



GREENE COUNTY SCHOOL SYSTEM

Our mission is to

**EDUCATE
INSPIRE
CHALLENGE
SUPPORT**

students to be productive citizens prepared to compete globally.

Special Education Policy and Procedure Manual

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The purpose of this manual is to provide a guide for users on the implementation of special education services in Greene County. It is not intended to establish mandates or ministerial duties. Additionally, nothing herein should be viewed as taking away from an IEP team’s need to provide their own professional judgment to a particular situation. Instead, the teams using this guide are encouraged to use their discretion and address each situation on a case-by-case basis, so long as they comply with federal and state law. This manual is not intended to create new rights under any applicable state or federal law.

It is also not intended to supplant any existing laws or rights. Instead, readers are referred to Greene County’s Parental Rights. These Rights, the IDEA and the State special education regulations are the controlling provisions for services in Greene County. This manual covers frequently asked questions and applied procedures, and is not intended to cover every situation. Further information is available by contacting the Office of Student Services for Greene County.

Greene County Policy for Evaluations

Initial Evaluations:

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1. Greene County School District (GCSD) conducts a full and individual initial evaluation prior the initial provision of special education and related services to a child with a disability.
2. Each school in the GCSD has a Student Support Team (SST). The SST is an interdisciplinary group that uses a systematic process to address learning or behavior problems in grades K-12. GCSD invites parents/guardians to participate in all SST meetings pertaining to their child. Parental input is sought in the development of interventions and all educational planning. In addition to the parents/guardians, the SST Team at each GCSD school consists of the referring teacher(s) along with two of the following participants as appropriate to the student:
 - a. Principal
 - b. General Education Teacher
 - c. Counselor
 - d. Lead Teacher
 - e. School Psychologist
 - f. Subject Area Specialist
 - g. ESOL Teacher
 - h. Special Education Teacher
 - i. School Social Worker
 - j. Central Office Personnel
 - k. Section 504 Coordinator
 - l. Other appropriate personnel

The SST at each GCSD school follows established protocols which include the following steps:

- Identification of learning and/or behavior problems
- Assessment, if necessary
- Educational Plan
- Follow-up and support
- Continuous monitoring and evaluation

As a part of the SST process, each SST maintains documentation to include:

- Student's name
- Names of team members
- Meeting dates

- Identification of student's learning or behavior problems
 - Educational Plan and implementation results
 - Follow-up
 - As appropriate, continuous evaluation
3. GCSD allows for exceptions to the SST process as allowed by the state in the following circumstances:
 - a. GCSD personnel and parents determine that there is a reasonable cause to bypass the SST process. This requires documentation in the student's records which clearly justifies such action. Documentation of the agreement of the parent or guardian must also be included in writing.
 - b. When an immediate referral is sought, the school's SST will determine appropriate interim strategies, interventions, and modifications will be attempted for the student.
 4. Students who transfer into the GCSD with an existing IEP or 504 plan are not required to go through the SST process.
 5. Once a child is referred by a parent or Student Support Team (SST), GCSD will complete an initial evaluation within 60 calendar days of receiving parental consent for evaluation.
 - a. Holiday periods and other circumstances when children are not in attendance for five consecutive school days will not be counted toward the 60 calendar day timeline, including the weekend days before and after such holiday periods if contiguous to the holidays.
 - b. According to regulations set forth by the state of Georgia, GCSD excludes any summer vacation period in which the majority of the LEA teachers are not under contract. GCSD policy provides that evaluations may take place over summer vacation period as deemed appropriate by the district.
 - c. When consent is received 30 days or more prior to the end of the school year, GCSD will complete the evaluation within the 60 calendar day evaluation timeframe.
 6. For children who are referred from Babies Can't Wait (BCW), GCSD ensures that the evaluation process is complete, eligibility is determined, and when appropriate, an IEP is in place on or before the child's third birthday. When a student turns three during the summer period or other holiday period, GCSD provides that an eligibility decision and an IEP (if appropriate) is in place by the third birthday.

7. GCSD allows for the following exceptions to the above timelines in accordance with Georgia law:
 - a. The parent of a child repeatedly fails or refuses to produce the child for an evaluation or
 - b. A child enrolls in a school of another LEA after the relevant timeline has begun and prior to a determination by the child's previous LEA as to whether the child meets eligibility requirements. . This exception applies only if the subsequent LEA is making sufficient progress to ensure a prompt completion of the evaluation and the parent and subsequent LEA have agreed to a specific time when the evaluation will be completed.
 - c. If extenuating circumstances such as illness, unusual evaluation needs or revocation of parent consent affect this timeline, GCSD will document the exceptions.

8. When conducting an evaluation, GCDS will ensure that highly qualified personnel will:
 - a. Use a variety of evaluation tools and strategies to gather relevant academic, functional and developmental information about the child. This information data provided by the parents that may assist in determining 1) whether the child is a child with a disability, and 2) whether the content of the child's individualized education program (IEP) includes information related to enabling the child to be involved in and progress in the general curriculum. A preschool child's IEP content includes participation in appropriate preschool activities.
 - b. GCSD does not use any single procedure as the sole criterion for determining eligibility.
 - c. GCSD uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
 - d. Other evaluation procedures. The GCSD ensures that
 - Assessments and other evaluation materials used to assess a child are 1) selected and administered so as not to be discriminatory on a racial or cultural basis; 2) provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally; unless it is clearly not feasible to so provide or administer; 3) are used for the purposes for which the evaluations or measures are valid and reliable; 4) are administered by trained and knowledgeable personnel; and 5) are administered in accordance with any instructions provided by the producer of the assessments.
 - The child is assessed in all areas related to the suspected disability including—if appropriate—health, vision, hearing, social and

emotional status, general intelligence, academic performance, communicative status, and motor abilities.

Student Support Team (SST)/Response to Intervention (RTI) Supervision and Monitoring:

1. The GCSD RTI Coordinator provides district level supervision and monitoring to personnel, including teachers and administrators, related to the proper implementation of the SST/RTI process whenever possible. This coordinator meets with each building level RTI Coordinator and performs an audit of the SST/RTI process. Meetings between The District Level RTI Coordinator and building level RTI Coordinators are typically documented and maintained at both the district and school levels. The following topics are typically addressed in the monthly meeting:
 - a. Number of students in each Tier of the RTI process
 - b. Audit of individual student SST folders to ensure compliance related to identification of areas of need, implementation of appropriate interventions, and progress monitoring at regular intervals.
 - c. Non-compliant SST/RTI folders are returned to the teacher and technical assistance is provided in order to establish compliance. Once technical assistance has been provided, the teacher is required to return the folder to the building level RTI Coordinator for review within 10 working days of the original review.
 - d. Review of SST Team Minutes for the most recent month
 - e. Review of Parent contacts related to SST/RTI
2. The GCSD RTI Coordinator maintains data for the GCSD district related to the number of students in the SST/RTI process and how each student is progressing through the Tiers. The Coordinator provides assistance to building level personnel such as:
 - a. Technical assistance related to the selection and implementation of appropriate, research based interventions
 - b. Technical assistance related to progress monitoring, data collection, and monitoring the rate of progress of students in the SST/RTI process.

Parental Consent:

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- a. The GCSD will make reasonable efforts to obtain the informed parental consent before the evaluation is conducted. The GCSD will document attempts to obtain this consent using procedures which may include detailed records of phone calls that are completed or attempted as well as the results of these calls; copies of correspondence sent to the parents and any responses received; and detailed records of visits made to the parent's home or place of employment and the results of those visits.
- b. For initial evaluations only, if the child is a ward of the State and is not residing with the child's parents, the GCSD is not required to obtain informed consent from the parent for initial evaluation to determine whether the child meets eligibility requirements if:
 1. Despite reasonable efforts to do so, the GCSD cannot discover the whereabouts of the parent of the child;
 2. The rights of the parents have been terminated in accordance with state law; or
 3. The rights of the parents to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given.

GCSD does not require parental consent before 1) reviewing existing data as part of an evaluation or a reevaluation, 2) before administering a test or other evaluation that is administered to all children, unless before administration of that test or evaluation parental consent is required of parents of all children, or 3) if the screening of a child by a teacher or specialist is used to determine appropriate instructional strategies for curriculum implementation. The screening shall not be considered to be an evaluation for eligibility for special education and related services.

Procedures for Initial Evaluation:

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1. GCSD requires that when the final phase of an RTI is unsuccessful, the RTI committee will convene a Preparatory Committee (Prep. Committee) meeting. A Prep. Committee meeting consists of a parent, student (when appropriate), general education teacher, school psychologist, a special education teacher, other appropriate service providers, and a principal's designee or someone appointed by the Student Services Office of the GCSD. The purpose of a Prep. Committee meeting is to decide if the child should be referred for a comprehensive evaluation in order to determine if a disability exists which is affecting the child's ability to learn in the general education setting. The school psychologist is responsible for obtaining Consent to Evaluate from the parent at the Prep. Committee Meeting along with the RTI Referral Packet. In the event that a parent does not attend the meeting, GCSD will make every attempt to obtain permission in a timely manner.

2. Once Consent to Evaluate is received by the GCSD, the School Psychologist will place the RTI referral information on the Psychological Services Log in the Office of Student Services.
3. For speech referrals, the Speech-Language Pathologist (SLP) will obtain consent and manage the RTI referral information. Speech referrals are processed through the SLP assigned to each school.
4. GCSD Timelines for Initial Evaluations are as follows:
 - a. The School Psychologist, Speech-Language Pathologist or other evaluator completes the initial evaluation within 60 days of receipt of Parental Consent for Evaluation.
 - b. If the Consent for Evaluation is received fewer than 30 days before the end of the school year, the evaluator may choose to split the days between the current and following school year.
 - c. After the evaluation is completed, the Psychologist, SLP or other evaluator will contact the parent to determine a date and time for the Eligibility Meeting. The School Psychologist, SLP or other evaluator will create a Notice of Team Meeting and notify the Chairman of the RTI Team at the child's school along with the Lead Special Education Teacher. Other appropriate school personnel will be notified by the Lead Special Education Teacher.
 - d. From the date of the initial eligibility, GCSD will be prepared to move into an IEP meeting or set up an IEP meeting within 2 weeks when possible, but not to exceed the 30 days allowed by the State of Georgia.

Revocation of Consent:

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When a parent requests revocation of consent, the request must be in writing and submitted to the school providing services. The Lead Special Education teacher should notify the Office of Student Services. Parents have the right to revoke consent for services and the District has no standing to impede the parent's request. Parents may not revoke consent for part of the services provided by the IEP, but may only revoke consent for services as a whole. If the parent and the GCSD disagree about whether a Free and Appropriate Public Education (FAPE) would be provided with or without the provision of a specific service, the parent may use due process procedures outlined in the due process portion of the Greene County Special Education Manual or on the Georgia DOE website at www.doe.k12.ga.us. When consent is revoked, the student is no longer entitled to special education and related services or rights under IDEA.

