

General Supervision and IDEA Implementation Training Updates

"Local Vendors"

**2020
VISION**

Federal Programs

Nakeba Rahming, Ed.S., Deputy Superintendent

Division for Special Education Services and Supports

Zelphine Smith-Dixon, Ed.D., State Director



Richard Woods,
Georgia's School Superintendent
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Disclaimer: The Georgia Department of Education shared this content with local Sped Directors. Per the feedback, Directors suggested that GaDOE share these updates with local vendors, as well. Vendors must collaborate with local districts to determine relevant next steps.

Georgia Department of Education

Child Find Implementation Changes and Updates



Does Child Find apply to home-schooled children?

- Yes. If the child is a resident within the jurisdiction of the LEA, then the Child Find responsibility rests with the LEA in which the child resides. In addition, as a home-schooled child, a child who is determined eligible for special education and related services must also be considered for proportionate share of federal funds for private school children. In Georgia, home-schooled children are treated as private school children in regard to special education. See Georgia Rule [160-4-7-.13\(3\)\(a\)\(1\)](#).

If an LEA charter school and a traditional LEA serve the same demographic area, who has the Child Find responsibility?

- Both of them. The LEA charter school's Child Find responsibility extends only to children enrolled in the LEA charter school. The traditional LEA's Child Find responsibility extends to all other children within their jurisdiction.

If an LEA charter school only serves a designated population, such as grades six through eight, *should* the LEA charter school's Child Find procedures address children outside of the designated population, such as children in grades kindergarten through fifth grade?

- Yes. As a matter of best practice, an LEA charter school's Child Find procedures **should** include children age 3-21. However, an LEA charter school's Child Find procedures **must** address the currently designated population of the LEA charter school. Since LEA charter schools may decide to expand their designated population, LEA charter schools should consider developing Child Find procedures to include children ages 3-21 or update their Child Find procedures as the LEA charter school expands their designated population.



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Considering the above guidance for LEA charter schools, what are the Child Find responsibilities for Georgia Department of Juvenile Justice (DJJ) and Georgia Department of Corrections (DOC)?

- Georgia DJJ and Georgia DOC must implement Child Find duties for the youth enrolled in their respective facilities.



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Who has the Child Find responsibility for youth incarcerated in facilities operated by the local sheriffs or other municipalities?

- The LEA where the facility is located must implement Child Find duties for youth incarcerated in jails or other correctional facilities operated by local municipalities.

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Evaluation Implementation Changes and Updates



Initial Evaluation

- Before an evaluation can begin, the LEA must obtain a signed, informed parental consent for evaluation. The LEA has 60 calendar days after receiving parental consent to complete the initial evaluation. Completion of the initial evaluation is defined as completion of the evaluation report(s). LEAs are not required to make the eligibility determination during the 60-day initial evaluation timeline.

Initial Evaluation

- The eligibility decision should be made within a reasonable period of time following the completion of the evaluation. *See* 71 Fed. Reg. 46637 (2006).
As a matter of best practice, within 10 calendar days of the 60-day timeline, an eligibility meeting should be held. Development of the Individualized Education Program (IEP) can take up to 30 additional days. *See* [34 C.F.R. § 300.323\(c\)\(1\)](#).

Evaluation Report(s)

A comprehensive evaluation report may include combined reports; however, the timeline will be based on the most recent date.

Reevaluation

***Question 1:** Must a public agency obtain parental permission before initiating the review of existing data?*

- **Response:** No. The public agency is not required to obtain parental consent before reviewing existing data as part of an evaluation or a reevaluation. 34 CFR §300.300(d)(1)(i). The review of existing data is part of the evaluation process. Section 300.305(a), consistent with section 614(c)(1) of IDEA, states that, as part of any reevaluation, the individualized education program (IEP) Team and other qualified professionals, as appropriate, must review existing evaluation data on the child, and on the basis of that review, and input from the child's parents, identify what additional data, if any, are needed to determine whether the child continues to have a disability, and the educational needs of the child.

