested portion thereof is maintained by the school system. If the records of the child, or the contested portion thereof, are disclosed by the school system to any party, the explanation will also be disclosed to the party.

Parent Consent/Safeguards

The Barrow County School System is required to obtain informed written consent for any action requested. Parent consent is voluntary and may be revoked at any time. Consent is required for the following actions:

- ❖ to conduct an initial [evaluation](#);

- ❖ to conduct a reevaluation;
- ❖ for the initial provision of special education and related services on the IEP;
- ❖ to make a substantial change in special education and related services; and
- ❖ before disclosure of personally identifiable information that is subject to [confidentiality](#).

If a parent questions any proposed actions or changes to the IEP, it is recommended that he or she discuss the concern with the teacher or school administrator. Consent for the initial evaluation does not provide consent for initial placement.

A parent may revoke consent for the receipt of special education and related services once the child is initially provided special education and related services. This [revocation](#) of consent must be made in writing and is for **all** special education and related services, not for individual services.

Parental Consent is obtained before personally identifiable information is disclosed to other parties unless the disclosure is authorized without parental consent. Prior consent is not required to release information to:

1. Parents or eligible children;
2. Other Barrow County School System officials, including teachers, legally constituted cooperating agencies or other agencies providing shared services whom the system has determined to have legitimate educational interests;
3. Officials of another school, school system, or institution of postsecondary education in which the child seeks or is eligible to enroll, upon condition that the student's parents be notified of the transfer, receive a copy of the record, if desired, and have the opportunity for a hearing to challenge the content of the record;
4. Authorized Federal, State or local representatives in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or the compliance with Federal legal requirements which relate to those programs. (The information is protected in a manner that does not permit personal identification of individuals by anyone except the officials referred to above and must be destroyed when no longer needed);
5. In connection with a child's application for or receipt of financial aid for which the child has applied or which the student has received, if the information is necessary.
6. State and local officials or authorities to whom this information is specifically allowed to be reported or disclosed pursuant to a State statute concerning the juvenile justice system;
7. Organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate, or administer predictive tests, administer student aid programs; or improve instruction. Information may only be disclosed if the study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization and the information is destroyed when no longer needed;
8. Accrediting organizations to carry out their accrediting functions;

9. In compliance with a judicial order or a lawfully issued subpoena. The Barrow County School System will make a reasonable attempt to notify the child's parents of the judicial order or subpoena before releasing the records, unless the disclosure is in compliance with a Federal grand jury subpoena or other subpoena issued for law enforcement purposes and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;
10. Disclosure in connection with a health or safety emergency, if the knowledge of the information is necessary to protect the health or safety of the child or other individuals;
11. The disclosure is information the school system has designated as "directory information" and the school system has given public notice to parents and eligible students of the types of personally identifiable information that the school system has designated as directory information, a parent's or eligible student's right to refuse to let the school system to designate any or all of those types of information about the student as directory information, and the period of time within which a parent or eligible student has to notify the school system in writing that he or she does not want any or all of those types of information about the student designated as directory information;
12. The Office for Civil Rights;
13. Officials within the Department of Human Resources, Department of Corrections, Department of Juvenile Justice, and the Department of Labor for the purpose of making appropriate educational decisions regarding placements.

Destruction of Confidential Information

Destruction of Records

The Barrow County School System protects the [confidentiality](#) of personally identifiable information at collection, storage, disclosure, and destruction states. The superintendent or designee ensures the confidentiality of any personally identifiable information. Access of unauthorized persons to personally identifiable information without the parent's consent is forbidden. All persons collecting or using personally identifiable information has received training or instructions regarding department policies and procedures concerning personally identifiable information. The system maintains, for public inspection, a current listing of the names and positions of school system employees who may have access to personally identifiable information.

Destruction means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable. The Barrow County School System uses a document destruction company when records are destroyed. The Barrow County School System will destroy special education audit records 5 years after the student's 22nd birthday.

Professional Learning and Monitoring:

Professional Learning

Existing BCSS Special Education Teachers: The Special Education Director, District Special Education Coordinators, Program Specialists and school-level IEP Facilitators will provide ongoing professional learning for special education policies and procedures regarding *Confidentiality* throughout each school year. The Director of Special Education provides training to building-level administrators during monthly, instructional leadership meetings. The Director of Student and Data Services reviews all policies regarding confidentiality and student records for each campus and meets with school administration to ensure district policies are clear and are followed in accordance with all regulations. Teachers are trained by building-level administrators on the Code of Ethics for Educators at the beginning of each school year, including rules and regulations regarding confidentiality.

New BCSS Special Education Teachers: Teachers new to the Barrow County School System are trained in special education policies and procedures through a new teacher training provided by the District Special Education Coordinators and Program Specialists at the beginning of each school year. This includes training regarding student records and confidentiality. They also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff. Additionally, new teachers are assigned a veteran mentor teacher in their school building to provide support and guidance regarding IEP compliance, student records, and confidentiality throughout the school year. IEP Facilitators also work closely with new teachers and mentors to ensure the process is working and to give additional clarity and support regarding student records and confidentiality policy and procedure.

Evidence of Training: Professional learning will be documented through agendas, sign in sheets, and end of year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures: The Director of Student Data and Services along with the Director of Special Education, and the Director of Planning and Personnel monitors district and individual school compliance with student records and confidentiality policy. The Director of Special Education collaborates with the Director of Student Data and Services and the Director of Planning and Personnel, as well as other district leaders by investigating any claims of a violation of confidentiality policies and procedures. If concerns arise, the Special Education Director will meet with the district leadership team and/or school-level administration to provide technical assistance. Also, school-level IEP Facilitators and building-level administrators monitor teacher compliance regarding confidentiality. Additionally, teachers are asked to sign off on the BCSS Special Education Policy and Procedure Checklist and that they have received Code of Ethics training, verifying understanding of their responsibilities as it pertains to confidentiality and student records throughout the school year.

Technical Assistance: Teachers who require additional technical assistance with policies and procedures regarding confidentiality and student records will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, District Special Education Coordinators, Program Specialists and/or designated school staff (e.g., principals, assistant principals, special education IEP Facilitators, counselors, etc.). If teachers continue to have difficulty despite the technical assistance they receive, building-level administrators will be notified so they may determine next steps to ensure remediation and compliance.

[State Rule 160-4-2-.32 Student Support Team \(SST\)](#)

Requirement for Local School SST

The idea behind a [Response to Intervention \(RTI\)](#) framework is that all students should be given access to adequate instruction. Then, those who are not successful should be given additional support, which becomes more intensive and individualized as necessary. The RTI framework begins with an assumption that instructional deficits are the primary cause of academic or behavioral difficulties, rather than beginning with the assumption that a student is disabled in some way. Given this assumption, students who are experiencing academic or behavioral difficulties are provided with increased academic and behavioral supports ranging from Tier 1, Tier 2, Tier 3 (SST), and Tier 4. If the student does not “respond” to the increased supports, he/she may be referred for a comprehensive evaluation in order to determine if there is a disability that is impeding adequate performance.

Student Evaluation

The SST team monitors student progress given prescribed interventions. The team makes the following determinations after a review of progress.

Not referred for further Evaluation

Should the SST/RTI committee develop alternative strategies and interventions that are successful with a student, naturally the student should not be referred for further evaluation. However, the SST/RTI committee should not exclude a student from further evaluation because the team “feels” that the student will not meet special education eligibility. The SST/RTI committee must have data to support the decision that interventions are successful at Tier III and that the student is successful without further evaluation. The SST/RTI committee may have attempted reasonable strategies at the school level in Tiers II and III and have physical/emotional/academic questions that might be answered by an evaluation.

Remember: The SST/RTI committee is not an Eligibility/Placement Team; therefore, SST/RTI committee should never make decisions on special education eligibility or placement.

Referred for further Evaluation

SST/RTI should have attempted reasonable alternative strategies and interventions. If those strategies have not been successful and data supports the potential need for additional supports, the SST/RTI committee may make a referral for evaluation to determine if physical/emotional/academic problems may be interfering with a student's school progress. Procedural Safeguards will be provided and reviewed with the parents/guardians. The RTI/SST committee will present a consent for evaluation to the parents/guardians. Once signed by the parents, the assigned special education teacher will submit a referral packet of information to the [school psychologist](#) for further evaluation.

SST Members

The State Board Rule states the Student Support Team includes, at a minimum, the referring teacher and at least two of the following participants, as appropriate to the needs of the student:

1. Principal
2. General education teacher
3. Counselor
4. Lead teacher
5. [School psychologist](#)
6. Subject area specialist
7. ESOL teacher
8. Special education teacher
9. School social worker
10. Central office personnel
11. [Section 504](#) coordinator
12. Other appropriate personnel, including the school level RTI Coordinator

Parent/Guardian Participation

The Barrow County School System strongly encourages parents to be involved in the RTI/SST process. Teachers are to make every effort to ensure parent participation in the process and implementation of the Student Support Team. When parents opt not to participate in the SST process, the school still has an obligation to develop an academic and/or behavior plan. If this is the case, the teacher should document the parent's choice to not participate.

During the SST process, parents or guardians must be:

- ❖ Informed of the SST process. Parents are sent copies of the SST minutes and plan if they are not in attendance.
- ❖ Notified in writing if SST support is requested for their student. At a parent's request, the notice should be provided in their native language. In addition other [accommodations](#) should be available as well. Notices of meeting are sent home with the student, emailed, mailed, or delivered by a school social worker.

- ❖ Invited to attend the SST meeting at which their student will be discussed. During the meeting, parents are encouraged to share their suggestions and concerns.
- ❖ Provided with updates from SST members.
- ❖ Provided with a copy of parental rights

Steps of the RTI/SST Process

Prior to a child being referred for Special Education, the student goes through various levels or tiers in the school's SST/RTI process.

- I. **Tier I** includes evidence-based instruction which is based on the Georgia Performance Standards. It includes effective school-wide behavior supports and differentiated instruction to promote higher levels of student engagement and achievement.
- II. **Tier II** interventions serve as standard intervention protocols for students in the school who require extended learning opportunities or students who are not making adequate progress and need additional interventions. Tier II interventions are group-based interventions and include EIP, ESOL and any group-based interventions.
- III. **Tier III** - If students are not making the expected levels of progress in Tier II, they are referred to the school's SST/RTI committee which comprises Tier III. Tier III interventions should be individualized interventions developed for the specific needs for students.

**Prevention through intervention is stressed in all tiers.*

Alternative strategies for increasing the student's academic, social, and behavioral performance are identified, reviewed, and implemented. SST/RTI committees should follow the procedures outlined in the [Georgia RTI Guidance Document](#) set forth by the State of Georgia ([GA Board Rule 160-4-2-.32](#)). It is best practice for student referrals to be preceded by evidenced-based academic and/or behavioral interventions.

Documentation of SST Activities

Proper documentation is essential in the RTI/SST process. Documentation (paper or electronic) should include the following: student name, names of team members, meeting dates, identification of student learning and/or behavior problems, any records of assessment, educational plan and implementation results, follow-up, and as appropriate, continuous evaluation. If the student is referred directly for an [evaluation](#) because they were granted an exception to the SST/RTI process, the SST/RTI committee must fully document the reason for the exception through the minutes of at least one SST/RTI meeting. Strategies, interventions, and modification should still be documented and implemented immediately. Consultation with the assigned Special Education Coordinator is required prior to making an exception.

Exceptions to the use of the RTI/SST Process

School personnel and parents/guardians may determine that there is a reasonable cause to bypass the RTI/SST process for an individual student. Documentation in the student's record

shall clearly justify such action, including whether the parent or guardian agreed with such a decision. In cases where immediate referral is sought, the SST shall still determine interim strategies, research-based interventions, and [modifications](#) shall be attempted for the student. If the school suspects reasonable cause to bypass SST, the IEP Facilitator at the school level will contact the assigned District Special Education Coordinator for guidance. It is not necessary for students who transfer into the local school system/state operated program with a current [Individualized Education Program\(IEP\)](#) or [Section 504](#) plan to go through the SST process.

Professional Learning/Monitoring

Professional Learning

Existing BCSS Special Education Teachers: The Special Education Director, District Special Education Coordinators, Program Specialists, and school level IEP Facilitators will provide ongoing professional learning for the written policies and procedures regarding the student support team process. The Director of Special Education provides training to building level administrators during monthly instructional leadership meetings. District Special Education Coordinators, School Psychologists, and the District RTI Coordinator work closely and provide ongoing training for the schools regarding tiered intervention and SST policies. The RTI District Coordinator meets with RTI Coordinators at the school level throughout the school year to discuss procedures and expectations. The school level RTI Coordinators, in conjunction with the school psychologist, provide professional learning for the staff at each school throughout the school year.

New BCSS Special Education Teachers: New teachers to the BCSS are trained in tiered interventions and the SST process through a new employee orientation and new teacher training. New teachers are also assigned a veteran mentor teacher in the building for support and guidance throughout the school year.

Evidence of Training: Evidence of training is documented through county level RTI task force meeting agendas/sign in sheets as well as school level training agendas/sign in sheets housed at the school.

Supervision and Monitoring

Monitoring Procedures: The District RTI Coordinator, school level RTI coordinator, District Administrative Systems Manager, and the School Psychologist monitor procedural compliance in regards to tiered interventions. The District RTI Coordinator conducts random RTI/SST file compliance checks throughout the school year to review plans for compliance and fidelity. She also completes quarterly SST audits and reports findings to the school level RTI coordinator. The District Administrative Systems Manager generates weekly RTI plan and activity reports that she shares with the schools for checks and balances. School psychologists reviews files, and provide support and guidance regarding progress monitoring. All administrators at the school level are expected to be an integral part of the RTI/SST process and remain actively involved with all

aspects of the process including professional learning, monitoring meetings, implementation of research-based practices, etc.

Technical Assistance: Schools that are found to be out of compliance are provided intensive one-on-one technical assistance and support from the District RTI Coordinator. Staff members who are found out of compliance will be provided with continued professional learning and/or one-on-one assistance by the school level RTI coordinator. When staff members continue to experience difficulty after technical assistance has been provided, the District RTI Coordinator, will inform the Director of Elementary or Secondary Education who will determine next steps in support.

[State Rule 160-4-7-.03-Child Find Procedures](#)

The purpose of Child Find is to identify, locate, screen, and evaluate children and youth, birth to age 21, who are suspected of, or have a disability or developmental delay for children enrolled in the LEA school district including public charter schools. Barrow County School System serves children ages 3 through 21 with identified special education needs. For children ages birth through 3, services are provided via Babies Can't Wait and/or Georgia Pines.

A Child Find referral may be made by anyone that has concerns about a child's development. All referrals are considered confidential.

Annual child find activity is published or announced in newspaper or other media

Each school year, Child Find Screenings for preschool age children are completed. Screenings are advertised in the local newspaper, on school websites, in community daycare/PreK centers and in pediatrician offices. Information is also disseminated to local radio stations and the Barrow County [parent mentor](#). Additionally, speech-language screenings are completed on students attending lottery funded Pre-K programs, Head Start programs and private preschool programs. Screenings are also completed at the request of parents and community agencies, such as Department of Family and Children Services (DFCS), Advantage Behavioral Health, etc.

Provides for screening and [evaluation](#) of all children with suspected disability ages 3-21 including:

Children birth through age three:

Babies Can't Wait Early Intervention Program serves children with special needs from birth – age 3. A transition meeting (generally 6 months prior to the child's 3rd birthday) is held with a preschool representative from Barrow County School System (BCSS). Due to these students having prior interventions through Babies Can't Wait, the RTI process is not required since the early intervention records serve as prior interventions. Students transitioning participate in a developmental evaluation conducted by Barrow County Schools. The identification and evaluation of these children must follow the 60-day timeline for initial evaluations. If found eligible, services must be initiated on or before the child's 3rd birthday.

For children not transitioning from the Babies Can't Wait program, LEAs must follow the 60-day timeline for initial evaluations; however, the IEPs are not required to be implemented by the child's 3rd birthday.

If you are aware of a child younger than 3 that presents with suspected developmental delays, provide contact information to the Babies Can't Wait regional office in Athens, GA (706) 369-6101.

Preschool children ages 3-5

The Barrow County School System provides child find procedures for children ages 3-5 that attend lottery funded PreK, private preschool programs, daycare centers, Head Start, and any child not enrolled in the aforementioned environments. **Barrow County is responsible for Child Find procedures for out-of-county students that attend programs within Barrow County.** If the student is in a private school which has a Kindergarten class, Barrow County School System is responsible for screening, RTI, evaluation and providing service(s), if the student is found eligible. These students will be offered an IEP; however, if the parents choose not to enroll their student(s) within the Barrow County School System, the parents are declining [FAPE](#) and the student(s) may be served via an Individualized Service Plan (ISP). Barrow County School System allocates proportionate share funds for students with Speech Impaired eligibility.

If the student is in a daycare center, Pre-K center or private preschool center, Barrow County School System is responsible for screening, RTI and evaluation. However, service provision is provided by the school system in the county in which the student resides.

Children enrolled in the LEA school including public charter schools; Children who are suspected of being children with disabilities; Highly mobile children, including migrant children; Children who are detained or incarcerated in jails or correctional facilities; Children enrolled in homeschool/study programs; Parentally placed private school children, including religious, elementary and secondary schools

Child Find activities are completed throughout the year in order to identify, locate and evaluate those children who are in need of special education and related services. These activities are used to identify suspected children with disabilities, including those who are enrolled in public charter schools, highly mobile (including migrant children), detained or incarcerated in jails or correctional facilities, enrolled in homeschool study program and/or children parentally placed in private school, including religious, elementary and/or secondary schools, regardless of the severity of their disability.

Note: Individuals making referrals should call the special education office at 770-867-4527 to request information. If transitioning from Babies Can't Wait, information will be provided to the family at a transition meeting.

For students enrolled in Kindergarten through 12th grade, Child Find activities are provided through the RTI process. Additionally, special education IEP Facilitators and BCSS coordinators provide professional learning educating teachers regarding the identification of students who may have developmental delays, speech-language delays, etc. This professional learning includes a review of the process for Child Find referrals.

Screening to determine appropriate educational strategies is not to be considered [evaluation](#)

Screenings are offered to determine appropriate education strategies and ultimately to determine whether or not an evaluation is warranted. The screening is not considered to be an evaluation. Following the completion of screenings, if developmental needs are identified, RTI interventions will be developed and implemented.

Student referrals should be accompanied by documentation of scientific, research, or evidenced based academic or behavioral interventions that demonstrate insufficient rate of progress

[The Individuals with Disabilities Act \(IDEA\)](#) 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 ([34 C.F.R. § 300.111](#)). However, per our State Child Find Rule, the implementation of a multi-tiered 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 ([160-4-7-.03](#)). 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.

Exception allowed only when evaluation and/or placement is required due to significant disability

Exceptions to screenings and the implementation of interventions may be made in circumstances where immediate evaluation and/or placement is required due to a significant disability. However, exceptions should be infrequent and rare occurrence. These exceptions should be clearly documented in the eligibility decision.

Professional Learning/Monitoring

Professional Learning

Existing BCSS Special Education Teachers: The Special Education Director, District Special Education Coordinators, Program Specialists, and designated school staff (e.g., assistant principals, special education

IEP Facilitators, counselors, etc.) will provide ongoing professional learning for policies and procedures regarding *Child Find Procedures* throughout each school year. The Director of Special Education provides professional learning to the district leadership team. The Director of Special Education is in close contact with the Preschool Program Coordinator who assists with facilitating all Babies Can't Wait referrals and any other Child Find referrals to ensure compliance with mandated timelines.

New BCSS Special Education Teachers: New special education teachers to BCSS will be trained in special education policies and procedures through a new teacher training provided by the District Special Education Coordinators. Existing special education teachers will be updated regarding Child Find procedures during monthly school level special education meetings. General education teachers will be provided training by school level administrators, the school level RTI coordinator and/or the district RTI coordinator.

Evidence of Training: Professional learning will be documented through agendas, sign in sheets, and end of year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures: The Preschool Program Coordinator holds monthly meetings during which Child Find procedures for Preschool age children are continually monitored through a referral list that is updated weekly. Universal screeners are completed at the elementary, middle and high school levels to aid in Child Find; students demonstrating areas of need are then referred to the RTI/SST committee which monitors student progress.

Technical Assistance: If Child Find Procedures are blatantly not followed, additional training and technical support will be provided by the Director of Special Education, District Special Education Coordinators, Program Specialists and/or designated school staff (e.g., assistant principals, special education IEP Facilitators, counselors, etc.).

[State Rule: 160-4-7-.04- Evaluations and Reevaluations](#)

Initial Evaluation Referral Process

The Individuals with Disabilities Education Act (IDEA) requires that before a student can receive special education services, the Barrow County School System (BCSS) must determine whether the student meets eligibility requirements for special education and needs special education services. The BCSS must conduct (or arrange for) a comprehensive evaluation that:

1. provides sufficient data to determine whether the student is a student with a disability;
2. documents how the disability affects the student's academic or behavioral performance in school; and
3. provides appropriate information for the development of an IEP, if eligible.

BCSS Referral Procedures for *Babies Can't Wait* Transitions

Transition meetings are scheduled within six months of the child's third birthday and attended by a [Babies Can't Wait \(BCW\)](#) representative and a preschool special education representative. A Babies Can't Wait representative contacts the Department Administrative Assistant for PreK and Preschool, regarding notification of referrals from Babies Can't Wait and to schedule transition meetings. At transitions meetings, the following occurs:

- ❖ Hearing and vision screenings are completed.
- ❖ Parents are informed of the evaluation process, as well as an overview of preschool services.
- ❖ **Referral packet** information is obtained (e.g., confidential developmental case history form, authorization to release records, permission to screen).
- ❖ Scheduling of the developmental evaluation and subsequent eligibility meeting and IEP meetings are discussed.
- ❖ Registration information (previously provided to the parents via the Babies Can't Wait service coordinator) is reviewed and registration is completed by the parents.

After obtaining a cleared vision and hearing screening, a developmental evaluation is scheduled prior to the child's third birthday. The child, the child's parents, the Preschool Program Coordinator and the Speech-Language Pathologist (SLP) will participate in the assessment. Following completion of the developmental evaluation, an eligibility meeting and an initial IEP meeting, if applicable, will be scheduled. The eligibility meeting must be held on or before the child's third birthday.

**Due to these students having received prior interventions through Babies Can't Wait, they are not required to complete the [Response to Intervention Response to Intervention \(RTI\)](#) process.*

BCSS Referral Procedures for *Preschool Age Students (3-5 years of age)* in the Home Environment:

Upon a parent contacting the Barrow County School System with speech-language and/or developmental concerns regarding their preschool age student, an **intake form** is completed. A speech-language and/or developmental screening will be scheduled and if needs are identified, RTI interventions will be established and provided to the parents. Interventions are implemented within the home environment by the parents. Parents will also collect data on targeted skills for a minimum of 4-6 weeks. After this time frame, the parents will be contacted by the Speech-Language Pathologist and/or Preschool Program Coordinator to review the student's progress. If progress has occurred, the targeted goal will be modified and RTI will continue. If progress has not occurred, a referral for the evaluation process will be implemented, to include the following:

- ❖ Vision and hearing screenings are completed.
- ❖ **Referral packet** information, including registration information, is completed by the parents.
- ❖ Once a child has been registered by the parents, the **consent to evaluate** will be completed by the parent.
- ❖ A developmental evaluation will be completed either by the Speech-Language Pathologist and/or the Preschool Program Coordinator. Parents will also participate in this process by completing rating scales.
- ❖ Following completion of the evaluation, an eligibility meeting and initial IEP meeting, if applicable, will be scheduled.

BCSS Referral Procedures for Preschool Age Students (3-5 years of age) in the Community:

If speech-language and/or developmental needs are suspected, the community center director and/or teacher will contact either the speech-language pathologist or the preschool program coordinator. If concerns are in the area of speech-language development, the SLP will complete a speech-language screening. If needs are identified, the SLP will provide direction for intervention suggestions and data collection. Intervention implementation and data collection will be completed by the community teacher and will be reviewed by the SLP after 4-6 weeks of intervention delivery. If progress has occurred, the targeted goal will be modified and RTI will continue if necessary or will be discontinued if skills are age-appropriate. If progress has not occurred, the referral for evaluation process will be implemented, to include the following:

- ❖ Vision and hearing screenings are completed.
- ❖ Referral packet information, including registration instructions, is completed by the parents.
- ❖ Once a child has been registered by the parents, the **consent to evaluate** will be completed by the parent.
- ❖ An evaluation will be completed by the speech-language pathologist. Parents and teachers will also participate in this process by completing rating scales.
- ❖ Following completion of the evaluation, an eligibility meeting and initial IEP meeting, if applicable, will be scheduled.

If developmental needs, other than speech-language concerns are suspected, the Preschool Program Coordinator will complete an observation, as well as a developmental screener. If needs are identified, the preschool program coordinator will provide direction for intervention suggestions and data collection. Intervention implementation and data collection will be completed by the community teacher and will be reviewed by the Preschool Program Coordinator after 4-6 weeks of intervention delivery. If progress has occurred, the targeted goal will be modified and RTI will continue if necessary or will be discontinued if skills are age-appropriate. If progress has not occurred, the referral for the evaluation process will be implemented, to include the following:

- ❖ Vision and hearing screenings are completed.
- ❖ Referral packet information, including registration instructions, is completed by the parents.
- ❖ Once a child has been registered by the parents, the consent to evaluate will be completed by the parent.
- ❖ An evaluation will be completed by the Preschool Program Coordinator (and speech-language pathologist, if applicable). Parents and teachers will also participate in this process by completing rating scales.
- ❖ Following completion of the evaluation, an eligibility meeting and initial IEP meeting, if applicable, will be scheduled.

BCSS Referral Procedures for PreK Students Within the Elementary School Setting:

If developmental concerns are noted for students attending the lottery funded PreK programs within the Barrow County School System, the RTI data team within the individual elementary school will convene to review data from assessments, behavior screeners, etc., in order to determine if the student should be considered for the implementation of interventions. The RTI team will develop intervention strategies to be implemented by the classroom teacher. Data will also be collected by the classroom teacher regarding the effectiveness of the interventions. During this process, a **permission to screen** will be signed by the parents in order for classroom observations and additional screeners to be completed by either the Preschool Program Coordinator or the speech-language pathologist. If data, observations, and screening results indicate limited progress following the implementation of interventions, the referral for the evaluation process will be implemented, to include the following:

- ❖ Vision and hearing screenings will be completed if passed screenings are not currently on file.
- ❖ Consent to evaluate will be completed by the parents.
- ❖ An evaluation will be completed by the Preschool Program Coordinator and/or speech-language pathologist. Parents and teachers will also participate in this process by completing rating scales.
- ❖ Following completion of the evaluation, an eligibility meeting and initial IEP meeting, if applicable, will be scheduled.

For additional information regarding PreK students, please contact the Director of Elementary Education/PreK, at (770) 867-4527. For additional information regarding preschool age students, please contact the Preschool Program Coordinator at (770) 867-4527.

Student Support Team (SST)/Response to Intervention (RTI)

Prior to a child being referred for a special education evaluation, the student goes through various levels, or tiers, in the school's SST/RTI process. Please refer to the Barrow County School System RTI manual for more information about this process.

- A. **Tier I** includes evidence-based instruction that is based on the Georgia Standards of Excellence (GSE). It includes effective school-wide behavior supports and differentiated instruction to promote higher levels of student engagement and achievement.
- B. **Tier II** interventions serve as standard intervention protocols for students in the school who require extended learning opportunities or students who are not making adequate progress and need additional interventions. Tier II interventions are group-based interventions and include EIP, ESOL and any group-based interventions.
- C. **Tier III** - If students are not making the expected levels of progress in Tier II, they are referred to the school's SST/RTI committee, which comprises Tier III. Tier III interventions are individualized interventions developed to meet the specific needs for students.

Prevention through intervention is stressed in all tiers. Alternative strategies for increasing the student's academic, social, and behavioral performance are identified, reviewed, and implemented. SST/RTI committees should follow the procedures outlined in the [Georgia RTI Guidance Document and policies](#) set forth by the State of Georgia (GA Board Rule 160-4-2-.32). Documentation of Tier II and Tier III interventions will be included in the referral packet if a child is referred from Tier III to Tier IV, which is a special education referral. It is best practice for student referrals to be preceded by evidenced-based academic and/or behavioral interventions.

Not Referred for Further Evaluation – Should the SST/RTI committee develop alternative strategies and interventions that are successful with a student, naturally the student should not be referred for further evaluation. However, the SST/RTI committee should not exclude a student from further evaluation because the team “feels” that the student will not meet special education eligibility. The SST/RTI committee must have data to support the decision that interventions are successful at Tier III and that the student is successful without further evaluation. The SST/RTI committee may have attempted reasonable strategies at the school level in Tiers II and III and have physical/emotional/academic questions that might be answered by an evaluation. Remember: The SST/RTI committee is not an [Eligibility/Placement Team](#); therefore, SST/RTI committee should never make decisions on special education eligibility or placement.

Referred for Further Evaluation – SST/RTI should have attempted reasonable alternative strategies and interventions. If those strategies have not been successful and data supports the potential need for additional supports, the SST/RTI committee may make a referral for an evaluation to determine if physical/emotional/academic problems may be interfering with a student's school progress.

Twelve weeks of intervention and progress monitoring data should be collected for a specific learning disability consideration (unless the implemented research-based interventions specify a lesser time period for effectiveness). However, if data shows that progress is being made,

continue the interventions as long as they are effective. Please note that not all eligibility areas require 12 weeks of data. Please contact your District Special Education Coordinator for guidance in this area. Be sure to document phase changes, or changes in the interventions. If the SST/RTI Committee determines that the student has made sufficient progress, return to a lower tier.

Student Support Team Report – Be sure to include documentation of interventions attempted, observations, and any assessment results. Document this on the Barrow County School System SST/RTI forms (minutes and progress monitoring chart). If the student is referred directly for an evaluation and is bypassing the SST/RTI process, the SST/RTI committee should document the reason for the bypass through the minutes of at least one SST/RTI meeting. Interventions to address the student’s needs should be implemented immediately and progress monitoring should begin.

*Please consult with a District Special Education Coordinator when considering an SST/RTI bypass.

Steps in the [Evaluation Process \(from GADOE Implementation Manual\)](#)

1. Appropriate BCSS staff or the parent make a referral for an evaluation. A **parental consent for evaluation** is received from the parent. Once BCSS staff receives the signed consent, the 60-calendar-day timeline begins.
2. Review all other data about the child, which includes the permanent record, current classroom assessments 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 BCSS, 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 BCSS 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.

**If the parents of a child referred for a special education evaluation refuse to give written consent for an initial evaluation, the Barrow County School System may continue to pursue the evaluation by using due process or mediation procedures.*

BCSS Referral Procedures for a Special Education [Evaluation](#)

Once it has been determined that a student requires a special education evaluation, the following steps will need to be taken:

- A. Have the parent sign the **Consent to Screen** document that is located in the appendix.

B. Conduct Hearing and Vision Screening: The school may either administer vision and hearing screenings or attach documentation of vision and hearing screenings accomplished outside the school environment (i.e., health department, doctor's office, etc.). An evaluation cannot be accomplished until vision and hearing is either passed or resolved by appropriate medical personnel. Students may be re-screened within several days after failure unless failure is due to other circumstances that require a longer wait (colds, earaches, etc.). If you know that the student wears glasses, be sure to test with the glasses AND document that the student wore their glasses for the screening. Vision/hearing results must be current within one calendar year of the special education eligibility meeting. Often a child may pass near vision but not distant vision. In this case, you may continue the evaluation process; however, the school should still follow-up with a letter to parents notifying them of their child's failed distant vision screening.

- ❖ Failed Hearing (on 2nd attempt) – The school-level hearing and vision coordinator will send a letter home to the parents and make a RESA referral for an audiological evaluation. The results will be sent to the school following the evaluation.
- ❖ Failed Vision (on 2nd attempt) – The school-level hearing and vision coordinator will contact the parent by phone and letter to notify them of results. The parent is responsible for scheduling an eye exam and reporting results to the school. If the school suspects the parent is unable to afford the exam or glasses, contact the school's social worker for assistance.

**In either case, do not send the evaluation referral packet to the Special Education Office until it is complete with both the hearing and vision passed/resolved.*

- C. Once the student has passed vision and hearing, start gathering the referral packet information as indicated on the Referral Packet Requirements checklist. It is imperative that you adhere to all guidelines on the checklist (see **Referral Packet Requirements checklist** in the appendix). Once achievement testing is complete, send the protocol to the school psychologist for scoring within five days. The psychologist will score the achievement assessment and send the results back to the person collecting the referral packet information. All other scorable items should be sent in with the completed referral packet after the consent to evaluate is signed.
- D. Hold an SST/RTI meeting to review and discuss results of screening and achievement testing. During this meeting, confirm that the results of screening match the areas of RTI being addressed and make any necessary adjustments. Be sure to invite the parent and the referring teacher to the meeting. The purpose of the meeting is to determine whether a referral for a special education evaluation is appropriate for the student.

- E. If the team determines that a special education evaluation is appropriate, continue to follow the instructions on the [Referral Packet Requirements cover page](#) to ensure all items that are needed for the referral packet have been collected promptly and accurately. The special education IEP Facilitator and teacher collecting the initial referral packet will collaborate to ensure guidelines and timelines are followed.
- F. If the parent is in agreement and decides to proceed with testing, please ask them to sign the [Consent to Evaluate](#). **Informed written parental consent must be obtained before conducting an initial evaluation, or an initial provision of special education and related services to a child with a disability.** The Parental Consent for Evaluation [form is given to the parent\(s\), including the list of evaluation instruments](#), and a copy of the [Procedural Safeguards/Parental Rights](#).
 - 1. Signed consent initiates the [60-day timeline](#) to complete testing and meet to review the results.
 - 2. The 60-day countdown starts with the received date on the form as day one. Pre and post-planning days do count towards the 60 days. Breaks lasting more than 1 week are not included in the 60 days.
- H. Upon receiving the Consent to Evaluate, the teacher who receives it will sign and date the form indicating it was received, place it in the completed referral packet and submit the packet to the Special Education IEP Facilitator. At that time, the IEP Facilitator will enter the date of the Consent to Evaluate into GO-IEP.
 - 1. When the psychologist receives the completed referral packet, they will verify the accuracy of the Consent to Evaluate date entered into GO-IEP.
- I. Once the finished packet is reviewed and determined to be complete by the Special Education IEP Facilitator, a copy of the referral packet should be made for the school files, including the Consent to Evaluate, and the list of evaluation instruments. The IEP Facilitator will then forward the packet to the appropriate school psychologist within 5 days of receipt.
- J. Referrals for [Psychological/Educational/Speech Evaluations/Occupational Therapy/Physical Therapy](#)/Augmentative and Alternative Communication: Completed evaluation referrals will be logged in by the Special Education Department at the BCSS Board Office and given to appropriate evaluation staff. Staff will complete evaluations according to the Georgia Department of Education timeline requirements. The school-level and/or district-level Special Education Coordinators, Program Specialists and School Psychologist will schedule an Initial Eligibility meeting to determine eligibility and the need for an IEP.