Once the parent/guardian has revoked consent for special education and related services, the student is not entitled to IDEA rights and protections, including those for discipline. Protections applying to out of school suspension as set out in IDEA (such as IDEA's manifestation determinations) do not apply.

In the event that the parent wishes to seek IDEA services after revocation of consent, the student is treated as an initial referral. The school should initiate the RTI process as outlined in the Greene County Response to Intervention Initiative.

Procedures for Revocation of Consent:

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1. Upon receipt of a parent's written request to revoke consent, the case manager or designated representative must:

- Send notice of an IEP Team meeting
- Convene a fully constituted IEP Team. A fully constituted IEP Team, consistent with IDEA, such as the parent (unless the parent chooses not to attend), no less than one general education teacher, no less than one special education teacher, a system representative, and an evaluator.
- Create an amendment in the existing IEP to reflect the date of the decision.
- Have parent sign Revocation of Consent for the Provision of Special Education and Related Services. If the parent does not sign the Revocation of Consent form, use of any form of written notification of request to revoke services is sufficient.
- Note the purpose of the meeting on the notice as AMENDMENT to the IEP.

Document the parent's written request to revoke consent in the minutes section of the IEP or Prior Written Notice (PWN) Form. The documentation MUST include:

- a. Prior written that: The student will be considered a general education student, that the student's rights to special education and related services will end, and the parental rights in special education will end.
- b. Should the student be involved in a major disciplinary situation, the student would not receive IDEA protections previously available.
- c. The school system is not required to amend the student's records to remove any references to the student's receipt of special education and related services.
- d. The school system may not use the dispute resolution (mediation/due process hearings) options to challenge the family's right to discontinue services to the student.

- e. The school system will not be considered in violation of the requirement to provide a free, appropriate public education (FAPE) to the student because of the failure to provide the student with further special education and related services.
- f. The school system is not required to conduct reevaluations, convene an IEP meeting, or develop an IEP for the student. Any future request for evaluation will be considered a request for an initial evaluation, subject to the 60 day timeline as set out in IDEA and State Board Rules.
- g. I understand that the student will no longer receive special education and related services as of the date the school system states in its prior written notice.

Surrogate Parents:

1. Appointment: In order to provide every child eligible for a public education with the protection of due process, a surrogate parent shall be appointed by the GCSD when:
 - a. No parent can be identified.
 - b. GCSD, after reasonable efforts, cannot locate the parents
 - c. The child is a ward of the State under the laws of Georgia
 - d. The child is an unaccompanied homeless youth.
2. GCSD has procedures to determine that a child needs a surrogate parent and the assignment of an individual as a surrogate for the child. GCSD maintains a list of eligible persons to serve as surrogate parents in the Office of Student Services.
3. If a child is a ward of the State, the surrogate parent may be appointed by the judge overseeing the child's case.
4. Criteria for selection of surrogate parents. GCSD ensures that the person selected as a surrogate parent
 - a. Is not an employee of the Georgia Department of Education or GCSD or any agency that is involved in the education or care of the child.
 - b. Has no personal or professional interest that conflicts with the interest of the child represented
 - c. Has knowledge and skills that ensure adequate representation of the child.
5. A person who is qualified to be a surrogate parent is not considered to be an employee of GCSD solely because he or she is paid by the District to serve as a surrogate parent.
6. In the case of an unaccompanied homeless youth, appropriate staff of emergency shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents without regard

to the stipulations in procedure #4 (above) until a surrogate parent can be appointed that meets all of the requirements.

Parent's Rights:

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GCSD provides a copy of Parent's Rights to the parent(s)/guardian(s) of children identified as having a disability at least annually. GCSD provides for additional provision of Parent's Rights as follows:

1. Upon initial referral or parent request for evaluation
2. Upon receipt of the first state complaint in a school year
3. Upon receipt of the first request for a due process hearing in a school year
4. In accordance with IDEA's discipline procedures.
5. Upon request by the parent

**GCSD Parent's Rights may be viewed in the Appendix of this document.*

Direct Parent Referral:

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A parent may request that their child bypass the Response to Intervention process (RTI) and be referred directly to Special Education for eligibility. The tiered intervention process is a problem-solving model that organizes school intervention services for students who are not meeting academic or behavioral expectations. This process also helps to identify which students respond favorably to the interventions and which students may need referral to special education. It should not be suggested to parents that they by-pass this valuable process. A Direct Parent Referral is used only when parents feel that their child is disabled and requires special education services. This process does not circumvent the requirement of documentation of interventions implemented in the classroom and progress monitoring as a component of eligibility for special education, but does require that the evaluation/eligibility process begin and be completed within 60 days. Implementation of interventions and progress monitoring should occur during the 60-day evaluation period.

Students moving in from another school district in the state of Georgia:

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The following procedures are followed when a student moves into GCSD from another county in the state of Georgia:

1. The district enrollment clerk will fax the signed release and verify the IEP through a phone call to the previous county. Whenever possible, this call will take place after receipt of the information from the parent.

2. Once verbal verification is obtained, the district enrollment clerk will “flag” the student’s record in the shared data program as a special education student.
3. GCSD Consent for Placement along with a GCSD Consent to Evaluate is obtained by the district enrollment clerk who will forward a copy of both consents to the Student Services Office.
4. The district enrollment clerk will notify the Office of Student Services, school principal and the school clerk of the existence of the IEP.
5. The school clerk should provide notification of the IEP to the Lead Special Education Teacher. Note: In the event of the absence of the Special Education Lead Teacher, a designee will be notified.
6. Upon notification, the school will begin to provide comparable special education services for the student within 10 days of the notification.
7. The Lead Special Education Teacher will schedule an IEP meeting for the student in a timely manner. The receiving school may accept the previous eligibility and IEP as is until it expires or develop a new IEP.
8. The case manager, or designee, should put all relevant information regarding the IEP into the shared data system including the eligibility date from the previous district as the “Eligibility Date.” If the previous district’s IEP is accepted and entered into the GCSD shared data system, the date of the previous district’s IEP is the “IEP Date.” The annual IEP review would be due by the anniversary of the previous district’s IEP. If a new IEP is developed, the date of the meeting becomes the “IEP Date” in the shared data system and is the date on which the annual review is based.

Students moving into Greene County from another state:

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1. Upon parent report that a child enrolling in the district from another state has an IEP, the district enrollment clerk should seek to obtain a signed Consent to Release Information form from the Parent.
2. Whenever, possible, the district enrollment clerk will fax the signed release and verify the IEP through a phone call to the previous out of state school within two school days of receipt of the information from the parent.
3. Once written verification is obtained from the previous district, the district enrollment clerk will “flag” the student’s record in the shared data program as a special education student.
4. GCSD Consent for Placement along with a GCSD Consent to Evaluate is obtained at the time of enrollment. The district enrollment clerk should forward a copy of both consents to the Student Services Office.
5. The district enrollment clerk should notify the Student Services Office, school principal and the school clerk of the existence of the IEP.
6. The school clerk should provide notification of the IEP to the Lead Special Education Teacher. Note: In the event of the absence of the Special Education Lead Teacher, a designee will be notified.

7. Upon notification, the school will begin to provide comparable special education services for the student.
8. A meeting must be held in a reasonable amount of time to discuss the need for evaluation and to develop an IEP. This IEP, including current functioning, goals and objectives and placement based on available information from the previous district, must be completed in the shared data system.
9. Evaluation and determination of Georgia eligibility should be completed in a timely manner. All GCSD policies and timelines are applicable.
10. Upon completion of the evaluation, the Psychologist, in conjunction with the parent and case manager, will schedule an Eligibility/IEP meeting with necessary IEP Team members as defined by IDEA.
11. If eligibility is established, the date of the meeting is recorded as a redetermination as the student was previously eligible for special education services outside of the state of Georgia.

GCSD Policy for Reevaluations:

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1. The GCSD conducts a reevaluation of each child identified as a child with a disability at least once every 3 years, unless the parent and the GCSD team, agree that a reevaluation is unnecessary. A comprehensive evaluation may be conducted:
 - a. If the GCSD team, with parent input, determines that the educational or related services needs of the child, including improved academic achievement and functional performance, warrants a reevaluation; or
 - b. If the child's parent requests a reevaluation and if a new area of service is suspected.
2. Once a decision has been made regarding reevaluation, the Case Manager or designee will complete a Redetermination Form which outlines the decisions made regarding reevaluation and the family is provided with a Consent to Evaluate form. Upon signature by the Parent, the form becomes part of the student's Special Education record. A copy is available to the parent.
3. GCSD will not conduct a reevaluation more than once a year, unless the parent and the district agree otherwise.
4. GCSD will obtain informed parental consent prior to conducting any reevaluation of a child with a disability as required by IDEA.
5. When conducting a reevaluation, GCSD will ensure that qualified personnel will:
 - e. Use a variety of evaluation tools and strategies to gather relevant academic, functional and developmental information about the child. This information data provided by the parents that may assist in determining 1) whether the child is a child with a disability, and 2) whether the content of the child's individualized education program (IEP) includes information

related to enabling the child to be involved in and progress in the general curriculum. A preschool child's IEP content includes participation in appropriate activities.

- f. GCSD does not use any single procedure as the sole criterion for determining whether a child is a child with a disability
- g. GCSD uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- h. Other evaluation procedures. The GCSD ensures that
 - Assessments and other evaluation materials used to assess a child are 1) selected and administered so as not to be discriminatory on a racial or cultural basis; 2) provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally; unless it is clearly not feasible to so provide or administer; 3) are used for the purposes for which the evaluations or measures are valid and reliable; 4) are administered by trained and knowledgeable personnel; and 5) are administered in accordance with any instructions provided by the producer of the assessments.
 - The child is assessed in all areas related to the suspected disability including—if appropriate—health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
- i. If the parents provide the district with private evaluations, they will be considered by the IEP Team.

NOTE: Doctors cannot “prescribe” school services, IEP decisions (including determinations about eligibility and services) are made only by the IEP Team.

GCSD Procedures for Reevaluations:

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A committee may determine if a student remains eligible for their current exceptionality based on current functioning, anecdotal records, parent reports, teacher reports, grades, attendance records, and other pertinent information. This decision is made by the student's IEP Team at a Redetermination Meeting. In the event that the committee determines that a reevaluation is required, referral for testing will be made at least 6 months prior to the expiration of the current eligibility. The reevaluation will be completed prior to the expiration of the previous eligibility.

1. The Lead Special Education Teacher at each school will maintain an accurate list of student eligibility expiration dates. The Lead Special Education

Teacher will work directly with case managers for individual students to ensure that Redetermination meetings are scheduled and held at least 6 months prior to the expiration date of the current eligibility.

