

Georgia Special Needs Scholarship Program  
Frequently Asked Questions (FAQs)

**IMPORTANT:** This document is to answer frequently asked questions (FAQs) made by parent(s)/guardian(s) regarding the Georgia Special Needs Scholarship (GSNS) Program. This page is only a guide. The provisions written in GSNS law and rule take precedence.

The GSNS Program is administered by the Georgia Department of Education (GaDOE). Public or private schools and school systems are not responsible for providing information regarding the GSNS Program and are not responsible for administering the program.

A parent/guardian interested in the GSNS Program must also visit the GSNS web page at <http://www.gadoe.org/External-Affairs-and-Policy/Policy/Pages/Special-Needs-Scholarship-Program.aspx> and read the information provided.

**GENERAL PROGRAM QUESTIONS**

1. What is the Georgia Special Needs Scholarship Program?

Senate Bill 10 as signed into law on May 18, 2007 created the Georgia Special Needs Scholarship Program. It allows eligible special needs students to transfer to another public school, public school system, state school, or authorized participating private school.

2. Will the GSNS Program continue in future years?

The GSNS Program will continue as long as it is authorized in state law and funded by the Georgia General Assembly.

3. How does an interested parent/guardian find out more about the scholarship?

Parent(s)/guardian(s) can find out more about the program by visiting the GSNS web page at <http://www.gadoe.org/External-Affairs-and-Policy/Policy/Pages/Special-Needs-ScholarshipProgram.aspx>. Click on the Additional Resources link found on the right side of the page.

**PROGRAM ELIGIBILITY QUESTIONS**

1. Which students are eligible for the Georgia Special Needs Scholarship (GSNS) Program?

A student must meet the following eligibility requirements to participate in the Georgia Special Needs Scholarship Program during the 2020 - 2021 school year:

- Student Eligibility Criteria 1- A student have must a parent/guardian who currently lives in Georgia and has been a resident for at least one calendar year.

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- Student Eligibility Criteria 2- A student was enrolled and completed the 2019 – 2020 school year in a Georgia public school in grades kindergarten through twelfth.
- Student Eligibility Criteria 3- A student was reported attending a Georgia public school by a school district(s) during mandatory student counts conducted in October 2019 and March 2020.
- Student Eligibility Criteria 4 - A student does not need to have an Individualized Education Plan (IEP) for the entire school year to qualify for the GSNS Program. A student must have received special education services at some point during the 2019 – 2020 school year through an IEP. A student must be reported by a school district(s) in either the October 2019 OR March 2020 student counts OR in final student record as a student receiving special education services by the end of the 2019 – 2020 school year.

At the end of the school year, school systems update student records for students served by an IEP after the March FTE submissions to reflect that they are special education students. In mid-July the database for the scholarship calculator is updated to include these students.

For students that do not meet these eligibility requirements, a parent can complete an application to Request Waiver of Prior School Year Attendance Requirements for Medical Reasons. The waiver request must include documentation that specifies the medical need(s) of the student and how that need rises to the level of hardship or disability to waive the prior year requirement in the statute. This application form is available on the GSNS web page. Parents must send this application to the GaDOE following the instructions provided.

2. What options are available to an eligible student under the GSNS Program?

If a student meets the eligibility criteria for the GSNS Program; parent(s)/guardian(s) has the right to request a transfer from a student's current public school to:

- Another public school within their school system; or
- Another public school outside their school system; or
- One of the three state schools for the blind or deaf; or
- A private school authorized to participate in the GSNS Program.

3. Are any students ineligible for the GSNS Program?

Yes, the following are ineligible for the GSNS Program:

- Pre-school students;
- Home school students;

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- Students privately placed in residential treatment facilities;
- Students attending a Department of Juvenile Justice School;
- Students in the Early Intervention Program (EIP);
- Students with an Individualized Accommodation Plan (IAP, Section 504 plan); and/or • Students otherwise not eligible per Official Code of Georgia Annotated §20-2-2114.

4. I am new to Georgia can the eligibility requirements be waived if my child has an IEP from another state?

No, the eligibility requirements cannot be waived. The GSNS Program is only available to students who meet the eligibility criteria set in law. The funds accessed for scholarships are the state funding a public school earned for a student during the immediate prior school year. Therefore, if a student was not attending a Georgia public school for the entire immediate prior school year and reported by the school system as a special needs student, there are no funds available for a scholarship for the following school year. The scholarship is made up of only the state funds a student earned. By law, federal and local funds are not included in the scholarship. Once a child meets the eligibility requirements then he/she could participate in the GSNS Program.