*BCSS Referral Procedures for Students Receiving **English to Speakers of Other Languages (ESOL) Services***

If a student in the Student Support Team (SST)/Response To Intervention (RTI) process is an English Learner (EL) student and he/she is not making adequate progress through SST/RTI interventions and a referral for a special education referral is recommended, follow the procedures listed below:

English Learner (EL) Referral Process

- A. At the next scheduled RTI meeting, the ESOL teacher will bring the completed **EL Background Information Form** and the student's ACCESS scores to the meeting to be reviewed. Consent to screen will be signed at this meeting.
- B. Send signed screener, passed/resolved hearing & vision, **EL Background Information form**, and copies of all ACCESS scores to school psychologist.
- C. School Psychologist contacts the BCSS Language and Cultural Diversity Specialist, or another appropriate source, and arranges for administration of the Bilingual Verbal Ability Tests (BVAT).
- D. After the BVAT is administered, the School Psychologist informs the referring school whether to administer the Woodcock Johnson-IV (WJ-IV) or other achievement testing.
- E. In the interim, the referring school continues to gather other needed information for the referral packet (e.g. observations, work samples, anecdotal records).
- F. If the BVAT indicates English is not the student's dominant language, the school psychologist will consult with the Special Education Director and the Language and Cultural Diversity Specialist to determine whether the child will be evaluated by local or contract personnel who can evaluate in the student's dominant language.
- G. The School Psychologist informs the referring school of the decision. At that point the Consent to Evaluate is obtained from the parent and the referral packet is sent to the School Psychologist.

*BCSS Referral Procedures for Students Receiving **Speech & Language Services***

If concerns of an academic and/or behavioral nature for a Speech/Language student are primarily linked or driven by the area of eligibility (i.e. speech and language) then the process of writing goals, progress monitoring, and managing paperwork should be dealt with directly through the IEP without referral back to the RTI process. However, at times, a student with an IEP for speech and/or language has new academic and/or behavioral concerns that are logically separable from speech and language difficulties, and are not addressed in the IEP. In this situation, the SST/RTI and special education processes will overlap. Please adhere to the following procedures:

1. Conduct a simultaneous IEP/SST to document the academic weaknesses in the IEP and start interventions and progress monitoring through Tier 3.
2. Intervention and progress monitoring updates can be held through the SST process.
3. If the student is ready for a full psychoeducational evaluation, another simultaneous IEP/SST meeting is held. The reevaluation data review and consent for evaluation documents must be completed through the IEP process and documented through SST.

*BCSS Referral Procedures for **Children Placed in Private Schools by Their Parents and Home School Children***

If a parent or the private school staff suspects a child of having a disability, the Barrow County School System will conduct an evaluation in a timely manner. The child must pass a hearing and

vision screening. The Barrow County School System can conduct a hearing and vision screening at the home school, upon receiving consent from the parents, or parents may obtain hearing/vision screening from the child's physician or the health department. Parents and private schools are asked to provide documentation of interventions implemented and progress monitoring prior to referral. The feedback will help the evaluator identify the student's deficits in the area(s) of suspected disability. This will also help the staff determine if a Speech-Language Pathologist (SLP) will be involved in the initial steps of the evaluation process. An SLP will be notified if a speech evaluation is needed.

Once a request for an evaluation is received, follow the procedures listed below:

BCSS Referral Procedures for Private School and Homeschool Students

- A. Contact the appointed District Special Education Coordinator for the student's home school if they are a Barrow County resident. Contact the public school located nearest the private school for students who attend a Barrow County private school, but are not a Barrow County resident. For home school students, contact the District Special Education Coordinator for the school the child would attend if enrolled in public school. The SST/RTI meetings will be scheduled by the appropriate school. Please note that parents of homeschooled children within the district are responsible for transporting the child to the board office or a mutually agreed upon location for assessment.
- B. The private school representative will be responsible for bringing the student's SST/RTI documentation to the meeting. For home school students, this responsibility will lie with the parent(s). All SST/RTI documentation is to be provided on Barrow County School System's SST/RTI forms.
- C. At the meeting, review baseline data, documentation of research-based interventions and progress monitoring. If the SST/RTI documentation is adequate and the student is not making adequate progress, have the student's parent/guardian sign the Consent to Screen form.
- D. If the student attends the meeting, screen their vision and hearing on the day of the meeting. If the student is not present, the Special Education Program Specialist or IEP Facilitator will facilitate scheduling a time for the student to come to the public school to have their vision and hearing screened.
- E. Complete the referral packet using the Referral Packet Requirements checklist (in appendix). Once the referral packet is complete, a follow-up SST/RTI meeting is held to discuss progress and achievement testing results, and obtain a Consent to Evaluate from the student's parent/guardian if warranted.
- F. The IEP Facilitator will send the completed referral packet to the School Psychologist assigned to the school.
- G. Evaluations are conducted based on timeline expiration dates.

Once testing is complete, the School Psychologist will contact the school's IEP Facilitator, Program Specialist and/or District Special Education Coordinator to schedule a time to hold an eligibility/IEP meeting. If the student is eligible for special education services, the IEP team will develop an IEP (if the student is a resident of Barrow County) and offer services based on

student needs as determined by the IEP committee. If the parent chooses to enroll the child, the IEP team will project an appropriate implementation date based upon enrollment. If the parent chooses to continue the student’s placement in a private school, then that will be documented in the meeting notes section of the IEP. The original copies of the IEP and Eligibility Report will be sent to the county office.

For students who are only found eligible for speech-language impairment, and the parent chooses not to enroll, the IEP meeting notes will reflect this decision. Eligibility will be determined following the same procedures as other speech-language impaired students who are enrolled in the Barrow County School System. The IEP will be offered if the student intends to enroll in the Barrow County School System, and if the student does not enroll, a service plan may be developed.

BCSS Referral Procedures for Students Who Attend Private School in Barrow County but are Not Barrow County Residents

If the child does not live in Barrow County but attends a private school in Barrow County, the county will evaluate the child and the [Eligibility Team](#) will determine eligibility. It is the responsibility of the parent to notify the eligibility status to the system of residence. The system of residence is responsible for offering services, not the Barrow County School System.

Private School Residency Responsibilities for 5-21 Year-Old Students Attending Schools Outside their Home District

	<u>District of Residence</u>	<u>Private School District</u>
SST/RTI	No	Yes
Initial Evaluation & Reevaluations	No	Yes
Eligibility	No	Yes
FAPE Offered	Yes	No
Service Plan	No	Yes

The district of residence always has some responsibility to conduct child find for any of its residents. When a child is enrolled in a private school in another district, then both districts have an obligation, and they must work together, to not delay access to the child find activities.

The referral process is for the purpose of the identification of a suspected disability where special education services may be warranted. Referrals are NOT to be made for the purposes of assessing attentional issues or to gain [accommodations](#) on statewide or standardized testing.

Private Evaluations

Oftentimes parents and caregivers have private testing (e.g. speech, occupational therapy, psychological, etc.) conducted and provide results to the school. Upon receipt of this documentation, an SST/RTI committee meeting should be held to document the receipt and

consider the findings. At this point, the RTI process may begin or further testing may be recommended. The schools should collaborate with their assigned School Psychologist for next steps and guidance.

For a student who already has an IEP, please contact your school's District Special Education Coordinator or Program Specialist for guidance. The IEP Team should convene, document, and consider the results of the private evaluation and update the IEP as the Team deems necessary.

Related Services Evaluations (OT, PT, O & M, Audiology)

Occupational Therapy, [Physical Therapy](#), [Orientation and Mobility](#), and Audiology Related Services are contracted through Northeast Georgia RESA Shared Services. If an evaluation is needed, please refer to the Northeast Georgia RESA Shared Services Referral Process (please contact your school's Special Education IEP Facilitator for this resource).

Parent Request

Whenever the parent requests an evaluation or when a child has been referred for an initial comprehensive evaluation, the LEA must 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. Translations may be accessed online at the [Parents' Rights](#) link on the Special Education web page of the GaDOE website.

If the referral is made by parental request, the district can either agree to or refuse the request. If the district refuses, it must give the parent written notice explaining the reason(s) why it is declining to initiate an evaluation, what data the decision was based upon, and other factors considered. The parents then have the right, if they choose, to request a due process hearing to seek a favorable ruling to conduct an evaluation.

Timeframes for [Evaluations](#)

60 Calendar Days

Once the signed Consent for Evaluation document is received by an employee of the Barrow County School System, the 60-day timeline begins. The evaluation process will be completed no later than 60 calendar days from the 'received by' date (the 'received by' date counts as day one in the 60-day timeline). If consent is received 30 days or more before the end of the school year (defined as the last day teachers are under contract), the evaluation process must be completed within the 60-day time period. Holiday periods and other circumstances when children are not in attendance for five consecutive school days are not counted toward the 60-day calendar timeline, including the weekend days before and after such holiday periods, if contiguous to the holidays. The summer vacation period in which the majority of teachers are not under contract is not included in the 60-day timeline for [evaluation](#); however, pre and post-planning days **do**

count toward the 60 days. Nevertheless, the Barrow County School System is not prohibited from conducting evaluations over a summer vacation period. Also, students who turn three during the summer period or other holiday periods must have an eligibility decision and IEP, if appropriate, in place by their third birthday.

Exceptions

The timeframe described above does not apply if:

1. The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or
2. A child enrolls in a school of another school system after the relevant timeline has begun, and prior to a determination by the child's previous school system as to whether the child is a child with a disability. This exception applies only if the subsequent school system is making sufficient progress to ensure a prompt completion of the evaluation and the parent and subsequent school system have agreed to a specific time when the evaluation will be completed; or
3. If extenuating circumstances, e.g., illness, unusual evaluation needs, or revocation of parent's consent for evaluation affect this timeline, the BCSS will document the exceptions.

Parental Consent

The BCSS is required to obtain informed written consent for any action requested. Parental consent is voluntary and may be revoked at any time. Consent is required for the following actions:

- ❖ to conduct an initial evaluation (consent for the initial evaluation does not provide consent for initial placement);
- ❖ to conduct a reevaluation;
- ❖ for the initial provision of special education and related services on the IEP;
- ❖ to make a substantial change in special education and related services (if a parent questions any proposed actions or changes to the IEP, it is recommended that he/she discuss the concern with the teacher or an administrator); and
- ❖ before disclosure of personally identifiable information that is subject to confidentiality.

Before an evaluation can begin, the BCSS must obtain a signed, informed parental Consent for Evaluation. The BCSS has 60 calendar days to complete the evaluation process. Completion is defined as when the eligibility meeting is held. Development and implementation of the Individualized Education Program (IEP) can take up to 30 additional days. However, the BCSS policy is to hold the initial eligibility meeting and initial IEP meeting on the same date to expedite a [Free Appropriate Public Education \(FAPE\)](#) for a student with a disability.

The BCSS 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 BCSS 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 district must keep documentation of those attempts and lack of responses, and then the district may move forward with the reevaluation. See [34 C.F.R. § 300.300\(c\)\(2\)](#). In circumstances where the parent refuses to provide consent to administer additional assessments as part of a reevaluation, the BCSS may, but is not required to, pursue the reevaluation by using mediation or due process hearing procedures. See [34 C.F.R. § 300.300\(c\)\(1\)\(ii\)](#). If the BCSS does not pursue the reevaluation by using mediation or due process hearing procedures when a parent refuses consent, the district has not violated its obligations under Child Find. See [34 C.F.R. § 300.300\(c\)\(1\)\(iii\)](#).

In addition, if a parent refuses to provide consent to administer additional assessments as part of the reevaluation process, the BCSS 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 BCSS discontinues the provision of special education services, it must provide the parent with prior written notice of its proposal to discontinue the provision of FAPE to the child consistent with [34 C.F.R. § 300.503\(a\)\(2\)](#), including the right of the parent to use the mediation procedures in [34 C.F.R. § 300.506](#) or the due process procedures in [34 C.F.R. §§ 300.507-300.516](#) if the parent disagrees with the BCSS's decision to discontinue the provision of FAPE to the child.

If the parent refuses to give consent for the evaluation, the district may, but is not required to, pursue the evaluation through mediation or a due process hearing. In some cases (if the child is homeschooled or placed by the parents in a private school at their expense), the district cannot use the mediation or due process hearing procedures to override the parents' refusal for evaluation.

Parent Consent is not needed for the District to perform these routine duties:

1. Review existing evaluation information;
2. Screen a child to determine appropriate instructional strategies;
3. Administer an evaluation that is given to all students without consent for evaluation.

A parent may revoke consent for the receipt of special education and related services once a child is initially provided special education and related services. This revocation of consent must be made in writing and is for all special education and related services, not for individual services. Please see the [Procedural Safeguards and Parent Rights'](#) section of the manual for more information about revocation of consent and the BCSS procedures.

Reevaluation Consideration

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.

A reevaluation of a child with a disability, which can include only a review of existing evaluation data, must be conducted at least once every three years unless the parent and the BCSS agree that a reevaluation is unnecessary. The reevaluation may be conducted at any time if the LEA feels the needs of the child should be reevaluated or if the child's teacher or parent requests a reevaluation. However, a reevaluation may not occur more than once a year unless the parent and the BCSS agree to more than one a year.

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 BCSS agree not to convene a meeting for this purpose. The team will, on the basis of 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, nor to determine the child's educational needs, then the BCSS 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.

BCSS Procedures for Reevaluation Data Review

- ❖ BCSS procedures indicate a Reevaluation Data Review should be held at least 120 days prior to the eligibility lapse date; please refer to the [120-day Timeline Calendar](#) for guidance (see appendix).
- ❖ Use [Reevaluation Data Review Checklist](#) to prepare for the meeting (see appendix).
- ❖ For any eligibility due between August and December of the following school year, the Reevaluation Data Review must be held before the end of the current school year.
- ❖ Please invite other team members who must be a part of the Reevaluation Data Review process (e.g. SLP, DHH and VI teachers, OT, PT, ESOL etc..).

Reevaluation Data Review: Eligibility Reestablished with No Further Data Collection Needed

After the case manager has collected the existing data outlined on the [Reevaluation Data Review Checklist](#), she/he will review the data with the IEP Team during the Reevaluation Data Review meeting. This existing data will assist the team in deciding whether additional information is needed to determine continued eligibility. If the IEP Team concludes that the student continues to meet eligibility requirements based on existing data, the Case Manager will complete the Reevaluation Data Review, include meeting notes and IEP paperwork as needed to be submitted to the IEP Facilitator, and subsequently, the county office. The date of this meeting becomes the new eligibility date.

Reevaluation Data Review: Comprehensive Evaluation is Recommended

If the IEP Team concludes that additional data are needed to determine continued eligibility status, the Team will indicate the request for a comprehensive evaluation on the GO-IEP Reevaluation Data Review document. The Case Manager will also get the Consent for Evaluation document signed by the parent(s) during the IEP meeting. The Case Manager will then follow the steps indicated below:

1. Administer the WJ-IV within **5** days of the Reevaluation Data Review.
2. Send the WJ-IV protocol to the School Psychologist for review and scoring immediately after. This is the only document that should be sent to the School Psychologist ahead of time and outside of the referral packet. The School Psychologist will keep the protocol, but return the score sheet to the Caseload Teacher to place in the packet. *Please keep all packet contents together.*
3. The Caseload Teacher will gather the remainder of the reevaluation packet by using the [Referral Packet Requirements form](#) to guide them. Please note that you will already have some of the items for the reevaluation packet, which were gathered for the Reevaluation Data Review. The Caseload Teacher has **20** days after the Reevaluation Data Review to get the completed referral packet submitted to the IEP Facilitator.
 - ❖ Caseload Teachers should check in with the IEP Facilitator periodically for feedback throughout the 20-day collection phase.
4. Please turn the completed referral packet into the IEP Facilitator no later than **20 days after** the Reevaluation Data Review or **100 days before** the eligibility lapse date. The IEP

Facilitator will review the packet, make a copy, and submit it to the School Psychologist within **10 days** of receiving the referral packet. The School Psychologist should have a completed referral packet no later than **90 days** before the eligibility lapse date.

5. Once the School Psychologist completes the evaluation, she/he will contact the Caseload Manager and/or Special Education IEP Facilitator or Program Specialist to schedule the reeligibility/IEP meeting with appropriate Team members to review the results and develop a new eligibility report. If appropriate, the current IEP will be amended to reflect the new eligibility results, e.g. adjusted or additional goals, updated [accommodations](#) or modifications, etc., with important information recorded in the Meeting Notes section of the IEP. The date of this eligibility meeting will become the new eligibility date. All paperwork will be given to the parent, saved online through GO-IEP and submitted to the Special Education Records Clerk at the county office within 10 days of the meeting.
 - ❖ Please note that BCSS policy requires IEPs to be amended for all reeligibility meetings if they are not paired with an annual review. This is particularly important if the area of eligibility is changing in any way.

If a comprehensive evaluation is recommended by the Team, and the eligibility lapses before October 1st of the next school year, the eligibility meeting should be held before the end of the current school year, particularly if the student is moving from elementary to middle or middle to high school.

For those reevaluation cases where the student was originally placed for Speech Impaired services only, but now has a suspected disability in an academic area(s), the RTI Tier III/SST Team will manage all academic interventions/progress monitoring while the Speech-Language Pathologist continues the speech/language research-based interventions. The RTI Tier III/SST administrator will coordinate with the Speech-Language Pathologist when a Reevaluation Data Review meeting is needed to discuss with parents the potential need for additional research-based interventions and/or a referral for a comprehensive evaluation to assess all student needs.

Comprehensive Evaluations

Variety of Appropriate Evaluation Tools

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 BCSS 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.
- ❖ Review existing data;
- ❖ Identify additional data as needed.

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 work samples)
- ❖ School-wide 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

Administered by Trained and Knowledgeable Staff

When a referral for special education evaluation is made, a multidisciplinary team will conduct the comprehensive evaluation. This team may consist of a BCSS's School Psychologist, 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 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.

BCSS policy indicates the student be given a **hearing and vision** screening by trained staff during the SST/RTI process on or before the Reevaluation Data Review process. Hearing and vision results may not be older than one calendar year on the date of the eligibility meeting.

Qualified Psychological Examiner Requirements: Initial evaluation results used for consideration of eligibility for special education, if not provided by a School Psychologist with a valid S-5 (or higher) certificate in school psychology, shall be from one of the following:

1. A Psychologist licensed by the Georgia Board of Examiners of Psychologists and having training and experience in school psychology or child clinical psychology.
2. 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.
3. A Georgia Merit System employee who has a classification rating of Psychologist, Senior Psychologist, or Psychology Program Specialist.

Existing Data Reviewed and Identify Additional Data Needed

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 BCSS agree not to convene a meeting for this purpose. The team will, on the basis of 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 BCSS 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.

Independent Educational Evaluation

When a parent of a student with a disability disagrees with an evaluation conducted by the BCSS, the parent has the right to request that the district fund an Independent Educational Evaluation (IEE). An IEE is an evaluation conducted by a qualified examiner who is not an employee of the school system. Any results obtained through an IEE must be considered by the school system in any eligibility or placement decision.

The BCSS must agree to pay for the IEE or begin the due process hearing procedures to show that the evaluation is adequate. If there is a due process hearing and the district's evaluation is judged to be sufficient, then the BCSS will not have to pay for an IEE. A parent is entitled to only one IEE at public expense each time the BCSS 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 BCSS's evaluators. The BCSS may set a reasonable limit on the cost of the IEE. However, the BCSS must also allow parents the opportunity to prove extraordinary circumstances warranting an IEE at public expense that does not meet the BCSS's criteria.

A parent does not have the right to an IEE at public expense until he or she has allowed the BCSS to conduct its own evaluation. Then, if the parent disagrees with the results of the evaluation, he or she may request an IEE. The parent always has the right to obtain an outside IEE at his or her own expense, before or after the BCSS's evaluation. As long as the evaluation was conducted by someone who meets the qualifications for district's evaluations, the BCSS must consider the results of the parentally obtained evaluation.

*Notify your District Special Education Coordinator immediately upon request of an IEE by a parent. The School System is under strict time constraints once a parent makes this request.

Determination of Eligibility

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

1. the present levels of academic achievement and related developmental needs of the child;
2. whether the child continues to have a disability or additional areas of need due to a disability;
3. whether the child continues to need special education and related services;
4. 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
5. 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

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 Eligibility 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.

Eligibility Team

Once the evaluation is completed, the Eligibility Team will decide whether the student is eligible for special education services. The Eligibility Team consists of the parent(s), the School Psychologist, the Speech and Language Pathologist (if appropriate), a General Education Teacher, a Special Education Teacher, the [Local Education Agency \(LEA\)](#) Representative, the student (when appropriate), relevant related services staff (OT, PT, etc.), and any other individuals invited at the discretion of the parent and/or the BCSS. The Eligibility Team must meet to review evaluation results and determine eligibility before an IEP can be developed. It is the responsibility of the School Psychologist and Caseload Teacher to ensure that all evaluations and the eligibility meeting are scheduled and completed in order to meet state and federal-prescribed timelines.

If the parent is not present at the initial eligibility meeting, the Case Manager will send the parent a copy of the Eligibility Report, the [Psychological Report](#), the IEP, Procedural Safeguards/Parental Rights and Consent for Placement documents for review and signature. If the parent does not attend, the date for initiation of services must be at least **10 days** from the date of the IEP meeting in order to allow proper notice and opportunity for the parent(s) to respond.

Documentation of Evaluation Results

The Eligibility Report is the documentation that verifies if the student is or is not eligible for special education services. The School Psychologist will initiate the Eligibility Report.

Additional data may be needed and must be documented by regular education or special education personnel to verify a student's eligibility. An IEP Team must meet to determine eligibility and is required for all disability areas. Meeting eligibility criteria involves meeting eligibility requirements as well as not having exclusionary criteria that would prevent eligibility.

The eligibility report contains the following information:

- ❖ Student Identifying Information
- ❖ Case History (provides an overall picture of the child)
- ❖ Hearing and vision screening dates (conducted prior to administration of assessments)-These screenings are completed within a year of the evaluation
- ❖ Summary of research-based interventions that were made prior to referral (gives the committee a review of the interventions and adaptation of content, methodology, and/or instructional delivery that have already occurred):

Initial eligibility – The committee lists the interventions provided for the child; There are occasional situations that are so compellingly appropriate for Special Education consideration that it would be unacceptable to delay needed services by having to go through the RTI/SST processes. The committee must review the information presented by the parents and school to determine if the intensity of the rare, unique situation warrants referral for immediate, comprehensive special education evaluation and eligibility consideration. If it does, this section of the report is explained.

Reevaluation - The committee lists the specially-designed instruction which includes adaptation of content, methodology (specialized program), or instructional delivery. Additional areas of concern that have developed since the previous eligibility are also listed.

- ❖ Summary of Progress Monitoring data toward achieving standards [data about specific scientific, research or evidence-based interventions and accurate information regarding progress monitoring data for the interventions implemented (for an initial evaluation or the specially-designed instruction for reevaluation are provided)].
- ❖ Area(s) of difficulty
- ❖ Scientific, research, evidence-based interventions which includes baseline performance and intervention data
- ❖ Results of District, State, and Benchmark assessments
- ❖ Individual student data
- ❖ Exclusionary Factors
- ❖ Decision-Making for Eligibility
- ❖ Summary of Considerations
- ❖ Determination of Eligibility

- ❖ Eligibility Team Information

This section includes the title, position, and name of the members present.

- ❖ For Specific Learning Disability eligibility, each Eligibility Team member must certify in writing whether the report reflects the member's conclusions. If it does not reflect the member's conclusion, the Eligibility Team member must submit a separate statement presenting the member's conclusions.

The parent, who is included on the IEP team, is provided a copy of the evaluation report, which details the results of the comprehensive evaluation. Many times a parent will request a copy of the evaluation report prior to the eligibility meeting in order to read and understand the results of the evaluation. The law does not require that the parent be provided with a copy prior to the eligibility decision. On occasion, it is appropriate to provide it prior to a meeting. Other times, the report is not provided until a time at which the evaluation specialist can meet with the parent to explain the results of the evaluation. Many of the assessments that are administered as part of the evaluation have results that are reported in numbers that have little meaning to a parent until an explanation is also provided. If the results are confusing or disconcerting to the parent, it may be necessary to conduct a meeting to discuss the results of the evaluation and then convene a later meeting for the eligibility decision.

Exclusionary Factors

Possible exclusionary factors are discussed at length during the RTI/SST Tier 3 process as to whether the factor had an impact on the child's educational progress. Exclusionary factors are considered in eligibility determinations as well. Each factor is considered for its impact or lack of impact on educational progress. The explanation describes why or why not a factor has influenced educational progress. Once the factors have been addressed, the team refers to the responses and to the eligibility criteria for each disability category. The BCSS utilizes the following guidance from the Georgia Department of Education when addressing each exclusionary factor:

- ❖ Lack of appropriate instruction in reading, math and written expression. The Eligibility Team discusses: Did the child have access to quality instruction and research-based curricula?
- ❖ Limited English Proficiency. It is very important to include an English Speakers of Other Languages (ESOL) staff member who is familiar with the child suspected of having a disability if the child being evaluated is an English Language Learner. A language profile for this child is necessary so that it specifically investigates the language proficiency in both the primary language and English.
- ❖ Cultural Factors. A child's culture should not be a determinant factor of a disability.
- ❖ Environmental or economic disadvantage. A child's environment or economic disadvantage should not be a determinant factor for determination of a disability. The committee thoroughly examines family stressors that may be impacting educational progress to include homelessness, unemployment, extended illnesses,

and death in the family, divorce, pre-school experiences, and lack of books in the home or expectations of the family for the child.

- ❖ Atypical education history. The team discusses if the child has high levels of mobility and/or absenteeism which may have influenced the educational progress of the child.
- ❖ Visual, hearing, or motor disability. The committee analyzes information in order to rule out as source of difficulty when determining specific disabilities.
- ❖ Mutism, tongue thrust and dialectic. Mutism, tongue thrust behavior without associated speech sound impairment, and dialectic differences cannot be a speech language disorder. The committee analyzes information in order to rule out as a source of difficulty when determining specific disabilities.
- ❖ Lack of appropriate instruction in reading, including the essential components of reading instruction as defined in section 1208(3) of ESEA);
- ❖ Lack of appropriate instruction in mathematics; and/or
- ❖ Limited English proficiency. RTI/SST practices help ensure that children suspected of having a disability have indeed had access to appropriate instruction.

Determination of the Disability and the Need for Special Education or Dismissal

The BCSS must comprehensively reevaluate a student with a disability before determining that the child is no longer a child with a disability who requires special education services (dismissal). However, a reevaluation is not needed when:

1. the student graduates from high school with a regular education diploma, or
2. the student has exceeded the age of eligibility (22nd birthday) for a [free appropriate public education \(FAPE\)](#).

However, the BCSS will provide the student with a Summary of Academic and Functional Performance that includes recommendations for meeting postsecondary goals when the student is graduating with a regular diploma or aging out of school. Best practice would also include providing the Summary of Performance for the student who receives a [Special Education Diploma](#) or other exit document. The BCSS's policy is for a student to remain in school until the end of the semester in which the student's 22nd birthday occurs.

Professional Learning and Monitoring:

Professional Learning

Existing BCSS Special Education Teachers: The Special Education Director, District Special Education Coordinators, Program Specialists, School Psychologists and school-level IEP Facilitators will provide ongoing professional learning for special education policies and procedures regarding *Evaluations and Reevaluations* throughout each school year. The Director of Special Education and District Special Education Coordinators provide up-to-date training and information regarding evaluations and reevaluations at bimonthly, school-level IEP Facilitator

meetings. Furthermore, the Director of Special Education provides training to building-level administrators during regular, instructional district leadership meetings. The District Special Education Coordinators, Program Specialists and IEP Facilitators provide additional professional learning to support best practices during regularly scheduled, school-level special education meetings and trainings. School Psychologists provide supplementary professional learning to teachers regarding referral packet requirements, the Initial Timelines Calendar and the 120-Day Calendar, progress monitoring procedures, and the administration of achievement measures, behavior rating scales and adaptive behavior assessments. Moreover, the District RTI Coordinator provides professional learning to Assistant Principals and school-level RTI Coordinators, who then train the staff on compliant RTI practices.

New BCSS Special Education Teachers: Teachers new to the Barrow County School System are trained in special education policies and procedures related to evaluations and reevaluations through a new teacher training provided by the District Special Education Coordinators and Program Specialists at the beginning of each school year. They also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff such as the District RTI Coordinator and School Psychologists. Additionally, new Special Education Teachers are assigned a veteran mentor teacher in their school building to provide support and guidance regarding evaluations and reevaluations throughout the school year. IEP Facilitators also work closely with new teachers and mentors to ensure the mentoring process is effective and to give additional clarity and support regarding evaluation and reevaluation policy and procedure.

Evidence of Training: Professional learning will be documented through agendas, sign-in sheets, and end of year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures: At the beginning of the school year, School Psychologists review all initial referrals to prioritize them. They collaborate on the Yearly Special Education Timelines Report, documenting initial evaluations, allowing them to monitor all initial timelines for the BCSS. School Psychologists also pull a report of the Reevaluation Data Reviews that are due during the current school year, share that information with school-level IEP Facilitators, and monitor these throughout the year. Furthermore, School Psychologists meet monthly to discuss individual cases and general policies and procedures regarding evaluations and reevaluations within the BCSS.

The Special Education Director, District Special Education Coordinators and Program Specialists monitor the GO-IEP Dashboard for eligibility timelines routinely and follow-up with IEP Facilitators when students are approaching critical timelines. If a concern arises, the IEP Facilitator and/or District Special Education Coordinator will conference with the teacher(s) to

provide support in adhering to compliant evaluation practices. Special Education Teachers are also asked to monitor their GO-IEP Dashboard weekly so they are continuously aware of timelines related to evaluations and reevaluations. Additionally, teachers are asked to sign off on the BCSS Special Education Policy and Procedure Checklist, verifying understanding of their responsibilities as it pertains to evaluations and reevaluations throughout the school year.

Continuous communication and collaboration between the Special Education Director, District Special Education Coordinators, Program Specialists, IEP Facilitators and School Psychologists will take place to review and monitor all timelines and due dates to ensure compliance with testing policies, procedures, and adherence to timelines.

Technical Assistance: Teachers who require additional technical assistance with policies and procedures related to evaluations and reevaluations will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, District Special Education Coordinators, Program Specialists and/or designated school staff (e.g., RTI Coordinator, Assistant Principals, Special Education IEP Facilitators, etc.). If teachers continue to have difficulty despite the technical assistance they receive, building-level administrators will be notified so they may determine next steps to ensure remediation and compliance.

[State Rule 160-4-7-.05-Eligibility Determination and Categories of Eligibility](#)

Determination of eligibility by [Eligibility Team](#) (qualified professionals and parents)

Upon completion of the administration of assessments and other measures as a part of an evaluation, a group of qualified professional and the parent(s) of the child ([Eligibility Team](#)) determine whether the child is a child with a disability and what the educational needs of the child are. Parents are an integral part of the process and involved with all evaluations. Meetings are scheduled in an attempt to accommodate parent schedules. When necessary, conference calls are arranged parents who have sudden emergencies or have problems with transportation to the school.

The 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](#). It is best practice for student referrals to be preceded by evidenced-based academic and/or behavioral interventions for students aged three to twenty-one.

An eligibility determination cannot occur until the existing data is reviewed to determine whether exclusionary factors related to specific eligibility categories are present.

Exclusionary factors for Eligibility

All areas of disability include the following exclusionary factors for eligibility:

- ❖ *Lack of appropriate instruction in reading, including the essential components of reading instruction as defined in [Section 1208\(3\) of ESEA](#)*
- ❖ *Lack of appropriate instruction in mathematics*
- ❖ *Limited English proficiency*
- ❖ *Lack of attendance in school*

Eligibility determination for special education services occurs only when a student's response to both core instruction and supplemental interventions does not result in movement toward achieving benchmarks resulting in grade level performance. Likewise, a student may be considered for special education if the individual response to intensive interventions produces meaningful growth, but that growth requires significant and ongoing resources to maintain. Eligibility determinations must be made using the convergence of data from multiple sources to document each of the following:

- ❖ *Grade level differences, such as a large performance difference compared to peers and benchmark expectations in specific areas (data from statewide testing, district level benchmarks, etc.);*
- ❖ *Rate of learning difference, such as a large difference in rate of learning compared to the trajectory toward the benchmarks when provided with high-quality interventions implemented over a significant period (CBM, progress monitoring, tiered support);*
- ❖ *Adverse educational impact, such as a review of the individual student qualitative and quantitative data that indicates the need for specially designed instruction;*
- ❖ *Exclusionary factors, such as those that rule out more significant impairments and absence of meaningful instructional opportunities.*

Documentation of eligibility/ineligibility: Variety of appropriate sources and well documented

Every section of the eligibility report is completed, at every eligibility meeting, regardless of if a child is determined to be eligible for special education or not eligible for special education. The eligibility report must be comprehensive enough to serve as the evaluation report when necessary. Meeting notes are taken at meetings, and are typed directly on the eligibility report with detailed information regarding evaluation results and discussion from meeting participants.

A variety of evaluation tools and strategies to gather relevant academic, functional, and developmental information about the child, including information provided by the parent, is all discussed and documented within the eligibility report.

Evaluation Report and Determination provided to parents

Many times a parent will request a copy of the evaluation report prior to the eligibility meeting in order to read and understand the results of the evaluation. The law does not

require that the parent be provided with a copy prior to the eligibility decision. On occasion, it is appropriate to provide it prior to a meeting. Other times, the report is not provided until a time at which the evaluation specialist can meet with the parent to explain the results of the evaluation. Many of the assessments that are administered as part of the evaluation have results that are reported in numbers that have little meaning to a parent or others until an explanation is also provided. If the results are confusing or upsetting to the parent, it may be necessary to conduct a meeting to discuss the results of the evaluation and then convene a later meeting for the eligibility decision. The Barrow County School System always considers parent requests with an explanation that the eligibility report should be explained by the qualified professional examiners.

A copy of the Evaluation and a copy of the Determination/Eligibility will always be provided to parents. Barrow County School System ensures that Individualized Education Programs (IEPs) are developed for children with a determination made of having a disability that has: (a) an adverse effect on educational performance (academic, functional, and/or developmental) and (b) requires special education and related services.

IEE- Independent Educational Evaluations

If a parent disagrees with the results of a completed evaluation done by the Barrow County School System, the parent may request an outside independent educational evaluation (IEE) paid for by the district. The Barrow County School System must agree to pay for the independent evaluation or begin due process procedures to show that the district's evaluation is adequate. If there is a due process hearing and the district's evaluation is judged to be sufficient, then it will not have to pay for an IEE. A parent is entitled to only one independent educational evaluation at public expense each time the public agency conducts an evaluation with which the parent disagrees. The qualifications of the independent evaluator must be the same as those required of the district evaluators. The district may set a reasonable limit on the cost of the independent evaluation.

A parent does not have the right to an independent evaluation at public expense until he or she has allowed the district to conduct its own evaluation. Then, if the parent disagrees with the results of the evaluation, he or she may request an IEE. The parent always has the right to obtain an outside IEE at his or her own expense, before or after the district's evaluation. As long as the evaluation was conducted by someone who meets the qualifications for district evaluations, the district must consider the results of the parentally obtained evaluation. (See [State Rule 160-4-7.09 \(4\)](#) for a complete explanation of IEEs in the Procedural Safeguards/Parent Rights)

Steps in the [Evaluation](#) Process for Special Education Consideration

- ❖ *Get Permission from Parent to Evaluate*
- ❖ *Receive Evaluation Request*

- ❖ *Screen Hearing & Vision*
- ❖ *Analyze and/or Implement Interventions*
- ❖ *Review Permanent Record & Current Class Work*
- ❖ *Complete Classroom Observations*
- ❖ *Interview Current and/or Previous Teachers*
- ❖ *Interview Parent*
- ❖ *Review Previous Data (other evaluations, medical reports, information from previous schools)*
- ❖ *Review Questionnaires and/or Forms from Respondents*
- ❖ *Determine and Conduct One-on-One Assessments*
- ❖ *Determine Other Areas to Investigate if Needed, Based on Data*
- ❖ *Score All Instruments*
- ❖ *Analyze & Interpret Results*
- ❖ *Write Report of Evaluation (*the eligibility report may serve as the evaluation if detailed enough to report results)*
- ❖ *Share the results with parent and educators*
- ❖ *HOLD MEETING TO DETERMINE ELIGIBILITY*
- ❖ *Write Eligibility Report (regardless of whether or not the student is eligible)*

Categories of Eligibility/Definitions for areas of disability for children aged 3 to 21

AUTISM SPECTRUM DISORDER

Definition: [Autism Spectrum Disorder](#) is a developmental disability, generally evident before age three, which adversely affects a student'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 are unusual responses to sensory experiences, engagement in repetitive activities and stereotypical movements and resistance to environmental change or change in daily routines. Students with autism vary widely in their abilities and behavior. The term does not apply if a student's educational performance is adversely affected primarily because the student has an emotional and behavioral disorder.