OSEP Letter to Anonymous,
February 6, 2007



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Reevaluation

If the student needs additional assessments to determine **educational needs**, then this additional data are obtained through the reevaluation and documented in an updated eligibility report.

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Question 2: May a public agency pursue permission to waive the reevaluation before any review of extant data occurs?

- **Response:** Yes. A reevaluation must occur at least once every three years, unless the parent and the public agency agree that a reevaluation is unnecessary. 34 CFR §300.303(b)(2). The opportunity for a parent and the public agency to agree that a reevaluation is unnecessary occurs before a reevaluation begins. Therefore, a parent and a public agency may agree that a reevaluation is unnecessary before the review of existing evaluation data occurs. The review of existing data is part of the reevaluation process and does not occur if the parent and public agency agree that a reevaluation is unnecessary.



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May a review of extant data alone, with the finding that no additional data are needed, constitute a reevaluation?

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- **Response:** Yes. Based on the review of existing evaluation data, and input from the child's parents, the IEP Team and other qualified professionals, as appropriate, must determine whether additional data are needed to determine whether the child continues to be a child with a disability, and the educational needs of the child; the present levels of academic achievement and related developmental needs of the child; whether the child continues to need special education; and whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum. 34 CFR §300.305(a)(2). If the IEP Team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability, and to determine the child's educational needs, the public agency must notify the child's parents of: (i) that determination and the reasons for the determination; and (ii) the right of the parents to request an assessment to determine whether the child continues to be a child with a disability, and to determine the child's educational needs. 34 CFR §300.305(d)(1). Under these circumstances, the public agency is not required to conduct an assessment unless requested to do so by the child's parents. 34 CFR §300.305(d)(2). If the parents do not request an assessment, then the review of existing data may constitute the reevaluation.



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Georgia's School Superintendent
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Will Georgia continue to use the term Redetermination Process? Georgia will no longer use this term; however, the Redetermination Process meets the criteria for the Review of Existing Data. (See Slide 14)

Implementation Changes and Updates (Indicator 11)



Indicator 11 of the SPP/APR

Percent of children age **3-21** who were evaluated within 60 days of receiving parental consent for initial evaluation.

- Reminder: Children referred from Babies Can't Wait are counted for:
 - Indicator 11 – evaluation within 60 days of consent
 - Indicator 12 - % of children referred from BCW prior to age 3 who are found eligible and have an IEP in place by their 3rd birthday

Understanding the Rule and Indicators

60 days

- Receipt of parental consent
- Count the day you receive the consent (**within 60 days**)
- Do not count days when children are not in school for 5 consecutive days
 - Example: Spring break
 - A natural disaster (ex.: snow closes school for 5 consecutive days)
 - Stop counting on Friday before break, start counting Monday after school resumes

Understanding the Rule and Indicators

Summer "pause"

- Any summer vacation period in which the majority of an LEA's **teachers** are not under contract
 - For consents received 29 or fewer days before the last day for teachers (rule says **30 days or more prior to the end of the school** year must be completed within the 60 calendar days) use the summer rule
 - Stop counting the last day **teachers** are on contract, start counting the day teachers return for pre-planning
 - **IMPORTANT EXCEPTION:** If your district has a 5 day pre-planning prior to the 1st day of school consider those days as 5 days that students do not attend.
 - Resume counting on the 1st day students return to begin school

Timelines; Initial Referrals Completed July 1- June 30



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Initial Eligibility (All students) Child Find Timelines		SPP/APR Indicator 11	
1	Total # of completed referrals		
2	Total Referrals minus Exceptions (Row 1- Row 8)		0
3	# of Evaluations completed on time		
4	# of Evaluations completed late		
5	Total # Completed on time		0
6	% Completed on time		#DIV/0!
7	Total # Completed late		0
8	Total # of Exceptions	Exceptions 1,2,3	
9	Total # Counted as late (Submit reasons for lateness for all timelines in the space below.)		0
10	% Completed late		#DIV/0!
11	Range of days late for "Total # counted as Late" Row 9.	1-10 days	
		11-30 days	
		31-60 days	
		> 60 days	
		Total	0