2. The case manager is responsible for scheduling the Redetermination meeting to include the parent, psychologist, general education teacher, regular education teacher, LEA and other service providers as appropriate. Notice of Team Meeting should be sent to the parent at least 10 days prior to the meeting.
3. The School Psychologist and/or other providers, as appropriate will review all pertinent information and prepare a Redetermination report to be presented at the Redetermination meeting.
4. The team members will discuss the report and a decision will be made regarding reevaluation. In the event that the team determines that an evaluation will be conducted, the School Psychologist or other designated individual (such as SLP or Preschool Teacher) will obtain a signed Consent to Re-Evaluate from the parent.
5. A Redetermination Form is completed at the meeting documenting the decision regarding reevaluation. This form is signed by the parent and the original is placed in the student's file at Student Services. A copy is provided to the parent.
6. When the IEP Team determines that no additional information is required in order for the student to remain eligible for special education services, the Redetermination Form is completed and the date of the Redetermination becomes the student's new eligibility date.
7. When the IEP Team requests an evaluation, the GCSD will ensure that a comprehensive evaluation is conducted prior to the expiration date of the current eligibility.
8. When conducting a reevaluation, GCDS will ensure that highly qualified personnel will use a variety of evaluation tools and strategies to gather relevant academic, functional and developmental information about the child. This information data provided by the parents that may assist in determining 1) whether the child is a child with a disability, and 2) whether the content of the child's individualized education program (IEP) includes information related to enabling the child to be involved in and progress in the general curriculum. A preschool child's IEP content includes participation in appropriate activities.
9. GCSD does not use any single procedure as the sole criterion for determining eligibility.
10. GCSD uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
11. Other evaluation procedures. The GCSD ensures that
 - Assessments and other evaluation materials used to assess a child are 1) selected and administered so as not to be discriminatory on a

racial or cultural basis; 2) provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally; unless it is clearly not feasible to so provide or administer; 3) are used for the purposes for which the evaluations or measures are valid and reliable; 4) are administered by trained and knowledgeable personnel; and 5) are administered in accordance with any instructions provided by the producer of the assessments.

- The child is assessed in all areas related to the suspected disability including—if appropriate—health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

12. GCSD Timelines for Revaluations are as follows:

- e. The School Psychologist, Speech Pathologist (SLP) or other evaluator completes the reevaluation within a reasonable amount of time. The evaluation must be completed prior to the expiration date of the previous eligibility.
- f. If the consent for evaluation is received fewer than 30 days before the end of the school year, the evaluator may choose to split the evaluation timeline days between the current and following school year.
- g. After the student has been determined eligible for special education services, the Psychologist, SLP or other evaluator will contact the parent to determine a date and time for the Eligibility Meeting. The Psychologist, SLP or other designee will create a Notice of Team Meeting and notify the case manager at the child's school along with the Lead Special Education Teacher. Other appropriate school personnel will be notified.
- h. From the date of the eligibility/re-eligibility, GCSD will be prepared to move into an IEP meeting or set up an IEP meeting in a timely manner.

Vision and Hearing:

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GCSD provides vision and hearing screenings for children in the process of referral for Special Education Services. No initial evaluation or reevaluation will be conducted until a child has passed a vision and hearing screening. Children in the RTI process will be screened during Tier 3. Vision and hearing screenings are conducted by the district designee. In the event that a child fails hearing screening, a second screening is attempted within 10 days. A second failure requires a referral to the Regional Educational Service Agency (RESA) Audiologist. When a child fails the vision screening, parents are notified. Lead Special Education Teachers and individual case managers work cooperatively with parents to resolve any vision issues. Hearing and vision screenings must be passed within one year of the Eligibility or Re-eligibility meeting.

Greene County Child Find Procedures

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In accordance with state and federal regulations, Greene County School District assumes responsibility for the location, identification and evaluation of all children from birth through age 21 that require special education and related services. All children who are suspected of having a disability and are in need of special education services are part of the child find process.

The policies and procedures provide for the screening and evaluation of all children with suspected disabilities ages birth thru 21 to include:

- Children birth through age three
- Preschool children, ages 3-5, not yet eligible for state-funded kindergarten
- Children enrolled in the LEA (Local Education Agency) including public charter schools
- Children who are suspected of being children with disabilities and in need of special education, even though they are progressing from grade to grade.
- Highly mobile children, including migrant children
- Children who reside in the LEA and are enrolled in home school programs
- Children who are detained or incarcerated in facilities operated by the local sheriff's office or other municipalities
- Parentally-placed private school students

Greene County has a child find process that includes the location, identification and evaluation of a child suspected of having a disability. This process is coordinated by the Office of Student Services. The Office of Student Services conducts systematic activities in coordination with community resources to identify children who require special education services. Greene County School District conducts consultation with representatives of private schools and daycares located in the District to ensure that the process for students attending private or religious schools is comparable to activities undertaken for students with disabilities in public schools. Referrals from private or home schooled children must be accompanied by documentation of scientific research-based academic or behavioral interventions that have been provided. When progress monitoring over time reveal that the student is progressing at an insufficient rate, a referral may proceed. Prior to conducting any significant activity that is designed to identify, locate or evaluate children, Greene County School District provides notice in local newspapers and/or other media to notify parents of this activity. Information regarding services available for children suspected of having a disability is made available through local media outlets, at grocery stores, daycares and other public facilities throughout the county on an annual basis.

Identification of Children Between the Ages of Birth to Age Three

Georgia's early intervention system, Babies Can't Wait, is operated through the Department of Community Health and is responsible for identification of children ages birth thru three who are eligible to receive such services due to developmental delays or documented physical or mental conditions that have a high probability of resulting in a developmental delay. Greene County makes referral to Babies Can't Wait for children ages birth thru three when appropriate. The office of Student Services provides appropriate contact information for Babies Can't Wait to the parent upon request.

Because of overlapping responsibilities, The State of Georgia Department of Education and Babies Can't Wait have an interagency agreement intended to ensure that children with disabilities are provided needed services in a timely manner. Children who are being served by Babies Can't Wait are referred to the GCSD from Babies Can't Wait 90 days prior to the child's third birthday. This notice marks the beginning of the transition services from Babies Can't Wait services to special education services delivered through the GCSD.

The purpose of the transition process from Babies Can't Wait to the Greene County School System is to ensure that eligible children and their families experience a smooth and effective transition into the GCSD.

- The GCSD receives specific information from Babies Can't Wait on children who have been determined eligible and are receiving early intervention services. Greene County Special Education Staff collects and maintains data and other information specific to the child in order to track these children over time and to ensure that they are transitioned to school special education services on or before their third birthday. A Greene County Preschool Referral Packet is given to the parents of each child referred by Babies Can't Wait. Once the GCSD receives the completed packet, identifying information is entered into the GCSD shared data management system. The student information is managed through the Department of Special Education, Preschool Services.
- Greene County School District has an assigned transition contact that is the primary person responsible for working with Babies Can't Wait and their programs on transition as well as one or more individuals who will attend all 90-day transition conferences. The GCSD ensures that it has the capacity to ensure the availability of school personnel to attend transition conferences throughout the school year.
- Once the transition process has begun, the GCSD Office of Student Services provides qualified personnel to conduct evaluation procedures to determine if the child demonstrates delays in any of the following five areas: cognitive,

adaptive, communication, motor, or social/emotional. In the event that a child meets eligibility requirements, appropriate steps are taken to ensure that an IEP is developed and that special education services begin before or on the child's third birthday.

- If the child is scheduled to transition from the Babies Can't Wait program to the district, and that child turns three years of age during the summer months, GCSD will ensure that eligibility is determined on or before the third birthday. When appropriate, the district will ensure that an IEP is in place on or before the child's third birthday. In the event that the IEP team determines that the child requires extended school year services (ESY), those services will be provided during the summer months. If it is determined that the child is eligible for special education services and does not require ESY services, then the IEP will be implemented on the first day of school.

Identification of children ages 3-5

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For children who are not involved in the Babies Can't Wait system, GCSD conducts on-going child find activities which include community screenings in cooperation with Head Start and other daycare facilities located within the county as well as individual child specific screenings to determine if a child requires further evaluation to determine eligibility for special education services. Individual facilities notify parents prior to screenings. Additionally, flyers are placed in various locations throughout the community. Child Find procedures are also advertised in local newspapers, on local media, and on the Greene County Website. Preschool students attending the local charter school are also screened to determine the need for further evaluation. Additionally, GCSD receives referrals from local physicians and parents. Through this process, children who require further testing are referred to the GCSD, Office of Student Support, and Preschool Services. If it is determined that the child meets eligibility criteria for special education and the parent gives consent to place the child in special education, the Greene County School District will develop an Individualized Education Plan (IEP) and provide services as appropriate. The Greene County School system works to ensure that state and federal rules and regulations are met in regard to eligible children including, but not limited to, the development of an IEP and delivery of special education services in the least restrictive environment.

Greene County Policy on Eligibility

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GCSD policy establishes eligibility for students in special education in accordance with the guidelines set forth in state rules and regulations regarding eligibility categories. GCSD will establish eligibility when a child or youth ages 3-21 is considered to have a disability under the Individuals with Disabilities Education Act (IDEA 2004). If the child or youth meets the eligibility criteria in any of the following areas and needs special education and related services:

- a. Autism Spectrum Disorder (ASD)
- b. Deaf/blind (D/B)
- c. Deaf/hard of hearing (D/HH)
- d. Emotional and behavioral disorder (EBD)
- e. Intellectual disability (mild, moderate, severe, profound)(MID) (MOID) (SID) (PID)
- f. Orthopedic impairment (OI)
- g. Other health impairment (OHI)
- h. Significant developmental delay (SDD)
- i. Specific learning disability (SLD)
- j. Speech language impairment (SI)
- k. Traumatic brain injury (TBI)
- l. Visual impairment (VI)

It is the policy of the GCSD that upon completion of the administration of assessments and other measures, a group of qualified professionals and the parent of the child will meet as an Eligibility Team to determine whether the child is a child with a disability. The Eligibility Team also determines the educational needs of the child. GCSD provides a copy of the evaluation report and the documentation of determination of eligibility.

GCSD will not determine a child to be a child with a disability if the primary factor for that determination is any of the following:

- a. Lack of appropriate instruction in reading, including the essential components of reading instruction to include following:
 - phonemic awareness;
 - phonics;
 - vocabulary development;
 - reading fluency, including oral reading skills; and
 - reading comprehension strategies.
- b. Lack of appropriate instructions in mathematics
- c. Limited English Proficiency (LEP)

In order to interpret evaluation data for the purpose of determining if a child is a child with a disability and the educational needs of the child, the GCSD draws upon information from a variety of sources, including aptitude and achievement tests, parent input along with teacher recommendations. Information about the child's physical condition, social or cultural background, and adaptive behavior is also considered. Information utilized for the purpose of eligibility is carefully documented and considered.

If the GCSD makes a determination that a child had a disability and that the disability adversely affects educational performance (academic, functional and/or developmental)

And therefore needs special education and related services, the GCSD will develop an IEP for the child.

The Eligibility Report:

GCSD policy requires that an Eligibility Report must be developed which documents the area of disability. This report is completed and placed in each child's Student Services folder. The Eligibility Reports provides statements for each component of the eligibility and is comprehensive enough to serve as the evaluation report when necessary.