The term of [Autism](#) may also include students who have been diagnosed [with Pervasive Developmental Disorder](#), [Asperger's Disorder](#), Rett's Disorder, or Childhood Disintegrative Disorder provided the student's educational performance is adversely affected and the student meets the eligibility and placement requirements. Autism 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.

- I. Comprehensive psychological evaluation to include a formal assessment of intellectual functioning and an assessment of adaptive behavior.
- II. Educational evaluation to include an assessment of educational performance and current functioning levels.
- III. 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.
- IV. 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.
- V. 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.

Eligibility and Placement

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 (I) developmental rates and sequences, (II) social interaction and participation and (III) verbal and nonverbal communication are affected. The adverse effect on a child's educational performance shall be documented and based on the following criteria:

- I. 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.
- II. 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.
- III. 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 a 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.

- IV. 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.
- V. 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.

DEAF/BLIND

Definition: Deaf/Blind 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

- I. For a child to be determined eligible for placement in special programs for the deaf/blind, the child shall have current optometric or ophthalmological examination and an audiological evaluation, all administered by qualified professionals. Children who are deaf/blind 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.

- II. 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 deaf/blind shall be reported in the Georgia Deaf/Blind Census.

DEAF/HARD OF HEARING

Definition: Deaf/Hard of Hearing(D/HH): 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.

A child who is deaf can be characterized by the absence of enough measurable hearing 32 (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.

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

- I. The eligibility report shall include audiological, otological and educational evaluation reports. 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 or without amplification, as well as an interpretation of the results as they apply to the child in his or her classroom setting.
 - i. 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.
- ii. 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.
 - II. 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.
 - III. 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

- I. 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.
- II. 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.
- III. Recommendation of the appropriate educational environment, including acoustical considerations, should be made by the IEP Team.
- IV. Each LEA shall have written procedures to ensure the proper functioning of assistive amplification devices used by children who are deaf or hard of hearing. These procedures shall include the designated qualified responsible personnel, daily and ongoing schedules for checking equipment, as well as follow-up procedures.

EMOTIONAL AND BEHAVIOR DISORDER

Definition: Emotional and Behavior Disorder: An emotional and behavioral disorder (EBD) is an emotional disability characterized by the following:

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

A student with EBD is a student who exhibits one or more of the above emotionally based characteristics of sufficient duration, frequency and intensity that it/they interfere(s) significantly with educational performance to the degree that provision of special education services is necessary. For preschool-age children, these characteristics may appear within the preschool environment or in another setting documented through an extended assessment period. The student's difficulty is emotionally based and cannot be adequately explained by intellectual, cultural, sensory or general health factors.

Eligibility and Placement

- I. A child may be considered for placement in a program for children with EBD based upon an eligibility report that shall include the following:
 - i. 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
 - ii. Psychological and educational evaluations
 - iii. Report of behavioral observations over a significant period of time;
 - iv. 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
 - v. Adequate documentation and written analysis of the duration, frequency and intensity of one or more of the characteristics of emotional and behavioral disorders.

- II. A child must not be determined to be a child with an Emotional and Behavioral Disorder if the primary 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. Cultural factors;

- viii. Environmental or economic disadvantage;
 - ix. Atypical educational history (multiple school attendance, lack of attendance, etc.).
- III. 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 are in 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.

INTELLECTUAL DISABILITY

Definition: [Intellectual Disability](#): 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 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.

- I. 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.
 - i. 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.
 - ii. 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 take into account factors that may affect test performance such as socioeconomic status, native language, and cultural background and associated disabilities in communication, sensory or motor areas.
 - a) 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 educational history.
- II. 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.

- III. 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 limitation 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.
 - i. 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.

- IV. Deficits in intellectual functioning and adaptive behavior must have existed prior to age 18.
 - i. 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.

[*Mild Intellectual Disability \(MID\)*](#)

- I. Intellectual functioning ranging between an upper limit of approximately 70 to a lower limit of approximately 55; and
- II. 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.

[*Moderate Intellectual Disability \(MOID\)*](#)

- I. Intellectual functioning ranging from an upper limit of approximately 55 to a lower limit of approximately 40; and
- II. 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.

[*Severe intellectual disability \(SID\)*](#)

- I. Intellectual functioning ranging from an upper limit of approximately 40 to a lower limit of approximately 25; and
- II. 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.

[*Profound intellectual disability \(PID\)*](#)

- I. Intellectual functioning below approximately 25; and
- II. 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.

[**ORTHOPEDIC IMPAIRMENT**](#)

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

This term may include:

- I. Impairment caused by congenital anomalies, e.g., deformity or absence of some limb.
- II. Impairment caused by disease (poliomyelitis, osteogenesis imperfecta, muscular dystrophy, bone tuberculosis, etc.)
- III. 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.

- I. 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.
- II. A comprehensive educational assessment to indicate the adverse affects of the orthopedic impairment on the child's educational performance.
- III. 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 be functioning 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.

OTHER HEALTH IMPAIRMENT

Definition: Other Health Impairment: 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:

- I. Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, or heart condition, hemophilia, Lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia; and Tourette Syndrome, and

- II. adversely affects a student's educational performance
- III. 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, and sickle cell anemia; and Tourette Syndrome, and adversely affects a student'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:

- I. 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.
- II. 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.
- III. A child must not be determined to be a child with Other Health Impairment if the determinant factor for that determination is:
 - ❖ Lack of appropriate instruction in reading, including the essential components of reading instruction;
 - ❖ Lack of appropriate instruction in math
 - ❖ Lack of appropriate instruction in writing
 - ❖ Limited English Proficiency
 - ❖ Visual, hearing or motor disability
 - ❖ Intellectual disabilities

- ❖ Emotional disturbances
- ❖ Cultural factors
- ❖ Environmental or economic disadvantage
- ❖ Atypical educational history (attendance at multiple schools, lack of attendance)

Placement and Service Delivery

- I. A child meeting eligibility criteria can be served by any appropriately certified teacher in any educational program, as specified in the child’s individualized education plan (IEP)
- II. 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 LEA (at the LEA’s option).

SIGNIFICANT DEVELOPMENTAL DELAY

Definition: Significant Developmental Delay: The term significant developmental delay (SDD) 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

- I. 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 standard deviations below the mean in one or more of the five areas or 1½ standard deviations below the mean in two or more areas shall meet eligibility for SDD.
- II. 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:
 - ❖ Lack of appropriate instruction in reading or literacy readiness, including the essential components of reading instruction;
 - ❖ Lack of appropriate instruction in math or math readiness skills;

- ❖ Limited English proficiency;
- ❖ Visual, hearing or motor disability;
- ❖ Emotional disturbance;
- ❖ Cultural factors; or
- ❖ 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.

- III. 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 or not specific eligibility is determined.

Placement and Service Delivery

- I. 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:
 - i. Regular Early Childhood Setting; Head Start Programs; Georgia Pre-K Classes; Community Daycares; Private Preschools
 - ii. Separate Early Childhood Special Education Setting
 - iii. Day School
 - iv. Residential Facility
 - v. Service Provider Location; or
 - vi. Home

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

SPECIFIC LEARNING DISABILITY

Definition: [Specific Learning Disability](#) :

- I. 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.
- II. 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

- I. A child must not be determined to be a child with a specific learning disability if the determinant factor for that determination is:
 - i. Lack of appropriate instruction in reading, to include the essential components of reading instruction (phonemic awareness, phonics, fluency, vocabulary, and comprehension);
 - 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 (such as irregular school attendance or attendance at multiple schools)

Required Data Collection

- I. In order to determine the existence of 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 that must include:

- i. 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;
 - ii. 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.
- II. 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 strategy(ies). If the instructional strategies do not indicate a period of time the strategies should be implemented, the instructional 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;
 - iii. the research-based interventions used and the data based progress monitoring results are presented to the parents at regular intervals throughout the interventions.
 - iv. Any educationally relevant medical findings that would impact achievement.
 - v. 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:
 - ❖ 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 and
 - ❖ Current Response to Intervention data based documentation indicating the lack of sufficient progress toward the attainment of age or State-approved grade-level standards.

- ❖ As appropriate, a language assessment as part of additional processing batteries may be included.

Eligibility Determination

- I. 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 ongoing progress monitoring.
- II. Deficits in basic psychological processes typically include problems in a ending, 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.
- III. 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:
 - i. Oral expression- use of spoken language to communicate ideas;
 - ii. Listening comprehension-ability to understand spoken language at a level commensurate with the child's age and ability levels;
 - iii. Written expression - ability to communicate ideas effectively in writing with appropriate language;
 - iv. Basic reading skills- ability to use sound/symbol associations to learn phonics in order to comprehend the text;
 - v. Reading comprehension- ability to understand the meaning of written language based in child's native language;
 - vi. Reading fluency skills- the ability to read and process a text with appropriate rate and accuracy;
 - vii. 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

- viii. Mathematical problem solving- ability to understand logical relationships between mathematical concepts and operations, including, but not limited to, correct sequencing and spatial/symbolic representation.
- IV. 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.
- V. One group member responsible for determining 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 on 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

- I. 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:
 - i. 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;
 - ii. A highly qualified certified special education teacher; and
 - iii. 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.
- II. 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 conclusions.

SPEECH/LANGUAGE IMPAIRMENT

Definition: [Speech/Language Impairment](#): 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:

- i. Inconsistent or situational errors;
- ii. Communication problems primarily from regional, dialectic, and/or cultural differences;
- iii. 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;
- iv. Physical structures (e.g., missing teeth, unrepaired cleft lip and/or palate) are the primary cause of the speech sound impairment; or
- v. 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:

- i. 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.
- ii. Children who have regional, dialectic, and/or cultural differences
- iii. Children who have auditory processing disorders not accompanied by language impairment.
- iv. 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.

- v. Children who have a 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:

- i. Anxiety disorders (e.g. selective mutism)
- ii. Differences that are the direct result of regional, dialectic, and/or cultural differences
- iii. Differences related to medical issues not directly related to the vocal mechanism (e.g. laryngitis, allergies, asthma, laryngopharyngeal reflux (eg. acid reflux of the throat, colds, abnormal tonsils or adenoids, short-term vocal abuse or misuse, neurological pathology)
- iv. 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 of the special education rules and regulations related to evaluation, eligibility and placement must be followed including:

- I. Evaluation:
 - i. Documentation of the child's response to prior evidenced-based interventions prior to referral for a comprehensive evaluation.
 - ii. 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.

- iii. 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.
- iv. The evaluation is sufficient to identify all of the child's special education on and related service needs, whether or not commonly linked to the disability category in which the child has been referred or classified.
- v. Children with voice/resonance impairment must have a medical evaluation to rule out physical structure ecology 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.
- vi. 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 on curriculum (or for a preschool child, to participate in appropriate activities).

II. Eligibility:

- i. Determining eligibility for speech-language impaired special education on 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 on,
 - b. Documentation of an adverse effect of the impairment on the child's educational performance
 - c. The team determines that the child is a child with a disability and is eligible for special education and appropriate [specialized instruction](#) needed to access the student's curriculum.

- ii. 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.
- iii. 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.
 - c. 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.
- iv. 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.
- v. 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.

III. 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.

TRAUMATIC BRAIN INJURY

Definition: [Traumatic Brain Injury](#): 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

- I. Evaluation for eligibility shall include the following.
 - i. 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.
 - ii. Verification of the TBI through the following:
 - a) A medical evaluation report from a licensed doctor of medicine indicating that TBI has occurred recently or in the past, or
 - b) Documentation of TBI from another appropriate source, such as health department or social services reports, or parents' medical bills/records.
 - iii. A neuropsychological, psychological, or psychoeducational evaluation that addresses the impact of the TBI on the following areas of functioning:
 - a) 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.
 - b) 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.
 - c) Physical/Motor- this includes areas such as hearing and vision acuity, speech production, eye-hand coordination, mobility and physical endurance.
- II. 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.

VISUAL IMPAIRMENT AND BLINDNESS

Definition: Visual Impairment and Blindness: 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:

- I. 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.
- II. 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 who have a limitation in the field of vision that adversely impacts educational progress.
 - i. Progressive visual disorders: 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

- I. A current (within one year) eye examination report shall be completed and signed by the ophthalmologist or optometrist who examined the child.
 - i. A report from a neurologist in lieu of the optometrist/ophthalmologist report is acceptable for students who have blindness due to a cortical vision impairment.
- II. A clinical low vision evaluation shall be completed by a low vision optometrist for children who are not totally blind;
 - i. 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.
- III. 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.
- IV. The low vision evaluation is often difficult to schedule within the 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.
- V. Once the low vision evaluation has occurred the eligibility information shall be updated, and as appropriate, the IEP.
 - i. The low vision evaluation must occur within 120 days of receipt of parental consent to evaluate to determine eligibility for visual impairment.
- VI. 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.
 - i. 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.
 - ii. In some cases, comprehensive psychological evaluations may be indicated and must be completed by appropriately certified personnel.
- VII. 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 for whom braille instruction and use is indicated, the individualized education program (IEP) shall include the following:

- i. Results obtained from the evaluation conducted for the purpose of determining the need for Braille skills;
- ii. How instruction in braille will be implemented as the primary mode for learning through integration with other classroom activities;
- iii. Date on which braille instruction will commence
- iv. The length of the period of instruction and the frequency and duration of each instructional session; and
- v. 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.
- vi. For those children for whom braille instruction is not indicated, the IEP shall include a statement with supporting documentation that indicate the absences of braille instruction will not impair the child's ability to read and write effectively.

Copies of the complete psychological evaluation as well as a copy of the Eligibility Determination will be provided to parents, as well as a copy of the IEP, if appropriate. If parents do not attend the eligibility meeting, the case manager or school psychologist will contact the parents to determine the preferred method for delivering the documents. Methods include sending the documents via the student, email, regular United States Postal Service mail, or certified mail.

Professional Learning and Monitoring:

Professional Learning

Existing Barrow County School System Special Education Teachers:

The Special Education Director, District Special Education Coordinators, Program Specialists and school-level IEP Facilitators will provide ongoing professional learning for special education policies and procedures regarding *Eligibility Determination and Categories of Eligibility* throughout each school year. The Director of Special Education provides training to building-level administrators during monthly, instructional leadership meetings. A report is provided quarterly to each school summarizing total referrals for initial special education evaluations. The report breaks down all initial referrals to special education by number of students qualifying for special education and placement percentage. School psychologists provide training to each school's special education department on procedures for initial referrals to special education and for reevaluations. Furthermore, District Special Education Coordinators will provide training to schools during school-level team meetings.

New Barrow County School System Special Education Teachers:

Teachers new to the Barrow County School System are trained in special education policies and procedures through a new teacher training provided by the District Special Education

Coordinators and Program Specialists at the beginning of each school year. They also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff. Additionally, new teachers are assigned a veteran mentor teacher in their school building to provide support and guidance regarding *Eligibility Determination and Categories of Eligibility* throughout the school year. IEP Facilitators also work closely with new teachers and mentors to ensure the process is working and to give additional clarity and support regarding policy and procedure.

Evidence of Training:

Professional learning will be documented through agendas, sign in sheets, and end of year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures:

The Director of Special Education monitors *Eligibility and Categories of Eligibility* by reviewing the associated data and their trends. The Director of Special Education collaborates with the Director of Student Data and Services, as well as other district leaders by reviewing eligibility data and their trends for students with disabilities. If concerns arise, the Special Education Director will meet with the district leadership team and/or school-level administration to provide technical assistance. District Special Education Coordinators, Program Specialists, and school-level IEP Facilitators monitor compliance by reviewing eligibility determination paperwork.

Technical Assistance:

Teachers who require additional technical assistance with policies and procedures regarding *Eligibility Determination and Categories of Eligibility* will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, District Special Education Coordinators, Program Specialists and/or designated school staff (e.g. assistant principals, special education IEP Facilitators, etc.). If teachers continue to have difficulty despite the technical assistance they receive, building-level administrators will be notified so they may determine next steps to ensure remediation and compliance.

[State Rule: 160-4-7-.13- Private Schools](#)

Barrow County Schools Privately Placed Students

If the [Individualized Education Program \(IEP\) team](#), including the parent, decides that the most appropriate placement for a student is in a private school;

- ❖ Barrow County School System continues to be responsible for making sure that the student receives the special education and related services included in the student’s IEP and that those services are provided at no cost to the parent
- ❖ Barrow County School System will work collaboratively with private schools to ensure the provision of a [Free Appropriate Public Education \(FAPE\)](#) and the rights associated with FAPE for all students with disabilities attending the private school. A district representative must visit the private school at least annually. Ultimately, Barrow County School System remains responsible for ensuring (FAPE) when the student is placed in the private school.
- ❖ The IEP team, with all of the appropriate members including the parent, private school or facility staff, and district representative will develop the IEP for the child. IEP team members may participate in the meeting through a conference call or other means. The district will ensure that the parent can attend at no cost to the parent.

The parents may also notify the school system in writing, at least 10 days prior to removing the child from public school, that they disagree with the IEP and placement and want the school system to reimburse them for the private school tuition. (Provision of Written Notice by Parent to Place in Private School)

Districts may apply for grant funds if the child is placed in a private school or facility that is approved by the Georgia Department of Education (GaDOE). If the private school is out of the state, it must be on the approved list of the state where the school is located.

Privately Placed/Home School Student Referral for Evaluation Procedures

If a parent or private school staff suspects a child of having a disability, Barrow County School System will conduct an evaluation within established legal guidelines.

- ❖ The Barrow County School System will schedule an SST meeting with the private school and/or parents. This will be held at the child’s home school or a school closest to the private school. If interventions are not in place, the school may advise both the parent and the private school personnel on appropriate interventions for the child’s weaknesses.
- ❖ The child must pass hearing and vision screening. The Barrow County School System can conduct a hearing/vision screening at the home school (with consent), or parents may obtain hearing/vision screening from the child’s physician or the health department.
- ❖ The parent will also be asked to provide information about the child on the **Confidential Parent Questionnaire** and to sign the **Consent for Evaluation** along with providing some feedback on checklists.

- ❖ Parents and private schools are asked to provide documentation of interventions tried prior to referral. The feedback will help the evaluator identify the student's deficits in the area(s) of suspected disability. 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.*

Once a request for an evaluation is received, the referral packet is given to the school personnel and parent to complete.

When all items of the packet are returned, including interventions attempted and Consent for Evaluation is signed, the school psychologist schedules the evaluation.

The Barrow County School System will evaluate private school/home school students within the Georgia Department of Education sixty (60) day timeline requirement.

Once testing is complete:

- ❖ The appropriate special education coordinator is notified so an Eligibility/IEP meeting can be scheduled.
- ❖ If the student is eligible for special education services, the IEP team will develop an IEP (if the student is a resident within the district) and offer these services if the parent enrolls the student into a Barrow County School System School.
- ❖ If the parent chooses to enroll the child, the IEP team will project the implementation on date of the IEP forward to a date when the child will be enrolled.
- ❖ If the parent chooses to continue the student's placement in a private school, then the IEP minutes will reflect this decision. When students are placed in private or home school, the school district may consider some services.
- ❖ Barrow County School System meets annually for a timely and meaningful consultation with private and homeschool representatives to determine the provision of equitable services (proportionate share) for students with students with disabilities who are parentally-placed in private school or home schooled.

Parental Placement in Private School and [Local Education Agency \(LEA\) Offer of FAPE](#)

Barrow County School System is not required to pay for the cost of education, including special education and related services for the child parentally placed at a private school, if the district made [FAPE](#) available for the child.

Private school placement may occur in three circumstances:

1. When the public school determines that it cannot provide free appropriate public education (FAPE), the public school must identify and pay for a private school to provide services. This is at no cost to the parent.

2. A parent may remove the child from public school at any time and enroll the child in private school. Under certain circumstances the parent may request reimbursement from the school district to pay for the private placement. The parents must tell the IEP team they disagree with the proposed IEP and placement and want the school district to reimburse them.

The parents may also notify the school district in writing, at least 10 days prior to removing the child from public school, that they disagree with the IEP and placement and want the school district to reimburse them for the private school tuition. (Provision of Written Notice by Parent to Place in Private School)

If the public school asks to evaluate the child during the 10 day period and the parents refuse, then reimbursement may be denied. If the parents want to be reimbursed for all the costs of private school and the district does not agree to it, the parties must go before a [due process hearing](#) officer to determine whether the public school provided FAPE.

3. The parent may choose to use a private school instead of public school at the parent's expense, in which case, FAPE is not an issue.

When the student is enrolled in private school by parent choice, the student and the parent lose their individual rights to special education services.

When students are parentally placed in private or home school, the school district may consider some services. These are determined yearly during the private and home school consultation. In addition, Georgia offers a Special Needs Scholarship Program that allows eligible students to transfer to another public school or to use a state-funded scholarship to attend an approved private school. More information on this program can be found on the GaDOE website at:

<http://www.gadoe.org/External-Affairs-and-Policy/Policy/Pages/Special-Needs-Scholarship-Program.aspx>

(The parents may also notify the school district in writing, at least 10 days prior to removing the child from public school, that they disagree with the IEP and placement and want the school district to reimburse them for the private school tuition.) (Provision of Written Notice by Parent to Place in Private School)

Reimbursement and Limitations of Reimbursement for Private School and Home School Parentally-Placed Students

If the parents of a child with a disability, who previously received special education and related services in a local education agency/school system enroll the child in a private preschool, elementary school, or secondary school without the consent of or referral by Barrow County

School System, a court or an [administrative law judge \(ALJ\)](#) may require the school system to reimburse the parents for the cost of that enrollment if the court or ALJ finds that the school system had not made a FAPE available to the child in a timely manner prior to that enrollment and that the private placement is appropriate. A parental placement may be found to be appropriate by an ALJ or a court even if it does not meet the state standards that apply to education provided by the State or local education agency.

The cost of reimbursement described above may be *reduced or denied* if

- ❖ At the most recent IEP Team meeting that the parents attended prior to the removal of the child from the Local Education Agency (LEA), the parents did not inform the IEP Team that they were rejecting the placement proposed by the school system to provide a FAPE to their child and did not state their concerns or their intent to enroll the child in a private school at public expense.
- ❖ At Least 10 business days prior to the removal of the child from the local education agency, the parents did not give written notice to the school system that they were rejecting the placement proposed by the school system to provide a FAPE to the child and did not state their concerns or their intent to enroll the child in a private school at public expense.
- ❖ If, prior to the parent's removal of the child from the school system, the system informed the parents through the notice requirements of its intent to evaluate the child, including a statement of the purpose and scope of the evaluation that was appropriate and reasonable, but the parents did not make the child available for evaluation.
- ❖ Upon a judicial finding of unreasonableness with respect to actions taken by the parents.

Exception to Limitation of Reimbursement:

The cost of reimbursement must *not be reduced or denied* for a parent's failure to provide the notice to the local education agency described above if:

- ❖ The school prevented the parents from providing the notice;
- ❖ (ii) The parents had not been provided a copy of the parent's rights under IDEA and, therefore, had not been notified of the requirement to provide the notice described in above; or
- ❖ (iii) The provision of notice would likely result in physical harm to the child.

The cost of reimbursement may, in the discretion of the court or administrative law judge, not be reduced or denied for a parent's failure to provide the notice to the school system described above, if:

- ❖ The parents are not literate or cannot write in English; or
- ❖ The provision of notice would likely result in serious emotional harm to the child.

[Child-Find Process for Private and Home-Schooled Children](#)

Children who live in within the school district and are home-schooled are also considered parentally-placed private school students. It is the responsibility of Barrow County School System to locate, identify, and evaluate all private schooled children with disabilities enrolled by their parents in private schools (including religious, elementary and secondary schools) located within the school district. Barrow County School System consults with appropriate representatives of private school children with disabilities to carry out Child Find activities. These activities are similar to those undertaken for the public school children and completed in a time period comparable to that for children attending public schools.

Barrow County School System is required to carry out child find activities to locate, identify, and evaluate children attending the private schools within the jurisdiction of the district. The district must consult with representatives of the private school to complete child find activities. These activities must be similar to activities undertaken for the children in the district and must be completed in a timely manner comparable to other children attending the district. Child find activities include any parentally-placed children who attend a private school within the jurisdiction of the district, even if the student resides in a different district or in a state other than Georgia.

Barrow County School System always accepts responsibility to conduct child find for any of its residents. When a child is enrolled in a private school in another district, then both districts have an obligation, and they work together so as not to delay access to the Child Find activities. When the student is in private school by parent choice, the student and the parent lose their individual rights to special education services; however, **to the extent consistent with their number and location in the state, provisions are made for the participation of private school children with disabilities in programs provided under Part B of the Individuals with Disabilities Education Act (IDEA) by providing children with special education and related services in accordance with this section.** No parentally-placed private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.

Consultation Process with Private Schools and for Private School Families and Home-School Families

The consultation process is important to ensure the provision of equitable services. Consultations with the representatives of private schools must be timely and meaningful. Consultation requirements include:

- ❖ how parentally-placed private school children suspected of having a disability can participate equitably in the Child Find process;
- ❖ how the parents, teachers, and private school officials will be informed of the Child Find process;
- ❖ how the determination of the proportionate share of federal funds available to serve the children with disabilities was calculated;
- ❖ how the process will operate throughout the school year;

- ❖ how, where, and by whom the special education and related services will be provided;
- ❖ how funds will be apportioned if funds are insufficient;
- ❖ how and when those decisions will be made; and how the district will provide to the private school officials a written explanation of the reason why it chose not to provide services directly or through a contract.

The district must obtain a written affirmation signed by the representatives of the participating private schools as documentation of the consultation process and must be prepared to submit this documentation to the GaDOE upon request.

If the private school officials believe that the district did not engage in the consultation in a meaningful or timely manner or did not consider the views of the private school officials, it may submit a complaint through the Formal Complaint Process to the GaDOE. If the private school is not satisfied with the decision of the GaDOE, they may submit the complaint to the United States Department of Education (USDOE).

Additionally, consultations with parents of private school students, and parents of home schooled students will include:

- ❖ Child Find activities are advertised yearly by newspaper, social media, and flyers. This is shared with private schools and the teachers and parents of both students parentally-placed in private school and of home-schooled students
- ❖ Home Schooled Reports are obtained through SLDS.
- ❖ Letters are mailed to parents of private/home school students inviting them to participate in timely and meaningful consultation.
- ❖ This consultation meeting includes discussion of how services can be provided with Proportionate Share funds as well as how the process will operate throughout the school year; how, where, and by whom the special education and related services will be provided; how funds will be apportioned if funds are insufficient; how and when those decisions will be made.
- ❖ Barrow County School System will initiate and conduct the meetings to develop, review, and revise [Individual Service Plans \(ISPs\)](#) of private and home schooled students.
- ❖ All service plans must contain a statement of the special education and related services, and supplementary aids and services, to be provided to the child; be in effect at the beginning of each school year, and be developed, reviewed, and revised periodically, but not less than annually, in accordance with Georgia Rules.

Provision of IEPs and Service Plans to Privately-placed Students

If a student is parentally-placed in a private school, the parents have declined Barrow County School's offer of FAPE through an IEP, and students are eligible for only services provided through proportionate share. As such, an Individual Service Plan (ISP) will be developed. When

Individual Service Plans are developed, Barrow County School System will ensure that a representative of the private school attends the meeting. If the representative cannot attend, Barrow County School System shall use other measures to ensure participation, including individual or conference telephone calls.

No parentally-placed private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in the district. Barrow County School System only has an obligation to provide these children an opportunity for equitable participation in the services funded with Federal Part B dollars that the district has determined, after consultation, to make available to its population of parentally-placed private school children with disabilities. These children with disabilities may receive a different amount of services than children in public schools. Some children will not receive any services. The district will make the final decisions regarding services to be provided prior to the start of the school year.

- ❖ For children ages 3-21, Barrow County School System is required to expend an amount that is the same proportion of its total Part B of IDEA flow through funding as the number of private school children with disabilities, ages 3-21, residing in its jurisdiction is to the total number of children with disabilities, ages 3-21, in its jurisdiction.
- ❖ For children ages 3-5, Barrow County School System is required to expend an amount that is the same proportion of its IDEA preschool funding as the number of private school children with disabilities, ages 3-5, residing in its jurisdiction is to the total number of children with disabilities, ages 3-5, in its jurisdiction.

If a private school/home school student is found to be eligible for Speech/Language services, an Individual Service Plan (ISP) will be developed to provide Speech/Language services. Services will be provided at the private school. The Individual Service Plan (ISP) will be reviewed annually. An Individual Education Plan (IEP) will be offered if the student intends to enroll in Barrow County School System; and if the student does not enroll, a new Service Plan will be written as long as the student remains eligible. When the Individual and subsequent Individual Service Plans are developed; Barrow County School System will ensure that a representative of the private school attends the meeting. If the representative cannot attend, Barrow County School System shall use other measures to ensure participation, including individual or conference telephone calls.

Equitable Services and Materials Provision for Private and Home-Schooled Students

Equitable services will be provided. Services provided to private school children with disabilities will be provided by personnel who meet the same standards as personnel providing services in the public schools, except the personnel is not required to meet the highly qualified definition; however, parentally-placed private school children with disabilities may receive a different amount of services than children with disabilities in public schools .

Barrow County School System collaborates with private schools and parents to determine most appropriate options in order to provide a student with FAPE.

The Barrow County School System Special Education staff works with the parent and the private school to determine options for locations of services and transportation. Services may be provided at the private school or children may be transported to the public school or community setting to receive services.

Transportation may be provided by the system but cannot transport the child from home to the private school. Transportation costs will be included in calculating whether the system has met the requirements of proportionate funding.

Barrow County School System controls and administers the funds used to provide special education and related services and holds title to and administers materials, equipment, and property purchased with those funds. The system ensures that the equipment and supplies placed in a private school are used only for special education purposes and can be removed from the private school without remodeling the private school facility. The school district will ensure all materials purchased for private school use will remain secular in nature, neutral, and non-ideological. Equipment and supplies may be removed from a private school by Barrow County School System if they are no longer needed for special education purposes or the removal is necessary to avoid their unauthorized use for other than special education purposes.

To meet the requirements for provision of services to parentally-placed private school children, Barrow County School System follows these guidelines:

- ❖ For children ages 3-21, the district must expend an amount that is the same proportion of the district's total Part B of the IDEA flow-through funding as the number of private school children with disabilities, ages 3-21, attending private and home schools in its jurisdiction is to the total number of children with disabilities in its jurisdiction.
- ❖ For children ages 3-5, the district must expend an amount that is the same proportion of the district's preschool funding as the number of private school children and home-schooled children with disabilities, ages 3-5, attending private and home schools in its jurisdiction is to the total number of children with disabilities, ages 3-5, in its jurisdiction.
- ❖ If the district has not expended all of the funds required by the end of the fiscal year, the district must carry over funds for a period of one additional year to be used for proportionate share.
- ❖ The district must consult with representatives of the private school in deciding how to conduct the annual count of the number of private school children with disabilities who reside in its jurisdiction.
- ❖ The district must ensure that the child count is done on October [FTE-1](#) of each year since this count is used to determine the amount the district must spend in the following fiscal year.

Parentally-placed private school provisions are to be applied to preschool-aged children only when these children who are eligible for a service plan attend private nonprofit elementary school (grades K and higher).

Preschool students who attend private preschools within their district of residence are served by the district through an IEP. Parentally-placed private school preschool students who attend private preschools (that are not considered elementary or secondary schools) outside their residential district are not entitled to services from that district. The Barrow County School System maintains records and report to the GaDOE the following information related to parentally- placed private school children:

1. The number of children evaluated,
2. The number of children determined to be children with disabilities, and
3. The number of children served

Professional Learning and Monitoring:

Professional Learning

Existing BCSS Special Education Teachers and Staff:

The Special Education Director attends GaDOE professional learning throughout the school year, and redelivers necessary information to applicable personnel in the Barrow County School System including the District Special Education Coordinators. Both the Special Education Director and the District Special Education Coordinators will provide ongoing professional learning for policies and procedures for serving students in private schools. This includes professional learning on Individual Service Plans (ISPs) for staff who have students eligible for ISPs on their caseload. The Special Education Director meets with private school personnel and the Barrow County School System Special Education Administrative Assistant during the school year to train them on the proportionate share and consultation process. The Special Education Director and/or the District Special Education Coordinators will provide professional learning on proportionate share to any district personnel providing services to students in private school. A Special Education Coordinator meets once a month with district personnel serving students in private school.

New BCSS Special Education Teachers:

Professional learning for new staff is provided on an as needed basis when new staff will be providing services to students in private school or when students on a teacher's caseload is served through an ISP.

Evidence of Training: Evidence of all professional learning includes timely consultation documents, meeting agendas, and sign in sheets, and are housed in the Special Education Director's office.

Supervision and Monitoring

Monitoring Procedures:

Service Plans will be developed and implemented for each private school student with disabilities who will receive services from the school district. Barrow County School System will initiate and conduct the meetings to develop, review, and revise service plans. All service plans are written in GO IEP. An LEA Representative of Barrow County School System will attend all private school meetings, read and provide feedback on all service plans and will monitor all plans. Additionally, The Barrow County School System Special Education Director will conduct a timely consultation with private schools within the district in compliance with this state requirement, and will monitor the process to ensure compliance with the state requirement. During each fiscal year, at the end of March, Proportionate Share fund balances are reviewed. If materials are purchased with Proportionate Share funds, materials/equipment are marked as such. If Barrow County School System has not expended all of the funds required by the end of the fiscal year, the district must carry over funds for a period of one additional year to be used for Proportionate Share. Barrow County School System will ensure that the Child Count is completed and accurate in October [FTE](#)-1 of each year.

Technical Assistance:

Schools that are found to be out of compliance are provided intensive one-on-one technical assistance and support from the Barrow County School System Special Education Director or Special Education Coordinators. Staff members who are found out of compliance will be provided with continued professional learning and/or one-on-one assistance by the Barrow County School System Special Education Director or Special Education Coordinators. When staff members continue to experience difficulty after technical assistance has been provided, the Special Education Director will collaborate with building level administrators to determine next steps.

Section 2:

Area of General Supervision II: Services and Supports

[State Rule: 160-4-7-.07- Least Restrictive Environment \(LRE\)](#)

[LRE requirements: Written policies and procedures exist](#)

The Barrow County School System has written policies and procedures to ensure that to the maximum extent appropriate, children with disabilities, including children in public or private

institutions or other care facilities in Georgia shall be educated with children who are not disabled. Special classes, separate schooling or other removal of children with disabilities from the regular class environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

To the greatest extent appropriate, a parent has the right to have his or her child placed in general education classrooms. Also, a parent has the right for his or her child to participate in all school programs and activities with other children without disabilities. To the greatest extent appropriate the Barrow County School System must make [accommodations](#) (supports) and modifications (changes) so the child can participate in all school programs and activities.