5. My family has a member in the military and we have been transferred to Georgia. Are military families exempt from the eligibility requirements if they have a special needs child?

Yes. For more information, visit the Georgia Special Needs Scholarship website and click Application Form for Military Students (#17 under For Parents).

6. If a child participated in the McKay Scholarship Program in Florida does he/she automatically qualify for the GSNS Program?

No, a student that participated in the McKay Scholarship does not automatically qualify for the GSNS Program. The GSNS Program is only available to students who meet the eligibility criteria set in law. The funds accessed for scholarships are the state funding a public school earned for a student during the immediate prior school year. Therefore, if a student was not attending a Georgia public school for the entire immediate prior school year and reported by the school system as a special needs student, there are no funds available for a scholarship for the following school year. The scholarship is made up of only the state funds a student earned. By law, federal and local funds are not included in the scholarship. Once a child meets the eligibility requirements then he/she could participate in the GSNS Program.

7. Can a student that attends one of the online public charter schools: Georgia Cyber Academy (GCA), Georgia Connections Academy (GCA), or Provost Academy Georgia gain eligibility for the GSNS Program?

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These three online charter schools are considered public schools, so students that attend these schools can gain their eligibility for the GSNS Program. Students must still meet all the eligibility criteria of the program. A parent/ guardian would need to contact a school directly regarding enrollment and implementation of a student's IEP.

8. Can a student that attends a charter school gain eligibility for the GSNS Program?

Charter schools are considered public schools, so students that attend charter schools can gain their eligibility for the GSNS Program. Students must still meet all the eligibility criteria.

9. Is a student attending a Georgia Network for Educational and Therapeutic Support (GNETS) school eligible for the GSNS Program?

A GNETS school is considered a public school; students that attend a GNETS school can gain their eligibility for the GSNS Program. Students must still meet all the eligibility criteria of the program.

10. How long can a student receive a scholarship through the GSNS Program?

A student may continue to participate in the GSNS Program if:

- Student remains a resident of Georgia
- Student's parent/guardian remain residents of Georgia
- Student has continual enrollment and attendance in a private school participating in the GSNS Program
- Parent/guardian complies with GSNS Program law and rule.

Continued eligibility for the GSNS Program ends if:

- A student leaves an authorized private school and does not re-enroll in another authorized private school

OR

- A student graduates from high school

OR

- A student turns 22 years old by September 1<sup>st</sup> and has not yet graduated from high school.

The only way a student can re-qualify for the Georgia Special Needs Scholarship Program is to again meet the program requirements outlined in law.

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11. How do I apply for a scholarship for my child?

There are no application or income restrictions for eligibility in the GSNS Program. A scholarship calculator is available on the web page for parents/guardians, but will only work if a student is eligible for the GSNS Program. The award sheet generated by the scholarship calculator is the only proof needed of a student's eligibility. There is no specific date, but in the past the calculator has been updated no later than mid- July.

The award sheet must be given to a private school authorized by the State Board of Education to participate in the GSNS Program and shows how much an eligible child would receive through the GSNS Program for the private school choice option.

The award sheet can also be given to a school district when a parent/guardian applies for public school choice to prove the student is eligible for the choice options available through the GSNS Program. Be aware that funds received through the GSNS Program can only be used to offset tuition and fees at a private school authorized by the State Board of Education to participate in the program. Funds cannot be used to offset the costs of out of district tuition, charter schools, or other options available under public school choice.

12. Does a parent/guardian need to go through "due process" in order to receive a scholarship through the GSNS Program?

No. A student is eligible for the GSNS Program as long as he/she meets the established eligibility criteria set in law.

13. Does a parent/guardian have to prove that the public school did not provide adequate services for their child?

Such proof is not required to participate in the GSNS Program. A student is eligible for the GSNS Program as long as he/she meets the established eligibility criteria set in law.

14. Once a student is participating in the GSNS Program, must his/her IEP be kept up to date in order to continue eligibility for the program?

No, the status of a student's IEP does not affect his/her eligibility for continued participation in the GSNS Program.

15. If the parent(s)/guardians(s) of an eligible student decide to have him/her attend a private school that does not participate in the GSNS program, will the student have to re-enter public school to be eligible for the scholarship at a participating private school in later years?

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Yes, the student would need to re-enter a Georgia public school and meet the eligibility requirements again to be able to participate in the GSNS Program.