When a child is determined not eligible for special education and related services as defined by IDEA, the GCSD Eligibility Report clearly explains the Eligibility Team's determination. GCSD provides a copy of the report to the parent.

Individualized Educational Plans

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The Greene County School District provides an Individualized Education Plan (IEP) for each student with a disability as defined by IDEA. This plan is developed, reviewed and revised at least annually by the child's IEP Team. The IEP developed by the GCSD should always contain the information listed below.

General:

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1. A statement of the child's present levels of academic achievement and functional performance including:
 - a. How the child's disability affects the child's involvement and progress in the general education curriculum; or
 - b. For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.
2. A statement of measurable annual goals, including academic and functional goals designed to--
 - a. Meet the child's needs that result from the disability to enable the child to be involved in and make progress in the general education curriculum; and
 - b. Meet each of the other educational needs that result from the child's disability

3. For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;
4. A description of--
 - a. How the child's progress toward meeting the annual goals will be measured; and
 - b. When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports concurrent with the issuance of report cards) will be provided.
5. A statement of the special education and related services and supplementary aids and services, based on peer reviewed research to the extent possible, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided that enable the child
 - a. To advance appropriately toward attaining the annual goals;
 - b. To be involved in and make progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; and
 - c. To be educated and participate with other children with disabilities and nondisabled children in academic, nonacademic and extracurricular activities.
6. An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the nonacademic and extracurricular activities.
7. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments; and
 - A. If the IEP Team determines that the child must take an alternate assessment instead of a particular regulate State or district wide assessment of student achievement, a statement of why
 - i. The child cannot participate in the regular assessment; and
 - ii. The particular alternate assessment selected is appropriate for the child; and
 - iii. The parents of the child must be informed that the child is being assessed against or modified achievement standards and any consequences of such assessments.
 - B. IEP teams must select for each assessment only those accommodations that do not invalidate the score according to state standards
8. The projected date for the beginning of services and program modifications and the anticipated frequency, location, and duration of those services and program modifications.

Transition:

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Beginning no later than entry into ninth grade or by age 16, whichever comes first, or younger if determined appropriate by the IEP Team and updated annually, the IEP must include the following:

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

Transfer of Rights At Age of Majority:

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Beginning not later than one year before the student reaches the age of 18, the IEP must include a statement that the student has been informed of the student's rights under Part B of IDEA, if any, which will transfer to the student on reaching age 18.

Construction:

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Nothing shall be constructed to require that additional information be included in a child's IEP beyond what is explicitly required or that the IEP Team is required to include information under one component of a child's IEP that has already been contained under another component of the child's IEP.

The IEP Team:

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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 GCSD ensures that each IEP Team meeting includes the following participants:

1. The parents of the child;
2. Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
3. Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child;
4. A representative of the GCSD who:
 - a. Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - b. Is knowledgeable about the availability of resources of the GCSD.
5. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in 2-5 above.

6. At the discretion of the parent or the GCSD, other individuals who have knowledge or special expertise regarding this child; including related services personnel as appropriate and
7. Whenever appropriate, the child with a disability should be included in the meeting.

Transition Services Participants

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In accordance with #7 (above) , the GCSD will invite the student with a disability to attend the IEP Team meeting if the purpose of the meeting will be the consideration of postsecondary goals for the student and the transition services needed to assist the student in reaching those goals.

1. If the student does not attend the IEP Team meeting, the GCSD takes other steps to ensure the student's preferences and interests are considered.
2. To the extent possible, with consent of the parents or the adult student who has reached the age of 18, in implementing the transition requirements, the GCSD invites a representative of and participating agency that is likely to be responsible for providing or paying for transition services.
3. To the extent appropriate, with the consent of the parents or the adult student who has reached the age of 18, in implementing the transition requirements, the LEA must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

Determination of Knowledge and Special Expertise:

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The determination of the knowledge or special expertise of any individual must be made by the party (parents or GCSD) who invited the individual to be a member of the IEP Team.

Designating a LEA Representative:

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The GCSD may designate a LEA member of the IEP Team to also serve as the LEA representative in the following criteria is satisfied:

- The person must be qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities
- The person must be knowledgeable about the general education curriculum; and
- The person must be knowledgeable about the availability of resources of the GCSD.

IEP Team Attendance:

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1. A member of the IEP Team is not required to attend an IEP Team meeting, in whole or in part, if the parent of a child with a disability and the LEA agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.
2. A member of the IEP may be excused from attending an IEP Team meeting, in whole or in part, when the meeting involves a modification to or discussion of the team member's area of the curriculum or related services if:
 - a. The parent, in writing, and the LEA consent to the excusal; and
 - b. The member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting.

Initial IEP Team Meeting for Child Under Part C (Babies Can't Wait (BCW):

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In the case of a child, birth through age 2, who was previously served under BCW, GCSD sends an invitation to the initial IEP meeting must, at the request of the parent, be sent to the BCW service coordinator or other representatives of BCW to assist with the smooth transition of services.

Parent Participation:

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1. GCSD takes steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate, including notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend/participate. GSCS schedules the meeting at a mutually agreed upon time and place.
2. The invitation to the IEP meeting indicates the purpose, time and location of the meeting, participants who will be in attendance and informs the parents of their right to invite other individuals who, in their opinion, have knowledge or special expertise regarding their child, including related services personnel. The invitation also informs the parents of a child previously served in Babies Can't Wait of their right to request that an invitation to the initial IEP Team meeting be sent to the service coordinator or other representative of Babies Can't Wait to assist with the smooth transition of services.
3. For a student with a disability, beginning not later than entry into ninth grade or by age 16, whichever comes first, or younger if determined appropriate by the IEP Team, the GCSD sends an invitation which indicates that a purpose of the meeting will be the consideration of postsecondary goals

and transition services for the student. The LEA will invite the student and identify any other agency that will be invited to send a representative.

4. If neither parent can attend and IEP Team meeting, the GCSD will use other methods to help ensure parent participation, including individual or conference telephone calls or video conferences. While the District seeks parental input, a meeting may be conducted without the parent(s) in attendance if the LEA is unable to convince the parents that they should attend. In this case, the LEA must keep a record of its attempts to arrange a mutually agreed upon time and place such as detailed records of telephone calls made or attempted and the results of those calls; copies of correspondence sent to the parents and any responses received; and detailed records and results of visits made to the home or place of employment and the results of those visits.
5. The GCSD takes necessary action to ensure that the parents understand the proceedings of the IEP Team meeting, including arranging for an interpreter for a parent who is deaf or whose native language is other than English.
6. The GCSD provides a copy of the IEP to the parent at no cost.
7. The GCSD works to ensure that the parents of each child with a disability are members of any group that makes decisions on the child's educational placement.

When the IPE Must be in Effect:

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1. The GCSD has an IEP in effect for each child with a disability in the jurisdiction.
2. The GCSD has an IEP or IFSP in place for children with disabilities aged 3-5. When an IFSP is used, it is always
 - a. Consistent with the Georgia rule for IEPs
 - b. Agreed to by the district and the child's parents
3. GCSD provides the child's parents a detailed explanation of the differences between an IFSP and an IEP. If the parents choose an IFSP, the GCSD obtains written informed consent from the parents.

Initial IEP Provisions of Services:

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The GCSD ensures the following regarding the Initial IEP and Provision of Services:

1. A meeting to develop an IEP is conducted within 30 days of a determination that the child needs special education and related services.
2. 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.

Accessibility of Child's IEP to Teachers and Others:

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The GCSD ensures the following:

1. The child's IEP is accessible to each regular education teacher, special education teacher, related services provider, and any other service provider who is responsible for its implementation or who is determined to have a legitimate educational interest.
2. 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.

IEP's for Children who Transfer LEAs within Georgia:

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If a child with a disability transfers into GCSD in the same school year from another LEA in Georgia, the GCSD, in consultation with the parents, will provide FAPE to the child (including services comparable to those described in the child's IEP from the previous LEA); until the GCSD either:

1. Adopts the child's IEP from the previous LEA ; or
2. Develops, adopts, and implements a new IEP that meets state and federal requirements.

IEP's for Children who Transfer from Another State:

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If a child with a disability (who had an IEP that was in effect in a LEA in another state transfers to GCSD within the same school year, the GCSD (in consultation with the parent) will provide the child with FAPE (including services comparable to those described in the IEP from the previous LEA), until GCSD:

- a. Conducts an evaluation if determined to be necessary by the GCSD; and
- b. Develops, adopts, and implements a new IEP, if appropriate.

Transmittal of Records:

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GCSD will take reasonable steps to obtain the student's records including the IEP, supporting documents and any other records relating to the provision of special education or related services to the child from the previous LEA in which the child was enrolled, pursuant to FERPA.

Development, Review, and Revision of the IEP:

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GCSD develops IEPs for each child with a disability and considers the following:

- a. The strengths of the child;
- b. The concerns of the parents for enhancing the education of their child;
- c. The results of the initial or most recent evaluation of the child;
- d. The results, as appropriate, of the child's Statewide or district wide assessments; and
- e. The academic, developmental, and functional needs of the child.

GCSD IEP teams consider special factors including the following:

- a. In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports and other strategies, to address that behavior in the IEP or behavioral intervention plan;
- b. In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
- c. In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs and appropriate reading and writing media, that instruction or the use of Braille is not appropriate for the child;
- d. Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode; academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and
- e. Consider whether the child needs assistive technology devices and services.

The GCSD works to ensure that extended school year (ESY) are available as necessary to provide FAPE. ESY services are provided only if the IEP Team determines, on an individual basis, that the services are necessary for the provision of FAPE to the child. GCSD does not limit ESY services to a particular disability category or unilaterally limit the type, amount or duration of ESY services.

- a. The IEP Team determines if ESY services are needed as a part of the child's FAPE. It considers the individual needs of the child.

- b. When the GCSD IEP Team determines that ESY will be provided, the district will:
 - Indicate which goals are being extended or modified to deliver FAPE
 - State the specific services needed, the amount of time for each service, the beginning and ending dates for the services, the service provider and location.
- c. GCSD provides ESY services as required by the child's IEP and all necessary transportation at no cost to the parent.
- d. A GCSD regular education teacher of a child with a disability, as a part of the IEP team, participates, to the extent appropriate in the development of the IEP including the determination of:
 - Appropriate positive behavioral interventions and supports and other strategies for the child; and
 - Supplementary aids and services, accommodations, program modifications, and support for school personnel.
- e. Changes of amendments to the IEP may be made by either the entire IEP Team at an IEP Team meeting or by written agreement between the parents and the GCSD.
 1. When making changes to the IEP after the annual IEP Team meeting, the parent(s) of a child with a disability and the GCSD may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP.
 - If changes are made to the IEP, the GCSD ensures that the IEP Team is informed of the changes.
 - A parent is provided with a revised copy of the IEP with the amendments incorporated.