- ❖ The parent has the right for his or her child to participate in non-classroom and extracurricular activities (such as lunch, recess, counseling, sports and clubs) to the same extent as a non- disabled child;
- ❖ The parent has the right for the IEP team to consider a variety of different special education services to meet the needs of his or her child in the least restrictive environment;
- ❖ The parent has the right to request supplementary aides and services provided to allow his or her child to remain in regular classes as much as appropriate before considering whether to remove the child from the general education on classroom; and
- ❖ The parent has the right to have his or her child placed in the neighborhood school unless the IEP team determines otherwise.

Annual IEP Placement Determination

Special education is a service and not a place and so, in determining the educational placement of a child with a disability, including a preschool child with a disability, the Barrow County School System ensures that the placement decision is made by a group of persons (the IEP Team), including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and is made in conformity with the LRE provisions contained in this rule. After the IEP team has reviewed all required information and developed an IEP, it must make the decision as to where services need to be delivered in order to enable the student to receive a free appropriate public education in the least restrictive environment. Placement decisions should start with the expectation that services will be provided in the general education setting and should be made on a subject by subject basis. The placement decision should be fully supported by the present levels of academic achievement and functional performance and by the level of supports and [accommodations](#)/modifications the student requires to access the curriculum.

Full continuum of alternative placements

The Barrow County School System ensures that the full continuum of alternative placements includes options that must be available such as general education classes, special education classes, separate schools, home instruction, and instruction in hospitals and institutions. Provisions for supplementary aids, services, and supports such as resource rooms or [specialized instruction](#) in [small group](#) and/or instruction from itinerant teachers who provide services in several schools, must be made available. It is critical that any decision regarding placement consider a student’s access to non-disabled peers, the intensity of specialized instruction required, and ensure that a full continuum was considered prior to making a final recommendation. The IEP goals and data must drive special education placement options. The least restrictive environment MUST be chosen as the model for each student based on their individual needs. The following service models move from least restrictive to most restrictive:

CONSULTATIVE MODEL	One segment per month of direct services from the special education teacher or other service provider such as an SLP, OT or PT while in the general education or special education classroom
SUPPORTIVE INSTRUCTION	Students with disabilities receive services from personnel other than certified teacher in the general education classroom (Paraprofessional , interpreter, job coach)
COLLABORATIVE MODEL	A special education teacher works with students with disabilities in the general education classroom less than a full segment
CO-TEACHING MODEL	The special education teacher provides a full segment of services to SWD in the general education classroom by sharing teaching responsibilities with the content teacher
PULL OUT MODEL	The special education teacher provides instruction to SWD in a separate classroom that does not include access to non-disabled students
SEPARATE SCHOOL	Special Education services are provided at a separate location with skilled service providers (i.e. Rutland Academy)
HOME INSTRUCTION	The Home Instruction Teacher or other appointed special education teacher provides instruction to SWD in either the home or hospital setting due to specific circumstances.
1:1 MEDICAL ASSISTANCE	There are times when students with severe medical concerns necessitate specific assistance from a nurse or trained adult for them to be successful in the educational environment. In order to consider this request, the IEP team requires medical documentation of the impeding medical condition and how it impacts their ability to function in the education setting. The IEP team will review student progress and medical documentation to

	<p>determine if that level of support is necessary for student progress. Medical documentation will be requested yearly for any student with this specific assistance. This documentation and student progress will be reviewed annually to determine if this level of support remains an educational need.</p>
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**If considering home instruction, modified day, modified week or one on one medical assistance, a district special education coordinator must be invited to the meeting and have prior knowledge of this proposed placement option.*

A [continuum](#) of placements will be considered by the IEP team for school-aged students with disabilities and must include the following:

Support in general education settings:

- ❖ Support services
- ❖ Personnel supports from [paraprofessionals](#), interpreters, or others
- ❖ Support from itinerant teachers

Direct special education services:

- ❖ [Consultative](#) services
- ❖ [Collaborative](#) services
- ❖ [Co-teaching](#) services
- ❖ Support from an itinerant teacher

Other placement options, including:

- ❖ Special education pull-out classes
- ❖ Special Schools
- ❖ Private Schools
- ❖ Home instruction -- Home-Based instruction may be used as a short-term placement option on occasions when the parent and school system agree at an IEP meeting with the following considerations:
 - ❖ A free and appropriate public education (FAPE) is provided and includes access to the general curriculum and an opportunity to make progress toward the goals and objectives included in the IEP;
 - ❖ Home-based services must be reviewed no less than quarterly by the IEP team; and
 - ❖ All IEPs that require home-based placements will include a reintegration plan for returning to the school setting.

[Hospital/Homebound](#)

Hospital/homebound instruction program (HHB) is used for students with disabilities who are placed in a special education program and have a medically diagnosed condition that will significantly interfere with their education and requires them to be restricted to their home or a hospital for a period of time. Barrow County School System provides hospital/homebound instruction to students with disabilities, under the requirements found in [Georgia rule 160-4-2-.31 Hospital Homebound Services](#).

The Barrow County School System requires that a completed medical referral form signed by a physician be obtained. The form must state that it is anticipated that the student is unable to participate in instruction and will be absent for at least ten consecutive school days or has a chronic health condition that will cause absences over an intermittent me period. When that situation occurs, the IEP team meets to review the IEP, consider the medical referral, and make necessary changes to the IEP to support the student.

When the IEP team considers hospital/homebound services, it is important to note that the final determination of services, the setting, and delivery method rests with the IEP team. The medical referral provides a medical opinion on the student’s treatment; however, the referral is not a guarantee that hospital/homebound services will automatically be provided. The medical opinion must be considered by the IEP team as part of determining the services and setting(s) for the student. If the IEP team places the student in the hospital/homebound setting, it should also include a plan in the IEP for reintegrating the student into the school setting in the future. If a student with a disability is hospitalized outside of his or her home-school district, the responsibility for the student’s hospital/homebound services remains with the school district in which the student lives. The district where the student lives may contract with the hospital to provide instructional services, contract with the district in which the hospital is located, or contract directly with appropriately certified teachers in that geographic area.

Many times it is very helpful to the team to have the practitioner who provided the hospital/homebound referral participate via a conference call in the IEP team meeting.

Location of Services

School-Age Placements and Services

Barrow County School System Location of Services by Cluster

[CONSULTATIVE](#) MODEL _____ ALL SCHOOLS

SUPPORTIVE INSTRUCTION _____ ALL SCHOOLS

[COLLABORATIVE](#) MODEL _____ ALL SCHOOLS

[CO-TEACHING](#) MODEL _____ ALL SCHOOLS

PULL-OUT MODELS

	<i>Apalachee HS CLUSTER</i>	<i>Winder-Barrow HS CLUSTER</i>
<u><i>Mild Intellectual Disability/Separate Class</i></u>	<i>Bethlehem ES Haymon-Morris MS Westside MS</i>	<i>Bramlett ES Holsenbeck ES Bear Creek MS Russell MS</i>
<u><i>Moderate Intellectual Disability/Separate Class</i></u>	<i>Kennedy ES Haymon-Morris MS</i>	<i>Winder ES Russell MS</i>
<u><i>Severe/Profound Intellectual Disability/Separate Class</i></u>	<i>Kennedy ES Haymon-Morris MS</i>	<i>Bear Creek MS</i>
<i>Behavior Support/Separate Class</i>	<i>Auburn ES Westside MS</i>	<i>County Line ES Russell MS</i>

SEPARATE SCHOOL _____ *GNETS/RUTLAND ACADEMY*

Rutland Academy- Rutland Academy is a member of the [Georgia Network for Educational and Therapeutic Support \(GNETS\)](#). GNETS’ programs support Local Education Agencies’ [continuum](#) of services by providing comprehensive, special education and positive behavioral interventions and supports for students while providing access to the Georgia Standards of Excellence (GSE). In the continuum of services, Rutland Academy is categorized as a separate school.

The purpose of the GNETS is to prevent children from requiring residential or other more restrictive placements by offering cost-effective, comprehensive services in local areas. An IEP team may consider in-class services by a GNETS program for a student based upon documentation of the severity of the duration, frequency, and intensity of one or more characteristics of the disability. This documentation must include a prior extension of less restrictive services and data which indicate such services have not enabled the child to benefit academically and receive FAPE. For children receiving in-class services at Rutland Academy, local schools are actively involved and exit criteria are developed upon entry into the GNETS program.

*There is a referral and IEP process for students who may need services available at Rutland Academy. Please see the GNETS section of the manual for details.

SEPARATE SCHOOL _____ *BCSS ALTERNATIVE EDUCATION PROGRAM*

BCSS Alternative Education Program- Students with Disabilities who are placed at the Barrow County Alternative Education Program (BCAEP) for punitive reasons must still receive IEP services. The following procedures must be followed to ensure the IEP is implemented, progress is monitored and timelines are met:

1. Once a student has been placed at the Barrow County Alternative Education Program (BCAEP), the District Special Education Coordinator or the IEP Facilitator will schedule a transfer IEP meeting at the BCAEP to ensure that the IEP is reviewed, updated and can be implemented while the student attends.

2. While the student is placed at the BCAEP, it is still the home school's responsibility to ensure that progress reports, Annual Reviews, Reevaluation Data Reviews, and Eligibilities are completed on time.
3. The Caseload Manager at the home school should keep in contact with the Special Education Teacher at the BCAEP to facilitate data collection, draft paperwork and schedule meetings.
4. When IEP timelines surface, the Special Education Teacher at the BCAEP and the home school Caseload Manager will collaborate to schedule and plan the IEP meeting. The BCAEP Special Education Teacher will make contact with the parent, complete the Notice of Meeting, and send it home.
5. All teachers of record at the BCAEP will complete a Present Level of Performance for the student's IEP. The Special Education Teacher at the BCAEP will facilitate this process and return the document(s) to the Caseload Manager at the student's home school so he/she can begin to draft the IEP.
6. The Special Education Teacher at the BCAEP will collaborate with the Caseload Manager to complete the following sections of the IEP:
 - ❖ Consideration of Special Factors,
 - ❖ Functional Behavior Assessment and Behavior Intervention Plan,
 - ❖ Transition Service Plan,
 - ❖ Annual Goals and Short Term Objectives,
 - ❖ Accommodations for State Testing,
 - ❖ Student Supports,
 - ❖ [Extended School Year \(ESY\)](#),
 - ❖ Special Transportation (only if the student already had AT prior to placement at the BCAEP),
 - ❖ and Special Education Services.
7. The Annual Review, the Reevaluation Data Review, and/or the Eligibility meeting(s) will take place at the BCAEP as long as the student is still attending school there. The Caseload Manager from the home school, as well as an LEA Representative or Designee, should attend this meeting.
8. Once the meeting is complete, the Caseload Manager from the home school will compile all parts of the paperwork as they normally would and the IEP will be finalized by the IEP Facilitator at the home school.

9. The Caseload Manager will notify the BCAEP Special Education Teacher that the IEP and/or Eligibility paperwork is complete so they can send a copy to the parent and distribute updates to teachers who work with the student.

Preschool Placements and Services

- ❖ Auburn Elementary *(Cluster includes AES, BRES, Sikes Rockin Horse Ranch, Starlight Academy, Discovery Point)*
- ❖ Bethlehem Elementary *(Cluster includes BES, YES, KES, Kidz Academy, Bethlehem Christian Academy, Bethlehem First United Methodist Church)*
- ❖ Statham Elementary *(Cluster includes CLES, HES, SES, Prestige Academy, Goodman Preschool Academy/Helping Hands, Union Baptist Preschool, Mommy's Cottage, Head Start*)*
- ❖ Winder Elementary *(Cluster includes WES, Head Start*, Learn N Play Academy, Tender Years Learning Center, Winder First United Methodist Church, Cribs to Crayons, Happy Hour, Kingdom Kids)*

Head Start students will typically be split between SES and WES; however, the student's home address will be considered for transportation purposes. Preschool class sizes will also be taken into consideration when placing Head Start students.

Non-Academic and Extracurricular Settings

The Barrow County School System ensures that each child with a disability participates with nondisabled children in non-academic and extracurricular services and activities (including meals, recess periods, and other services and activities) to the maximum extent appropriate to the needs of that child. The school system ensures that each child with a disability has the supplementary aids and services determined by the child's IEP to allow children with disabilities an equitable opportunity for participation in nonacademic and extracurricular activities.

Nonacademic and extracurricular services may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school employment of students, including both employment by the public agency, and assistance in making outside employment available.

The Barrow County School System ensures that supplementary aides and services determined appropriate by the IEP team are provided in order to allow children with disabilities an equitable opportunity for participation in nonacademic and extracurricular activities.

Professional Learning and Monitoring:

Professional Learning

Existing BCSS Special Education Teachers and Staff:

The Director of Special Education, District Special Education Coordinators, and Program Specialists, and school level IEP Facilitators will provide ongoing professional learning regarding policies and procedures for the Least Restrictive Environment (LRE) and the [continuum](#) of services provided through the Barrow County School System. The Director of Special Education provides this training annually to school level administration. Existing special education teachers will be updated regarding LRE during monthly school level special education meetings.

New BCSS Special Education Teachers:

New special education teachers to the BCSS will be trained in special education policies and procedures, including Least Restrictive Environment (LRE), through a new teacher training provided by the District Special Education Coordinators and/or Program Specialists. Additionally, new teachers will be assigned a veteran mentor teacher in their building who will provide support in regards to serving students in their least restrictive environment.

Evidence of Training:

Professional learning regarding LRE will be documented through agendas, and sign in sheets. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office. If teachers are not considering the continuum of services, additional training and technical support (conferences, assigned webinars, 1:1 training, etc) will be provided by the Director of Special Education, District Special Education Coordinators and/or Program Specialists. All staff members who are serving as an LEA will be trained regarding their roles and responsibilities regarding LRE.

Supervision and Monitoring

Monitoring Procedures:

School level IEP Facilitators and building level administrators monitor teacher compliance regarding the least restrictive environment (LRE) through the IEP process, conferencing, and random IEP compliance checks. The Director of Special Education shares the LRE percentage on an annual basis with school administration and school level IEP Facilitators. This information is used in the school improvement planning process.

Technical Assistance:

Those teachers who demonstrate difficulty with policies and procedures will be provided with technical support through conferences, webinars, and/or professional learning plans. Teachers who continue to have difficulty despite technical assistance will be reported to the building level administrator who will determine next steps.

[State Rule: 160-4-7-.10-Discipline](#)

Relationship of General Code of Conduct to IEP

Parents, students, educators, and administrators need to know the [Barrow County School System's Code of Conduct](#) and students with disabilities should be expected to follow the rules that are in effect for all of the students in the school. The Barrow County School System adopts and fully accepts the [Georgia Rules for Special Education](#).

The Code of Student Conduct for the Barrow County School System applies to all children unless a child's Individualized Education Program (IEP) specifically states otherwise. The Barrow County School System 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.

The Barrow County School System is a [PBIS-Positive Behavioral Intervention and Supports-School System](#). Each school created a code of conduct and program that supports the PBIS researched-based interventions.

[Interim Alternative Settings -10 Day Rule](#)

The Barrow County School System personnel consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of this Rule, is appropriate for a child with a disability who violates a code of student conduct. School personnel may remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, such as The Barrow County Alternative Education Program, or other setting or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more than 10 consecutive school days, in that same school year, for separate incidents of misconduct (as long as those removals do not constitute a change of placement under this Rule). After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal, the school system will provide services to the extent required under this Rule.

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 count toward the 10 days of suspension.

Students with disabilities should be expected to follow the code of conduct. A student with a disability who has an Individualized Education Program (IEP) in effect can be removed to out of school suspension (OSS), another setting, or an appropriate interim alternative educational setting, just as any other student without a disability can, for up to a total 10 school days, for violations of the code of conduct or school rules. The 10 days can be consecutive or cumulative and can occur during one school year. It is not necessary for the IEP team to meet when this occurs. Likewise, it is not necessary for a manifestation determination to be

completed, a functional behavior assessment to be conducted, a behavior intervention plan to be developed, or for any special education services to be provided if the removal is for 10 or fewer school days in the school year.

When frequent disciplinary actions add up to more than 10 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.

After a student has been removed for 10 school days in the same school year, and a subsequent removal is not for more than 10 consecutive days and is not a change in placement, then district personnel and at least one of the student's teachers must determine the extent of services needed so the student can continue to participate in the general education curriculum and progress toward meeting the goals outlined in the student's IEP, although in another setting.

Manifestation Determination

Within 10 school days from the beginning of a disciplinary action that either exceeds 10 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.

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 current IEP
- ❖ the student's current behavior intervention plan
- ❖ the student's most recent evaluation information and/or eligibility report
- ❖ teacher observations
- ❖ any other relevant information provided by parents

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 special 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.

Functional Behavior Assessment

The Functional Behavioral Assessment (FBA) is a process in which information is gathered to assist the student's IEP team in determining the cause of, or function of, a behavior. Team members will define the behavior in concrete terms, collect data on the behavior, analyze the data, and finally, formulate a hypothesis regarding the cause or function of the behavior.

If the Barrow County School System, the parent, and relevant members of the IEP Team make the determination that the conduct in question was a manifestation of the child's disability, the IEP Team will conduct a Functional Behavioral Assessment if one does not already exist or if the current FBA is deemed to be imprecise as it pertains to the misconduct.

Behavior Intervention Plan

A Behavior Intervention Plan (BIP) is a part of the Individualized Education Plan (IEP) which clearly defines the target behavior(s), is based on the findings of the FBA and indicates positive interventions, strategies and supports designed to address the behavior in question.

If the misconduct in question is determined to be a manifestation of the student's disability, and a BIP has already been developed, it should be reviewed and modified, as necessary, to address the misconduct, then the student should be returned to the placement from which he/she was removed, unless 1) the parent and the LEA agree to a change of placement as part of the modification of the BIP, or 2) the misconduct falls into the category of special circumstances to the 10 day rule (described below).

Special Circumstances: Weapons, Illegal Drugs, Injury

Certain serious behavior problems can lead to a student's removal to an interim alternative educational setting for up to 45 school days, even if the conduct is determined to be a manifestation of the student's disability. These offenses are as follows:

Weapons- If the student carries a weapon to or possesses a weapon at school, on school premises, or at a school function under the jurisdiction of the State or the LEA;

Drugs- If the student knowingly possesses or uses illegal drugs, or sells or solicits the sale of controlled substance, while at school, on school premises, or to a school function under the jurisdiction of the State or the LEA; or

Serious Bodily Injury- If a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the State or the LEA.

*The interim alternative educational setting is determined by the IEP Team.

Provision of Notification of Change of Placement

On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of The Barrow County School System Code of Conduct, the LEA must notify the parents of that decision, and provide the parents the Procedural Safeguards Notice/Parent Rights in Special Education.

Appeal Process

The parent of a child with a disability who disagrees with any decision regarding placement or the manifestation determination under this Rule may appeal the decision by requesting a hearing. The hearing is requested by filing a [due process hearing](#) request.

The district can appeal any decisions related to discipline if the district believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others.

If an appeal by a parent or district occurs:

An expedited due process hearing occurs within 20 school days of the date the hearing is requested. A determination must be made by the administrative law judge within 10 school days after the hearing.

If appealing the hearing officer's decision on an expedited due process hearing:

The parent or the district may appeal the administrative law judge's opinion consistent with [Rule 160-4- 7:10 Dispute Resolution](#).

If the parents and LEA agree to the mediation process:

A resolution meeting can be requested and must be held within 7 calendar days of the complaint being filed with the Ga DOE. Within 15 calendar days of filing complaint, LEA and parent can resolve the issue and avoid a hearing.

Placement During Appeals

When either the parent or the LEA has made an appeal, the student must remain in the interim alternative educational setting pending the hearing decision, or until the expiration of the 45 school day time period, whichever comes first, unless the parent and the LEA agree otherwise.

Protections for Children Not Yet Eligible

Protections in place for a student who has not been determined as eligible for special education and related services and who has violated the code of student conduct:

A student may assert protections under the Discipline Rule if the LEA had knowledge that the student was a student with a disability before the behavior that precipitated the discipline action occurred.

The LEA is deemed to have knowledge that a student was a student with a disability if any of the following occurred prior to the behavior that precipitated the disciplinary action:

- ❖ The parent expressed concern that the student was in need of special education and related services. This concern must have been expressed in writing to supervisory or administrative personnel in the district, or to a teacher of the student.
- ❖ The parent requested an evaluation of the student ([consistent with Rule 160-4-7-04 Eligibility Determinations and Criteria](#)); or
- ❖ The teacher of the student, or other district personnel, expressed specific concerns about a pattern of behavior demonstrated by the student. These concerns must have been expressed directly to the Barrow County School System Director of Special Education or to other supervisory personnel of the district.

If a student who becomes involved in a disciplinary action has been previously evaluated and determined ineligible for services, or if a parent requests an additional evaluation, the district's responsibilities are as follows:

- ❖ The district is not deemed to have knowledge that a student is a student with a disability if the parent has refused services or the student has been evaluated and found ineligible for services.
- ❖ If a parent requests an evaluation of a student during the time in which a student is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.
- ❖ Until the evaluation is completed, the student remains in the educational placement determined by district authorities, which can include suspension or expulsion, without educational services. If the student is determined to be a student with a disability, the district must provide special education and related services.

Referral to Law Enforcement and Judicial Authorities

The Barrow County School System may report to law enforcement and judicial authorities criminal acts committed or suspected by a student with a disability. Nothing in the Discipline Rule prohibits district officials from reporting criminal activity allegedly committed by a student with a disability.

In the circumstance that the Barrow County School System reports a crime committed by a student with a disability, copies of the student's special education and disciplinary records should be sent to the agency to which the crime was reported, but only to the extent that the transmission is permitted by the [Family Educational Rights and Privacy Act \(FERPA\)](#).

Change of Placement Due to Disciplinary Removals

For purposes of removals of a child with a disability from the child's current educational placement under this Discipline Rule, a change of placement occurs if:

- ❖ The series of removals total more than 10 school days in a school year;
- ❖ The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals, and;
- ❖ Such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.
 - ❖ The school district determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.
 - ❖ This determination is subject to review through [due process hearings](#) and judicial proceedings.

Seclusion and Restraint

In supporting students in crisis or conflict, The Barrow County School System Special Education Department provides Mindset training and certification to teachers and administrators at each school. "The purpose of this training program is to facilitate insight, raise awareness, enhance skills, and ultimately certify professionals in a system of preventing and managing aggressive behavior." The Mindset program emphasizes the process of behavior de-escalation through a crisis communication model, which includes the promotion of choice and trust, avoiding power struggles, being pro-active rather than reactive, and by setting everyone up for success.

The Barrow County School System Special Education Department prioritizes the use of restraint as a last resort, and only in crisis situations, where students are in danger of harm to self or others. The Barrow County School System Special Education Department adheres to guidance from [the State Board of Education Rule 160-5-.35 Seclusion and Restraint for All Students](#). In the event that restraint is utilized as a last resort, schools are required to complete a restraint form, and to provide copies of said form to the Barrow County School System Special Education Director, the Barrow County School System Director of Student and Data Services, and to retain

a copy at the school. In the event of the use of restraint as a last resort, parents should be notified as soon as possible.

Professional Learning and Monitoring:

Professional Learning

Existing BCSS Special Education Teachers:

The Special Education Director, District Special Education Coordinators, Program Specialists and school-level IEP Facilitators will provide ongoing professional learning for special education policies and procedures regarding *Discipline* throughout each school year. The Director of Special Education provides training to building-level administrators during monthly, instructional leadership meetings. The Director of Student and Data Services reviews all Code of Conduct policies for each campus and meets with school administration to ensure district policies are clear and are followed in accordance with all regulations. District [PBIS](#) Coaches and school-level PBIS Coaches meet regularly to plan for and assess the implementation of PBIS programs at each school. Furthermore, District Special Education Coordinators and the [Applied Behavior Analysis \(ABA\)](#) Coordinator will provide additional training to support best practices that support student behavior during regularly scheduled, school-level, special education meetings and trainings.

New BCSS Special Education Teachers:

Teachers new to the Barrow County School System are trained in special education policies and procedures through a new teacher training provided by the District Special Education Coordinators and Program Specialists at the beginning of each school year. They also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff. Additionally, new teachers are assigned a veteran mentor teacher in their school building to provide support and guidance regarding discipline throughout the school year. IEP Facilitators also work closely with new teachers and mentors to ensure the process is working and to give additional clarity and support regarding discipline policy and procedure.

Evidence of Training:

Professional learning will be documented through agendas, sign in sheets, and end of year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures:

The Director of Student Data and Services monitors district and individual school compliance with discipline policy and procedure by reviewing the associated data and their trends. The Director of Special Education collaborates with the Director of Student Data and Services, as well

as other district leaders, by reviewing discipline data and their trends for students with disabilities. If concerns arise, the Special Education Director will meet with the district leadership team and/or school-level administration to provide technical assistance. Also, school-level IEP Facilitators and building-level administrators monitor teacher compliance regarding discipline through the district's Student Information System. Additionally, teachers are asked to sign off on the BCSS Special Education Policy and Procedure Checklist, verifying understanding of their responsibilities as it pertains to discipline throughout the school year. Individualized Education Programs (IEPs), Functional Behavioral Analyses (FBAs), [Behavior Intervention Plans \(BIPs\)](#), and [Manifestation Determination Reviews \(MDRs\)](#) will be monitored by IEP Facilitators, District Coordinators and Program Specialists by way of classroom observations, intermittent IEP and MDR meeting attendance, as well as random inspections of IEPs, FBAs, BIPs and MDRs.

Technical Assistance:

Teachers who require additional technical assistance with policies and procedures regarding discipline will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, District Special Education Coordinators, Program Specialists and/or designated school staff (e.g., assistant principals, special education IEP Facilitators, counselors, etc.). If teachers continue to have difficulty despite the technical assistance they receive, building-level administrators will be notified so they may determine next steps to ensure remediation and compliance.

[State Rule: 160-4-7-.06-Individualized Education Program \(IEP\)-](#)

[Definitions of the IEP Team](#)

The IEP Team is a group of individuals that is responsible for developing, reviewing, or revising an IEP for a child with a disability. The [Individualized Education Program \(IEP\)](#) serves as the framework for determining the meaning of the term "free appropriate public education" in the least restrictive environment, a term frequently referenced in the Individuals with Disabilities Act (IDEA). IEPs must be developed and reviewed annually and must be in effect at the beginning of each school year. The IEP may be reviewed more than once a year if the parent or the district requests a review.

Required section of the IEP:

❖ **Present level of performance**

The present level of academic achievement and functional performance section establishes the starting point or baseline that is used to develop the entire IEP. It includes a description of the child's current academic, developmental, and/or functional strengths and needs; results of the initial or most recent evaluation and the results of district or statewide assessment

❖ **Assessments and identified needs (academic, functional, developmental)**

This section of the IEP should document any assessments (formal, informal, and/or anecdotal) used to determine the present level of academic, functional, and/or developmental performance. This establishes the baseline for the entire IEP. The remainder of the IEP is based on the information in this section.

❖ **Effect of the disability**

This section should describe individual characteristics of the child's disability that affect his or her classroom performance. Examples of specific characteristics for a specific learning disability may include short-term memory problems, poor organizational skills, and auditory processing problems, etc. This section must indicate how classroom instruction is impacted by the specific characteristics or deficits of the disability. Merely stating the student's eligibility category does not adequately describe the impact on involvement and progress in the general education curriculum. Statements should reflect individual needs and not be applicable to a large group of students.

❖ **Parental concerns**

This should include any concerns the parents/guardian's voiced during the meeting as well as any ongoing communication regarding the child's academics, behavior, performance toward goals, etc. If the parent/guardian is not in attendance, this information should be drawn from on-going communication throughout the school year. Documenting that the parents have no concerns is unacceptable.

❖ **Consideration of Special Factors**

Consideration of special factors must be considered for all students with an IEP. The factors to consider are behavior, limited English proficiency, visual impairments, communication needs, [assistive technology](#), and alternative format for instructional materials. If needs are determined in any of these areas, the IEP must include a description, of the supports and/or services that will be provided to the child.

❖ **Behavior Intervention Plan (BIP):**

A functional behavior assessment (FBA) should be conducted for students who have behavior concerns documented in their IEP. This assessment is a process of gathering information in regards to student behavior for the purpose of determining function of problematic behaviors. The FBA assists the team in developing a Behavior Intervention Plan. A Behavior Intervention Plan is an action plan designed implemented and periodically reviewed to assist students with interfering behaviors at school. An FBA must be completed prior to the team developing a BIP. Any student who has behavior that impedes his or her learning or the learning of others should have an FBA/BIP. It is the policy of the Barrow County School System that all students with an [EBD](#) eligibility should have behavior goals

(see Measurable Annual Goals) and/or a behavior intervention plan in place. A consent for evaluation is needed if an outside agency conducts the FBA.

❖ **Measurable Annual Goals**

IEP annual goals are written to address an individual student's deficits to enable a student to make progress in grade level standards. All students are expected to be working toward grade level standards, so it is not necessary to list those standards in the IEP. The goals should address the needs described in the present level of academic achievement and functional performance that will enable the child to progress in the grade level standards based curriculum. The goals should be written in measurable form and should describe what the student can be reasonably expected to accomplish within one school year.

❖ **Benchmarks/Short-Term Objectives for Students on Alternative Assessment**

The Barrow County School System requires at least one short-term objective for each annual goal. At times a parent may request short term objectives for a particular area of the IEP even though they may not be required. The Barrow County School District will develop short term objectives when requested by a parent or when the IEP team feels they are needed for the student. In the last reauthorization of the Individuals with Disabilities Education Act (IDEA) and the latest Georgia State Regulations, short-term objectives are not required for all students in special education. Only those students who participate in the [Georgia Alternate Assessment \(GAA\)](#) are required to have short term objectives. However, there is nothing that prohibits a system from requiring short term objectives or benchmarks for all special education students. IEPs developed for Pre-Kindergarten students and IEPs written for students who participate in an adaptive curriculum (tested through GAA) require goals and objectives. Other IEPs that may be written with goals and objectives are those IEPs for students in special circumstances and objectives included because of teacher professional judgment. All other IEPs for students who participate in standardized tests such as the CRCT and GHS/GT/EOCT can be written with measurable annual goals only. These goals should be specific, measurable, and achievable within a year, realistic, and time-bound.

❖ **Criteria for Measurement of Goals/Objectives**

Criteria for mastery of goals and objectives are determined by the IEP team given the data provided in the teacher's present level of performance. Accuracy, duration, frequency of trials, are all topics for discussion by the IEP team when setting criteria for measurement and mastery.

❖ **Progress reporting and schedule**

Progress will be reported every nine weeks in accordance with the start date of the IEP. Teachers are encouraged to check their Go-IEP Dashboards weekly for upcoming progress reports. The BCSS requires quantitative data to document progress toward goals. Report Cards for students with disabilities are to be done in collaboration with all service providers. The special education teacher will assign grades for those students served in a separate class. Students who are served on a functional

curriculum and assessed via [The Georgia Alternative Assessment \(GAA\)](#) should receive an updated IEP progress report containing quantitative data attached to the regular standards based report card for the corresponding grade level.

❖ **Plan for services (special education, related services, modifications/accommodations, positive behavior supports) with frequency, locations, and duration of services.**

A [continuum](#) of placements will be considered by the IEP team for school aged students with disabilities and must include service type, frequency, and location. Related services are also documented and include Occupational Therapy (OT), Physical Therapy (PT), Adaptive Transportation, Adaptive PE, Interpreter, and Orientation and Mobility. These decisions are driven by the student data reported in the present level of performance. IEP components are reviewed on an annual basis but the committee can reconvene as needed.

❖ **Consideration of [Assistive Technology](#)**

Assistive technology will be considered on an as needed basis. Assistive technology can include but is not limited to: adaptive reading tools, communication devices, adaptive writing tools, etc. Assistive technology devices are identified in the IDEA as “any item, piece of equipment or product system, whether commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities.” An exclusion was added to the definition of an assistive technology device in the 2004 Reauthorization of IDEA to address surgically implanted devices such as cochlear implants, Specifically, it was stated that an assistive technology device “does not include a medical device that is surgically implanted, or the replacement of such device.”

❖ **Explanation for exclusion of participation with non-disabled peers**

All IEPs must include an explanation of why the student is unable to participate with non-disabled peers if applicable. This section should be specific to the student and their needs, not a restatement of their services or disability. This section of the IEP should also indicate why the general education setting will not meet the student’s needs.

❖ **Testing Accommodations/Modifications**

This section of the IEP is about district and statewide assessments. This should only identify the accommodations/modifications the student must have in order to participate in the classroom or district assessments. Testing accommodations should only be recommended if they are also the student’s instructional accommodations, and some instruction accommodations may not be appropriate for testing. Accommodations can be made to the setting (i.e., small group, study carrel), scheduling (i.e. extended time, optimal time of day), presentation (large print, color overlays, repeating directions), and response (i.e., scribe, Braille). The IEP committee makes the final determination in promotion/retention of students who do not pass the state testing requirement. The Barrow County School System requires teachers

to include the statement “promotion/retention is not contingent upon state mandated testing”.

❖ **Consideration of ESY**

[Extended School Year \(ESY\)](#) are special education services that are provided beyond the normal school year. ESY is NOT the same thing as summer school but may be provided during the summer. The individual needs of the child shall be considered and may include such factors as: the severity of the disability, the age of the child, transitional needs, rate of progress or regression that may limit the child’s ability to achieve IEP goals/objectives, relative importance of IEP goals at issue, whether the child is at a critical point of instruction, such as emerging skills, and whether any delays or interruptions in services occurred during the school year. The IEP team must consider ESY for each student at least once per year. Please be mindful that if you defer an ESY decision, an IEP amendment will be required before the first week of April. ESY goals, objective, transportation forms, and Google Spreadsheet information must be submitted to the ESY Coordinator by the suggested due date to assist in planning and scheduling.

❖ **Adaptive Transportation**

Adaptive transportation is for students with disabilities who cannot access regular transportation. The determination of adaptive transportation is an IEP team decision and should be considered on at least an annual basis. For most BCSS schools adaptive transportation should be listed on the services page as two 30 minutes segments per day with an explanation under the transportation tab. The adaptive transportation form should be completed by the caseload teacher at EACH annual review or with an IEP amendment and the updated copy should be emailed to fit@barrow.k12.ga.us. The school level IEP Facilitator will keep a notebook of these forms for quick reference as needed. Please note that alternative school placement is NOT a reason to provide adaptive transportation. If the student was not already on adaptive transition, they should not be given the service solely due to an alternative school placement.

EL IEP Procedures:

In most instances, a student with a disability who is also an English Learner (EL) should receive services through both the special education program and the English to Speakers of Other Languages (ESOL) program. The fact that an EL has a disability does not negate the need for language assistance to support the student’s developing English proficiency. However, a small number of students who are eligible for both special education and ESOL may need to have their language needs addressed in a manner other than direct ESOL services. If, based on the severity of the student’s disability, the IEP team determines that the student’s needs are best met by providing language assistance in the special education setting, indirect language assistance services may be considered.

ELs with a current eligibility of specific learning disability or speech language impairment are **not eligible** for indirect language assistance services and should receive services through both special education and ESOL.

The plan for providing language assistance to support the student's developing English proficiency, including the persons responsible for language assistance and the frequency of collaborative meetings, must be delineated in the student's Individualized Education Plan (IEP) in the *Consideration of Special Factors* section. Any student whose IEP team determines that indirect language assistance services is most appropriate must have one or more IEP goals specifically related to the development of English proficiency.