The new required data element is:

“Number of Evaluation Completed On Time”

or

“Number of Evaluation Completed Late”

Eligibility status (eligible or ineligible) is not reported

Reporting in Student Record (SR)

Initial Referrals, Report:

- EVENT CODE '02': Date of Consent
- EVENT CODE '03': Date Evaluation is completed
 - ***No more than 60 days between EVENT CODE '02' and EVENT CODE '03'***
- EVENT CODE '04': Date of Eligibility Meeting
- EVENT CODE '05': Date of Initial IEP meeting (if the child is found eligible under IDEA)
- EVENT CODE '06': Date Services are Initiated

Reporting Subsequent Events in SR: Annual Review and Reevaluation



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Georgia's School Superintendent
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***Follow the Reevaluation Process as outlined in the
Implementation Manual***

ALL SWD must have at least one Special Education
Event every year

Annual IEP: Report EVENT CODE '07'

Reevaluation: Report EVENT CODE '08'

- **No more than 3 years between EVENT CODE '04'
and EVENT Code '08'**

Eligibility Implementation Changes and Updates



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- **If a child is being considered to be dismissed from special education, must an evaluation and eligibility form be completed?**
- Yes. An LEA must conduct a comprehensive evaluation of a child before determining that the child is no longer a child with a disability. See [34 C.F.R. § 300.305\(e\)\(1\)](#). This does not apply to children whose eligibility is terminating due to graduation with a regular diploma or due to exceeding the age eligibility for FAPE.

An eligibility report doesn't expire every three years!



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Eligibility Report (slide from CC)



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An eligibility report which documents the area of disability shall be completed and placed in each child's special education folder. The eligibility report shall provide statements for each component of the eligibility and **shall be comprehensive enough to serve as the evaluation report** when necessary.

However, parents must be provided a copy of the **evaluation report(s)** and an **eligibility report**.

~~An eligibility report and evaluation report are at a minimum two separate documents.~~

It is possible to have multiple evaluation reports, for example: psychological report, report from the speech-language evaluation, report from the Occupational Therapist and report from the assistive technology evaluation. If the evaluators coordinate their reporting, all scores and interpretation of results could be included in the psychological report. There will be instances when a psychologist is not involved and thus the other evaluators will need to create evaluation reports separately.

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Eligibility Report (slide from CC)



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- The LEA shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

Additional Guidance: If the district chooses to document the evaluation report using an eligibility report, then the eligibility report must be completed based on the 60-day timeline.

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Special Education Eligibility Report

Student Name:

Date of Birth:

Date:



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8. DECISION MAKING FOR ELIGIBILITY

Have Interventions been implemented and monitored as designed for an appropriate time to show effect or lack of effect in the identified area(s) of concern?

- YES** Continue with the eligibility determination. **(Proceed)**
- NO** The student does not meet eligibility requirements under IDEA. **(Complete Committee Rationale)**

Progress monitoring demonstrated the child is not making sufficient rate of progress to meet age or State-approved grade-level standards within a reasonable time frame when child's response to intervention is measured. Therefore, there is an adverse affect on educational (functional, developmental and/or academic) performance.

- YES** Continue with the eligibility determination.

The student needs special education and related services in which the content, methodology, or delivery of instruction is adapted to address the unique needs of the child that result from the child's disability.

- NO** The student does not meet eligibility requirements under IDEA. **(Complete Committee Rationale)**

The "no" option should be revised to indicate that the student cannot be considered for eligibility for the disability category of SLD; however, the student can be considered for other categories.

Georgia Alternate Assessment 2.0





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Georgia's School Superintendent
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GAA 2.0 is...