Reviews and Revisions of IEPs:

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The GCSD ensures the following

- a. The IEP is reviewed periodically, but not less than annually to determine if 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 reevaluations;
 3. Information about the child provided to or by the parents;
 4. The child's anticipated needs; or
 5. Other matters.
- c. To the extent possible, GCSD encourages the consolidation of reevaluation meetings for the child and other IEP Team meetings for the child--

1. When conducting a review of the child’s IEP, GCSD considers special factors listed under “Special Factors” including a-e in that section.
2. A GCSD regular education teacher participates in the review and revision of the IEP of the child, as required by IDEA.
3. The following applies to failure to meet transition objectives:
 - If a participating agency, other than the GCSD, fails to provide the transition services described in the IEP, the GCSD will reconvene the IEP Team to identify alternative strategies to meet the transition objectives set out in the IEP.
 - Nothing in this part relieves the participating, including the State Vocational Rehabilitation Agency of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students who meet the eligibility criteria of that agency.
- d. Children with disabilities in adult prisons.
 1. The following requirements do not apply to children with disabilities who are convicted as adults under the Stat law and are incarcerated in adult prisons with the Department of Corrections:
 - Participations of children with disabilities in State and district wide assessments; and
 - The requirements related to transition planning and transition services do not apply to children whose eligibility under Part B of IEAD 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.
 2. The GCSD 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 demonstrate a bona fide security or compelling penological interest that cannot otherwise be accommodated.
 3. The IEP requirements in this rule and the LRE requirements do not apply with respect to (d)2 above.

Special Education Programs and Definitions

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The Greene County School District offers special education programs for children ages 3-21 in all areas of special education.

Related services may include the following:

Physical Therapy, Occupational Therapy, Audiology, Orientation and Mobility, Psychological Services, and Specialized Transportation.

AUTISM (ASD)

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Definition:

Autism is a developmental disability, generally evident before age three that 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.

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

1. Developmental rates and sequences. A student exhibits delays, arrests, and/or inconsistencies in the acquisition of motor, sensory, social or cognitive skills. Areas of precocious or advanced skill development may also be present, while other skills may develop at typical or extremely depressed rates. The order of skill acquisition frequently differs from typical developmental patterns.

2. Social interaction and participation. A student displays difficulties and/or idiosyncratic differences in interacting with people and participating in events. Often a student is unable to establish and maintain reciprocal relationships with people. A student may seek consistency in environmental events to the point of exhibiting rigidity in routines.

3. Communication (verbal and/or nonverbal). A student 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 student may have a nonverbal communication impairment.

4. **Sensory processing.** A child may exhibit unusual, repetitive or unconventional responses to sensory stimuli of any kind. A child's responses may vary from low to high levels of sensitivity.
5. **Repertoire of activities and interests.** A child may engage in repetitive activities and/or may display a 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 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 (D/B)

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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:

1. For a student to be determined eligible for placement in special programs for the deaf/blind, the student shall have current optometric or ophthalmological examinations, as well as an audiological evaluation, all administered by qualified professionals. Students 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 indicating the date 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 student's ability to understand spoken language with and without amplification, and an interpretation of the results as they apply to the student in his or her classroom setting.

2. Students who are deaf/blind may be served in other classes serving students with other disabilities; however, the class-size ratio for deaf/blind shall be maintained. Additional Requirements: Each student who has been diagnosed as having dual sensory impairments shall be reported to the Georgia Deaf/blind Census.

EMOTIONAL AND BEHAVIORAL DISORDER (EBD)

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Definition:

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

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

A child with EBD is a child who exhibits one or more of the above emotionally based characteristics of sufficient duration, frequency and intensity that interferes significantly with educational performance to the degree that provision of special educational service is necessary. EBD is an emotional disorder characterized by excesses, deficits or disturbances of behavior. The child's difficulty is emotionally based and cannot be adequately explained by intellectual, cultural, sensory general health factors, or other additional exclusionary factors

Eligibility and Placement:

1. A child may be considered for placement in a program for children with EBD based upon an eligibility report that shall include the following:
 - a. Documentation of comprehensive prior extension of services available in the regular program to include counseling, modifications of the regular program or alternative placement available to all children, and data based progress monitoring of the results of interventions
 - b. Psychological and educational evaluations
 - c. Report of behavioral observations over a significant period of time;
 - d. Appropriate social history to include information regarding the history of the child's current problem(s), the professional services and interventions that have been considered or provided from outside the school; and
 - e. Adequate documentation and written analysis of the duration, frequency and intensity of one or more of the characteristics of emotional and behavioral disorders.

2. A child must not be determined to be a child with an Emotional and Behavioral Disorder if the primary factor for that determination is:
 - a. Lack of appropriate instruction in reading, including the essential components of reading instruction;
 - b. Lack of appropriate instruction in math;
 - c. Lack of appropriate instruction in writing;
 - d. Limited English proficiency;
 - e. Visual, hearing or motor disability;
 - f. Intellectual disabilities;
 - g. Cultural factors;
 - h. Environmental or economic disadvantage; or
 - i. Atypical education history (multiple school attendance, lack of attendance, etc.).

3. The term does not include children with social maladjustment unless it is determined that they are also children with EBD. A child whose values and/or behavior 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.

DEAF/HARD OF HEARING (D/HH)

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Definitions:

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

1. A child who is deaf can be characterized by the absence of enough measurable hearing (usually a pure tone average of 66-90+ decibels American National Standards Institute without amplification) such that the primary sensory input for communication may be other than the auditory channel.

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

Eligibility and Placement:

1. The eligibility report shall include audiological, otological and educational evaluation reports.

(a) Audiological evaluations shall be provided with initial referral. Children who are deaf or hard of hearing shall have an audiological evaluation administered by a certified/licensed audiologist annually, or more often if needed. The annual audiological evaluation shall include, but is not limited to: an otoscopic inspection, unaided and aided pure tone and speech audiometry (as applicable), immittance testing, word recognition, hearing aid check and electro-acoustic analysis of the hearing aid (if amplified), an analysis of a frequency modulated (FM) system check (if utilized). A comprehensive written report shall be included in the audiological

evaluation. This written report shall include, but is not limited to: the date of the audiological evaluation, description of the results of the audiological testing, an amplification evaluation including the child's ability to understand spoken language with and without amplification, as well an interpretation of the results as they apply to the child in his or her classroom setting.

(b) An otological evaluation report from appropriately licensed or certified personnel is required at the time of initial placement in the program for the deaf/hard of hearing. The otological evaluation report is required as medical history pertinent to the absence of hearing. If such a report is not available upon initial placement, it shall be obtained within 90 days of placement. The initial or most recent otological evaluation result shall be summarized and that otological evaluation report shall be attached to the eligibility report.

(c) A comprehensive educational assessment shall be used in the development of the child's individualized education program (IEP). The educational evaluation shall include assessment data from more than one measure and shall include, but is not limited to, information related to academic/achievement levels, receptive and expressive language abilities, receptive and expressive communication abilities, social and emotional adjustment and observational data relative to the child's overall classroom performance and functioning.

2. A psychological evaluation, using instruments appropriate for children who are deaf or hard of hearing, is recommended as part of the overall data when eligibility is being considered.

3. Children who exhibit a unilateral hearing loss may be considered for eligibility provided documentation exists that indicates academic or communicative deficits are the result of the hearing loss.

Additional Requirements:

1. An evaluation of the communication needs of a child who is deaf or hard of hearing shall be considered in the program and class placement decisions. An evaluation of a child's communication needs shall include, but is not limited to: language and communication needs and abilities, opportunities for direct communication with peers and professional personnel in the child's preferred language and communication mode, severity of loss, educational abilities, academic level and full range of needs, including opportunities for direct instruction in the child's language and communication mode.

2. Any classroom to be used for a child who is deaf or hard of hearing shall be sound-treated and present an appropriate acoustical environment for the child. All placements, including regular education placements and desk arrangements within

classrooms shall be made so that environmental noise and interruptions are minimized.

3. Recommendation of the appropriate educational environment, including acoustical considerations, should be made by the IEP Team.

4. 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.

Intellectual Disabilities

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Includes: Mild Intellectual Disabilities (MID), Moderate Intellectual Disabilities (MoID), Severe Intellectual Disabilities (SID), and Profound Intellectual Disabilities (PID)

Definition:

Intellectual disabilities refers to significantly subaverage general intellectual functioning which exists concurrently with deficits in adaptive behavior that adversely affect educational performance and is manifested during the developmental period.

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

(a) All IQ scores defining eligibility for students with intellectual disabilities shall be interpreted as a range of scores encompassed by not more than one standard error of measurement below and above the obtained score. The standard error of measurement for a test may be found in the technical data section of the test manual.

(b) Any final determination of the level of intellectual functioning shall be based on multiple sources of information and shall include more than one formal measure of intelligence administered by a qualified psychological examiner. There may be students with IQ scores below 70 who do not need special education, while some students with IQ scores over 70 may need special education. Interpretation of results should take into account factors that may affect test performance such as socioeconomic status, native language, cultural background and associated disabilities in communication, sensory or motor areas.

(2) Deficits in adaptive behavior are defined as significant limitations in an individual'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.

(a) Individuals with intellectual disabilities typically have strengths that coexist with weaknesses in adaptive behavior. During the pre-school years the primary criteria for adaptive behavior evaluations are sensory motor skills; communication skills; self-help skills; and socialization. In addition to the previous criteria, during the school age years evaluation criteria include the use of basic academic skills in practical situations, the use of reasoning and judgment in coping effectively in a variety of environments, the acquisition of social skills and establishing and maintaining satisfactory personal relationships. In late adolescence and adulthood, additional criteria related to independent functioning and vocational activity are used.

(c) Any final determination of impairment in adaptive behavior shall be based on at least two measures of adaptive behavior, one of which shall be a formal measure.

(d) At least two sources must be used to provide the information for the adaptive behavior measures. The first source should be someone from the local school who knows the student such as a general education teacher, a special education teacher, or a counselor. The second source, if possible, should be someone who knows the student from outside the school environment such as a parent, guardian, family member or other person familiar with the student.

(e) Interpretation of results should consider the student's cultural background, socioeconomic status and any associated disabilities that may limit impact the results of the adaptive behavior measures in comparing students to expected standards for a particular age group.

(3) Deficits in intellectual functioning and adaptive behavior are all documented prior to age 18.

Eligibility and Placement:

A student 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 student is eligible for services in the area of intellectual disability. A comprehensive educational evaluation shall be administered to determine present levels of academic functioning. A written report shall be prepared for each student to provide an adequate description of the data collected during evaluation and to explain why the student is eligible for services in a program for students with intellectual disabilities. In situations where eligibility

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

Mild Intellectual Disability:

(1) Intellectual functioning ranging between an upper limit of approximately 70 to a lower limit of approximately 55; and

(2) Deficits in adaptive behavior that significantly limit an individual'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:

(1) Intellectual functioning ranging from an upper limit of approximately 55 to a lower limit of approximately 40; and

(2) Deficits in adaptive behavior that significantly limit an individual'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:

(1) Intellectual functioning ranging from an upper limit of approximately 40 to a lower limit of approximately 25; and

(2) Deficits in adaptive behavior that significantly limit an individual'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:

(1) Intellectual functioning below approximately 25; and

(2) Deficits in adaptive behavior that significantly limit an individual'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.