The ESOL teacher and the special education teacher must meet on a monthly basis (August through May) to monitor the student's progress in language development and to address areas of concern related to language development. Also, the ESOL teacher and special education teacher must communicate and collaborate on a regular basis throughout the school year as necessary in order to support the student's language development needs. Documentation of these collaborative meetings should be kept by both service providers.

Procedural Notes:

The EL Support Coordinator must be notified immediately when indirect services are initiated for a student through the IEP. The date of the IEP meeting, the ESOL teacher responsible, and the special education teacher responsible must be included in the communication to the EL Support Coordinator. The ESOL teacher and the special education teacher must communicate regularly and frequently throughout the school year regarding the student's progress and needs.

The ESOL teacher and the special education teacher must meet monthly at a minimum and complete either the *Indirect Language Assistance Services Quarterly Monitoring Report* or, in months when a quarterly monitoring report is not completed, the *Indirect Language Assistance Services Collaborative Meeting Minutes* in order to document ongoing consultations.

The original quarterly monitoring reports and the collaborative meeting minutes with signatures must be filed in the student's permanent record within ten school days of the meeting. The ESOL teacher and the special education teacher must each maintain a copy for reference during the school year.

The **ESOL teacher** is responsible for:

1. communicating regularly and frequently with the special education teacher throughout the school year regarding the student's progress and needs.
2. scheduling monthly consultation meetings with the special education teacher.

3. providing input during monthly consultation meetings and through frequent communications with the special education teacher during the school year.
4. participating as a member of the student's IEP team, which includes attending all IEP meetings.
5. coordinating the English Learner Testing Participation Committee (ELTPC) collaboratively with the IEP team and completing ELTPC paperwork.
6. completing all other required ESOL paperwork (notification of services, ELTPC, etc.).

The **special education teacher** is responsible for:

7. providing the student with English language development support.
8. communicating regularly and frequently with the ESOL teacher throughout the school year regarding the student's progress and needs.
9. participating in monthly consultation meetings with the ESOL teacher.
10. ensuring that the ESOL teacher is notified of and invited to the student's IEP meetings.
11. ensuring that the IEP reflects the current plan and goal(s) for language assistance services as well as annual English proficiency assessment accommodations, if necessary.

In the *Consideration of Special Factors* section, indicate **"Yes"** in response to the following question: *"Does the student have Limited English proficiency (LEP)?"*

In the comments box below the above-referenced question, include the following details:

- ❖ Method of English language assistance (indirect language assistance services)
- ❖ Name of the ESOL teacher responsible for consultations with the special education teacher
- ❖ Name of the special education teacher responsible for consultations and for providing the student with English language support
- ❖ Frequency of ongoing consultations (must be monthly, at a minimum)
- ❖ Optionally: The IEP team may determine that the student would benefit from some direct service minutes, though less than a segment, with the ESOL teacher. For example, the team may recommend that the ESOL teacher work directly with the student for 15 minutes twice per week. In such cases, note the frequency and duration of direct ESOL services and the ESOL teacher responsible for providing the services.

Note: Any direct ESOL service minutes that do not meet the minimum minutes per week to be reported as an ESOL segment shall not be reported as an ESOL segment, and in such cases monthly consultations are still required in order to meet the district's obligations to provide adequate language assistance services.

In the *Present Levels of Academic Achievement and Functional Performance* section, include one or more measurable goals and objectives targeting English language development.

In the *Accommodations* section, indicate any accommodations the student needs in order to participate in the ACCESS for ELLs (or Alternate ACCESS for students who participate in alternate statewide content assessments, such as the [Georgia Alternate Assessment \(GAA\)](#) or as applicable.

Note: It is critical that the IEP team refers to the “Approved Accommodations for Students with Disabilities” chart and any corresponding footnotes in the current *Georgia Student Assessment Program: Student Assessment Handbook* when determining accommodations on the ACCESS for ELLs as some accommodations are only allowed on specific subtests.

Until GoIEP is updated to allow the selection of “oral reading of test questions in English” and/or “oral reading of reading passages in English” for the Listening and Speaking subtests, these accommodations must be documented in the *Classroom Testing Accommodations* field of the IEP for students who require them. In very limited circumstances, the IEP team may determine that the nature of the student’s disability completely prevents the student from accessing certain portions of the assessment. In these cases, the IEP team must document the specific subtest(s) of the ACCESS for ELLs or Alternate ACCESS in which the student will not participate in the *Classroom Testing Accommodations* field in the student’s IEP. Every EL must participate in at least one subtest of the appropriate annual English proficiency assessment (ACCESS for ELLs or Alternate ACCESS), with the exception of students who are blind.

Hospital Homebound Services

Hospital/Homebound (HHB) services are designed to provide continuity of educational services between the classroom and home or hospital for students in Georgia public schools whose medical needs, either physical or psychiatric, do not allow them to attend school for a limited period of time.

Requirements

1. Date of referral from licensed physician indicates that the student has a medically diagnosed physical condition and will be restricted to the home or hospital but is physically able to participate in educational instruction.
2. Referral form indicates the projected length of absence from school to be 10 consecutive school days or longer, or the student has a chronic health condition causing the student to be absent for intermittent periods of time during the school year.
3. For identified special education students, the date of the IEP review where hospital/homebound services were recommended is included.

NOTE: THERE IS NO ELIGIBILITY REPORT FOR THE HOSPITAL/HOMEBOUND PROGRAM

HOSPITAL/HOMEBOUND FOR SPECIAL EDUCATION STUDENTS

Instructions for Requesting Services

1. The IEP Facilitator or district coordinator will provide the appropriate H/H paperwork request form as soon as the parent indicates the child will be having surgery, recuperating from an accident, or has a chronic or long-term illness. **The parent must sign the referral form. (see Appendix for Form)**
2. The physician must complete the request form indicating the length, or projected length, of hospital homebound services and reason. Parents may choose to sign the H/H request form and take it to his/her child's physician or the form can be faxed from the PDC to the physician for completion. The physician's office can then fax the request to the Director of Special Education at the PDC. The fax number is on the H/H request form.
3. If a completed H/H request is received, send the form to your District Special Education Coordinator as soon as possible to ensure approval by the director of special education and the assignment of a teacher. Please note that the student does not have to be absent for ten days before the form is completed or before services are requested. It is NOT necessary for a student to be absent prior to the request for these services. This service is for those students who will be absent 10 days or more because of illness, surgery, accident, etc.
4. Once H/H services have been approved by the director of special education, an IEP meeting must be held at the student's school to review and consider the medical referral information and to make changes to the IEP, including placement in the Hospital/Homebound setting, as appropriate.
5. Copies of the completed form should be uploaded into GO-IEP and copies distributed to the registrar and/or attendance secretary, and the assigned teacher.
6. District Special Education Coordinators will then complete the H/HB spreadsheet on GoogleDocs reflecting the student's information, the teacher providing the service and the service start and end dates.
7. The hospital homebound teacher is expected to keep a log of all visits and include a signature of the adult present during the session. *REMINDER: An adult must be present at all times per State Rule #160-4-2.31.*
 - ❖ BE SURE TO KEEP THE STUDENT ON ROLL AND MAKE SURE GRADES AND/OR CREDITS ARE RECORDED, AND STUDENT IS MARKED "PRESENT."
 - ❖ Assigned teacher should keep in communication with the attendance secretary/registrar to ensure the student is properly coded for attendance.
 - ❖ Upon completion of assignments, work and/or tests, the H/H teacher will return the work to the classroom teacher(s) for appropriate action and grading.
 - ❖ H/H services are provided for students who are pregnant with documentation from a licensed physician.
 - ❖ H/H services are **not** provided for students who are diagnosed as having a communicable disease.
 - ❖ Some students may require H/HB services on an "as needed" basis throughout the student year due to a chronic health condition. If the student's chronic health condition causes the student to be absent a total of 10 days during the year, with multiple absences of at least 3 consecutive days the student may receive intermittent H/HB services. Caseload managers should contact the District Coordinator if these concerns arise.

Transition Services

The successful transition of students with disabilities from school to post-school environments should be a priority of every IEP team. The purpose of a Transition Service Plan is to assist students in building the skills and supports they need to reach their post-school goals. Transition requires support from multiple sources so the student and his or her family can make choices, develop connections, and access services. The plan details the student's needs based on age appropriate assessments, course of study, and the diploma type the child plans to earn. Beginning not later than the IEP to be in effect when the student begins ninth grade or turns 16, or younger if determined appropriate by the IEP team, and updated annually.

- ❖ *Appropriate post-secondary goals*
These goals should be based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, and independent living skills
- ❖ *Transition services required to meet goals*
A course of study should focus on instructional and educational classes and experiences that will assist the student in preparing for transition from secondary education to postsecondary life. This should relate directly to the student's postsecondary outcome goals and should show how a planned course of study is linked to these goals. The course of study should be meaningful to the student's future and should motivate the student to reach successful post-school outcomes.
- ❖ *Student involvement: preferences and interests*
Students should provide an assessment of the skills and interests related to education, employment, training, and independent living skills (as appropriate) and should be conducted in conjunction with the development of the transition components. The initial transition assessment may be prior to the eighth grade and could occur when a re-evaluation consideration is conducted. It should also be ongoing and fluid. Assessment tools that clearly describe a student's strengths and weaknesses and document a student's interests and perceptions about their skills should be utilized. Surveys and interviews work well for this type of assessment. Six characteristics should be considered when conducting a transition assessment. The transition assessment should be child centered, be continuous, occur in many places, involve a variety of people, have understandable data, and be sensitive to cultural diversity.
- ❖ *Representative of participating agency*
Participation should include those who will help the student achieve the goals stated. Documentation that these persons were invited to the transition IEP meeting and that the parent and student (if over 18) were notified of their possible attendance must be kept. Parent permission must be provided as well for outside agencies to be invited and attend the IEP meeting.

Transfer of Rights

At the IEP meeting before the student turns 18, a statement that the student has been informed of his or her rights that will transfer to the student upon reaching the age of 18 must be documented. The IEP should also document, at age 18, that the rights have been transferred. Once the rights have transferred to the student at age 18, the district must provide any notice required to both the child and the parent. All rights given to the parent transfer to the student.

Excusal of IEP Team Members

Certain circumstances may allow a required member of the IEP team to be excused. Members may be excused from the meeting by signed consent from the parents. The excusal reasons should be documented in the meeting notes. General education teachers cannot be excused from eligibility meetings. Only the required members of the team require an excusal. If team members need to leave during the meeting, stop and ask the parent whether he or she wants to continue the meeting. If the parent wants to excuse the team member, the meeting can proceed. If the parent does not want to proceed without the team member, the meeting can be rescheduled. Both should be documented in the meeting notes.

Transition of children birth through age 2-Part C

Referrals from Babies Can't Wait (BCW)

Babies Can't Wait coordinates and facilitates the referral process to the local school district through a transition conference. A parent or guardian must consent to allow BCW to contact the local district.

Children being referred from BCW are children with disabilities who are approaching the age of three, who are transitioning from BCW, who have an Individualized Family Service Program (IFSP) and are identified as being potentially eligible for preschool special education service.

The transition conference may be held as early as nine months, but no later than 90 days prior to the child's 3rd birthday. Individuals participating in the transition meeting should include the following: parent/guardian, BCW coordinator, local school district representative, and other persons, as appropriate per individual cases. The transition team reviews the IFSP and other documents that pertain to the child's disability. Following the transition conference and once vision/hearing screening information has been obtained, Barrow County Schools obtains parental/guardian written consent to conduct a comprehensive evaluation. The RTI process is not required since the early intervention services will serve as prior interventions. Following the evaluation, an eligibility and/or IEP meeting will be held. If eligible, the student's IEP must be implemented on or before his/her birthday.

Note: The local school district implements the IEP on or before the child's 3rd birthday.

Referrals from Parent/Guardian, Child Care Provider, etc.

Children suspected of having disabilities who are not receiving services and/or supports from the local school district may be referred by parents/guardians, child care providers, early regular childhood providers or other individuals.

Upon receiving a referral, the preschool program coordinator will review information. A developmental and/or speech-language screening will be completed and, if necessary, RTI strategies and progress monitoring will be implemented prior to referral for a full developmental evaluation. If progress is not noted during the RTI process, Barrow County School System will complete a comprehensive developmental evaluation within 60 days of written parental consent. Following completion of the evaluation, an eligibility and/or IEP meeting will be held. Team members will included the following: parent/guardian, regular early child education provider (if appropriate), preschool program coordinator from Barrow County Schools, speech-language pathologist and other persons, as appropriate.

FAPE provision by 3rd birthday: Children with disabilities may be served by Babies Can't Wait, as well as other agencies (e.g., Georgia Pines), from birth to age 3. If a child is receiving services prior to age 3 through the Babies Can't Wait (BCW) program, then both the BCW program and the Barrow County School System have an obligation to work together to transition the child to the school program by the child's 3rd birthday. If they were previously receiving BCW services, children should have eligibility for special education determined and an IEP developed and in place by age three in order to ensure FAPE provision.

Parent Participation in IEP: notification and invitation

The parents of a student with a disability are necessary participants in the development of the IEP. It is important that the parents provide information about their views of the student's progress or lack of progress, as well as express any concerns about the overall educational development of the child. Parents provide important knowledge about how the student behaves and performs outside the school setting.

Parents should be involved in every part of the development of the annual IEP that should include

- ❖ a description of the student's academic, developmental, and functional performance;
- ❖ a description of how the student will be included in the general curriculum;
- ❖ the annual goals for the student, along with a description of how those goals will be measured;
- ❖ a statement of what special education and related services are needed by the student; a discussion of how the student will participate in district and statewide assessments or why an alternate assessment is appropriate;

- ❖ the accommodations and/or modifications that are appropriate for instruction and assessment; and
- ❖ a discussion of the transition services (when appropriate)

The parent must be notified of the proposed date, time and location of an IEP meeting to give sufficient time to make arrangements to attend or contact the school to reschedule the meeting.

The notice should include:

- ❖ the purpose of the meeting (including transition, if appropriate);
- ❖ the proposed date, time and location of the meeting;
- ❖ the names (whenever possible) and positions of the people that the system will invite or have invited to attend.

The parent may request to reschedule the IEP meeting or to participate by telephone via a conference call if attending in person is not possible.

IEP Individualized Education Plan

Each student's IEP will be reviewed at **least once annually**, but may be revisited or amended during the school year as needed. The IEP Team will work together to insure that the current placement and IEP goals are appropriate. **The IEP will be conducted within 30 days of determination.** The current IEP and any changes or amendments to the existing IEP will be **available to all service providers.**

After the annual IEP meeting, the IEP may need to be changed. This can be done by holding another IEP meeting or by mutual agreement between the parents and the school district to make changes to the written document without a meeting. The parents always retain the right to request a meeting for any and all changes or amendments to the IEP. Regardless of the method of changing for the IEP, the parent must be provided with a copy of the changes and a written explanation of those changes in a timely manner.

The Barrow County City District ensures that:

- a. A meeting to develop an IEP for a child is conducted within 30 days of a determination that the child needs special education and related services; and
- b. As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child's IEP.

Each IEP for a student with a disability is accessible to each regular education teacher, special education teacher, related services provider, and any other service provider who is responsible for its implementation through the Student Information System/Georgia On-Line IEP, and each teacher and provider is informed of his or her specific responsibilities related to implementing the child's IEP; and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP. It is the case managers duties to ensure all teachers who work

with the child have access to this information.

Inter and Intra – state transfers of students with IEPs

In State Transfers

If a child with a disability transfers to the Barrow County School System from another school system in Georgia, BCSS (in consultation with the parents) will provide a Free and Appropriate Public Education (FAPE) to the child (including services comparable to those described in the child’s IEP from the previous school system), until the IEP is adopted from the previous school system or until BCSS develops, adopts, and implements a new IEP that meets all IEP requirements set forth in State Board of Education rules. All eligibilities will be reviewed by the school psychologist or district special education coordinator to ensure alignment with Georgia eligibility requirements.

Out of state transfers

If a child with a disability transfers from out of state and had an IEP that was current, the Barrow County School System (in consultation with the parents) will provide the child with a Free and Appropriate Education including services as outlined in the previous school system. All paperwork for transferring students with disabilities will be requested by our special education records clerk. Once all has been received, the school psychologist will review the file in conjunction with the district special education coordinator to determine if the evaluation information aligns with Georgia eligibility requirements for special education. The student will be placed in the appropriate program based upon records received from the previous school system. All paperwork will be loaded into GO IEP and the district coordinator will let the IEP Facilitator and caseload teacher know how to proceed with the transfer (i.e. accept eligibility, need to re-evaluate, etc).

FERPA and transmittal of the IEP

To facilitate the transition for a child who transfers to the Barrow County School System:

- ❖ All paperwork for transferring students with disabilities will be requested from the previous school by the BCSS Special Education Records Clerk.
- ❖ School Administrators, counselors, special education teachers, general education teachers and the school psychologist, as appropriate will be notified when paperwork has been received, reviewed by that office, and then scanned into the Georgia On-Line IEP Program.
- ❖ IEP Facilitators will communicate with Special Education Case Managers to schedule an IEP meeting for transfer students.
- ❖ At the IEP meeting an amendment will be written if necessary, or an IEP will be written if not already in GO-IEP, and all paperwork will be completed at this time.
- ❖ Transfer meetings should be scheduled and completed within 10 school days of receiving transfer paperwork. . The student’s schedule should be developed as the current IEP reads from the first day of attendance to the best of the caseload

teacher's ability. Adjustments to the IEP can be made later as the team deems necessary.

Review and Revision of the IEP:

The Barrow County School System ensures that the IEP Team:

- a. Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and
- b. Revises the IEP, as appropriate, to address:
 1. Any lack of expected progress toward the annual goals and in the general curriculum, if appropriate;
 2. The results of any re-evaluations conducted.
 3. Information about the child provided to, or by, the parents;
 4. The child's anticipated needs; or
 5. Other matters.
- c. Consolidation of IEP Team meetings. To the extent possible, the BCSS encourages the consolidation of meetings.
- d. Considering of special factors. In conducting a review of the child's IEP, the IEP team must consider the special factors described above.
- e. A regular education teacher of the child, as a member of the team, must participate in the review and revision of the IEP of the child.
- f. There are several reasons for failure to meet transition objectives:
 1. If a participating agency, other than the school system fails to provide the transition services described in the IEP, the Barrow County School System will reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.
 2. Nothing in this part relieves any participating agency, including the State vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to children with disabilities who meet the eligibility criteria of that agency.
- g. Children with disabilities in **adult prisons:**

The following requirements do not apply to children with disabilities who are convicted as adults under State law and incarcerated in adult prisons (Department of Corrections):

 1. Participation of children with disabilities in State and district wide assessments;
 2. The requirements related to transition planning and transition services do not apply to children whose eligibility under Part B of the IDEA will end, because of their age, before they will be eligible to be released from prison based on consideration of their sentence and eligibility for early release.

The IEP Team of a child with a disability who is convicted as an adult and incarcerated in an adult prison may modify the child's IEP or placement if the State

has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated.

The IEP requirements in this Rule and the Least Restrictive Environment (LRE) requirements do not apply with respect to the modifications described above.

After the annual IEP meeting, there may be a need to update/change the IEP. This can be done by reconvening the IEP team to amend or by a mutual addressment between the parent and system to make the changes to the written document without a formal meeting. The parent always retains the right to request a meeting for any and all changes to the IEP. Regardless of the method of changing the IEP, the parent must be provided a copy of the changes in a timely manner and an explanation of these changes. Please note that placement decisions cannot be made through an informal, non-meeting amendment.

1. Amendment without a formal meeting

- Following communication with parents if both the school and parents address that a meeting is not necessary to amend the IEP, an amendment can be made. A notice of meeting still has to be generated in GOIEP. Please remember to change the date on the notice of meeting, and all services starts dates to the date of the amendment. Failure to do so will cause errors on progress reporting. The caseload manager should write a notice stating there was not face to face meeting on the notice of meeting when submitting the paperwork to the special education records clerk. Parents must be provided with an updated copy of the IEP. It is the BCSS policy to document the changes on the IEP and a brief description in the meeting notes section. Placement decision cannot be made through an informal, non-meeting amendment.

2. Amendment with a formal meeting

- Professional judgement should be used when determining whether to have a formal or informal meeting. A notice of meeting should be generated for all amendment meetings. Document any changes to the IEP and also detail these changes in the meeting notes.

Professional Learning and Montioring:

Professional Learning

Existing BCSS Special Educations Teachers: The Special Education Director, District Special Education Coordinators, Program Specialists, and school level IEP Facilitators will provide ongoing professional learning for policies and procedures regarding IEP compliance throughout the school year. The Director of Special Education provides training to building level administrators during monthly instructional leadership meetings. District Special Education Coordinators and Program Specialists provide training during monthly school level special education meetings. Teachers, paraprofessionals, transportation ,and other support personnel

are trained yearly at their assigned campus regarding their student's IEP, BIP, and accommodations.

New BCSS Special Education Teachers: New teachers to BCSS are trained in IEP compliance and procedures through new teacher training provided by District Special Education Coordinators. New teachers are also assigned a veteran mentor teacher in the building for support and guidance throughout the school year. New paraprofessionals and other BCSS staff members are trained yearly through the special education department at their assigned campus.

Evidence of Training: Professional learning will be documented through agendas, sign in sheets, and the end of the year policy and procedure checklist. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

**Monitoring procedures:* School level IEP Facilitators and building level administrators monitor teacher compliance regarding IEP development and follow through. Program Specialists and District Special Education Coordinators conduct random file checks for compliance monitoring.

Technical Assistance: Those staff members who demonstrate difficulty with IEP compliance will be provided with technical support through conferences webinars, and/or professional learning plans. Staff members who continue to have difficulty despite technical assistance will be reported to the building level administrator who will determine next steps.

[State Rule: 160-4-7-.15 Georgia Network for Educational and Therapeutic Support \(GNETS\)](#)

The Psychoeducational Network is known as the [Georgia Network for Educational and Therapeutic Support \(GNETS\)](#). GNETS, comprised of 24 programs around Georgia, supports the Barrow County School System's [continuum](#) of services by providing comprehensive special education and therapeutic support, as well as social skills training, for students with disabilities. The purpose of GNETS is to prevent children from requiring residential or other more restrictive placements due to the severity of one or more of the characteristics of the disability category of [emotional/behavioral disorders \(EBD\)](#), by offering cost-effective, comprehensive services in local areas.

If a student receives services through the Barrow County School System's local GNETS, families have the opportunity to be engaged in all aspects of service planning as a part of their child's IEP Team. Child specialists (educators, psychologists, social workers, behavior support specialists, etc.) from a variety of professions collaborate on behalf of the children served in GNETS. GNETS staff serves students within the classroom, with direct therapeutic services, through evaluation and assessment, or other services as appropriate.

Rutland Academy, the local GNETS program, is designed for students ages 5 to 21 with one or more of the characteristics of an emotional/ behavioral disorder for whom a more restrictive setting is required than is available in the child's current educational setting. This program is the most restrictive environment for students with behavioral needs within the public school system. Typically a student goes through the continuum of services available for emotional and/or behavioral support prior to being referred for consideration to the Rutland Academy GNETS program.

Eligibility and Placement

Consideration for GNETS Services A Barrow County School System student who has a current IEP and is exhibiting significant behavioral concerns within the school setting may need to be considered for additional services. According to SBOE 160-4-7-.15, the student must have a current IEP, a current [BIP](#) and FBA (with evidence of multiple revisions), IEP goals that align with the BIP and have had a comprehensive re-evaluation within the past three years. The use of specially designed instruction and evidence-based strategies must be in place for the student, with evidence of current data and progress monitoring documentation as well. This documentation includes prior extension of lesser restrictive services and data which indicate such services have not enabled the child to benefit educationally. All referrals must go through the Special Education Director and/or designee, who will help to facilitate the consideration process.

Students who may need services available at a GNETS Program are referred by the Barrow County School System through the Individual Education Program (IEP) process. An IEP team may consider in-class services by a GNETS program for a child based upon documentation of the frequency, intensity or duration of the student's therapeutic and behavioral needs. 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 the student's 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.

If the student's IEP Team determines that a referral is warranted after reviewing the "[Guiding Questions for Consideration of GNETS Services](#)," the following documents should be submitted as a part of the referral packet: [Confidential Student Information Packet](#), [current eligibility report](#), [most recent psychological \(within three years\)](#), [current FBA and BIP \(show evidence of multiple \[BIP\]\(#\) revisions\)](#), [current IEP with goals aligned to the BIP](#), [progress monitoring data and evidence of research-based interventions](#). The Special Education Director or designee will sign off on this packet before it is submitted.

Move In/Transfers

For students who move in from another GNETS program, or a similar setting from in or out-of-state, or who are released from a long-term hospitalization or residential treatment, should have

an IEP meeting to consider if Rutland Academy services are appropriate for the student as they transition to the Barrow County School System.

Documentation of Ongoing Effectiveness and Improvement

All GNETS programs must have an on-going system for documenting effectiveness and program improvement based upon Georgia Department of Education (GaDOE) requirements and guidance from stakeholders. Data is kept on file for each Barrow County student to validate program effectiveness through measurement of annual goals, short-term objectives and statewide assessment results.

For children receiving in-class services, behavioral goals and objectives are developed upon entry into the GNETS program so that the IEP Team and the child will be aware of expectations before returning to the home school. The home school continues to be actively involved in monitoring the progress of the student attending the Rutland Academy program throughout the child's tenure there.

Recommended Class Size by Level

The recommended maximum class size for GNETS classes at the elementary level is eight. The recommended maximum class size for middle and high school is ten.

Positive Behavioral Interventions and Supports

Rutland Academy, as well as the Barrow County School System, implements Positive Behavioral Interventions and Supports to help promote a positive school climate, increase student achievement and decrease inappropriate student behaviors. Positive Behavioral Interventions and Supports (PBIS) is an evidence-based, data-driven framework proven to reduce disciplinary incidents, increase a school's sense of safety and support improved academic outcomes. The premise of PBIS is that continual teaching, combined with acknowledgement or feedback of positive student behavior will reduce unnecessary discipline and promote a climate of greater productivity, safety and learning. PBIS schools apply a multi-tiered approach to prevention, using disciplinary data and principles of behavior analysis to develop school-wide, targeted and individualized interventions and supports to improve school climate for all students.

Academic Curriculum

The academic curriculum for all students participating in the GNETS program aligns with the Georgia Standards of Excellence. Elementary and middle school students are given access to the academic curriculum they would receive at their home school. High School students also continue to take Carnegie Unit courses, keeping them on-track to receive their General Education Diploma. These students will also participate in Georgia Milestone Assessments as they would at their home schools. Also important to note, Rutland Academy serves students

who require a functional curriculum. Those students will participate in the Georgia Alternate Assessment 2.0. if they meet IEP rubric requirements.

Professional Learning and Monitoring:

Professional Learning

Existing BCSS Special Education Teachers: The Special Education Director and Special Education Administrators (Assistant Director, Coordinators, and Program Specialists) will provide ongoing professional learning for special education policies and procedures related *GNETS* throughout each school year. The Director of Special Education and Special Education Administrators provide up-to-date training and information regarding *GNETS* at quarterly district/school-level department meetings. Special Education Administrators also provide additional professional learning to support best practices regarding *GNETS* during regularly-scheduled, school-level special education meetings and trainings. Lastly, the Director of Special Education provides training to building-level administrators at regular, district leadership meetings.

New BCSS Special Education Teachers: Teachers new to the Barrow County School System are trained in special education policies and procedures related to *GNETS* through a new teacher training provided by the District Special Education Administrative Team at the beginning of each school year. New teachers also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff such as School Psychologists and Behavior Support Staff. Additionally, new Special Education Teachers are assigned a veteran, mentor teacher in their school building to provide support and guidance regarding *GNETS* throughout the school year. Program Specialists and IEP Facilitators also work closely with new teachers and mentors to ensure the mentoring process is effective and to give additional clarity and support regarding *GNETS* policy and procedure.

Evidence of Training: Professional learning will be documented through agendas, sign-in sheets, and/or end-of-year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures:

The Special Education Director or designee ensures all procedures are followed when referring a student to the local *GNETS* program by monitoring the referral paperwork and signing off before it is submitted to Rutland Academy. The Special Education Director or designee work closely with other Special Education Administrators and Principals when questions or concerns arise regarding students who are currently served in the *GNETS* program or when referring a student for services at *GNETS*.

A Special Education Administrator will attend all IEP meetings for Barrow County students who are served at Rutland Academy. They collaborate on the development of the IEP, thoroughly review it and provide corrective feedback before the IEP is finalized. If a comprehensive reevaluation is requested, the Special Education Administrator will also collaborate with Rutland Academy staff in gathering all components of the referral packet. Lastly, the Special Education Assistant Director will monitor timelines and progress for all students receiving services at Rutland Academy as well as serve as a liaison between Rutland Academy and the school district.

Continuous communication and collaboration between the Special Education Director or designee and Special Education Administrators will take place to review and monitor compliance with GNETS policy and procedures.

Technical Assistance: Special Education Administrators and Special Education Teachers who require additional technical assistance with policies and procedures related to GNETS will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, designated Special Education Administrators and/or other appropriate school staff (e.g. Assistant Principals, IEP Facilitators, etc.). If staff continues to have difficulty despite the technical assistance they receive, the Special Education Director and/or building-level Administrators will be notified so they may determine next steps to ensure remediation and compliance.

[State Rule: 160-4-7-.14- Personnel, Facilities, and Caseloads](#)

Maintenance of Credentials for Professional Employees

Maintenance of records of current credentials is the ongoing responsibility of any professional employed by or under contract with Barrow County School System. The Barrow County School System will recruit, hire, train and retain an adequate supply of highly qualified (certified or licensed) personnel, including special education, related services and leadership personnel, to meet the needs of children with disabilities.

Related service personnel who deliver services in their 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 and these related service personnel must have not had certification or licensure requirements waived on an emergency, temporary or provisional basis.

1. The required standard credential for all personnel providing educational interpreting for children who are deaf or hard of hearing in Barrow County School System, regardless of 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 advance 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 five years old.)
2. Maintenance of current credentials shall be the ongoing responsibility of any educational interpreter employed by Barrow County School System for purposes of educational interpreting for children who are deaf or hard of hearing. Maintenance of records of current credentials shall be the ongoing responsibility of Barrow County School System and current credentials of educational interpreters are filed with other personnel records (e.g., teacher certification credentials).

Classroom Size and Appropriateness

The Barrow County School System provides classrooms of suitable size in distraction-free areas, 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. The Barrow County School System follows the Georgia State Board of Education Rule that mandates thirty-eight square feet to be provided for each child in the class with a variance of 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.

Maximum Class Size and Caseload by Eligibility Category

The Barrow County School System uses the Georgia Department of Education State Rule [160-4-7-.14 Appendix A- Class Sizes and Caseloads](#) as an anchor point and guideline in determining appropriate class and caseload sizes. As a charter school system in the state of Georgia, The Barrow County School System makes final determinations on personnel allotments based on the provision of a Free and Appropriate Public Education and in the best interest of each student's needs through the IEP process. As such, the Barrow County School System is permitted to waive maximum class sizes in special circumstances. The following includes information as related to Appendix A, as referenced above.

APPENDIX A - CLASS SIZES AND CASELOADS

PROGRAM AREA	DELIVERY	MAXIMUM CLASS SIZE		CASE-LOAD
	Self-contained (SC) Resource (R)	W/O Para	With Para*	
INTELLECTUAL DISABILITIES				
Mild	SC	10	13	14
	R	10	13	26
Moderate	SC	NA	11	11
	R	NA	7	7
Severe	SC	NA	7	7
	R	NA	6	6
Profound	SC	NA	6	6
	R	NA	6	6
EMOTIONAL AND BEHAVIORAL DISORDERS				
	SC	8	11	12
	R	7	10	26
SPECIFIC LEARNING DISABILITIES				
	SC	12	16	16
	R	8	10	26
VISUAL IMPAIRMENTS				
	SC	NA	6	7
	R	3	4	13
DEAF/HARD OF HEARING				
	SC	6	8	8
	R	3	4	11
DEAF-BLIND				
	SC	NA	6	7
	R	NA	6	7
SPEECH-LANGUAGE IMPAIRMENTS				
	SC	11	15	15
	R	7	NA	55
ORTHOPEDIC IMPAIRMENTS				
	SC	NA	11	11
	R	4	5	15

See Rule 160-5-1-.08 (Class Size) for specifics.

Note: Each *paraprofessional (para) is equivalent to 1/3 teacher and affects individual class size, caseload and system average proportionately. Three paras are the maximum number that can be used to increase the maximum class size for any special education class.

Note: If children from different programs/delivery models are within the same segment, the class size shall be determined by the program/delivery model with the smallest class size. The caseloads shall be determined by averaging the respective caseloads.

Note: The placement of children with autism, traumatic brain injury, or other health impairments, and significant developmental delays (grades K and above) in the above program areas will not change class sizes.

Note: Children, with an IEP designating the service location for the delivery of goals and objectives to be the regular classroom environment, shall be reported in their special education program category if instruction is provided in a:
 A. Team/Collaborative Model; or
 B. Consultative Model.

Professional Learning and Monitoring:

Professional Learning

Existing BCSS Special Education Teachers: The Special Education Director, District Special Education Coordinators, Program Specialists and school-level IEP Facilitators will provide ongoing professional learning for special education policies and procedures regarding *Personnel, Facilities, and Caseloads* throughout each school year. The Director of Special Education provides training to building-level administrators during monthly instructional leadership meetings.

New BCSS Special Education Teachers: New to the Barrow County School System are trained in special education policies and procedures through a new teacher training provided by the District Special Education Coordinators and Program Specialists at the beginning of each school year. They also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff. Additionally, new teachers are assigned a veteran mentor teacher in their school building to provide support and guidance regarding discipline throughout the

school year. IEP Facilitators also work closely with new teachers and mentors to ensure the process is working and to give additional clarity and support regarding discipline policy and procedure.

Evidence of Training: Professional learning will be documented through agendas, sign in sheets, and end of the year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures: The Director of Special Education collaborates with the Assistant Superintendent of Facilities to ensure that all classrooms and programs meet requirements set forth by the Georgia State Department of Education. Caseloads are updated periodically by classroom teachers and reviewed by school-level IEP Facilitators, Program Specialists, Special Education Coordinators, and also submitted to the Director of Special Education for review. Class rosters are submitted for review at the same time as caseloads. Proper certification of special education teachers is monitored by Program Specialists, District Special Education Coordinators, and the Director of Special Education in collaboration with the Director of Planning and Personnel for the district. Reports on what subjects are being taught by special education teachers are submitted by Program Specialists and District Special Education Coordinators to the Director of Planning and Personnel once yearly.

Technical Assistance: Teachers who require additional technical assistance with policies and procedures regarding *Personnel, Facilities, and Caseloads* will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, District Special Education Coordinators, Program Specialists and/or designated school staff (e.g. assistant principals, special education IEP Facilitators, etc.). If teachers continue to have difficulty despite the technical assistance they receive, building-level administrators will be notified so they may determine next steps to ensure remediation and compliance.

[State Rule: 160-4-7-.15 Georgia Network for Educational and Therapeutic Support \(GNETS\)](#)

The Psychoeducational Network is known as the [Georgia Network for Educational and Therapeutic Support \(GNETS\)](#). GNETS, comprised of 24 programs around Georgia, supports the Barrow County School System's continuum of services by providing comprehensive special education and therapeutic support, as well as social skills training, for students with disabilities. The purpose of GNETS is to prevent children from requiring residential or other more restrictive placements due to the severity of one or more of the characteristics of the disability category of [emotional/behavioral disorders \(EBD\)](#), by offering cost-effective, comprehensive services in local areas.