- A structured portfolio assessment, scored by a submission of evidence
- The tasks that align to Georgia Standards of Excellence (GSE) and Extended Standards have been developed for all grades and content areas
- The GAA 2.0 will include standardized items with multiple access points

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The Eligibility Criteria for Participation on GAA 2.0



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The spring administration will be considered an operational field test (not a pilot), and there will be no accountability consequences this year except in the area of participation. The GAA 2.0 should be administered in all districts for eligible students.

http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Assessment/Pages/GAA_2.aspx

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Assessment/Documents/General%20Presentations/Accommodations SW-EL 18-19.pdf>

Eligibility Criteria for the Georgia Alternate Assessment 2.0 (GAA)

Step 1: Review the Eligibility Criteria for GAA

Prior to reviewing the eligibility criteria for GAA, the Individualized Education Program (IEP) team must understand all assessment options, including the characteristics of each assessment and the potential implications of each assessment choice.

According to O.C.G.A § 20-2-281, school districts are required to follow the procedures specified in the applicable test administration materials. As a result, the IEP team must use this form to document its assessment decisions.

If GAA is being considered, the IEP team must review the four criteria below and select **Yes** or **No** if applicable to the student. To be eligible to participate in GAA, the answer to all four of the questions below must be **Yes**. If the answer to any of the questions is **No**, the student is not eligible to participate in GAA and must participate in the Georgia Milestones Assessment System. Each **Yes** answer requires a justification that contains evidence that the student meets the criteria.

Eligibility Criteria		Sources of Evidence (check if used)	Justification
1. Does the student require intensive, individualized instruction in a variety of instructional settings? The student needs specialized academic instruction and techniques over a period of time to ensure that he or she can learn, retain information, and transfer skills to other settings.	<input type="radio"/> Yes <input type="radio"/> No	<input type="checkbox"/> Present Levels of Academic Achievement and Functional Performance <input type="checkbox"/> Anecdotal Notes and Observations <input type="checkbox"/> Benchmark Data <input type="checkbox"/> Progress Monitoring Data <input type="checkbox"/> Other _____	
2. Does the student have a significant cognitive disability? A significant cognitive disability is determined by the IEP team and must be based on evaluation information performed by a qualified evaluation team. The significant cognitive disability must affect the student's intellectual functioning and be documented as such in the student's individualized education program (IEP).	<input type="radio"/> Yes <input type="radio"/> No	<input type="checkbox"/> Results of Individual Cognitive Ability Test <input type="checkbox"/> Results of Adaptive Behavior Skills Assessment <input type="checkbox"/> Other _____	



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http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Assessment/Pages/GAA_2.aspx

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Eligibility Criteria	Sources of Evidence (check if used)	Justification
<p>1. Does the student require intensive, individualized instruction in a variety of instructional settings? The student needs specialized academic instruction and techniques over a period of time to ensure that he or she can learn, retain information, and transfer skills to other settings.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p> <p><input type="checkbox"/> Present Levels of Academic Achievement and Functional Performance <input type="checkbox"/> Anecdotal Notes and Observations <input type="checkbox"/> Benchmark Data <input type="checkbox"/> Progress Monitoring Data <input type="checkbox"/> Other _____</p>	
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Georgia Department of Education
Eligibility Criteria for the Georgia Alternate Assessment 2.0 (GAA)
Updated 8/7/2018

Eligibility Criteria for the Georgia Alternate Assessment 2.0 (GAA)

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1. Does the student require intensive, individualized instruction in a variety of instructional settings? The student needs specialized academic instruction and techniques over a period of time to ensure that he or she can learn, retain information, and transfer skills to other settings.	<input type="radio"/> Yes <input type="radio"/> No	<input type="checkbox"/> Present Levels of Academic Achievement and Functional Performance <input type="checkbox"/> Anecdotal Notes and Observations <input type="checkbox"/> Benchmark Data <input type="checkbox"/> Progress Monitoring Data <input type="checkbox"/> Other _____	
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Eligibility Criteria for the Georgia Alternate Assessment 2.0 (GAA)
Updated 8/7/2018