ORTHOPEDIC IMPAIRMENT (OI)

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Definition:

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:

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

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

Eligibility and Placement

Evaluation for initial eligibility shall include the following:

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

Children served in a program for orthopedic impairments should 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 (OHI)

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Definition:

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

(1) Is due to chronic or acute health problems such as asthma, attention deficient hyperactivity disorder, diabetes, epilepsy, or heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette Syndrome, and

(2) **Adversely affects a child's educational performance.** In some cases, heightened awareness to environmental stimulus results in difficulties with starting, staying on and completing tasks; making transitions between tasks ; interacting with others; following directions; producing work consistently; and organizing multi-step tasks.

Eligibility:

1. Evaluation for initial eligibility shall include the following:

(a) The medical evaluation from a licensed doctor of medicine, or in the case of Attention Deficit Hyperactivity Disorder (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 healthcare 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, but a medical finding does suggest medical course of treatment should be followed if prescribed by a doctor.

(b) A comprehensive developmental or educational assessment to indicate the effects of the health impairment on the child's educational performance. Assessments shall document deficits in pre-academic or academic functioning, adaptive behavior, social/emotional development, motor, or communication skills resulting from the health impairment. When assessment information indicates significant deficits in cognitive/academic functioning, a psychological evaluation shall be given.

(c) A child must not be determined to be a child with Other Health Impairment if the determinant factor for that determination is:

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

Placement and Service Delivery:

(1) A child meeting eligibility criteria be served by any appropriately certified teacher in any educational program, as specified in the child's individualized education program (IEP).

(2) GCSD 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).

SPECIFIC LEARNING DISABILITIES (SLD)

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Definition:

(1) 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.

(2) The child with a specific learning disability has one or more serious academic deficiencies and does not achieve adequately according to age to meet 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 available in the general education classroom, 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:

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

a. Lack of appropriate instruction in reading, to include the essential components of reading instruction (phonemic awareness, phonics, fluency, vocabulary, and comprehension);

b. Lack of appropriate instruction in math;

- c. Lack of appropriate instruction in writing;
- d. Limited English proficiency;
- e. Visual, hearing or motor disability;
- f. Intellectual disabilities;
- g. Emotional disturbances;
- h. Cultural factors;
- i. Environmental or economic disadvantage; or
- j. Atypical educational history (such as irregular school attendance or attendance at multiple schools)

Required Data Collection:

(1) 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:

(a) Data is collected and considered prior to conducting a formal evaluation for special education:

(i) At least two current (within twelve months) assessments such as the results of the CRCT, norm-referenced achievement tests or benchmarks indicating performance that does not meet expectations for 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.

(b) Supplementary instruction is provided:

(i) That lasts for a minimum of 12 weeks;

(ii) At least four data collections of progress monitoring occur during the twelve weeks;

(iii) The strategies used and the progress monitoring results are presented to the parents at regular intervals

(c) Any educationally relevant medical findings that would impact achievement.

(2) After consent is received from the parents for a comprehensive evaluation for special education determination the following must occur:

a. An observation by a required group member;

b. Documentation that the determination is not primarily due to any of the exclusionary factors;

c. Current analyzed classroom work samples indicating below level performance as compared to the classroom normative sample; and

d. Documentation of a pattern of strength and weaknesses in performance and/or achievement in relation to age and grade level standards must include:

(i) A comprehensive assessment of intellectual development designed to assess specific measures of processing skills that may contribute to the area of academic weakness. This assessment must be current for the academic school year and

(ii) The current school year's Response to Intervention data based documentation required prior to referral indicating the lack of progress toward the attainment of grade level standards.

(iii) As appropriate, a language assessment as part of additional processing batteries may be included.

Eligibility Determination:

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

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

the processing deficits are relevant to the child's academic underachievement as determined by appropriate assessments that are provided to the child in his/her native language. Though a child may be performing below age or state approved grade level standards, the results of progress monitoring must indicate that the child is not making the expected progress toward established benchmarks. This is indicated by comparing the child's rate of progress toward attainment of grade level standards.

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

(a) Oral expression- use of spoken language to communicate ideas;

(b) Listening comprehension-ability to understand spoken language at a level commensurate with the child's age and ability levels;

(c) Written expression - ability to communicate ideas effectively in writing with appropriate language;

(d) Basic reading skills-ability to use sound/symbol associations to learn phonics in order to comprehend the text;

(e) Reading comprehension-ability to understand the meaning of written language based in child's native language;

(f) Reading Fluency Skills- the ability to read and process a text with appropriate rate and accuracy;

(g) Mathematics calculation-ability to process numerical symbols to derive results, including, but not limited to, spatial awareness of symbol placement and choice of sequence algorithms for operations required; and

(h) Mathematical problem solving -ability to understand logical relationships between mathematical concepts and operations, including, but not limited to, correct sequencing and spatial/symbolic representation.

(4) 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.

(5) 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 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:

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

(a) The child's regular teacher; or if the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his or her age;

(b) A highly qualified certified special education teacher; and

(c) A minimum of one other professional qualified to conduct individual diagnostic assessments in the areas of speech and language, academic achievement, intellectual development, or social-emotional development and interpret assessment and intervention data (such as school psychologist, reading teacher, or educational therapist). Determination of the required group member should be based on the data being reviewed and the child's individual needs.

(2) 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 (SI)

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Definitions:

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.

(1) Speech Sound Production Impairment (e.g. articulation impairment)- atypical production of speech sounds characterized by substitutions, omissions, additions or distortions that interferes with intelligibility in conversational speech and obstructs learning ,successful verbal communication in the educational setting. The term may include the atypical production of speech sounds resulting from phonology, motor or other issues. The term speech sound impairment does not include:

A) Inconsistent or situational errors;

B) Communication problems primarily from regional, dialectic, and/or cultural differences;

C) Speech sound errors at or above age level according to established research-based developmental norms, speech that is intelligible and without documented evidence of adverse effect on educational performance;

D) Physical structures (e.g., missing teeth, unrepaired cleft lip and/or palate) are the primary cause of the speech sound impairment; or

E) Children who exhibit tongue thrust behavior without an associated speech sound impairment.

(2) Language Impairment - impaired comprehension and/or use of spoken language which may also impair written and/or other symbol systems and is negatively impacting the child's ability to participate in the classroom environment. The impairment may involve, in any combination, the form of language (phonology, morphology, and syntax), the content of language (semantics) and/or the use of language in communication (pragmatics) that is adversely affecting the child's educational performance. The term language impairment does not include:

A) Children who are in the normal stages of second language acquisition/learning and whose communication problems result from English being a secondary language

unless it is also determined that they have a speech language impairment in their native/primary language.

B) Children who have regional, dialectic, and/or cultural differences

C) Children who have auditory processing disorders not accompanied by language impairment.

D) Children who have anxiety disorders (e.g. selective mutism) unless it is also determined that they have a speech language impairment. There must be a documented speech-language impairment that adversely affects the educational performance for these children to qualify for special education services.

(3) 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.

(4) Voice/Resonance Impairment – interruption in one or more processes of pitch, quality, intensity, or resonance resonance that significantly reduces the speaker's ability to communicate effectively.. Voice/Resonance impairment includes aphonia or the abnormal production of vocal quality, pitch, loudness, resonance, and/or duration, which is inappropriate for an individual's age and/or gender. The term voice/resonance impairment does not refer to:

A) Anxiety disorders (e.g. selective mutism)

B) Differences that are the direct result of regional, dialectic, and/or cultural differences

C) Differences related to medical issues not directly related to the vocal mechanism (e.g. laryngitis, allergies, asthma, laryngopharyngeal reflux (eg. acid reflux of the throat, colds, abnormal tonsils or adenoids, short-term vocal abuse or misuse, neurological pathology)

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

Evaluation, Eligibility and Placement:

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

Evaluation:

A) Documentation of the child's response to prior evidenced-based interventions prior to referral for a comprehensive evaluation.

B) A comprehensive evaluation shall be performed by a certified or licensed Speech-Language Pathologist (SLP) for consideration of speech-language eligibility. Following receipt of a clear hearing and vision screening and medical clearance for voice (as appropriate) this evaluation consists of an initial screening of the child's speech sounds, language, fluency, voice, oral motor competency, academic, behavioral, and functional skills using either formal or informal assessment procedures to assist in determining if the child is a child with a disability. An in-depth evaluation of each area suspected of being impaired, using at least one formal test and/or procedure.

C) A full and individual initial evaluation for each area suspected of being a disability must be provided and considered prior to the child's eligibility for speech-language services. This may include assessments in the areas of health (e.g. ENT, otolaryngologist, ophthalmologist, and optometrist), vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

D) The evaluation is sufficient to identify all of the child's special education and related service needs, whether or not commonly linked to the disability category in which the child has been referred or classified.

E) Children with voice/resonance impairment must have a medical evaluation to rule out physical structure etiology by a medical specialist either prior to a comprehensive evaluation or as part of a comprehensive evaluation. The presence of a medical condition (e.g., vocal nodules, polyps) does not necessitate the provision of voice therapy as special education or related service nor does a prescription for voice therapy from a medical doctor. A written order from a medical practitioner is a medical opinion regarding the medical evaluation or treatment that a patient should receive. When directed to a school, these medical orders should be considered by the team as a part of the eligibility process. The team, not a medical practitioner, determines the need for an evaluation for special education services based on documented adverse effect of the voice impairment on the child's educational performance.

F) A variety of assessment tools and strategies must be used to gather relevant functional, developmental and academic information about the child, including

information provided by the parent. Information from the evaluation is used to determine whether the child is a child with a disability and the content of the child's IEP including information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate preschool activities).

Eligibility:

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

- 1) The Speech-Language Pathologist determines the presence or absence of speech-language impairment based on Georgia rules and regulations for special education,
- 2) Documentation of an adverse effect of the impairment on the child's educational performance
- 3) 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.

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

A speech-language disorder does not exist if:

A) Environmental, cultural, or economic disadvantage cannot be ruled out as primary factors causing the impairment; or

B) A child exhibits inconsistent, situational, transitory or developmentally appropriate speech-language difficulties that children experience at various times and to various degrees.

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.

(4) 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.

(5) 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. Placement in the speech-language program shall be based on the results of the comprehensive assessment, and eligibility, along with all other pertinent information.

4. 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 (TBI)

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Definition:

Traumatic Brain Injury (TBI) refers to an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects the student'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, e.g., cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, speech and information processing. These injuries may intensify pre-existing problems in these areas as well. Resulting impairments may be temporary or permanent in nature. The term does not apply to brain injuries that are congenital or degenerative in nature, brain injuries induced by birth trauma or those resulting from internal occurrences such as stroke, tumor or aneurysm.