If a student receives services through the Barrow County School System's local GNETS, families have the opportunity to be engaged in all aspects of service planning as a part of their child's IEP

Team. Child specialists (educators, psychologists, social workers, behavior support specialists, etc.) from a variety of professions collaborate on behalf of the children served in GNETS. GNETS staff serves students within the classroom, with direct therapeutic services, through evaluation and assessment, or other services as appropriate.

Rutland Academy, the local GNETS program, is designed for students ages 5 to 21 with one or more of the characteristics of an emotional/ behavioral disorder for whom a more restrictive setting is required than is available in the child's current educational setting. This program is the most restrictive environment for students with behavioral needs within the public school system. Typically a student goes through the continuum of services available for emotional and/or behavioral support prior to being referred for consideration to the Rutland Academy GNETS program.

Eligibility and Placement

Consideration for GNETS Services A Barrow County School System student who has a current IEP and is exhibiting significant behavioral concerns within the school setting may need to be considered for additional services. According to SBOE 160-4-7-.15, the student must have a current IEP, a current [BIP](#) and [FBA](#) (with evidence of multiple revisions), IEP goals that align with the BIP and have had a comprehensive re-evaluation within the past three years. The use of specially designed instruction and evidence-based strategies must be in place for the student, with evidence of current data and progress monitoring documentation as well. This documentation includes prior extension of lesser restrictive services and data which indicate such services have not enabled the child to benefit educationally. All referrals must go through the Special Education Director and/or designee, who will help to facilitate the consideration process.

Students who may need services available at a GNETS Program are referred by the Barrow County School System through the Individual Education Program (IEP) process. An IEP team may consider in-class services by a GNETS program for a child based upon documentation of the frequency, intensity or duration of the student's therapeutic and behavioral needs. 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 the student's 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.

If the student's IEP Team determines that a referral is warranted after reviewing the "[Guiding Questions for Consideration of GNETS Services](#)," the following documents should be submitted as a part of the referral packet: [Confidential Student Information Packet](#), [current eligibility report](#), [most recent psychological \(within three years\)](#), [current FBA and BIP \(show evidence of multiple BIP revisions\)](#), [current IEP with goals aligned to the BIP](#), [progress monitoring data and](#)

evidence of research-based interventions. The Special Education Director or designee will sign off on this packet before it is submitted.

Move In/Transfers

For students who move in from another GNETS program, or a similar setting from in or out-of-state, or who are released from a long-term hospitalization or residential treatment, should have an IEP meeting to consider if Rutland Academy services are appropriate for the student as they transition to the Barrow County School System.

Documentation of Ongoing Effectiveness and Improvement

All GNETS programs must have an on-going system for documenting effectiveness and program improvement based upon Georgia Department of Education (GaDOE) requirements and guidance from stakeholders. Data is kept on file for each Barrow County student to validate program effectiveness through measurement of annual goals, short-term objectives and statewide assessment results.

For children receiving in-class services, behavioral goals and objectives are developed upon entry into the GNETS program so that the IEP Team and the child will be aware of expectations before returning to the home school. The home school continues to be actively involved in monitoring the progress of the student attending the Rutland Academy program throughout the child's tenure there.

Recommended Class Size by Level

The recommended maximum class size for GNETS classes at the elementary level is eight. The recommended maximum class size for middle and high school is ten.

Positive Behavioral Interventions and Supports

Rutland Academy, as well as the Barrow County School System, implements Positive Behavioral Interventions and Supports to help promote a positive school climate, increase student achievement and decrease inappropriate student behaviors. Positive Behavioral Interventions and Supports (PBIS) is an evidence-based, data-driven framework proven to reduce disciplinary incidents, increase a school's sense of safety and support improved academic outcomes. The premise of PBIS is that continual teaching, combined with acknowledgement or feedback of positive student behavior will reduce unnecessary discipline and promote a climate of greater productivity, safety and learning. PBIS schools apply a multi-tiered approach to prevention, using disciplinary data and principles of behavior analysis to develop school-wide, targeted and individualized interventions and supports to improve school climate for all students.

Academic Curriculum

The academic curriculum for all students participating in the GNETS program aligns with the Georgia Standards of Excellence. Elementary and middle school students are given access to the academic curriculum they would receive at their home school. High School students also continue to take Carnegie Unit courses, keeping them on-track to receive their General Education Diploma. These students will also participate in Georgia Milestone Assessments as they would at their home schools. Also important to note, Rutland Academy serves students who require a functional curriculum. Those students will participate in the Georgia Alternate Assessment 2.0. if they meet IEP rubric requirements.

Professional Learning and Monitoring:

Professional Learning

Existing BCSS Special Education Teachers: The Special Education Director and Special Education Administrators (Assistant Director, Coordinators, and Program Specialists) will provide ongoing professional learning for special education policies and procedures related *GNETS* throughout each school year. The Director of Special Education and Special Education Administrators provide up-to-date training and information regarding GNETS at quarterly district/school-level department meetings. Special Education Administrators also provide additional professional learning to support best practices regarding GNETS during regularly-scheduled, school-level special education meetings and trainings. Lastly, the Director of Special Education provides training to building-level administrators at regular, district leadership meetings.

New BCSS Special Education Teachers: Teachers new to the Barrow County School System are trained in special education policies and procedures related to GNETS through a new teacher training provided by the District Special Education Administrative Team at the beginning of each school year. New teachers also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff such as School Psychologists and Behavior Support Staff. Additionally, new Special Education Teachers are assigned a veteran, mentor teacher in their school building to provide support and guidance regarding GNETS throughout the school year. Program Specialists and IEP Facilitators also work closely with new teachers and mentors to ensure the mentoring process is effective and to give additional clarity and support regarding GNETS policy and procedure.

Evidence of Training: Professional learning will be documented through agendas, sign-in sheets, and/or end-of-year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures: The Special Education Director or designee ensures all procedures are followed when referring a student to the local GNETS program by monitoring the referral paperwork and signing off before it is submitted to Rutland Academy. The Special Education Director or designee work closely with other Special Education Administrators and Principals when questions or concerns arise regarding students who are currently served in the GNETS program or when referring a student for services at GNETS.

A Special Education Administrator will attend all IEP meetings for Barrow County students who are served at Rutland Academy. They collaborate on the development of the IEP, thoroughly review it and provide corrective feedback before the IEP is finalized. If a comprehensive reevaluation is requested, the Special Education Administrator will also collaborate with Rutland Academy staff in gathering all components of the referral packet. Lastly, the Special Education Assistant Director will monitor timelines and progress for all students receiving services at Rutland Academy as well as serve as a liaison between Rutland Academy and the school district.

Continuous communication and collaboration between the Special Education Director or designee and Special Education Administrators will take place to review and monitor compliance with GNETS policy and procedures.

Technical Assistance: Special Education Administrators and Special Education Teachers who require additional technical assistance with policies and procedures related to GNETS will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, designated Special Education Administrators and/or other appropriate school staff (e.g. Assistant Principals, IEP Facilitators, etc.). If staff continues to have difficulty despite the technical assistance they receive, the Special Education Director and/or building-level Administrators will be notified so they may determine next steps to ensure remediation and compliance.

Area of General Supervision III: Student Progress

[State Rule: 160-4-7-.02- Free Appropriate Public Education \(FAPE\)](#)

FAPE Inclusive for Students Aged 3 to 21: Full Educational Opportunity

All children with disabilities between the ages of 3 through 21 who are residing in the Barrow County School System District are entitled to a free appropriate public education (FAPE), including children with disabilities who have been suspended or expelled from school. The special education and related services that make up the FAPE are provided to children identified with disabilities who have an IEP at no cost to the parent.

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 with an

education that includes access to the Georgia curriculum and addresses the unique needs of the individual student and his or her disability.

While 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, 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 are entitled to FAPE when they are determined eligible for special education and related services. This can be as early as 3 years of age. If a child is receiving services prior to age 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 (if eligible) 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 (or until they turn 22) 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.

FAPE for students aged 22

According to Georgia Rules, districts are required to develop a written procedure that identifies a process for completing services when a student reaches the age of 22. The district must state in writing whether services for the student, who is still attending school on his or her 22nd birthday, will cease on the birthday, cease at the end of that semester, or cease at the end of that school year. Students who remain in school after their 22nd birthday are not entitled to FAPE or other IDEA rights for the remainder of their time in school. Although each district can develop its own procedures, those procedures must be in writing in order to be clear and fair to all students. The ultimate goal is to transition students to the desired activity in collaboration with other agencies or supports so that, by the 22nd birthday, transition has occurred and the student can continue in appropriate adult activities.

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. Although not required for students who receive a [special education diploma](#) or other exit document, such as a certificate of attendance, best practice is to provide the SOP to ALL students with IEPs who are exiting public school. 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. (The actual requirement for the SOP can be found in Georgia Rule 160-4-7-.04 Evaluations and Re-evaluations.)

Barrow County School System's procedures for completing services when a student reaches the age of 22:

- ❖ The IEP Team meets to determine a graduation plan for students remaining in school who wish to continue to receive special education and related services through their 21st year (or until they turn 22) if they remain eligible for special education and they have not graduated with a regular high school diploma
- ❖ The IEP Team's discussion should include information related to the fact that entitlement to FAPE ends upon reaching age 22 or graduating with a regular diploma, whichever comes first
- ❖ The IEP Team will determine if services for such student, who is still attending school on his or her 22nd birthday, will cease on the birthday or cease at the end of that semester
- ❖ A common sense approach to planning grade placement should be considered; a consideration should be communicated and stated that SWD whose 22nd birthdays fall during a semester of a school year be allowed to complete that semester of school
- ❖ The IEP Team decision should be in writing
- ❖ 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.

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 school is to 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. This is done during the IEP meeting. The school may also inform parents of other options or where to get more information about guardianships, powers of attorney and any other options. Beginning at age 18, the school is to send all notices to both the parent and the student, but the student will provide informed written consent for any action requested by the system. When the student turns 18, he or she becomes the educational decision maker, but the parents retain the rights to all notices of meetings, notices of changes in program or placement, and notices of evaluations while the student is eligible under the IDEA.

Exception to FAPE

1. The obligation to make FAPE available to all children with disabilities does not apply to adult students aged 18 through 21, who, in the last educational placement, prior to their incarceration in an adult correctional facility:

- (i) Were not actually identified as being a child with a disability;

(ii) Did not have an IEP in effect; and

(iii) Graduates from high school with a regular high school diploma. (This constitutes a change in placement, requiring written prior notice.)

2. The exception does not apply to adult students with disabilities, aged 18 through 21, who:

(i) Had been identified as a child with a disability and had received services in accordance with an IEP but who left school prior to their incarceration in an adult correctional facility or local jail;

(ii) Did not have an IEP in their last educational setting, but who had actually been identified as a child with a disability; or

(iii) Have graduated from high school but have not been awarded a regular high school diploma.

SOP-Summary of Performance Directions

When developing the SOP, the student should actively participate. Other IEP team members, family members or other community agencies involved in this student's transition planning process should also provide input. The SOP becomes the student's resume as he or she transitions to postsecondary settings.

Part 1: Student Information – Complete this section as specified. Please note in this section you are requested to provide copies of the most recent formal and informal assessment reports that document the student's disability and provides information to assist in post-high school planning.

Part 2: Student's Postsecondary Goals – These goals should indicate the post-school environment or environments in which the student intends to transition upon completion of his/her high school education. These goals should address education, employment, independent living and community access, as appropriate for the student.

Part 3: Present Levels of Performance Summary – This section includes two critical areas of student performance: Academic and Functional Levels of Performance. Next to each academic or functional area, please complete the student's present level of performance, the accommodations used and the rationale for why those accommodations are necessary. When listing accommodations include any accommodation, modification, [assistive technology](#) or other supports used to assist the student in achieving success in this area. Include specific details about each accommodation, such as "30 extra minutes" instead of simply "extra time". In the rationale section, provide the explanation of how the student's disability impacted his or her performance such that the listed accommodations were necessary for success. An Accommodation is defined as a support or service that is provided to help a student fully access the general education curriculum or subject matter. An accommodation does not change the content of what is being taught or the expectation that the student meet a performance

standard applied for all students. A Modification is defined as a change to the general education curriculum, which changes the standards or expectations for students. [Assistive Technology](#) is defined as any device that helps a student with a disability function in a given environment, and includes “low tech” or “high-tech” options.

Part 4: Recommendations to Assist the Student in Meeting Post Secondary Goals – This section should present suggestions for accommodations, adaptive devices, assistive devices, assistive services, compensatory strategies, modifications, or general areas of need that a student will require to be successful in a post-high school environment, including higher education, training, employment, independent living and/or community participation.

Part 5: Student Perspective - The student provides information for the development of this SOP. The student’s contribution can help (a) secondary professionals complete the summary, (b) the student to better understand the impact of his/her disability on academic and functional performance in the postsecondary setting, and (c) postsecondary personnel to more clearly understand the impact of the disability on this student. This section may be filled out independently by the student or completed with the student through an interview.

Part 6: Postsecondary Community Agency Contacts, Team Members, and Supports - The Transition Team should provide all the necessary contact information to help the student as he or she transitions to postsecondary settings.

FAPE provision by 3rd birthday

Children with disabilities may be served by Babies Can’t Wait, as well as other agencies (e.g., Georgia Pines), from birth to age 3. If a child is receiving services prior to age 3 through the Babies Can’t Wait (BCW) program, then both the BCW program and the Barrow County School System have an obligation to work together to transition the child to the school program by the child’s 3rd birthday. If they were previously receiving BCW services, children should have eligibility for special education determined and an IEP developed (if eligible) and in place by age three in order to ensure FAPE provision.

FAPE for Incarcerated Students

Students eligible for special education services who have an IEP and who are in a facility operated by the Department of Juvenile Justice (DJJ) or the Department of Corrections (DOC) must receive their educational programs. Each of these agencies provides the services to students within their facilities in Georgia. Each agency has the responsibility to identify, evaluate, determine eligibility, and provide special education and related services to students. These agencies will contact the most recent public school attended by a student to obtain copies of educational records so that FAPE can be provided. DJJ and DOC are public schools and should be treated as other public schools when providing records in an expeditious manner. Adult students who are between the ages of 18 and 21 who, prior to being in the correctional facility (jail), did not have an IEP the last time they attended school, are the exception. These students do not

have an entitlement to FAPE. A student with a current IEP who is in the community jail, such as those managed by city or county agencies (i.e., the sheriff's office), is also entitled to FAPE. In these circumstances, the district where the student is incarcerated is responsible for providing services. Districts need to work closely with the local jail in order to gain access to the student and to deliver services. The main concern of the local sheriff or other enforcement agency is safety, while the district's obligation is to provide FAPE. The term regular high school diploma does not include an alternative degree that is not aligned with the State's academic standards such as a special education diploma, certificate of attendance or a general educational development credential (GED).

Definition of regular high school diploma

The term *regular high school diploma* does not include an alternative degree that is not aligned with the State's academic standards such as a special education diploma, certificate of attendance or a general educational development credential (GED).

Delay of Services Not Allowed

The Barrow County School System ensures that there will be 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.

Medicaid Payment Allowances and Limitations

The Barrow County School System files for and receives reimbursement from Medicaid for Medicaid-eligible students receiving Medicaid-billable services performed by school staff; however, the school system does not require parents to sign up for or enroll in public benefits or insurance programs in order for their child to receive FAPE. Furthermore, the Barrow County School System does 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 the school system will not use a child's benefits under a public benefits or insurance program if that use would:

- (i) Decrease available lifetime coverage or any other insured benefit; Result in the family paying for services that would otherwise be covered by the public benefits or insurance program and are required for the child outside of the time the child is in school;
- (ii) Increase premiums or lead to the discontinuation of benefits or insurance; or
- (iii) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenses.

The IDEA clearly states that districts must notify parents each time they propose to access the student's insurance and must have parental consent before accessing these funds. The Barrow County School System informs parents of their right to refuse district access to the insurance benefits and of the fact that such refusal does not relieve the district of its

responsibility to ensure that all required services are provided at no cost to the parents. If a district is going to access benefits, public or private, it should seek written consent from the parent and inform the parent about the amount of benefits it plans to access. This can be done as part of the annual IEP process. The IEP will define the frequency of any service (for example, occupational therapy one time per week for 30 minutes). This can be used to inform the parents and to obtain their agreement. However, if the district exceeds the amount in the IEP or amends the IEP to provide a different level of service, a new consent must be obtained.

If a district believes a medical evaluation is warranted as part of the determination of eligibility or continuing provision of special education and related services, it must seek parental permission before such evaluation is provided, and the evaluation must be provided at public expense or no cost to the parent. As stated previously, any available insurance may be used to offset the costs of the evaluation. A child should not be denied a medical evaluation, if it is needed for educational purposes such as the determination of eligibility for special education or the educational needs of the child.

Notice to Parents Regarding the Use of Benefits

The Barrow County School System obtains 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:

- A. Specifies the personally identifiable information that may be disclosed or information about the services that may be provided to a particular child, 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
- B. Specifies that the parent understands and agrees that the school system may access the child's or parent's public benefits or insurance to pay for services provided under IDEA.

Prior to accessing a child's or parent's public benefits or insurance for the first time, and annually thereafter, the Barrow County School System provides 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 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 school system

of its responsibility to ensure that all required services are provided at no cost to the parents.

The IEP may call for instruction outside of the general classroom or for a separate day school or program. Home instruction may be used as a short-term placement option when the parent and the district agree that it is necessary. Residential placements either in Georgia or out of state may be considered when the nature and severity of the disability indicate a need. The IEP team must document the placement options that were considered. The more restrictive the placement, the more important it is to document the reasons the more restrictive environment was selected. Documentation must include all options the IEP team considered and rejected when making the decision.

Residential Placement

If placement in a residential facility, either public or private, is necessary for the student to receive FAPE, then the placement is at public expense, usually paid for by the local district. Districts should not consider placement in residential facilities unless they have exhausted the nonresidential resources. The Georgia Department of Education (GaDOE) has tuition grants to assist local districts if they place a student in a residential facility.

Provision of Accessible Instructional Materials

The Barrow County School System provides print instructional materials in specialized, accessible formats (i.e. Braille, audio, digital, large-print, etc.) to children who are blind or other print disabled in a timely manner. The system takes all reasonable steps to ensure that children with print disabilities have access to their accessible format instructional materials at the same time as students without print disabilities.

1. Print instructional materials include textbooks and related core materials that are required by the school system for use by children in the classroom.
2. Specialized formats refer to Braille, audio, or digital text which is exclusively for use by children who are blind or other persons with print disabilities. Large print formats are also included when the materials are distributed exclusively for use by children who are blind or other persons with disabilities.

(i) Specialized formats do not include altering the content (e.g. breadth, depth, or complexity) of the print instructional material in the production of accessible instructional materials.

3. Children who are blind or print disabled include:

(i) Children whose visual acuity, as determined by a 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.

(ii) Children whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material.

(iii) Children certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations.

(iv) Children certified by competent authority as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent their reading printed material in a normal manner.

Provision of [Assistive Technology](#)

Districts must consider each student's need for assistive technology devices and services. Assistive technology is considered by each IEP team in the development, review, and revision of student IEPs. When the IEP team determines that a student requires assistive technology devices or services, this should be clearly documented in the IEP, and the assistive technology should be provided to the student in a timely manner. The provided assistive technology should be integrated into instructional activities, and data should be collected on the use of the technology. If the IEP team determines that the student requires school purchased assistive technology at home or in other settings to receive FAPE, the assistive technology must be provided to the student at no cost to the parent.

Assistive Technology Evaluations

An assistive technology evaluation may be required if appropriate assistive technology solutions are not known to the child's IEP Team through the consideration process. This evaluation is conducted by a multidisciplinary team of professionals knowledgeable about assistive technology devices in the technology areas being assessed. The child and family are also included in this evaluation process. The evaluation results in recommendations for assistive technology devices and services, if required. If the child's IEP Team determines that assistive technology devices or services are required for the child to receive a FAPE, a statement to that effect is included in the child's IEP.

- A. If assistive technology is required for the child to participate in system-wide or statewide testing, the need for technology is documented in the appropriate section of the IEP and provided to the child.
- B. If assistive technology devices or services, or both, are required for a child who is blind or other print disabled to access alternative format instructional materials, the assistive technology is documented in the IEP and provided to the child. The Barrow County School System has in place procedures and practices that ensure the proper functioning of hearing aids. Regular inspection of hearing aids will be documented. This also applies to external components of surgically implanted medical devices such as cochlear implants.

Home Use of [Assistive Technology](#)

If the IEP Team determines that the child with a disability requires school-purchased assistive technology at home or in other settings to receive a FAPE, the assistive technology will be provided to the child at no cost to the parent. The need for assistive technology in the non-school settings will also be documented in the child's IEP.

[FAPE and Extended School Year](#)

The Barrow County School System will 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. The Barrow County School System does not state that ESY is only for certain groups of students or say it is for all of a certain group. Likewise, a district may not limit ESY services to a certain time period or type of activity.

[Extracurricular Activities Accessibility](#)

FAPE can also include nonacademic and extracurricular services. The Barrow County School System will 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 French Club.

[Access to Physical Education and Specially Designed Physical Education](#)

The Barrow County School System ensures that:

- A. General Physical education services, specially designed if necessary, are made available to every child with a disability receiving FAPE, unless the school system enrolls children without disabilities and does not provide physical education to children without disabilities in the same grades.
- B. Each child with a disability is afforded the opportunity to participate in the regular physical education program available to nondisabled children unless:
 - (i) The child is enrolled full time in a separate facility – the Barrow County School System is responsible for the education of any child with a disability who is enrolled in a separate facility and ensures that the child receives appropriate physical education services; or

- (ii) The child needs specially designed physical education, as prescribed in the child's IEP, which is a Related Service: [Adapted PE](#). (If specially designed physical education is prescribed in a child's IEP, the Barrow County School System provides the services directly or makes arrangements for those services to be provided through other public or private programs.)

Charter Schools

Children who attend public charter schools and their parents retain all the rights given to them in the public school under the IDEA. In general, two types of charter schools are present in the state: public schools or public school districts that operate according to the terms of a charter or contract that has been approved by a local board of education and the State Board of Education; and state chartered special schools that operate according to the terms of a charter or contract that has been approved by the State Board of Education. Charter schools must make available the services needed to provide education for students with IEPs. The charter that is part of a district has, as part of its resources, the full continuum of services and supports within the district. At times, a student's IEP may determine that a specific setting is needed that may not be available at the charter, but that is available at another school within the district. The charter that is part of the district may not, however, decline to serve students with IEPs.

If the charter is a state charter school, the school is responsible for finding a way to provide whatever services the IEP team determines are appropriate for a student with an IEP who chooses to enroll in the charter. Students with IEPs may not be discriminated against, and a state charter must accept students who choose to enroll.

The Barrow County School System must treat charter schools that are part of the local district the same as all other individual schools within the district. This includes flowing funds, state and federal, to the charter at the same time as money is sent to other schools. This also includes providing services or supports that are centrally based in the same manner as for other schools. For example, if the central office of the local district funds the occupational therapist for any student in any school who needs the service to receive FAPE, then the students in the charter school must also be included.

If the school provides transportation to and from school or financial support (e.g., tokens) for nondisabled students for that kind of transportation, then it needs to do the same for students with disabilities. If districts do not provide this support in general, then they typically do not need to provide it to students with disabilities. However, if an IEP team identifies transportation as a related service on a child's IEP, then the district will need to arrange for transportation services or see that the responsible entity does so. As an IEP team considers a student's need for transportation, it is critical that team members understand the differences between a student's need for transportation to get to school (common for all students) and a student's need as a factor of a disability that results in the need for a related

service. If a charter school is responsible for providing this related service, a district may contract for it or pay the family to transport the child to and from school or the location of the special services.

Programming Options and Equal Access

The Barrow County School System ensures that children with disabilities have available to them the variety of educational programs and services available to non-disabled children in the area served by the Barrow County School System, including art, music, and career, technical and agricultural education.

Hearing Equipment Checks

The Barrow County School System ensures that hearing aids and external components of surgically implanted medical devices worn in school by students with hearing impairments, including deafness, are functioning properly. When problems arise with a hearing aid or external surgically implanted device within the school district, the case manager contacts the District Special Education Coordinator immediately for technical assistance. The Barrow County School System is not responsible for the post-surgical maintenance, programming or replacement of the medical device that has been surgically implanted.

Prohibition of Mandatory Medication

The Barrow County School System 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 administer or do not administer. Districts should not make medical decisions that require medication. Nothing prohibits a district, however, from sharing classroom observations regarding the academic, behavioral, or functional performance of a child with the parents in order to better inform the parents of the student's behavior and academic performance when taking or not taking medication. If a district believes a student is not receiving medication that is essential for his or her health or education, it may refer the family to the Department of Family and Children's Services for assistance.

Professional Learning and Monitoring

Professional Learning

Existing BCSS Special Education Teachers: The Special Education Director, District Special Education Coordinators, Program Specialists and school-level IEP Facilitators will provide ongoing professional learning for special education policies and procedures regarding *Free Appropriate Public Education (FAPE)* throughout each school year. The Director of Special Education provides training to building-level administrators during monthly instructional leadership meetings.

New BCSS Special Education Teachers: New to the Barrow County School System are trained in special education policies and procedures through a new teacher training provided by the District Special Education Coordinators and Program Specialists at the beginning of each school year. They also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff. Additionally, new teachers are assigned a veteran mentor teacher in their school building to provide support and guidance regarding discipline throughout the school year. IEP Facilitators also work closely with new teachers and mentors to ensure the process is working and to give additional clarity and support regarding discipline policy and procedure.

Evidence of Training: Professional learning will be documented through agendas, sign in sheets, and end of the year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures: The Director of Special Education collaborates with all Barrow County School System Special Education Stakeholders the Assistant Superintendent of Facilities to ensure the Provision of FAPE for all special education students. School-level IEP Facilitators, Program Specialists, Special Education Coordinators, and hold meetings with teachers and each other to discuss and monitor compliance with the rules regarding provision of FAPE to each special education student. IEPs are reviewed consistently to monitor for compliance in the provision of FAPE by IEP Facilitators, Program Specialists, and Coordinators.

Technical Assistance: Teachers who require additional technical assistance with policies and procedures regarding *Free and Appropriate Public Education (FAPE)* will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, District Special Education Coordinators, Program Specialists and/or designated school staff (e.g. assistant principals, special education IEP Facilitators, etc.). If teachers continue to have difficulty despite the technical assistance they receive, building-level administrators will be notified so they may determine next steps to ensure remediation and compliance.

Area of General Supervision IV: Parent Engagement

[Procedural Safeguards and Parent Rights \(State Rule: 160-4-4-.09\)](#)

When Parent Rights must be provided to parents

The **Parent Rights in Special Education (Parent Rights) notice** provides the foundation for ensuring that a child with a disability has access to a free and appropriate public education (FAPE). The Parent Rights notice provides parents with the opportunity to understand their

rights, the rights of their child and the procedures for resolving differences. This document will also help to facilitate communication between parents and system personnel. The Parent Rights is given to parents at a minimum of once per year. The Parent Rights should be given to parents when they are asked to sign Consent for Evaluation form, Consent for Placement form, and at the initial IEP meeting and each IEP annual review meeting.

The Georgia Parental Rights document can be accessed in English and other supporting translations by requesting a copy in another language. Barrow County School System uses Microsoft Translation or Google Translation to convert documents into other languages. Barrow County School System also collaborates with a translator who will translate documents and translate for meetings when a Spanish translation is required.

The term “Procedural Safeguards Notice” also refers to the document commonly identified as “Parent Rights” which are given to parents at least one time per school year. A copy is also 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 local educational agency 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 me; and,
- F. Upon request by the parent.

Parents/Guardians may elect to receive the Procedural Safeguard/Parent Rights notice by electronic mail, an option made available to all parents/guardians by Barrow County School System.

Content of Parent Rights

The content of the notice includes 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 education 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;
- iv. The availability of mediation;
 - v. the child's placement during the pendency of any due process hearing;
 - vi. Procedures for children who are subject to placement in an interim alternative educational setting;
 - vii. Requirements for unilateral placement by parents of children in private school at public expense;
 - viii. Due process hearings, including requirements for disclosure of evaluation results and recommendations;
 - ix. Appeals of due process hearings, including the time period in which to file those actions;
 - x. Attorneys' fees; and
 - xi. Notice provided in a language understandable to the parents: the native language of the parent is used, unless it is clearly not feasible to do so.

Note: The school system ensures that the parent understands the content of the notice and that there is written evidence that the requirements have been met.

Notice to Parent/Guardian/Surrogate

The parents shall be provided notice written in language understandable to the general public a reasonable time before the local education agency proposes to initiate or change the identification, evaluation, or educational placement of a child or the provision of a FAPE to the child. Written prior notice must be sent to parents seven to ten day prior to IEP meeting. Three separate notices of meeting for three separate dates must be provided to parents before the IEP team can legally meet without the parent's attendance.

Written notice will also be provided if the school system refuses to take such action. After rights have been transferred to a child who has reached the age of majority, any written notice covered under this Rule shall be provided to both the child and the parent(s) of the child.

Barrow County School System provides a full explanation of all procedural safeguards/parents' rights available to the parent(s). The communication to the parent(s) includes a description of the action proposed or refused by the [local education agency](#), an explanation of why the local education agency proposes or refuses to take the action, and a description of any options the school system considered and the reasons why those options were rejected. Communication to the parent(s) includes a description of each evaluation procedure, assessment, record or report the local education agency 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 local education agency's proposal or refusal, a statement that the parent(s) of a child with a

disability has protection under the 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.

In most cases, the above Notice requirements are addressed by providing the parent(s) with a copy of documents such as the Consent to Evaluate, Consent for Placement, consent for accessing a child's or parent's public benefits or insurance, evaluation report, eligibility report, invitation to a meeting, the full individualized education program (IEP) (with minutes, if 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 local education agency will respond to the request through an alternative manner, such as through a letter to the parent(s), which provides all of the required elements identified in the paragraph above.

Note: Graduation from high school with a regular education diploma constitutes a change in placement and requires written prior notice, in accordance with information above.

Language Understandable to the General Public:

1. Barrow County School System ensures that the notice required in this rule be written in language understandable to the general public.
2. Provided 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.
3. If the native language or other mode of communication of the parent is not a written language, Barrow County School System will 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;
 - i. The school system ensures that the parent understands the content of the notice;
 - ii. (ii) That there is written evidence that the requirements have been met.

Parent Opportunity to Review Records

Barrow County School System provides an opportunity for the parents of a child with a disability to:

1. Inspect and review all education records relating to the identification, evaluation, educational placement and provision of FAPE to the child.
2. These rights include the right to a response from the local education on agency to reasonable requests for explanations and interpretations of the records, the right to request the local education on agency to provide copies of the records and the right to have a representative of the parent to inspect and review the records. The local education agency may presume that the parent has these rights unless the school system has been advised that the parent does not have the authority due to State law governing, guardianship, separation and divorce.

3. All rights of parents to examine education records shall transfer to the child at age 18.
4. Participate in meetings with respect to the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education on (FAPE) to such child.
5. Obtain an independent educational evaluation of the child.

Barrow County School System ensures that parents:

1. 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.
2. Receive notice of places to contact for assistance in understanding the procedural safeguards/parents' rights.
3. Receive procedural safeguards notice and a full explanation of the procedural safeguards.

Parent Participation in Meetings

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

1. A meeting does not include informal or unscheduled conversations involving local education agency personnel and does not include conversations on issues such as teaching methodology, lesson plans or coordination of service provision.
2. A meeting also does not include preparatory activities that local education agency personnel engage in to develop a proposal or to respond to the parent's proposal that will be discussed at a later meeting.
3. Each local education agency shall ensure that a parent of each child with a disability is a member of any group that makes decisions on the educational placement of the parent's child.
 - i. 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 local education agency shall use other methods to ensure their participation, including individual or conference telephone calls or video conferencing.
 - ii. A placement decision may be made by a group without the involvement of the parent(s) if the local education agency is unable to obtain their participation in the decision. In this case, the local education agency must have a record of its attempts to ensure their involvement, including information that is consistent with State Board of Education Rule 160-4-7-.6 Individualized Education Program.
 - iii. The local education agency makes 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.

Barrow County School System provide notice consistent with Rule 160-4-7-.06 (11)(a) to ensure that parents of children with disabilities have the opportunity to participate in meetings described above. When a student transfers to the Barrow County School System, caseload teachers will get a Consent to Place signed at the first IEP meeting.

Independent Educational Evaluations

When a parent of a student with a disability disagrees with an evaluation conducted by Barrow County School System, the parent has the right to request that Barrow County School System fund an independent educational evaluation. An Independent Educational Evaluation is an evaluation conducted by a qualified examiner who is not an employee of the School System. Any results obtained through this independent evaluation must be considered by the School System in any eligibility or placement decision. School-level administrators and teachers are asked to notify the District Special Education Coordinator IMMEDIATELY upon request of an independent educational evaluation by a parent.

The School System is under strict time constraints once a parent makes this request. As used in this section, independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the local education agency responsible for the education of the child with a disability in question. As used in this section, public expense means that the local education agency pays for the full cost of the evaluation (limit not to exceed \$350.00) or ensures that the evaluation is otherwise provided at no cost to the parents.

The parent(s) has/have the right to an independent educational evaluation at public expense if the parent(s) disagree(s) with an evaluation conducted/obtained by the local education agency, subject to the conditions in paragraphs described below:

- ❖ If a parent requests an independent educational evaluation at public expense, the local education agency must, 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 local education agency demonstrates in a hearing that the evaluation obtained by the parent did not meet agency criteria.
- ❖ If the final decision is that the local education agency's evaluation is appropriate, the parent(s) still has/have the right to an independent educational evaluation but not at public expense.
- ❖ If a parent requests an independent educational evaluation, Barrow County School System 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 local education agency may not unreasonably delay either

providing the independent educational evaluation at public expense or initiating an impartial due process hearing to defend the local education agency's evaluation.

- ❖ Barrow County School System will provide to the parents, upon request, information about where an independent educational evaluation may be obtained and the local education agency's criteria applicable for independent educational evaluations. Contact the District Special Education Coordinator for information regarding IEEs.

If the parent obtains an independent educational evaluation at public or private expense, the results of the evaluation:

- ❖ Shall be considered by the local education agency, if it meets state and local education agency criteria, in any decision made with respect to the provision of FAPE to the child; and
- ❖ May be presented by either party as evidence at an impartial due process hearing under these Rules regarding that child.

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. Whenever the state or local education agency 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 local education agency uses when it initiates an evaluation. Except for the criteria described in this Rule, a local education agency may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.

A parent is entitled to only one independent education evaluation at public expense each me the local education agency conducts an evaluation with which the parent disagrees.

Parental Consent

At a minimum, informed parental consent is 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 child with a disability;
 - a. Consent to provide special education and related services are the consent for any special education and related services described in the IEP to provide FAPE.
4. Disclosing personally identifiable information under conditions.
5. Annual decisions about what services are to be provided are made through the IEP process and are not part of this consent requirement. Accessing a child's or parent's

public benefits or insurance for the first time as described in State Board of Education Rule 160-4-7-.02.

Barrow County School System makes 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, as well as consent for an initial placement.