Eligibility Criteria		Sources of Evidence (check if used)	Justification
<p>individualized education program (IEP).</p> <p>3. Does the student require specialized supports to access and participate in the grade-level Georgia Standards of Excellence (GSE) that require modifications based on the student's Present Levels of Academic Achievement and Functional Performance (PLAAFP)? Access to the grade-level curriculum is mandated by the federal government. A student with a significant cognitive disability requires access to the GSEs through prerequisite skills that are linked to the grade-level curriculum.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>	<p><input type="checkbox"/> Results of Individual Cognitive Ability Test</p> <p><input type="checkbox"/> Results of Adaptive Behavior Skills Assessment</p> <p><input type="checkbox"/> Anecdotal Notes and Observations</p> <p><input type="checkbox"/> Benchmark Data</p> <p><input type="checkbox"/> Progress Monitoring Data</p> <p><input type="checkbox"/> Results of language assessments including English Learner (EL) assessments, if applicable</p> <p><input type="checkbox"/> Other _____</p>	
<p>4. Does the student require specialized supports to demonstrate age-appropriate adaptive behavior? A student with a significant cognitive disability needs specialized support throughout the day in areas such as expressing his or her needs, getting from place to place, eating lunch, negotiating social situations, and/or taking care of personal needs.</p>	<p><input type="radio"/> Yes <input type="radio"/> No</p>	<p><input type="checkbox"/> Results of Individual Cognitive Ability Test</p> <p><input type="checkbox"/> Results of Adaptive Behavior Skills Assessment</p> <p><input type="checkbox"/> Other _____</p>	

Step II: Assurances

The IEP team has participated in training and guidance regarding student participation in state mandated assessments that includes the information below:
Under 34 Code of Federal Regulations (CFR) 300.320(a)(6) and [O.C.G.A § 20-2-281], if the IEP team determines that the student will take GAA, the IEP team may provide additional summary statements of why the student cannot participate in the Georgia Milestones Assessment System, with or without allowable accommodations, and why the alternate assessment is appropriate for the student, including that all of the eligibility criteria are met.
Additional Summary Statements (if necessary):
The decision to administer GAA is based on multiple sources of measurable, objective evidence, including, but not limited to current IEP PLAAFP statements, goals and/or objectives, report cards, progress reports, work samples, teacher observations, Full and Individual Evaluations (FIE), standardized achievement test results, and classroom, district, and statewide assessment results. This decision is not based solely on the student's previous performance on statewide assessment.
The decision to administer GAA is made by the IEP team, not administratively based on federal accountability requirements which limit the number of students taking an alternate assessment who can be counted as proficient in CCRPI performance calculations. Although GAA is intended for a small number of students, the proficiency cap does not limit the number of students receiving special education services who may take the alternate assessment.
The decision to administer GAA is based on the student's educational needs and the instruction the student is receiving. This decision is not based solely on the student's disability category and is not based on the student's racial or economic background, excessive or extended absences, or amount of time or location of service delivery.



Richard Woods,
Georgia's School Superintendent
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160-4-7-.13 Private Schools

Georgia Department of Education

Special Needs Scholarship



Richard Woods,
Georgia's School Superintendent
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IDEA	Rights of Special Needs Students in Public Schools (or Special Needs Students placed in private schools by the school district)	Rights of Special Needs Students Parentally Placed in Approved Private Schools (Ga Special Needs Scholarship Students)
Free Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> ❖ FAPE must be made available to eligible children with disabilities. This includes special education services provided in conformity with an individualized education program(IEP) that meets IDEA requirements. ❖ Special Education is specially designed instruction to meet the unique needs of the child with a disability. ❖ Special Education and related services are provided at no cost to the parent. 	<ol style="list-style-type: none"> 1. No individual entitlement to FAPE or to receive special education and related services that the child would receive if enrolled in public school. 1. A child may receive equitable services. Each school district determines the equitable services it will provide to its population of parentally placed private school students, through consultation with private schools and parents. 1. If a child is designated to receive equitable services, they are provided in conformity with a services plan at no cost to parents.