Eligibility:

(1) Evaluation for eligibility shall include the following.

(a) A summary of the student's pre-injury functioning status. This information may be available through previous formal evaluations, developmental assessments, achievement tests, classroom observations and/or grade reports.

(b) Verification of the TBI through the following:

1. A medical evaluation report from a licensed doctor of medicine indicating that TBI has occurred recently or in the past, or
2. Documentation of TBI from another appropriate source, such as health department or social services reports, or parents' medical bills/records.

(c) A neuropsychological, psychological or psychoeducational evaluation that addresses the impact of the TBI on the following areas of functioning:

1. 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.
2. 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.
3. Physical/Motor - this includes areas such as hearing and vision acuity, speech production, eye-hand coordination, mobility and physical endurance.

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

Placement/Service Delivery:

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

Visual Impairment Rules and Regulations

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Definitions:

A student with a visual impairment is one whose vision interferes with functioning in a regular school program or, for preschool-age children, in learning tasks. Examples are students whose visual impairments may result from congenital defects, eye diseases, or injuries to the eye. Visual impairment is determined on the basis of a current examination by an ophthalmologist or optometrist.

(1) Functionally blind means a student who is legally blind and unable to use print as the reading medium. Consideration of instruction in Braille is essential to this student's education.

(2) Legally blind means a student 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 students who are legally blind have useful vision and may read print.

(3) Partially sighted means a student whose visual acuity falls within the range of 20/70 to 20/200 in the better eye after correction or when the student cannot read 18 point print at any distance. Some students with a visual acuity greater than 20/70 will need specialized help for a limited time. The eligibility report shall document whether the visual loss constitutes an educational disability.

Eligibility and Placement:

(1) An eye examination report shall be completed and signed by the ophthalmologist or optometrist who examined the student.

(2) A comprehensive education evaluation shall be administered to determine present levels of functioning. The adverse effect of the visual impairment on the student's educational performance shall be considered for eligibility.

Additional Requirements:

(1) Students identified with visual impairments shall be evaluated to determine the need for Braille skills. The evaluation will also include the future needs for Braille instruction or the use of Braille. For students who are identified through evaluation

that Braille instruction and use is indicated, the individualized education program (IEP) shall include the following:

(a) Results obtained from the evaluation conducted for the purpose of determining the need for Braille skills;

(b) How instruction in Braille will be implemented as the primary mode for learning through integration with other classroom activities;

(c) Date on which Braille instruction will commence;

(d) The length of the period of instruction and the frequency and duration of each instructional session; and

(e) The level of competency in Braille reading and writing to be achieved by the end of the period and the objective assessment measures to be used.

(2) For those students for whom Braille instruction is not indicated, the minutes of the IEP shall include a statement that the absence of Braille instruction will not impair the student's ability to read and write effectively.

SIGNIFICANT DEVELOPMENTAL DELAY (SDD)

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Definition:

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

Eligibility:

(1) 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.

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

(a) Lack of appropriate instruction in reading or literacy readiness, including the essential components of reading instruction;

(b) Lack of appropriate instruction in math or math readiness skills;

(c) Limited English proficiency;

(d) Visual, hearing or motor disability;

(e) Emotional disturbances;

(f) Cultural factors; or

(g) Environmental or economic disadvantage.

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

(3) 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.

(4) 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:

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

(a) Regular Early Childhood Setting;

Head Start Programs
Georgia Pre-K Classes
Community Daycares
Private Preschools

(b) Separate Early Childhood Special Education Setting;

(c) Day School;

(d) Residential Facility;

(e) Service Provider Location; or

(f) Home

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

Discipline

GCS D Discipline Policy:

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General Provisions:

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The code of student conduct shall apply to all children unless a child's individualized education program (IEP) specifically provides otherwise. GCS D 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. Such notice is also available on the GCS D website.

Authority of School Personnel:

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(a) School personnel may 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.

(b) 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, another setting or suspension, for not more than 10 school days per school year (to the extent those alternatives are applied to children without disabilities).

(c) 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 GCSD will provide services as set out below.

(d) For disciplinary changes in placement that would exceed 10 school days in one school year, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability under this Rule, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities except as provided in (e) of this Rule.

(e) Services. A child with a disability who is removed from his or her current placement for more than 10 school days must:

1. Continue to receive educational services, provided FAPE as defined by state and federal regulations, so as to enable the child to continue to participate in the general educational curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP ; and

2. Receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications as set forth in the behavioral intervention plan and IEP, where appropriate, that are designed to address the behavior violation so it does not recur.

3. GCSD only provides services during periods of removal to a child with disability who has been removal from his or her current placement for 10 school days or less in that school year, if services are provided to a child without disabilities who has been similarly removed

4. If the removal is for more than 10 school days or is a change in placement because of disciplinary removals, the child's IEP Team determines appropriate services needed in order to provide a free, appropriate public education, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

5. The services required in (e) may be provided in an interim alternative educational setting (this may include, but is not limited to, OSS, the alternative school or another setting).

6. When student with a disability receives In School Suspension (ISS) for a violation of the code of conduct, the special education case manager or designee will ensure that services are implemented so that he or she continues to receive special education services that allow access to the general education curriculum and for the student to make progress on his or her goals.

Manifestation Determination:

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Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, GCSD, the parent, and the relevant members of the child's IEP Team (as determined by the parent and the district) must review all relevant information in the child's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine :

1. If the conduct in question was caused by, or had a direct and substantial relationship to, the Child's disability; or

2. If the conduct in question was the direct result of GCSD's failure to implement the IEP.

(b) The conduct must be determined to be a manifestation of the child's disability if GCSD, the parent and relevant members of the child's IEP Team determine that the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or the conduct in question was the direct result of the GCSD's failure to implement the IEP.

(c) If GCSD, the parent and the relevant members of the child's IEP Team determines the conduct in question was a direct result of the failure of GCSD to implement the IEP, GCSD must take immediate steps to remedy those deficiencies.

(d) It is important that the manifestation determination team/IEP Team carefully consider the relevant information as set out above.

Determination that Behavior was a Manifestation:

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(a) If the district, the parent and relevant members of the IEP Team (referred collectively as “the manifestation determination team”) make the determination that the conduct was a manifestation of the child’s disability, the IEP Team must either :

1. Conduct a functional behavioral assessment, unless GCSD had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
2. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior, and except as provided in paragraph (5) below, return the child to the placement from which the child was removed, unless the parent and the district agree to a change of placement as part of the modification of the behavioral intervention plan. Thus, the District cannot suspend or expel the student (if that would be a change of placement) unless the parent and GCSD agree to such a change of placement as part of the modification of the behavioral intervention plan.

Special Circumstances:

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(a) School personnel may remove a child to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability, if the child :

1. 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 GCSD;
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or to a school function under the jurisdiction of the State or GCSD ; or
3. 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 GCSD.

(b) The interim alternative educational setting is determined by the IEP Team.

Notification:

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- (a) On the date on which GCSD makes the decision to remove a student and it is such removal that constitutes a change of placement of a child with a disability

because of a violation of a code of child conduct, GCSD will the parents of that decision, and provide the parents the procedural safeguards notice/parents rights.

- (b) The principle or designee is responsible for recording discipline incidents in the county wide shared information system. At the time that the principal records the incident, he or she will ascertain whether or not the child is a child with a disability. In the event that the child has a disability and the action taken constitutes a change in placement, the principal will also notify the Office of Student Services.

Definitions:

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For purpose of this section, the following definitions apply:

(a) Controlled substance - a drug or other substance identified under schedules I, II, III, IV , or V in section 202(c) of the Controlled Substances A ct (21 U .S .C . 812(c)) .

(b) Illegal drug - a controlled substance ; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that A ct or under any other provision of Federal law .

(c) Serious bodily injury - has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.

(d) Weapon - has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code .

Appeal:

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(a) The parent of a child with a disability who disagrees with any decision regarding placement or the manifestation determination under this Rule, or if GCSD believes that maintaining the current placement of the child is substantially likely to result in injury to the child or others may appeal the decision by requesting a hearing. The hearing is requested by filing a due process hearing request pursuant to state and federal regulations.

(b) Authority of administrative law judge or hearing officer. An administrative law judge hears the facts and makes a determination regarding an appeal under the disagreement in (8)(a) above .

1 . In making a determination under this Rule, the administrative law judge or hearing officer may:

(i) Return the child with a disability to the placement from which the child was removed if the administrative law judge or hearing officer determines that the removal was a violation of this Rule or that the child's behavior was a manifestation of the child's disability ; or

(ii) Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the administrative law judge or hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

(c) These appeal procedures may be repeated, if the district believes that returning the child to the original placement is substantially likely to result in injury to the child or to others.

(d) Expedited due process hearing. Whenever a hearing is requested under paragraph (8)(a) this Rule, the parents or GCSD must have an opportunity for an impartial due process hearing consistent with state and federal regulations.

1. The State is responsible for arranging the expedited due process hearing, which must occur within 20 school days of the date the complaint requesting the hearing is filed. The administrative law judge or hearing officer must make a determination within 10 school days after the hearing.

2. Unless the parents and GCSD agree in writing to waive the resolution meeting described the State Board Rule or agree to use the mediation process described in the same Rule:

(a) A resolution meeting must occur within seven days of receiving notice of the due process hearing request/complaint; and

(b) The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of the receipt of the due process hearing request/complaint.

(c) The decisions on expedited due process hearings are appealable consistent with state and federal regulations.

Placement during Appeals:

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(a) When an appeal under this Rule has been made by either the parent or GCSD, the child must remain in the interim alternative educational setting pending the decision of the administrative law judge or hearing officer or until the expiration of the 45 school day time period provided for in this Rule, section 5, Special Circumstances, whichever comes first, unless the parent and GCSD agree otherwise.

Protections for Children not yet Eligible for Special Education and Related Services:

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(a) A child who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct, may assert any of the protections provided for in this Rule if GCSD had knowledge (as determined in accordance with this Rule) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

1. GCSD must be deemed to have knowledge that a child is a child with a disability if before the behavior that precipitated the disciplinary action occurred -

(i) The parent of the child expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency or a teacher of the child, that the child is in need of special education and related services;

(ii) The parent of the child requested a special education evaluation pursuant to IDEA

(iii) The teacher of the child or other GCSD personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to the GCSD director of special education or to other GCSD supervisory personnel.

2. GCSD would not be deemed to have knowledge that a child is a child with a disability if the parent of the child has not allowed an evaluation of the child or has refused services or the child has been evaluated and determined not to be a child with a disability as described in Rule 160-4-7-.04 Eligibility Determinations and Criteria.

3. If GCSD does not have knowledge that a child is a child with a disability prior to taking disciplinary measures against the child, the child may be subjected to the disciplinary measures applied to children without disabilities who engaged in comparable behaviors.

4. If a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the agency and the information provided by the parents, the agency must provide special education and related services.