For initial evaluations only, if the child is a ward of the state and is not residing with the child's parent, Barrow County School System 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:

6. Despite reasonable efforts to do so, the local education agency cannot discover the whereabouts of the parent of the child;
7. The rights of the parents of the child have been terminated in accordance with state law;
8. 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 does not provide consent for initial evaluation or the parent fails to respond to a request to provide consent, the local education agency may, but is not required to pursue, the initial evaluation by utilizing the procedural safeguards of media on or due process hearings.

1. The local education agency does not violate its obligations under Child Find if it declines to pursue the evaluation.

Barrow County School System (responsible for making FAPE available to a child with a disability) will obtain informed consent from the parent of the child before the initial provision of special education and related services to the child. If the parents of a child fail to respond or refuse to consent to services, the local education agency may not utilize the procedural safeguards of media on or a due process hearing in order to obtain agreement that service may be provided.

1. 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 LEA will not be considered in violation of the requirement to make FAPE available to the child for which the local education agency sought consent.
2. The local education agency is not required to convene an IEP Team meeting or develop an IEP for the child for whom the local education agency requests consent.

Barrow County School System obtains informed parental consent prior to conducting a re-evaluation of a child with a disability. 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.

Note: Consent for initial evaluation shall not be construed as consent for initial provision of special education and related services.

Barrow County School System will 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 school system 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 local education agency cannot discover the whereabouts of the parent of the child;
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 refuses to consent to the re-evaluation, Barrow County School System may, but is not required to, pursue the re-evaluation by using the consent override procedures by accessing the media on or due process hearing procedures. The school system does not violate its obligation if it declines to pursue the re-evaluation.

Parent Refusal for Consent/Revocation

Parents have the right to request to revoke the consent for placement of their child with disabilities. If a parent requests to revoke consent, then the school must notify their District Special Education Coordinator so that all steps of Prior Written Notice are followed. The IEP Team, along with a system representative, will meet with the parent to discuss this request. Often the parent may not understand all ramifications of this choice, so the process should be explained to the parents so that they understand the rights that they would be giving up when revoking consent. The following information is given to the parent of the child requesting revocation of special education services:

- ❖ Upon parent request, all Special Education services would be eliminated for this student. These services include special transportation, other related services such as Occupational Therapy and Physical Therapy, benefits from other public and private programs, testing accommodations, and provision of [assistive technology](#).
- ❖ This revocation may impact the student's high school graduation requirements and diploma options.
- ❖ The Individual Education Program (IEP) developed for this student and his/her eligibility/redetermination report has deemed him or her eligible for Special Education and in need of services.

- ❖ By revoking Consent for Placement, the parent would be giving up the procedural safeguards available under the Individuals with Disabilities Education Act (IDEA).
- ❖ The revocation of parental Consent for Placement means that Barrow County School System is not deemed to have “knowledge of disability” under IDEA and that all rules and timelines for student discipline (including suspension, expulsion, and manifestation) that apply to general education students would apply to this student.
- ❖ The parent is not allowed to revoke “partial” consent for only some of the services provided by the IEP. If the parent and Barrow County School System disagree about whether a Free and Appropriate Public Education (FAPE) would be provided with or without the provision of a service, the parent may use the due process procedures outlined in Special Education Parental Rights to obtain a ruling regarding the services. Consent for services is for consent for special education.

Parent Consent Not Required

The school system need not obtain informed parental consent if it can demonstrate that:

- i. It made reasonable efforts to obtain such consent;
- ii. The child’s parents failed to respond.

Parental consent is not required before:

- iii. Reviewing existing data as a part of an evaluation or reevaluation; or
- iv. Administering a test or other evaluation that is administered to all children unless consent is required of parents of all children.

The school system may not use a parent’s refusal to consent to one service or activity under subparagraph (d) – (f) of paragraph 6 of this Rule to deny the parent or child any other service, benefit, or activity of the local education agency.

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 reevaluation, or the parent fails to respond to a request to provide consent, the local education agency may not use the consent override procedures described in this rule;

- v. The local education agency is not required to consider the child as eligible for services.
- vi. To meet the reasonable efforts requirement in the consent section of this rule, the local education agency must document its attempts to obtain parental consent.

Parent Training

Parents may be provided assistance:

- i. To understand the special needs of their child and information about child development; and
- ii. To acquire the necessary skills to support the implementation of their child’s IEP if determined by the IEP Team as a related service.

Barrow County School's [parent mentor](#) will support and provide training throughout the school year. The parent mentor will:

Enhances communication and collaboration between families, educators and the community leading to success for students.

- ❖ Complies with Parent Mentor agreement as identified in Parent Mentor Partnership.
- ❖ Submits quarterly and annual reports as required for program(s).
- ❖ Attends required workshops and conferences as required.
- ❖ Prepares publications and website updates related to activities for parents and disseminates information for parents of newly identified students with disabilities.
- ❖ Educates parents on available resources.
- ❖ Collaborates with local groups to secure resources, to acquire volunteers for the Special Education Department events, and provides information about parent engagement update on a periodic or as needed basis.
- ❖ Works with leaders of Navigator Team, PAC (Parent Advisory Council), and NEGATT (Northeast Georgia Area Transition Team), and local school parent groups to facilitate activities for parents.
- ❖ Provides training for general and special education personnel to work with parents to be an effective advocate for children.
- ❖ Collaborates with Family Engagement Specialist to support district-wide family engagement.
- ❖ Conducts and evaluates surveys to assess the need of parents at their local school(s) and/or district and use results to develop plans to improve parent satisfaction.
- ❖ Demonstrate prompt and regular attendance and the ability to adapt to an extended / flexible work schedule.
- ❖ Possess and maintain valid and appropriate license, certificate and/ or credentials as may be required for this position.
- ❖ Follow work scheduling and attendance requirements in a regular, predictable and punctual manner.
- ❖ Participate in professional development/training classes and conferences designed to enhance knowledge and skills, as determined in by supervisor.
- ❖ Review current development, literature and technical sources of information related to job responsibility.
- ❖ Ensure adherence to good safety procedures.
- ❖ Maintains required confidentiality.
- ❖ Follow federal and state laws, as well as School Board policies and administrative directives.
- ❖ Perform other duties, as assigned.

Professional Learning and Monitoring

Professional Learning

Existing BCSS Special Education Teachers: The Special Education Director, District Special Education Coordinators, Program Specialists and school-level IEP Facilitators will provide

ongoing professional learning for special education policies and procedures regarding *Procedural Safeguards* throughout each school year. The Director of Special Education provides training to building-level administrators during monthly instructional leadership meetings.

New BCSS Special Education Teachers: New teachers to the Barrow County School System are trained in special education policies and procedures with regards to *Procedural Safeguards* through a new teacher training provided by the District Special Education Coordinators and Program Specialists during preplanning each school year. New teachers also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff throughout the school year. Additionally, new teachers are assigned a veteran mentor teacher in their school building to provide support and guidance regarding *procedural safeguards* throughout the school year. Building level IEP Facilitators work closely with new teachers and mentors to ensure clarity and support regarding the distribution, explanation, and implementation of *procedural safeguards*.

Evidence of Training: Professional learning will be documented through agendas, sign in sheets, and end of the year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and all originals are housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures: The Director of Special Education collaborates with all Barrow County School System Special Education Stakeholders to ensure *procedural safeguards* are followed. School-level IEP Facilitators, Program Specialists, and Special Education Coordinators hold meetings with teachers and each other to discuss and monitor compliance with the rules regarding the distribution, explanation, and implementation of *procedural safeguards*.

Technical Assistance: Teachers who require additional technical assistance with policies and procedures regarding *procedural safeguards* will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, District Special Education Coordinators, Program Specialists and/or designated school staff (e.g. assistant principals, special education IEP Facilitators, etc.). If teachers continue to have difficulty despite the technical assistance they receive, building-level administrators will be notified so they may determine next steps to ensure remediation and compliance.

[Surrogate Parent \(State Rule: 160-4-7-.11\)](#)

In order to provide every student eligible for public education with the protection of procedural due process, under circumstances where a student's parents or guardians are not known or are unavailable, or a student is a ward of the State, that student will be assigned a surrogate parent. ([Refer to Federal Regulations 300.519.](#))

Efforts to Locate Parents

Ward of the State

Children who are in the custody of the Department of Family and Children's Services (DFCS) and the Department of Juvenile Justice (DJJ) are considered "wards of the state" or in Georgia the term most often used "in state custody." Children in the custody of DJJ or DFCS that are residing in group homes, residential facilities, or emergency shelters may all qualify as wards of the state that need a surrogate parent. Children in the custody of DFCS who reside with a foster parent are also wards of the state; however, the foster parent can fit the definition of parent under the 2004 Individuals with Disabilities Educational Act (IDEA). Therefore, a foster parent can sign Consent to Evaluate and to Place in Special Education without getting a surrogate parent or requiring that the foster parent attend training prior to signing.

Best practices in Barrow County will be to offer special education training to foster parents before they are asked to sign a consent for evaluation, consent for placement or make educational decisions in an IEP meeting. However, the training will NOT be mandatory for the foster parents, but strongly encouraged. Barrow County also encourages the use of surrogates if the foster placement is projected to be a very short placement or if the foster parent has not had the child for a reasonable amount of time to make educational decisions without some guidance in special education terminology, etc.

For a child who is a ward of the State, a judge overseeing the child's case may appoint a surrogate parent.

If the child is a ward of the state, then the following question must be asked to determine if a surrogate is needed or not. If the child is in the custody of DFCS, then ask the person enrolling the child if the child resides with a foster parent. If the answer is YES, then the foster parent may sign the legal forms. If the answer is NO, then the school system will assign a surrogate parent to the case.

Homeless Youth

In the case of a child who is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living program and street outreach program may be appointed as temporary surrogate parents.

Appointment of Surrogate

LEA Determines Need

Barrow County School System Procedures for enrollment are specific and done through centralized enrollment procedures at the BOE County Office. Barrow County School System determines the need of assigning a surrogate at the time of enrollment into the school system.

The Special Education staff and social workers collaborate with DFACS to provide all children with support.

LEA maintains List

Barrow County School System maintains a list of surrogate parent appointments. The current list of trained surrogate parents can be obtained from the Special Education Office.

Criteria for Surrogate Parent Selection

The person who is selected to be a surrogate parent may not be an employee of the State Education Agency, Local Education Agency or any agency that is involved in the education of or care of the child; has no personal or professional interest that conflicts with the interest of the child s/he represents; and has knowledge and skills that ensure adequate representation of the child (attends a Surrogate Parent Training Session.)

Surrogate Parent Responsibilities

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, including the identification, evaluation, and placement of the student;
- ❖ follow confidentiality requirements of Georgia Rules and federal law;
- ❖ use discretion in the sharing of information;
- ❖ participate in developing the student's IEP;
- ❖ not be an employee of the "state, district or any other agency that is involved in the education or care of the child"
- ❖ 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.

Appointment of Surrogate

All children with disabilities are entitled to FAPE under state regulations and federal special education laws. Included in these laws is a mandate that the parents of children with disabilities have the opportunity to participate actively in the educational decision-making process. Unfortunately, some children with disabilities do not have parents who can fulfill this very important role, thus leaving their educational planning solely to representatives from their school district (LEA) or from other agencies. Federal law; the IDEA; and Georgia Rules, regulations, and minimum standards require that an individual must be appointed by the district as a surrogate parent to make decisions regarding the free appropriate public education of a child with a disability. Surrogate parent is needed when

- ❖ no parent (as defined by the IDEA) can be identified;

- ❖ the public agency, after reasonable efforts, cannot locate a parent;
- ❖ the child is a ward of the State; or
- ❖ the child is an unaccompanied, homeless youth as defined by the McKinney-Veto Homeless Assistance Act.

Professional Learning and Monitoring

Professional Learning

Existing BCSS Special Education Teachers: The Special Education Director and Special Education Administrators (Assistant Director, Coordinators, and Program Specialists) will provide ongoing professional learning for special education policies and procedures related to *Surrogate Parent* each school year. The Director of Special Education and Special Education Administrators provide up-to-date training and information regarding any updates to state rules at quarterly district/school-level department meetings. Special Education Administrators also provide additional professional learning to support best practices regarding state rules during regularly-scheduled, school-level special education meetings and trainings. Lastly, the Director of Special Education provides information and training as needed to building-level administrators at regular, district leadership meetings.

New BCSS Special Education Teachers: Teachers new to the Barrow County School System are trained in special education policies and procedures related to *Surrogate Parent* through a new teacher training provided by the District Special Education Administrative Team at the beginning of each school year. New teachers also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is delivered by other support staff such as the Parent Mentor or the GVRA Counselor. Additionally, new Special Education Teachers are assigned a veteran, mentor teacher in their school building to provide support and guidance regarding state rules throughout the school year. Program Specialists and IEP Facilitators also work closely with new teachers and mentors to ensure the mentoring process is effective and to give additional clarity and support regarding state rule policy and procedure.

Evidence of Training: Professional learning will be documented through agendas, sign-in sheets, and/or end-of-year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures: The Special Education Director or designee ensures all policy and procedures regarding state rules. IEPs are reviewed by a veteran teacher peer and then also reviewed by a Program Specialist or IEP Facilitator. Corrective feedback is given until the IEP is compliant with applicable state rules. Furthermore, the Assistant Director of Special Education

and the Special Education Elementary Coordinator also randomly inspects IEPs throughout the school year and provides feedback to the Program Specialists, IEP Facilitators and Special Education Teachers.

The Assistant Special Education Director, or designee, work closely with other Special Education Administrators and Principals when questions or concerns arise regarding surrogate parents in the Barrow County School System.

Continuous communication and collaboration between the Director of Special Education, the Assistant Special Education Director, Special Education Administrators and Special Education Teachers will take place to review and monitor compliance with state laws and other policies and procedures.

Technical Assistance: Special Education Teachers who require additional technical assistance with policies and procedures related to state law will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, the Assistant Director of Special Education or other designated Special Education Administrators in the Barrow County School System. If teachers continue to have difficulty despite the technical assistance they receive, the Special Education Director and/or building-level Administrators will be notified so they may determine next steps to ensure remediation and compliance.

[Dispute Resolution \(State Rule: 160-4-7-.12\)](#)

[GADOE Dispute Resolution Informational Website](#)

Complaint Process

An organization or individual, including an organization or individual from another state, may file a signed, written complaint regarding allegations of substance. The complaint shall include a statement that the Barrow County School System has violated requirements of the Individuals with Disabilities Education Act (IDEA) and the facts on which the statement is based, the signature and contact information for the complainant, and, if alleging violations with respect to a specific child, the name and address of the residence of the child, the name of the school the child is attending, in the case of a homeless child or youth, available contact information for the child and the name of the school the child is attending, a description of the nature of the problem, including facts relating to the problem, and a proposed resolution to the problem to the extent known and available to the party at the time the complaint is filed.

- (a) The complaint must allege a violation that occurred not more than one year prior to the date the complaint is received.

- (b) The party filing the complaint must forward a copy of the complaint to the local education agency at the same time the party files the complaint with the Georgia Department of Education (GaDOE).
- (c) The complaint shall be reviewed and investigated as necessary and appropriate action taken within 60 calendar days of its receipt by the Georgia Department of Education (GaDOE).
- (d) If a written complaint is received that is also the subject of an impartial due process hearing or contains multiple issues, some of which are a part of an impartial due process hearing, the portions of the complaint that are not a part of that hearing shall be resolved, following the me limits and procedures described in this rule. The portions of the complaint which are also the subject of an impartial due process hearing shall be set aside pending the conclusion of the hearing
- (e) If a written complaint is received which contains issues previously decided in an impartial due process hearing involving the same parties, the hearing decision is binding on that issue, and the complainant shall be so informed by the Georgia Department of Education (GaDOE). However, a complaint alleging the local education agency failure to implement an impartial due process hearing decision shall be resolved, following the time limit and procedures described in this rule.
- (f) Through activities of the Georgia Department of Education (GaDOE) and the local school system, the state complaint procedures will be widely disseminated to parents and other interested individuals, including parent training and information centers, protection and advocacy agencies, independent living centers, and other appropriate entities.
- (g) The complaint procedure is as follows:
 1. Complaints from any organization or individual shall be signed and addressed in writing to: Director, Division for Special Education Services
Georgia Department of Education
1870 Twin Towers East Atlanta, Georgia 30334-5010
 2. The party filing the complaint must forward a copy of the complaint to the local education agency serving the child at the same time the party files the complaint with the State. The complaint should be forwarded to the Superintendent and/or Director of Special Education of the Barrow County School System.
 3. The complaint shall include a statement that the State or school system has violated a requirement of Part B of the Individuals with Disabilities Education Act (IDEA) and the facts on which the statement is based, the signature and contact information for the complainant, and, if alleging violations with respect to a specific child, the name and address of the residence of the child, the name of the school the child is attending, in the case of a homeless child or youth, available contact information for the child and the name of the school the child is attending, a description of the nature of the problem of the child, including facts relating to the problem, and a proposed resolution to the problem to the extent known and available to the party at the time the complaint is filed.
 4. The Divisions for Special Education Services and Supports shall address the issue with the school system in writing and request a response within 10 business days from the public agency directly involved.

(i) The Barrow County School System shall then respond directly in writing and shall describe any explanation and/or actions relevant to the allegations.

(ii) Copies of all correspondence shall be sent to the parties involved that include the complainant, the Georgia Department of Education on (GaDOE) and the school system. In some cases, where the parent of the child is not the complainant, the parent shall also receive copies of all correspondence and the complainant may only receive copies of information that include personally identifiable information if the parent has provided consent to release such information.

5. The parent who files the complaint and the school system shall have the opportunity to voluntarily engage in mediation to resolve the issues within the complaint.
6. Upon receipt of the first state complaint from a parent in a school year, the school system involved shall provide the parent with a copy of procedural safeguards available to the parents of a child with a disability.
7. The Divisions for Special Education Supports and Services shall review the school system's response and a decision may then be made that no further action is required. If, however, the issue is not fully resolved, complaint investigators from the Division for Special Education Supports and Services shall be assigned to carry out an independent investigation, including an onsite visit, if necessary, to clarify the issue.
8. The on-site complaint team shall gather information to determine whether there has been a violation of state rules and/or Part B of the Individuals with Disabilities Education Act (IDEA). The on-site review may include examination of records, interviews and classroom visits.
9. The Division for Special Education Supports and Services shall give the complainant the opportunity to submit additional information, either orally or in writing, regarding the allegations in the complaint.
10. The Division for Special Education Supports and Services shall review all relevant information and make an independent determination as to whether the school system is violating a requirement of Part B of the Individuals with Disabilities Education Act (IDEA).
11. The Division for Special Education Supports and Services shall issue a written decision to the school system and the complainant that addresses each allegation in the complaint and includes findings of fact and conclusions and the reasons for the final decision.

(i) The Division for Special Education Supports and Services shall include in the decision the steps necessary to resolve the complaint, including technical assistance activities, negotiations, and corrective actions to achieve compliance . This letter of notification shall include specific requirements and timelines that shall be met in order to continue to receive IDEA federal funds or state special education funds.

(ii) If the complaint findings indicate a failure to provide appropriate services, the complaint resolution process will address how the school system is to remediate the denial of those services, including, as appropriate, the awarding of monetary reimbursement or other corrective action appropriate to the needs of the child and to the future provision of services for all students with disabilities.

(iii) The Georgia Department of Education (GaDOE) must not make any final determination that the school system is not eligible for assistance under part B of the Act without first giving the school system reasonable notice and an opportunity for a hearing.

- h) Complaints that the school system has failed to meet the requirements regarding children who are parentally-placed in private schools must be filed under the complaint procedures outlined above. Complaints regarding Child Find are to be filed with the school system in which the private school is located and a copy forwarded to the Georgia Department of Education (GaDOE).

Mediation Process

The Barrow County School System ensures that procedures are established and implemented to allow parties to disputes involving any matter relating to the identification, evaluation, educational placement, or the provision of a free appropriate public education (FAPE) to resolve such disputes through a mediation process.

- (a) The mediation process shall be available on request of either party to resolve disputes.
- (b) Mediation shall be available and offered upon each receipt of a complaint or a due process hearing request
- (c) The procedures shall ensure that the mediation process:
 - 1. Is voluntary on the part of the parties
 - 2. Is not used to deny or delay a parent's right to a hearing on the parent's due process complaint, or to deny any other rights afforded under Part B of IDEA; and
 - 3. Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.
- (d) The school system may establish procedures to offer to parents and schools that choose not to use the mediation process, an opportunity to meet at a time and location convenient to the parents with a disinterested party who is under contract with an appropriate alternative dispute resolution entity, a parent training and information center or a community parent resource center in the State who would explain the benefits of and encourage the use of the mediation process to the parents.
- (e) The Georgia Department of Education shall maintain a list of individuals who are qualified mediators and knowledgeable in laws and regulations relating to the provision of special education and related services. Mediators shall be selected on a random, rotational or other impartial basis.
 - 1. An individual who serves as a mediator may not be an employee of the Georgia Department of Education or the school system that is involved in the education or care of the child; and

2. Mediators must not have a personal or professional interest that conflicts with the person's objectivity.
3. A person who otherwise qualifies as a mediator is not an employee of the school system, or a State agency solely because he or she is paid by the Georgia Department of Education to serve as a mediator.
 - i. The State shall bear the cost of the mediation process
 - ii. Each session in the mediation process shall be scheduled in a timely manner and shall be held in a location that is convenient to the parties to the dispute.
 - iii. If the parties resolve a dispute through the mediation process, they shall execute a legally binding agreement that sets forth the resolution and states that:
4. Discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings; and
5. Is signed by both the parent and a representative of the school system with the authority to bind the school system
6. The written signed mediation agreement is enforceable in any state court of competent jurisdiction, in a district court of the United States or through the State Complaint Process.

Impartial Due Process Hearings

The impartial due process hearing is designed to provide a parent or school system an avenue for resolving differences with regard to the identification, evaluation, placement or provision of a free and appropriate public education (FAPE) to a child with a disability.

- (a) The due process hearing request must allege a violation that occurred not more than two years before the date the parent or school system knew or should have known about the alleged action that forms the basis of the due process hearing request.
 1. The timeline does not apply to a parent if the parent was prevented from filing a due process complaint due to specific misrepresentations by the school district that it had resolved the problem forming the basis of the complaint; or
 2. The school district's withholding of information from the parent that was required to be provided to the parent.
- (b) 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 such costs to the prevailing party
- (c) The school system must inform the parents of low-cost or no cost legal and other relevant services available if the parent requests the information or whenever a due process request is received by the school system.
- (d) Due Process Request Procedures are as follows:
 1. The party filing a due process hearing request must provide a copy to the other party and the state. When the party filing a due process hearing request is not the school system, the party must provide a copy to the Superintendent of Barrow County School System at the same time it provides it to the State.
 1. Either party, or the attorney representing either party, may file the due process hearing request.

2. The state and the parties shall keep the content of the due process request confidential.
3. The content of the complaint must include:
 - i. The name of the child;
 - ii. The address of the residence of the child;
 - iii. The name of the school and the school system the child is attending
 - iv. For a homeless child, the contact information for the child and the name of the school and school system the child is attending;
 - v. A description of the nature of the problem of the child relating to the proposed or refused initiation or change in the identification, evaluation, placement or provision of a free appropriate public education (FAPE) including the facts relating to the problem;
 - vi. A proposed resolution to the problem to the extent known and available to the party at the time.
4. A hearing may not occur until the party or the attorney representing the party files a request that meets the requirements stated above.
5. The request for the due process hearing must be deemed sufficient unless the receiving party notifies the hearing officer and the other party in writing, within 15 days of receipt of the due process request that the receiving party does not believe the request meets the requirements above.
 - i. Within five days of receipt of notification of alleged insufficiency, the administrative law judge or hearing officer must make a determination on the face of the due process request of whether it meets the requirements and must immediately notify the parties in writing of that determination.
7. A party may amend its due process request only if:
 - i. The other party consents in writing to the amendment and is given the opportunity to resolve the due process request through mediation or a resolution meeting; or
 - ii. The administrative law judge or hearing officer grants permission not later than five days prior to the beginning of the hearing
 - iii. If an amended due process hearing request is appropriately filed, the timelines for the resolution meeting and the resolution period begin again.
8. The school system's response to a due process hearing request:
 - i. If the school system has not sent prior written notice regarding the subject matter of the due process hearing request to the parent, the school system must within ten days of receiving the due process hearing request, send to the parent a response that includes:
 - An explanation of why the school system proposed or refused to take action;

- a description of other options that the IEP team considered and the reasons why these options were rejected;
- a description of each evaluation procedure, assessment, record, or report the school system used as the basis for the proposed or refused action; a description of the other factors that are relevant to the school system's proposed or refused action.

9. The school system's response does not preclude the system from asserting that the parent's due process request is insufficient.

10. Unless responded to as above, any party receiving a due process hearing request must send to the other party within ten days a response that specifically addresses the issues raised in the due process hearing request.

(e) **Resolution process** : Within 15 days of receiving a parent's due process hearing request and prior to the initiation of a due process hearing, the school system must convene a meeting with the parent and relevant members of the IEP Team who have knowledge of the facts identified in the due process request that:

1. Includes a representative of the school system who has decision-making authority on behalf of the school system; and
2. May not include an attorney for the school system unless the parent is accompanied by an attorney.
3. The parent and the school system determine the relevant members of the IEP Team to attend the meeting.
4. The purpose of the meeting is for the parent of the child to discuss the due process hearing request, and the facts that form the basis of the request, so that the school system has the opportunity to resolve the dispute that is the basis of the request for a due process hearing.
5. The resolution meeting need not be held if the parent and the school system agree in writing to waive the meeting; or the parent and the school system agree to use mediation to attempt to resolve the due process hearing request.

(f) **The resolution period**: If the school system has not resolved the due process hearing request to the satisfaction of the parent within 30 days of the receipt of the due process complaint, the due process hearing may occur.

1. The failure or refusal of the parent to participate in the resolution meeting shall delay the timelines for the resolution process and the due process hearing until the meeting is held, unless the parties have agreed to waive the resolution meeting or to participate in mediation.
2. If the school system is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been made (and documented using the procedures in the State Board of Education on rule, the school system may at the conclusion of the 30-day resolution period, request that an administrative law judge or hearing officer dismiss the parent's due process hearing request.
3. If the school system fails to hold the resolution meeting within 15 days of receiving notice of a parent's due process hearing request or fails to participate in the resolution meeting, the parent may seek the

intervention of an administrative law judge or hearing officer to begin the due process hearing timeline.

(g) The timeline for issuing a decision in a due process hearing begins at the expiration of the 30-day resolution period, unless an adjustment to the 30-day resolution period is necessary.

1. The 45-day timeline for the due process hearing starts the day after the administrative law judge or hearing officer has been informed of one of the following events:

- i. Both parties agree in writing to waive the resolution meeting;
- ii. After either the mediation or resolution meeting starts but before the end of the 30-day period, the parties agree in writing that no agreement is possible;
- iii. If both parties agree in writing to continue the mediation at the end of the resolution period, but later, the parent or school system withdraws from mediation.

(h) If a resolution to the dispute is reached at the resolution meeting, the parties must execute a legally binding agreement that is signed by both the parent and a representative of the school system who has the authority to bind the school system.

1. The agreement is enforceable in any State court of competent jurisdiction or in a district court of the United States, or through the State Complaint Process.
2. If the parties execute an agreement, a party may void the agreement within three business days of the agreement's execution. The impartial administrative law judge or hearing officer. At a minimum, an administrative law judge or hearing officer:
 - Must not be an employee of the Georgia Department of Education or the school system that is involved in the education or care of the child;
 - A person who otherwise qualifies to conduct a hearing is not an employee of the Georgia Department of Education or its representatives solely because he or she is paid by Georgia Department of Education to serve as an administrative law judge or hearing officer.
 - Must not be a person having a personal or professional interest that conflicts with the person's objectivity in the hearing
 - Must not be previously familiar with the student or the parents/guardian/surrogate unless through previous administrative procedures;
 - Must not be previously personally familiar with the specific program or services of the school system at issue in the hearing. Information arising solely from previous due process hearings shall not impair an administrative law judge's impartiality, but information or personal knowledge from other sources about the specific school system or family, including the education or employment of the administrative

law judge's family shall impair that particular individual's impartiality in the particular case;

- When any factor or event may impair or appear to impair the impartiality of the administrative law judge, such factors shall be timely disclosed to all parties.
- Must possess knowledge of, and the ability to understand, the provisions of the IDEA, Federal and State regulations pertaining to the IDEA, and legal interpretations of the IDEA by Federal and State courts;
- Must possess the knowledge and ability to conduct hearings in accordance with appropriate, standard legal practice; and
- Must possess the knowledge and ability to render and write decisions in accordance with appropriate, standard legal practice.
- The Georgia Department of Education or its representatives must keep a list of the persons who serve as administrative law judges or hearing officers. The list must include a statement of the qualifications of each of those persons.

(i) Subject matter of due process hearings. The party requesting the due process hearing may not raise issues at the due process hearing that were not raised in the due process hearing request, unless the other party agrees otherwise.

(j) Timeline for requesting a hearing. A parent or agency must request an impartial hearing on their due process hearing request within two years of the date the parent or agency knew or should have known about the alleged action that forms the basis of the due process request.

1. **Exceptions to the timeline.** The timeline does not apply to a parent if the parent was prevented from filing a due process hearing request due to specific misrepresentations by the school system that it had resolved the problem forming the basis of the due process hearing request; or the school system's withholding of information from the parent that was required to be provided to the parent.

Any party to a due process hearing has the right to:

- Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;
- Present evidence and confront, cross-examine, and compel the attendance of witnesses;
- Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five business days before the hearing;
- Obtain a written, or, at the option of the parents, electronic, verbatim record of the hearing;
- Obtain written, or, at the option of the parents, electronic findings of fact and decisions.
- Disclosure by each party to the other party at least five business days prior to a hearing all evaluations completed by that date and

recommendations based on the offering party's evaluations that the party intends to use at the hearing.

- An administrative law judge or hearing officer may bar any party that fails to comply with this disclosure rule from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.
 - 2. The calculation of business days under this section for the purposes of disclosure shall be calculated in accordance with the Georgia Civil Practice Act.
 - 3. Obtain a list of all potential witnesses at least five business days before the hearing. If the witness list, due to its length or other factors, does not reasonably disclose the potential witnesses in the hearing, any party or the administrative law judge on his/her own motion may require a party to amend his/her witness list to include only the names of such persons who may actually testify and the general thrust of their testimony.
- (m) The parties may agree to settle the matters in dispute at any time whereupon the ALJ, upon written request, shall enter an order dismissing the matter.
- 1. A party may file a motion for voluntary dismissal at any time, up until five days before the scheduled date of the hearing. No motion for voluntary dismissal shall be considered if filed after that time.
 - 2. Any motion for voluntary dismissal filed pursuant to this subsection shall include a statement of the reason(s) for requesting dismissal.
 - 3. Within five (5) days after service of the motion for voluntary dismissal pursuant to this subsection, the opposing party may file a response to the motion for voluntary dismissal.
 - 4. If the ALJ determines that the motion has been made for good cause, the case shall be dismissed without prejudice and the party shall be authorized to re-file the complaint within the time authorized under the applicable statute(s) of limitations.
 - 5. If the ALJ determines that there is a lack of good cause, and the party fails to appear at any scheduled hearing or to otherwise prosecute their case, the party's claims will be deemed abandoned and dismissed with prejudice.
- (n) The party seeking relief shall bear the burden of persuasion with the evidence at the administrative hearing. The administrative law judge or hearing officer shall retain the discretion to modify and apply this general principle to conform to the requirements of law and justice in individual cases under unique or unusual circumstances as determined by the administrative law judge or hearing officer.
- (o) Parents involved in hearings must be given the right to:
- 1. Have the child who is the subject of the hearing present;
 - 2. Open the hearing to the public; and
 - 3. Have the record of the hearing and the findings of fact and decisions provided at no cost to parents.
- (p) An administrative law judge or hearing officer's determination of whether a child received FAPE must be based on substantive grounds. In matters alleging a procedural violation, an administrative law judge or hearing officer may find that a child did not receive a free and appropriate public education (FAPE) only if the procedural inadequacies:
- i. Impeded the child's right to a free and appropriate public education

- ii. Significantly impeded the parent's opportunity to participate in the decision-making process regarding the provision of a free and appropriate public education to the parent's child; or
 - iii. Caused a deprivation of educational benefit.
nothing in this paragraph shall be construed to preclude an administrative law judge or hearing officer from ordering the school system to comply with procedural requirements,
- (q) Nothing in this Rule shall be construed to preclude a parent from filing a separate due process hearing request on an issue separate from a due process hearing request already filed.
- (r) The Georgia Department of Education, after deleting any personally identifiable information, must transmit the findings and decisions to the State advisory panel and make those findings and decisions available to the public.
- (s) A decision made in a due process hearing is final, except that any party involved in the hearing may appeal the decision under the provisions in paragraph(s) below.
- (t) The Georgia Department of Education must ensure that not later than 45 days after the expiration of the 30-day resolution period or the adjusted resolution time periods that:
1. A final decision is reached in the hearing; and
 2. A copy of the decision is mailed to each of the parties.
 3. An administrative law judge or hearing officer may grant specific extensions of time beyond the periods set out in this rule at the request of either party. The hearing officer or administrative law judge must notify the parties in its written order granting the extension of the new date by which the decision shall be provided
 4. Each hearing must be conducted at a time and place that is reasonably convenient to the parents and child involved
- (u) **Civil Action** Any party aggrieved by the findings and decision made by an administrative law judge or hearing officer has the right to bring a civil action with respect to the due process hearing request notice requesting a due process hearing. The action may be brought in any State court of competent jurisdiction or in a district court of the United States without regard to the amount in controversy.
1. The party bringing the action shall have 90 days from the date of the decision of the administrative law judge or hearing officer to file a civil action.
 2. In any civil action, the court:
 - i. Receives the records of the administrative proceedings directly from the administrative law judge or hearing officer;
 - ii. Hears additional evidence at the request of a party; and
 - iii. Basing its decision on the preponderance of the evidence, grants the relief that the court determines to be appropriate.
 - iv. The district courts of the United States have jurisdiction of actions brought under section 615 of the IDEA without regard to the amount in controversy.
- (v) **Rule of Construction** Nothing in this part restricts or limits the rights, procedures, and remedies available under the Constitution, the Americans with Disabilities Act of 1990, Title V of the Rehabilitation Act of 1973, or other Federal laws protecting the rights of children with disabilities, except that before the filing of a civil action under these laws seeking relief that is also available under section 615 of the IDEA, the procedures under IDEA must be exhausted to the same extent as would be required had the action been brought under the IDEA

- (w) **Attorneys' Fees** In any action or proceeding brought under the due process hearing provisions of the IDEA, the court, in its discretion, may award reasonable attorneys' fees as part of the costs to the prevailing party who is the parent of a child with a disability; or
- (x) To a prevailing party who is the Georgia Department of Education or the school system against the attorney of a parent who files a complaint or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of a parent who continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation; or
- (y) To a prevailing Georgia Department of Education or school system against the attorney of a parent, or against the parent, if the parent's request for a due process hearing or subsequent cause of action was presented for any improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation.
- (z) **Funds under Part B of the IDEA** may not be used to pay attorneys' fees or costs of a party related to any action or proceeding under the due process hearing provisions of the IDEA. This does not preclude a public agency from using funds under Part B of the IDEA for conducting an action or proceeding under section 615 of the IDEA.
- (aa) If a court awards reasonable attorneys' fees, they must be based on rates prevailing in the community in which the action or proceeding arose for the kind and quality of services furnished. No bonus or multiplier may be used in calculating the fees awarded under this paragraph.
- (bb) Attorneys' fees may not be awarded and related costs may not be reimbursed in any action or proceeding under the due process hearing provisions of IDEA for services performed subsequent to the time of a written offer of settlement to a parent if:
1. The offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedure or, in the case of an administrative proceeding, at any time more than 10 days before the proceeding begins;
 2. The offer is not accepted within 10 days; and
 3. The court or administrative hearing officer finds that the relief finally obtained by the parents is not more favorable to the parents than the offer of settlement.
-An award of attorney's fees and related costs may be made to a parent who is the prevailing party and who was substantially justified in rejecting the settlement offer.
- (dd) Attorneys' fees may not be awarded relating to any meeting of the IEP Team unless the meeting is convened as a result of an administrative proceeding or judicial action, or at the discretion of the State, for mediation.
- (ee) A meeting conducted pursuant to the resolution process shall not be considered a meeting convened as a result of an administrative hearing or judicial action, or an administrative hearing or judicial action, for purposes of this section
- (ff) The court may reduce the amount of the attorneys' fees awarded, if the court finds that:
1. The parent, or the parent's attorney, during the course of the action or proceeding, unreasonably protracted the final resolution of the controversy;
 2. The amount of attorney's fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience;

3. The time spent and legal services furnished were excessive considering the nature of the action or proceeding; or The attorney representing the parent did not provide to the local education agency the appropriate information in the due process hearing request notice
 4. The attorney representing the parent did not provide to the LEA the appropriate information in the due process hearing request notice.
- (gg) The provisions of paragraph (dd) of this section do not apply if the court finds that the State or local education agency unreasonably protracted the final resolution of the action or proceeding or there was a violation of [section 615 of IDEA](#).
- (hh) **Child's Status during Proceedings:** Except as noted in the [State Board of Education Rule 160-4-7-.10 Discipline](#), during the pendency of any administrative or judicial proceeding regarding a due process complaint notice requesting a due process hearing, unless the State or school system and the parents of the child agree otherwise, the child involved in the complaint must remain in his or her current educational placement.
- (ii) If the due process hearing request involves an application for initial admission to public school, the child, with the consent of the parents, must be placed in the public school until the completion of all the proceedings.
- (jj) If the due process hearing request involves an application for initial services under this part from a child who is transitioning from Part C (Babies Can't Wait) to Part B and is no longer eligible for Part C services because the child has turned three, the school system is not required to provide the Part C services that the child had been receiving. If the child is found eligible for special education and related services under Part B and the parent consents to the initial provision of special education and related services, the school system must provide those special education and related services that are not in dispute between the parent and the school system.
- (kk) If the administrative law judge or hearing officer in a due process hearing conducted by the State agrees with the child's parents that a change of placement is appropriate, that placement must be treated as an agreement between the school system and the parents.