Special Needs Scholarship



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Georgia's School Superintendent
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IDEA	Rights of Special Needs Students in Public Schools (or Special Needs Students placed in private schools by the school district)	Rights of Special Needs Students Parentally Placed in Approved Private Schools (Ga Special Needs Scholarship Students)
Special Education Teacher Certification Requirements	Public Elementary, middle, and secondary school special education teachers must meet the special education teacher certifications requirements in the law and regulations.	N/A
Least Restrictive Environment Requirements	Children with disabilities must be educated with their non-disabled peers, to the maximum extent appropriate.	N/A

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Special Needs Scholarship

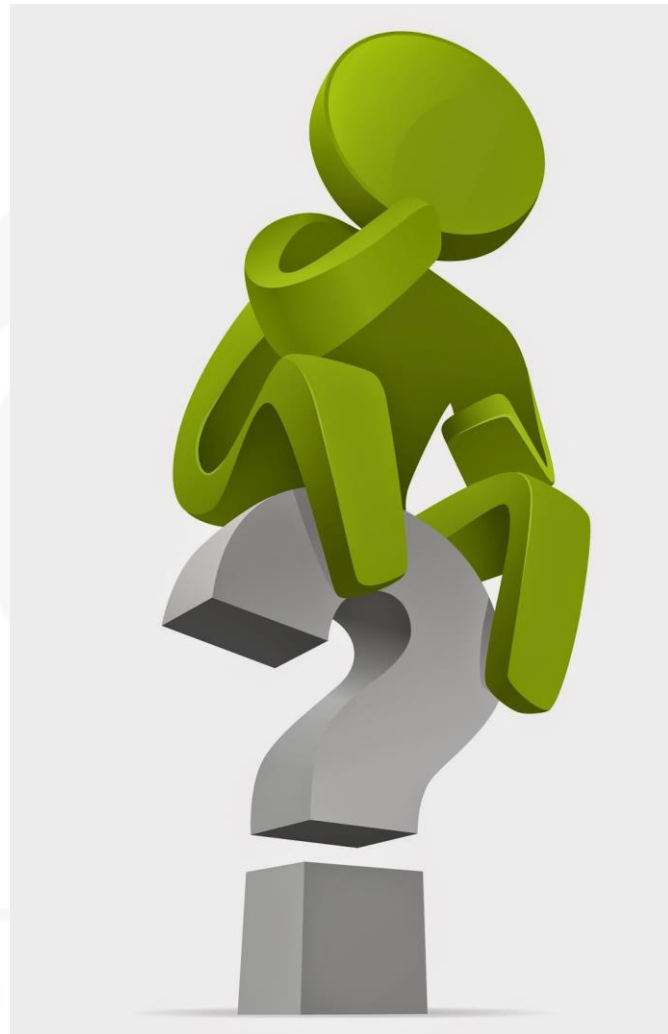


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IDEA	Rights of Special Needs Students in Public Schools (or Special Needs Students placed in private schools by the school district)	Rights of Special Needs Students Parentally Placed in Approved Private Schools (Ga Special Needs Scholarship Students)
Discipline Procedures	<ul style="list-style-type: none"> Students with disabilities are entitled to certain protections related to IDEA's disciplinary procedures. 	N/A

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IDEA	Rights of Special Needs Students in Public Schools (or Special Needs Students placed in private schools by the school district)	Rights of Special Needs Students Parentally Placed in Approved Private Schools (Ga Special Needs Scholarship Students)
Due Process Rights	Parents may request a due process hearing if they have a dispute related to the identification, evaluation, educational placement of a child with a disability, the provision of FAPE, or the implementation of IDEA’s disciplinary procedures. This could include disputes regarding the development or implementation of an IEP and the location where services will be.	<ul style="list-style-type: none"> • Due process rights of parentally placed private school • children and their parents are limited to a school district’s • failure to comply with the child find requirements, • including the evaluation requirements.



Questions

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