Referral to and Action by Law Enforcement and Judicial Authorities:

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(a) Nothing in this Rule prohibits GCSD from reporting a crime committed by a child with a disability to appropriate authorities or prevents State law enforcement or judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

(b) When GCSD reports a crime committed by a child with a disability it will ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime.

(c) GCSD will transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.

Change of Placement because of Disciplinary Removals:

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

1. The removal is for more than 10 consecutive school days, or
2. The child has been subjected to a series of removals that constitute a pattern

(i) Because the series of removals total more than 10 school days in a school year;

(ii) Because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals, and;

(iii) Because of 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.

(b) GCSD determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.

1. This determination is subject to review through due process hearings and judicial proceedings.

GCSD Policies and Procedures

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GCSD Policy on Free and Appropriate Public Education (FAPE):

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GCSD provides a Free and Appropriate Public Education (FAPE) to all students including students who are eligible for special education from the ages of three (3) through twenty-one (21). Entitlement to FAPE ends when a student reaches age 22 or graduates with a regular diploma, whichever comes first. GCSD may elect to allow a student to remain in school until the end of the school year in which the student turns 22. All GCSD students with an Individualized Education Program (IEP) are provided with FAPE under the Individuals with Disabilities Education Act (IDEA). GCSD provides FAPE for all students with an IEP by ensuring that each student's IEP is reasonably calculated to enable the child to receive educational benefit. GCSD provides FAPE to students at the preschool, elementary and secondary levels at no cost to the parent. Students are provided with FAPE in order to enable them to make progress toward and/or meet the educational standards of the state of Georgia. GCSD will provide access to the Georgia curriculum while addressing the unique needs of each student. GCSD provides a variety of different indicators of progress including test scores, grades, work samples, and/or anecdotal records. Progress may be demonstrated in academics, advances in communication, gains in social skills, achievement in employment and functional living skills, or behavior.

GCSD Policy on Least Restrictive Environment (LRE):

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GCSD provides that to the maximum extent possible, students will be served in the least restrictive environment (LRE). Children with disabilities in public or private institutions or other care facilities will be educated with children who are not disabled.

GCSD will utilize special classes, separate schools or remove children from their regular education environment only in cases where the nature or severity of the disability is such that education in the regular classroom with the use of supplementary aids and services cannot be achieved satisfactorily. Placement determinations are made by the IEP Team in compliance with state and federal regulations to enable the student to make educational progress in the least restrictive environment which provides the student FAPE.

In determining the educational placement of a child, including preschool children, GCSD ensures the following:

1. The placement decision is made by a group of persons, including the parents, and other persons who are knowledgeable about the evaluation data and the placement options.
2. GCSD placement decisions are made in compliance with the rules of the state of Georgia related to Least Restrictive Environment including the following provisions:
 - f. The decision regarding placement is made at least annually and is as close as possible to the child's home
 - g. Unless the child's IEP requires some other arrangement for FAPE as determined by the IEP Team, the child is educated in the school closest to the child's home.
 - h. When determining Least Restrictive Environment, GCSD gives consideration to any potential harmful effect on the child or their quality of service.
 - i. GCSD does not remove a child from their same aged regular education environment based solely on needed modifications to the general education curriculum.
3. GCSD provides a continuum of alternative placements which are available to meet the needs of children with disabilities for special education and related services to include the following:
 - a. The following alternative placements: instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions.
 - b. GCSD makes provision for supplementary services including, but not limited to, resource room and itinerant instruction to be provided in conjunction with regular education placement.
4. GCSD Preschool placements include the following:
 - a. Regular education programs including Bright from the Start Pre-k, Head Start as well as public and private daycares. In these programs, special education services are delivered as:
 - Additional support services: the child remains in the regular education program and supplementary aids and services are provided to the teacher and/or child to implement the IEP
 - Direct service: The child remains in the regular education program with services provided by a special education personnel using a consultative, collaborative, or co-teaching model
 - The child attends a regular preschool program, but special education services and related services are provided outside of the regular education program.
5. Placements for children not attending a regular early childhood program, GCSD provides the following:
 - a. a separate special education program housed in a public school.

- b. a program provided at home as a natural environment
 - c. a program provided in the offices of service providers
 - d. any combination of the above as outlined in the child's IEP.
6. GCSD School aged placements include the following:
- a. General education classroom with appropriate, non-disabled peers as included in IEP
 - b. Additional supportive services: In this placement, the child remains in the regular education classroom with supplementary aids and services. These services may be provided to the teacher and/or the child in order to implement the IEP. These services may be provided by a paraprofessional, interpreter, etc.
 - c. Direct Services: In this placement model, the child remains in the regular education classroom, but receives direct services from special education personnel on a collaborative, consultative, or co-teaching basis.
 - d. Instruction outside of the general education classroom for individuals or small groups
 - e. Separate day school or program
 - f. Home based instruction: GCSD may use this placement model on a short term basis when the parent and LEA agree with following considerations:
 - The provision of a Free and Appropriate Public Education (FAPE) must be maintained that allows access to the general education curriculum and continued progress toward IEP goals.
 - GCSD IEP Team reviews home based instruction on a quarterly basis
 - GCSD home based services include a reintegration plan for returning to the school setting
 - g. Residential placement in or out of state
 - h. Hospital/Homebound Instruction: GCSD provides this placement model for students with disabilities who are placed in a special education program and have a medical diagnosed condition that significantly interferes with their education and requires them to be restricted to their home or hospital for a period of time. GCSD provides homebound instruction according the laws of the state of Georgia.

7. Non-Academic Settings:

GCSD ensures that children with disabilities participate with their non-disabled peers during extracurricular activities including meals, recess, and other service activities to the maximum extent appropriate to meet the needs of the individual child as determined by the IEP Team. GCSD ensures that each child has the supplementary aids and services necessary as determined by the IEP TEAM to allow them to participate in nonacademic activities. Nonacademic activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups, or clubs sponsored by the GCSD, Additionally, GCSD makes referrals to agencies that provide assistance to individuals with disabilities and employment of students both employment by the public agency and assistance with obtaining outside employment.

8. *Technical Assistance and Training Services:*

GCSD provides annual training for teachers and administrators to ensure their understanding of their responsibility relative to the provision of LRE.

GCSD Policy on Confidentiality:

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GCSD maintains confidentiality of educational records as required by the Family Educational Rights and Privacy Act (FREPA). Educational records are directly related to the student and are maintained by an educational agency or institution or by a party acting for the agency or institution. All GCSD personnel (including contracted employees) receive training regarding confidentiality. Personally identifiable information includes:

- The student's name
- The student's parent or other family members
- The student's address
- Personal identifier such as social security number, student number, GTID number
- Personal characteristics

GCSD allows parents access to educational records upon request in a reasonable amount of time, not to exceed the 45 days allowed by the state.

GCSD Procedures for Maintenance of Educational Records:

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1. School file:

- a. The special education lead teacher should ensure that a confidential school file is created for each student enrolled in special education.
- b. A Record of Access log is attached to the inside cover of the file. Documentation should be maintained of any person accessing the file other than appropriate school district representatives or the parent. (i.e., persons authorized by the parent, state monitors).
- c. The following information is typically maintained in the school file
 - Signed consent for evaluation
 - Evaluations (including psychological when appropriate)
 - Eligibility report
 - IEP (current and two most recent years)
 - Signed parent consent for placement
 - Other pertinent information

2. Student Services file:

- a. The Office of Student Services maintains all original documents prepared for an individual student.

- b. A Record of Access Log is attached to the inside cover of the file. Documentation must be maintained of any person accessing the file other than appropriate school district representatives or the parent.
 - c. The case manager and special education lead teacher will ensure that the Office of Student Services receives originals of following documents:
 - Signed consent for evaluation
 - Evaluations (including psychological when appropriate)
 - Clear vision and hearing prior to the evaluation
 - Eligibility report
 - IEP (current and the two most recent years)
 - Signed parent consent for initial placement
 - Notices of IEP meetings
 - Change in Status Form for students exiting special education or leaving the GCSD
 - Out of district records for students entering the district from another location
 - Legal documents including custody and name change
 - Other documents critical to GCSD's efforts to provide FAPE that are not stored in the shared data information system.
 - d. The GCSD Office of Student services will ensure that each Student Services file is maintained in a secure, locked location.
3. Access to educational records:
- a. School district officials, including teachers who work with the student and supervisors, may access student educational records.
 - b. In the event that the GCSD hires an educational consultant to support a student or learning environment, that individual may access student records as a district official.
4. GCSD personnel will print out e-mails that are pertinent to the student's educational receipt of FAPE. Case managers will ensure that such e-mails are filed in both the school file and the Office of Student Services file. Other e-mails are not educational records and shall not be maintained in either file
5. Testing protocols are generally covered by copyright law and may not be copied. Upon request, a parent or representative may inspect the protocol. A copy of the front page containing test scores may be copied as it does not contain test content. Requests to view test protocols must be made through the Office of Student Services.
6. GCSD maintains all student records until they are no longer required to provide services to the student. GCSD Office of Student Services publishes an annual notice of intent to destroy student records.
7. GCSD requires that all outside consultants and private providers who are providing educational and/or therapeutic services to the student adhere to all guidelines set forth by the district including the following:
- a. Register with the Office of Student Services. (One registration required per agency).
 - b. Complete a Registration for School Access Form including a statement regarding the purpose of the access.

- c. Provide a consent to exchange confidential information signed by the parent or guardian
- d. Sign a GCSD Confidentiality Agreement.
- e. GCSD will share educationally relevant information with private providers and consultants when a parent requests that they are invited to the student's IEP meeting.
- f. GCSD will provide parents with copies of the IEP and progress reports that the parent may share with the private provider or consultants. GCSD personnel will not provide copies of such documents directly with consultants or providers.

NOTE: Records which are kept in the sole possession of the maker and are used as a personal memory aid are not educational records and may not be revealed to any other person other than a temporary substitute for the maker of the record.

Abbreviations:

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ADHD – Attention Deficit Hyperactivity Disorder

ASD – Autism Spectrum Disorder

BIP – Behavior Intervention Plan

D/B – Deaf/blind

D/HH – Deaf/Hard of Hearing

EBD – Emotional and Behavioral Disorder

ESEA – Elementary and Secondary Education Act

FBA – Functional Behavior Assessment

FAPE – Free and Appropriate Public

GCSD – Greene County School District

IDEA – Individuals with Disabilities Act

IEP – Individualized Education Program

LEA – Local Education Agency

MID – Mild Intellectual Disabilities

MoID – Moderate Intellectual Disabilities

OHI – Other Health Impaired

OI – Orthopedic Impairment

OT – Occupational Therapy

PID – Profound Intellectual Disability

Prep. Committee – Preparatory Committee

PT – Physical Therapy

RESA – Regional Educational Service Agency

RtI – Response to Intervention

SDD – Significant Developmental Delay

SID – Severe Intellectual Disability

SI – Speech Impaired

SLP – Specific Learning Disability

SLP – Speech-Language Pathologist

SST – Student Support Team

TBI – Traumatic Brain Injury