[\(From the Georgia Department of Education Website\)](#)

*Parents are encouraged to contact their child's teacher and, if necessary, building level administrators when a concern arises. If concerns cannot be satisfactorily addressed at the school level, parents should contact the district's special education coordinator for that school or the district's special education director. When a resolution cannot be worked out locally, there are processes guaranteed to families of 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.

A *formal complaint* is a written signed complaint alleging the violation of the Individuals with Disabilities Education Act (IDEA) procedures. Any organization or individual may file a signed written complaint. The complaint must include:

- A statement that a public agency has violated a requirement of the IDEA; and the facts on which the statement is based.
- In addition, suggested resolutions to the problem are requested
- The violation must have occurred within one calendar year of receipt of the complaint.

The rule for formal complaints can be found in the State Education Rules at [160-4-7-.12 Dispute Resolution](#).

In addition to filing a complaint with the GaDOE, the party filing the complaint must forward a copy of the complaint to the district serving the child. The party filing the complaint will address the complaint with the district in writing and will request a response from the district within 10 business days. The parent who filed the complaint will have an opportunity to engage voluntarily in media on with the district to resolve the dispute.

When the parent and systems disagree about the education of a student with a disability, either of them may request *mediation*. The GaDOE has a set of mediators under contract. When mediation is requested, a mediator will be assigned from that list.

When the parent and the system disagree over the identification, evaluation, placement or provision of FAPE, either party may request a *due process hearing*. An impartial due process hearing is designed to provide an opportunity to resolve differences between concerned parties in the identification, evaluation, placement or provision of a free and appropriate public education for a student with a disability. A hearing may be requested by either the school system or the family when the parties cannot agree and other means of dispute resolution have not been successful. A due process hearing must be conducted and the decision issued within 45 days of the request for a hearing. Extensions may only be allowed when both parties agree and the extension does not violate the rights of the student.

When a request for a due process hearing is made, the parties will be asked if they would consider participating in either an Early Resolution Session or mediation prior to the hearing.

Due process hearings are conducted by the Office of State Administrative Hearings (OSAH). Once a request is received by OSAH, an administrative law judge (ALJ) will be assigned to conduct the due process hearing. That ALJ will contact both parties and begin to set up the arrangements for the impartial due process hearing.

The rule for formal complaints can be found in the State Education Rules at [160-4-7-.12 Dispute Resolution](#).

Professional Learning and Monitoring:

Professional Learning

Existing BCSS Special Education Teachers The Special Education Director, District Special Education Coordinators, Program Specialists and school-level IEP Facilitators will provide ongoing professional learning for special education policies and procedures regarding *dispute resolution* throughout each school year. The Director of Special Education provides training to building-level administrators during monthly instructional leadership meetings.

New BCSS Special Education Teachers Teachers new to the Barrow County School System are trained in special education policies and procedures through a new teacher training provided by the District Special Education Coordinators and Program Specialists at the beginning of each school year. They also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff. Additionally, new teaches

are assigned veteran mentor teacher in their school building to provide support and guidance regarding *dispute resolution* throughout the school year. IEP Facilitators also work closely with new teachers and mentors to ensure the process is working and to give additional clarity and support regarding *dispute resolution* policy and procedure.

Evidence of Training Professional learning will be documented through agendas, sign in sheets, and end of year policy and procedure checklists. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office.

Supervision and Monitoring

Monitoring Procedures: The Director of Special Education is involved in all *dispute resolution* cases. Data is reviewed on cases yearly to determine what actions need to be taken to decrease disputes between the Barrow County School System and parents. If concerns arise, the Special Education Director will meet with the district leadership team and/or school-level administrators to monitor teacher compliance regarding *dispute resolution*.

Technical Assistance: Teachers who require additional technical assistance with policies and procedures regarding *dispute resolution* will be provided technical assistance and support through trainings, one to one conferences, webinars, and/or professional learning plans from the Director of Special Education, District Special Education Coordinators, Program Specialists and/or designated school staff (e.g. assistant principals, special education IEP Facilitators, etc.). If teachers continue to have difficulty despite the technical assistance they receive, building-level administrators will be notified so they may determine next steps to ensure remediation and compliance.

Area of General Supervision V: College and Career Readiness

State House Bill 400- Bridge Law

The BRIDGE (Building Resourceful Individuals to Develop Georgia's Economy) Act, [House Bill 400](#), was signed into law in May of 2010 to create an atmosphere which motivates middle and high school students to learn because they see the relevance of education to their dreams and plans. The implementation of the BRIDGE Act provides middle and high school students with opportunities for career counseling and regularly-scheduled advisement to guide them in choosing a focused plan of study.

The most critical parts of the BRIDGE Act mandate all students in middle and high school receive counseling and regularly-scheduled advisement. It is also mandated that students choose a career area, create an Individual Graduation Plan (IGP), and graduate from high school prepared to go to college or to enter the workforce. The new rigorous performance standards and graduation requirements found in

Georgia secondary schools prepare our students and ensure they are prepared to move on successfully from one phase of their educational life to the next, and eventually to become a productive citizen of Georgia's workforce. The BRIDGE Act, when coupled with Georgia's economic and workforce development model, creates qualified workers to attract strong, stable companies and industries.

Barrow County School System sixth, seventh and eighth grade students receive:

- ❖ Counseling: Middle School students use an electronic career profiler to create electronic portfolios beginning in the sixth grade. This process assists students in focusing their career interests. BCSS students also have the opportunity to receive additional career counseling through appointments with their school counselor or caseload teacher. A variety of activities are implemented annually to build each student's electronic portfolio.
- ❖ Regularly-scheduled advisement: Students have advisement through the Teachers as Advisors Program monthly.
- ❖ Career awareness: Career awareness is developed and narrowed over time through a variety of interest inventories and eventually an aptitude test in the eighth grade.
- ❖ Career interest inventories: Career interest inventories are provided through an electronic career profiler with the purpose of helping students identify careers that match their areas of interest and strength.
- ❖ Information to assist students in evaluating their academic skills and career interests: In the eighth grade, students will take an aptitude test. This information is used to help them make informed decisions while selecting courses for their ninth-grade year.

More specifically, the Barrow County School System provides unique and developmentally appropriate career development and awareness activities for all students. With the assistance of counselors and CTAE teachers, middle school students are provided with lessons each year pertaining to their career interests and aptitudes. Sixth grade students create electronic portfolios and complete at least one career interest inventory, the results of this inventory are saved within their electronic portfolio. Students will continue to use their electronic portfolios throughout middle and high school. Based on the results from the sixth grade inventory, seventh grade students save three career clusters in their electronic portfolios and complete an additional career interest inventory. Eighth grade students finish a career aptitude inventory and are informed about various educational opportunities they will find at the high school, including Dual Enrollment. Eighth grade students will use the results from all inventories and aptitude tests to register for ninth grade classes and complete their individual graduation plan.

Individual Graduation Plan for 8th grade students

The BRIDGE Act requires that all 8th grade students, during the 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 through Georgia's multiple College Credit Now programs.

Students are allowed changes to their IGP, but need to keep it sufficiently structured to meet graduation requirements and to qualify for admission to postsecondary education. It is advisable that any changes to the plan be based on career data gathered from career interest inventories.

These changes can be made during the ongoing review of the IGP throughout high school. During the IGP review, courses completed, schedules, career pathway, postsecondary plans, and related topics can be reviewed and revised, if appropriate, upon approval by the students and the student's parent or guardian with guidance from the student's school counselor or teacher advisor.

Barrow County School System High School students receive:

- ❖ *Career Counseling:* An electronic career profiler is used to assist BCSS high school students identify their strengths and potential career interests. Students take the assessment over a three-day period. Once the assessment is complete, students are guided through the platform so they understand how to interpret the results. BCSS students also have the opportunity to receive additional career counseling through appointments with their individual school counselor as well as at their junior meetings.
- ❖ *Career Guidance :* Students receive career guidance through BRIDGE Law lessons given during advisement, during the electronic career profiler walkthroughs, as well as at individual and junior meetings with their caseload advisor and/or school counselor.
- ❖ *Regularly-Scheduled Career Advisement:* At least one time a month, students receive regularly-scheduled career advisement with their caseload advisor through the BRIDGE Law lessons and career-related lessons provided by school counselors.
- ❖ *Information to enable students to successfully complete their individual graduation plans (IGP):* Students meet with their caseload advisor regularly to review progress toward their IGPs. Each caseload advisor has a high school planning form for their student, which maps out graduation requirements. The caseload advisor, school counselor and student use this document to track progress toward completing their IGP.

For high school students, School Counselors and Advisors ensure that ninth graders explore at least three careers/occupations, annually review and revise their IGP, and notify students of Georgia Dual Enrollment program information. School Counselors and Advisors ensure that tenth graders complete a career interest and aptitude inventory, annually review and revise their IGP, and again notify students of Georgia Dual Enrollment program information. School Counselors and Advisors ensure that eleventh graders save three possible choices of postsecondary options in their career profile, annually review and revise their IGP, research at least one additional state or local workforce development initiative, and notify students of Georgia Dual Enrollment program information once more. School Counselors and Advisors ensure that twelfth grade students complete "Next Step" information that is saved to their career electronic portfolio.

Professional Learning and Monitoring:

Professional Learning

Existing BCSS Special Education Teachers School counselors will provide BRIDGE Law training during Professional Learning breakout sessions to all teachers in the fall regarding BRIDGE Law requirements and will provide ongoing professional learning for policies, procedures and programs supporting Bridge Law

throughout the school year. Special Education Teachers will also be trained on how to access BRIGE Law materials so they may be used during the IEP process.

New BCSS Special Education Teachers Teachers new to the Barrow County School System are trained in special education policies and procedures through a new teacher training provided by the District Special Education Coordinators and Program Specialists at the beginning of each school year. They also participate in ongoing professional learning that is provided for existing teachers, as described above, as well as professional learning that is provided by administration and other support staff. Additionally, new Special Education Teachers are assigned a veteran, mentor teacher in their school building to provide support and guidance regarding BRIGE Law throughout the school year. IEP Facilitators will also work closely with new teachers and mentors to ensure the process is effective and to give additional clarity and support regarding *Bridge Law* policy and procedures.

Evidence of Training Professional learning will be documented through Professional Learning breakout session agendas and sign-in sheets. This documentation will be stored electronically on the Google Drive and originals will be housed in the Special Education Administrative Assistant's office as well as the Director of Learning Supports' office.

Supervision and Monitoring

Monitoring Procedures: School Counselors will receive information from the state department regarding BRIDGE Law training requirements. The Director of Learning Supports will communicate the expectation that School Counselors provide this training to teachers in their building and collect the sign-in sheets. The Director of Learning Supports will also monitor SLDS to ensure that schools are implementing the BRIDGE Law lessons to students in their building.

If concerns arise, District Special Education Coordinators and/or Special Education Program Specialists will meet with the Lead School Counselor and teacher(s) at individual schools to problem-solve. If difficulties are not resolved, the Director of Special Education, Director of Learning Supports, the District Leadership Team and/or school-level administration will decide what further action must be taken. Transition Plan portions of Individualized Education Plans (IEPs) will be monitored by IEP Facilitators, Program Specialists and District Coordinators by way of intermittent IEP meeting attendance, as well as random inspections of IEPs and transition plans.

Continuous communication and collaboration between the Director of Special Education, the Director of Learning Supports and other special education administrators will take place to review and monitor compliance with BRIDGE Law mandates.

Technical Assistance: Teachers who require additional technical assistance with policies and procedures related to the BRIDGE Law will be provided with technical assistance and support through trainings, one-to-one conferences, webinars, and/or professional learning plans from the Director of Special Education, District Special Education Coordinators, Program Specialists and/or designated school staff (e.g., RTI Coordinator, Assistant Principals, Special Education IEP Facilitators, etc.). If teachers continue to have difficulty despite the technical assistance they

receive, building-level administrators will be notified so they may determine next steps to ensure remediation and compliance.

BCSS Special Education Implementation Manual Glossary

Accommodation: A change in instruction or setting that enables students to demonstrate their abilities in the classroom or an assessment/test setting. Accommodations are designed to provide equity, not advantage, for students with disabilities. Accommodations include assistive technology as well as alterations to presentation, response, scheduling, or settings. When used appropriately, they reduce or even eliminate the effects of a student’s disability but do not reduce or lower the standards or expectations for content. Accommodations that are allowed and appropriate for assessments do not invalidate assessment results.

Adapted Physical Education (AdPE): AdPE is physical education that has been modified so that students with disabilities who are unable to participate in regular PE can participate in a modified or adapted PE.

Applied Behavior Analysis (ABA): ABA is a scientifically designed teaching method that utilizes rewards to teach specific behaviors and skills and reduce unwanted behaviors.

Asperger's Syndrome (AS): A neurological disorder which is noted as a mild form of Autism Spectrum Disorder that is characterized by differences in responses to sensory stimuli, impaired language or communication, and persistent difficulty in understanding social situations. Although individuals with AS usually have average or above average intelligence, they may also have learning disabilities in specific areas and difficulties in turn taking or perspective taking.

Assistive Technology (AT): The systematic application of technology, engineering methodologies, or scientific principles to meet the needs of, and address the barriers confronted by persons with developmental disabilities in areas including education, employment, supported employment, transportation, independent living, and other community living arrangements.

Attention Deficit Hyperactivity Disorder (ADHD): A condition in which a child exhibits signs of developmentally inappropriate hyperactivity, impulsivity, and inattention. These characteristics are usually present before the age of 7. ADHD is similar to "Attention Deficit Disorder" except emphasis is placed on the hyperactivity. The appropriate terms are ADHD-predominately inattentive type or ADHD- predominately hyperactivity type. There is no longer an ADD diagnosis.

Autism (AU): A developmental disability caused by a physical disorder of the brain appearing during the first three years of life. Symptoms include disturbances in physical, social and language skills; lack of eye contact; abnormal responses to sensations; and abnormal ways of relating to people, objects and events; unusually high or low activity levels; insistence that the environment and routine remain unchanged; little imaginative play, and repetitive movements such as rocking and spinning, head banging, and hand twisting.

Autism Spectrum Disorders (ASD): Students with ASD exhibit evidence of delay, arrests or inconsistencies in developmental rates and sequences in motor, sensory, social cognitive or communication skills. Difficulties may also exist in social interaction and participation, and the use of verbal/nonverbal language, especially for social communication and lack of eye contact. Unconventional, unusual, or repetitive responses to sensory stimuli may also be evident. The student may display stress over changes and/or engagement in repetitive activities.

Behavior Intervention Plan (BIP): An individual plan for a student with disabilities exhibiting behavioral difficulties. The Behavior Intervention Plan is based upon the results of a Functional Behavioral Assessment and should have positive interventions, supports and other strategies to address challenging behaviors and enables the student to learn socially appropriate and responsible behavior in school.

Collaborative classes: The special education teacher collaborates with two teachers during the same class period to provide specialized instruction and implement the accommodations and modifications required in the students' Individual Educational Programs (IEPs) and Individual Learning Plans (ILPs). The special education teacher participates in each class an average of one-half the segment each day per week according to the needs of the students and class activities. The special education teacher incorporates the specialized instruction for each student with disabilities into the class lesson plans. The special education teacher collects data to modify instruction as needed and to monitor student progress on IEP goals and objectives.

Conduct Disorders: A diagnosis in the DSM-IV, conduct disorders that describe anti-social patterns of rule-violating behavior, often directed with the intent to harm others or property. Some authorities describe conduct disorders as failing to have an emotional basis and describe those who have conduct disorders as making a conscious choice to engage in the behaviors, thereby differentiating conduct disorders from emotional disturbances. Such behaviors may include overt physical aggressions, disruptiveness, negativism, irresponsibility, and defiance of authority.

Confidentiality: The process of keeping records for students with disabilities private and confidential. Parents and school district representatives with a "legitimate educational interest" are entitled to access a student's records. The school special education file should be maintained in a secure location and include all evaluations, eligibility reports, IEPs and other special education records. The Central Office Records Room maintains all original documents prepared on individual students. Confidentiality is also extended to certain mediation and settlement agreements and to the discussion in those meetings. Confidentiality also includes classroom observations and the names of other students in the classroom.

Continuum of Service: The range of placements required to be available, as appropriate, for the education of students with disabilities including regular classroom; regular classroom with direct service: consultative, co-teaching, or collaborative; small group classes; special classes within a school or center location; home based instruction; and instruction in a hospital or residential setting.

Consultative: Students with disabilities receive their instruction with accommodations or modifications as required in their IEPs from the General Education Teacher in a regular education class. Special Education provides direct support by consulting with the General Education Teacher and the student for a minimum of one segment per month.

Co-Teaching classes: An instructional delivery model in which the special education teacher collaborates with one general education teacher for the entire class period on a daily basis. The special education teacher and general education teacher share responsibility for planning, delivery, and assessment of the instruction for all students in the class. The special education teacher incorporates specialized instruction for each student with disabilities into the class lesson plan. The special education teacher delivers the specialized instruction according to

students IEPs and ILPs through flexible grouping with the general education teacher. The special education teacher collects data to modify instruction as needed to maximize student achievement and to monitor students' progress on IEP goals and objectives

Deaf/Hard of Hearing (D/HH): A category of disability describing a hearing loss sufficient to cause difficulty hearing and understanding language and so impacting educational access and learning. Students who are deaf/hard of hearing may require the services of the DHH teacher.

Due Process Hearing: A formal legal proceeding presided over by an impartial public official who listens to both sides of the dispute and renders a decision based upon the law. A parent of a student with a disability who disagrees with the school system must put his/her request for a due process hearing in writing to the office of Special Student Services.

Eligibility Team: The educational professionals who determine a student's eligibility for special education services, including a school psychologist, special educator, general educator, related support staff and parents. Other professionals may be included as needed.

Emotional and Behavior Disorder (EBD): A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree which disrupts the child's or adolescent's educational, academic, or developmental performance: An inability to learn which cannot be explained by intellectual, sensory, or health factors; an inability to build or maintain satisfactory interpersonal relationships with peers or teachers; a general pervasive mood of unhappiness or depression; or a tendency to develop physical symptoms or fears associated with personal or school problems.

Evaluation: The collection of information (includes testing, observations, and parental input) about a student's learning needs, strengths, and interests. The evaluation is part of the process of determining whether a student qualifies for special education programs and services.

Extended School Year Services (ESY): A term referring to the school program for students with disabilities that extends beyond the regular school year. An IEP committee reviews data which indicates progress on goals/objectives and determines if ESY services are required as part of the student's Free and Appropriate Public Education (FAPE). The intent of ESY is to prevent significant regression which compromises the student's ability to make meaningful progress on the IEP, therefore, not providing the student with FAPE. ESY is not provided to guarantee mastery of goals/objectives.

Free Appropriate Public Education (FAPE): A key requirement of federal legislation (IDEA) which requires that special education and related services be provided to all students with disabilities. The following requirements must be met: (a) Are provided at public expense, under public supervision and direction, and without charge; (b) Meet the standards of the state board of education and the laws pertaining thereto; (c) Include preschool, kindergarten, elementary school, and secondary school education; and (d) Are provided in conformity with an individualized educational program (IEP).

Full Time Equivalency (FTE): FTE reporting is the way Georgia’s local school districts earn their State funding for education. This process is based on the student enrollment and the specific educational services that are provided to students. Special education services earn higher funding “weights” than general education services to students. The special education teacher should be aware that both the students’ service information (entered in the Goalview data system) and their academic schedules directly impact the FTE counts and the State funding the district receives. The special education leadership staff coordinates the process with special education teachers to assure the accuracy of the FTE count in each school.

Functional Behavioral Assessment (FBA): An assessment to determine the function of a student’s disruptive behavior through an analysis of the antecedents and consequences surrounding the behavior. Specific functions of behavior could include escape (i.e., getting out of an assignment) or attention (either peer or adult). A Functional Behavioral Assessment is the initial step in the development of a Behavior Intervention Plan.

Georgia Alternate Assessment (GAA): A portfolio assessment designed by the GaDOE for students with significant cognitive disabilities under the Individuals with Disabilities Education Act (IDEA) whose IEP team has determined they are unable to reasonably participate in the regular assessment program. The purpose of the GAA is to ensure all students, including students with significant cognitive disabilities, are provided access to the state curriculum and given the opportunity to demonstrate progress toward achievement of the state standards.

Georgia Network for Educational and Therapeutic Support (GNETS): The GNETS program supports local school systems’ continuum of services by providing comprehensive special education and therapeutic support for students whose behavior severely impedes their learning. Services for students with severe emotional and behavioral disorders or autism may be provided by the HAVEN, (the CCSD GNETS) program. Students ages three through 21 may be served in a range of settings depending on severity of behavior. They may include consultative service in the home school, satellite HAVEN classes, and direct services in the HAVEN center or other settings as appropriate. The programs provide comprehensive educational and therapeutic support services to students who might otherwise require residential or other more restrictive placements due to the severity of one or more of the characteristics of the disability category of emotional and behavioral disorders (EBD).

Hospital/Homebound (HHB): Instructional services made available to students who are able to participate in educational instruction but who are medically unable to attend school for a minimum of ten consecutive days or equivalent on a modified calendar, or intermittent periods of time throughout the school year.

Individualized Educational Program (IEP): A written plan for each student with a disability that is developed by a team of professionals (teachers, therapists, psychologist, etc.) and the child’s parents. IEPs are based on a multidisciplinary evaluation, describe the student’s current level of academic achievement and functional performance and how the student’s disability affects

his/her involvement and progress in the general education curriculum. The IEP includes the special education and related services the student will need to make progress toward the annual goals. The IEP must be reviewed regularly and updated at least annually. Barrow County Special Education uses an electronic IEP program called GOIEP.

Intellectual Disability (ID): Intellectual functioning based on multiple sources of information documenting IQ scores below 70. There is evidence of significant limitations in the child's effectiveness in meeting standards of maturation, learning, personal independence or social responsibility, and especially school performance. The student's adaptive behavior in school and home is significantly below average.

IEP Team: The team of professional educators and parents/guardians who develop and monitor a student's Individualized Educational Program. The team is required by state law to include members who have the role of a special education teacher, general education teacher, evaluator, Local Education Agency (LEA) representative, and parent/guardian. Other specialists and the student should be included as appropriate.

Individuals with Disabilities Education Act (IDEA): The federal law that was enacted to ensure that all students with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living; to ensure that the rights of students with disabilities and their parents are protected; to assist states, localities, educational service agencies, and federal agencies in providing for the education of students with disabilities; and to assess and ensure the effectiveness of efforts to educate students with disabilities.

Interim Alternative Education Setting (IAES): An educational placement designated by the IEP team for a special education student after involvement in a weapons or illicit substance violation at school. The IAES can be determined from a number of options including alternative school placement or after-school program placement and have a duration of 45 calendar days.

Least Restrictive Environment (LRE): The policy mandated by IDEA that students with disabilities be educated in the general school environment with their nondisabled peers to the greatest extent possible.

Local educational agency (LEA) - A public board of education or other public authority legally constituted within Georgia for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of the State, or for a combination of school districts or counties as are recognized in the State as an administrative agency for its public elementary schools or secondary schools. The term includes an educational service agency and any other public institution or agency having administrative control and direction of a public elementary or secondary school, including a public nonprofit charter school that is established as a LEA under State law . [34 C .F .R . § 300 .28]

Manifestation Determination Review (MDR): School personnel may remove a student with a disability who violates the district code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting or suspension, for not more than 10 days in a school year. After the student has been removed for 10 days in the school year and the student again violates the code of student conduct, a Manifestation determination meeting must be held to determine if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability or if the conduct was the direct result of the LEA's failure to implement the student's IEP. If the violation was deemed a manifestation of the student's disability, a Functional Behavioral Assessment and Behavioral Intervention Plan must be conducted, or revised if already in place, and the student should be returned to the placement from which the student was removed. If the student's violation was not a manifestation of his/her disability, the student may be suspended, but the IEP team must determine appropriate services needed to provide FAPE so as to enable the student to continue to participate in the general education curriculum in the same setting, another setting or interim alternative educational setting.

Mediation: An informal process for resolving disputes between parents and schools. Mediation sessions are conducted by an impartial neutral third party at no cost to parents or school districts.

Mild Intellectual Disability (MID): A mild intellectual disability is defined by the GADOE as intellectual functioning ranging between an upper IQ limit of approximately 70 to a lower IQ limit of approximately 55; 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.

Moderate Intellectual Disability (MOID): A moderate intellectual disability is defined by the GaDOE as intellectual functioning ranging from an upper IQ limit of approximately 55 to a lower IQ 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.

Modifications: Refers to alterations in curriculum that change, lower, or reduce learning expectations and outcome. Modifications can increase the gap between the achievement of students with disabilities and expectations for proficiency at a particular grade level. Consistent use of modifications could adversely affect students throughout their educational career. Modifications in Statewide assessments may invalidate the results. The use of modifications exposes the student to the entire curriculum, but only partial mastery is expected.

Occupational Therapy (OT): An occupational therapist uses purposeful, goal directed activities and task analysis to enable children with a disability to benefit from their individualized

education programs (IEP's). Occupational Therapists in the school setting address skills which may interfere with a student's educational performance such as hand function, oral motor function, visual motor and perceptual skills, sensory awareness/processing, self-care and pre-vocational tasks. These areas can be addressed through a variety of intervention strategies, which may include direct therapy with the child, consultation with the teacher, modification of the environment, provision of adaptive equipment, and staff training.

Oppositional Defiant Disorder (ODD): The covert display of underlying aggression by patterns of obstinate, but generally passive behavior. Students with this disorder often provoke adults or other children by the use of negativism, stubbornness, dawdling, procrastination, and other behaviors.

Orientation & Mobility (O&M): This term refers to the teaching and training of skills to a blind/visually impaired student that will familiarize him/her with surroundings and enable him/her to travel safely and independently throughout the environment.

Orthopedic Impairment (OI): Disorders that are caused by congenital anomalies such as deformity/absence of limb, disease such as muscular dystrophy, etc, or other causes such as cerebral palsy, amputations, etc. Evidence of deficits in academic functioning, emotional development, adaptive behavior, motor or communication skills may exist.

Other Health Impaired (OHI): Chronic or acute health problems documented with a medical report that indicates limited strength, vitality or alertness which adversely affect a student's educational performance. Evidence of deficits in academic functioning, adaptive behavior, social/emotional development, motor or communication, motor skills or emotional development exists.

Paraprofessional/Para: Support personnel assigned to support students with disabilities under the leadership of a special education teacher.

Parent Mentors: Parents of children with disabilities who are employed on a part-time basis by Barrow County School District as Special Education Parent Mentors. The goal of the Parent Mentor Program is to nurture communication among parents and educators, ultimately leading to greater success for students with disabilities.

Pervasive Developmental Disorder (PDD): The umbrella term used in DSM-IV which includes subcategories of Autism Spectrum Disorders, i.e. ,Childhood Autism, Asperger's Syndrome, Rett Syndrome, Childhood Disintegrative Disorder, and Pervasive Developmental Disorder-Not Otherwise Specified.

Physical Therapy (PT): School-based physical therapists assist students with disabilities to access their education. This includes activities of a school day such as moving throughout school grounds, sitting, standing in line or at the board, moving in class or through the building.

Interventions may include adaptations to school environments, working with a student on motor skills, assistance with identifying and obtaining special equipment, collaboration with other professionals, and training school staff.

Positive Behavioral Interventions and Supports (PBIS): PBIS is an evidence-based, data-driven framework proven to reduce disciplinary incidents, increase a school's sense of safety and support improved academic outcomes. The 10 Created May 2011 premise of PBIS is that continual teaching, recognizing and rewarding of positive student behavior will reduce unnecessary discipline and promote a climate of greater productivity, safety and learning. PBIS schools apply a multitiered approach to prevention, using disciplinary data and principles of behavior analysis to develop school-wide, targeted and individualized interventions and supports to improve school climate for all students. Implementing PBIS can be a proactive strategy for teaching pro-social school-wide behaviors.

Psychological Report: A written report of the results of an evaluation conducted by a school psychologist that identifies student strengths and weaknesses and offers recommendations the student may need to be successful.

Related Services: Services required for a student to benefit from special education. Related services may include transportation and supportive services such as speech, audiology, psychological services, physical and occupational therapy, and interpreters for persons with hearing impairments.

Response to Intervention (RtI): A tiered intervention process which is a problem-solving model that organizes school intervention services for students who are not meeting academic or behavioral expectations. The model provides high quality instruction and intervention matched to individual student needs, monitors progress frequently, and applies student response data to educational decisions. The RTI process progresses from universal to intensive interventions. This process also helps to identify which students respond favorably to the interventions and which students may need referral for consideration under Section 504 or special education.

Revocation of Parental Consent for Placement: On December 1, 2008, Congress passed an amendment to IDEA which allows parents to unilaterally remove their children from special education by putting their request in writing to the school district. The parent has the right to revoke consent for services and the District has no standing to impede the parent's request. The amendment does not allow a parent to revoke consent for part of the services provided by the IEP and keep specific services. If the parent and the District disagree about whether FAPE would be provided with or without the provision of a specific service, the school district may use due process procedures. Revocation of consent means the removal of all special education services outlined in the IEP.

School Psychologist: An individual who is trained in both psychology and education and provides consultation, assessment, intervention and training for students with learning, social, emotional, or developmental problems.

Section 504: A part of the Rehabilitation Act of 1973 that states “No otherwise qualified individual with a disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Severe and Profound Intellectual Disabilities (SID/PID): A generic classification of disorders which involves physical, sensory, intellectual, social-interpersonal performance deficits significantly below average. These deficits are not limited to any given setting, but are evident in all environmental settings and often involve deficits in several areas of performance. The GaDOE defines severe intellectual functioning as ranging from an upper IQ limit of approximately 40 to a lower IQ limit of approximately 25 and profound disabilities as 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 individual’s age-level and cultural group.

Significant Developmental Delay (SDD): The term refers to a delay in a child’s development in adaptive behavior, cognition, communication, motor skills 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. Initial eligibility must be established on or before the child’s seventh birthday. A categorical eligibility must be established by the end of the school year in which the child turns nine years old.

Small Group Class/Self-contained: A special education class for students with disabilities who require specialized instruction taught by a special education teacher. The model of service required in a subject area when a student’s disability is so severe that he/she cannot benefit from a less restrictive placement. Students are usually functioning at least two to three grade levels below average in the subject area or may require an alternative curriculum or modifications that are too extensive to be delivered in a general education class. Students receive specialized instruction on grade level standards as well as remediation for deficit skills.

Special Education Diploma: “The document awarded to students with disabilities assigned to a special education program who have not met the state assessment requirements referenced in GaDOE Rule 160-3-1-.07 Testing Programs – Student Assessment or who have not completed all of the requirements for a high school diploma but who have nevertheless completed their Individualized Education Programs (IEP).” (A default diploma for SWD)

Special Education Programs/Services: Programs or services which provide specially designed instruction (offered at no cost to families) for children 3 years old through age 21 with special needs who are found eligible for such services. These include specialized learning methods or materials in the regular classroom and special classes and programs if the learning or physical disabilities are more severe.

Special Needs Preschool (SNP): The special education program for young children ages 3 – 5 with disabilities. Preschool children with disabilities may be served through home-based, community-based, or facility-based (elementary school) model, or unique combinations of these models.

Specific Learning Disability (SLD): A disorder in understanding or using spoken or written language, characterized by imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. A primary deficit in basic psychological processes is identified. There is evidence of underachievement in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, reading fluency, mathematical calculation, or mathematical problem solving. Achievement in the classroom indicates a pattern of strengths and weaknesses. The achievement deficiencies are directly related to a pervasive processing deficit and correlates to the child's response to scientific, research-based interventions. The term does not include students who have learning problems which are primarily the result of visual, hearing, or motor disabilities; intellectual disabilities or environment, cultural or economic disadvantage.

Specialized Instruction: The use of research-based strategies designed to meet the individual needs of students with disabilities in a collaborative, co-teaching, or small group class. Instruction includes the adaption of the content, methodology, and/or instructional delivery that addresses the unique needs of the student that result from the student's disability, and ensures access to the general curriculum.

Speech/Language Impairment (SI): An impairment in the areas of articulation, fluency, voice, or language that adversely affects a student's educational performance. Speech-Language Pathologists (SLPs) assess students, plan interventions, and provide speech and language support for students who are eligible for speech/language services.

Students with a Disability (SWD): A child who is determined by a school multidisciplinary eligibility team to have a disability according to state rules and regulations and who by reason of that disability requires special education and related services.

Traumatic Brain Injury (TBI): A form of acquired brain injury that occurs when a sudden trauma causes damage to the brain. Symptoms of a TBI can be mild, moderate, or severe, depending on the extent of the damage to the brain. Deficits in cognitive, social, or motor skills due to acquired injury adversely impact educational performance.

Visually Impaired (VI): A category of disability describing a student whose best corrected visual acuity in the better eye is 20/70 or worse. Students may require the services of a teacher of Visually Impaired students.

APPENDIX

LINK TO FORMS REFERENCED IN MANUAL

(SITE UNDER CONSTRUCTION)