16. When are local school systems required to notify special education parent(s)/guardian(s) about the GSNS Program?

Notification for the upcoming school year must take place no later than ten days prior to the last day of the current school year school. The law requires a local school system to annually notify parent(s)/guardian(s) of a student with an IEP by letter, electronic means, or other reasonable means of the options available to the parent(s)/guardian(s) under the GSNS Program.

17. As a parent/guardian, what do I need from the public school before the current school year ends in order to participate in the GSNS Program for the upcoming school year?

Parent(s)/guardian(s) do not need anything from a public school to participate in the GSNS Program. A scholarship calculator is available on the web page <http://www.gadoe.org/External-Affairs-andPolicy/Policy/Pages/Special-Needs-Scholarship-Program.aspx> for parents/guardians to see how much a child would be eligible to receive through the GSNS Program. The calculator is typically updated by mid-July. The award sheet generated by the scholarship calculator is the only proof needed of a student's eligibility.

The award sheet must be given to a private school authorized by the State Board of Education to participate in the GSNS Program and shows how much an eligible child would receive through the GSNS Program for the private school choice option. The award sheet can also be given to a school district when a parent/guardian applies for public school choice to prove the student is eligible for the choice options available through the GSNS Program. Be aware that funds received through the GSNS Program can only be used to offset tuition and fees at a private school authorized by the State Board of Education to participate in the program. Funds cannot be used to offset the costs of out of district tuition, charter schools, or other options available under public school choice.

18. Are pre-K students eligible for the scholarship program?

No, pre-k students do not qualify for the GSNS Program. Students must complete one full school year in kindergarten in a Georgia public school before they are eligible for a scholarship. Pre-k students are funded with a separate funding source and do not generate full-time equivalent (FTE) funding which is the source of the funding for the scholarships through the GSNS Program.

19. My child did not have an IEP for the entire previous year, but was enrolled at the public school for the entire school year. My child began receiving services through an IEP after the March Full-Time

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Enrollment (FTE) student count. Will my child still qualify for the GSNS Program for the upcoming school year?

A student does not have to an IEP for the entire school year to qualify for the GSNS Program. Students who received special education services through an IEP after the March FTE student count need to have their primary area changed from an R for regular education to an S for special education in their final student records. The GaDOE does not receive this information from school systems until late June. When the data is received those students who are now designated as special needs students are added to the scholarship calculator in mid-July.

Keep in mind that the Georgia Special Needs Scholarship amount is based on information reported by each school system during the previous year's October (FTE) count which means a child's scholarship amount will be lower than a student who was receiving services under an IEP when the October FTE student count was completed. Therefore, a parent/guardian has two options:

- First, a parent/guardian can decide to take the scholarship amount and have a student attend a participating private school. However, in subsequent years, the student's scholarship payments will be calculated using the data from that last year he/she was in a Georgia public school.
- Second, a parent/guardian can decide to have a student complete an additional school year at a Georgia public school year which could increase the scholarship amount for the student in the following school year since the student will be receiving services under an IEP at the time of the October FTE student count. For the following school years, the student's scholarship payments would be calculated using the data from that last year he/she was in a Georgia public school.

20. If my child has always attended a private school, what is the process for applying to a public school and for being evaluated for special needs services and an IEP?

To inquire about enrollment and evaluation for special education services, contact your local school system office.

21. Can GSNS students, who have been accepted into a participating private school, attend a public school while they wait for the private school's first day of school?

No. Students who have been accepted into an approved participating private school must wait for the private school's first day of school. A student cannot be dually enrolled in a private school and public school. Students found to be dually enrolled will lose their eligibility for the GSNS Program.

22. My child is in private school, and receives minimal service from the public school. Each year, instead of an IEP, my child receives special education services through a services plan. Will my child be eligible?

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No. The child must be enrolled in a public school the previous year and have an active IEP, not a services plan. A services plan indicates the student was already in a private or home school situation and was not enrolled in the public school with the free and appropriate public education (FAPE) protection of IDEA.

23. Can a scholarship be forfeited?

Yes. There are several ways that a scholarship may be forfeited.

The scholarship may be forfeited when a parent:

- Fails to endorse the scholarship payment to the private school within the 30 days provided; or
- Refuses to endorse the scholarship payment to the private school for deposit into the account of the participating school; or
- Enrolls the student in a non-participating private school; or
- Re-enrolls the student in a public school; or
- Places student in a home school setting in which the parent/guardian provides instruction; or
- Is no longer a resident of Georgia.

The scholarship may be forfeited when a student:

- Does not remain in attendance at a private school throughout the school year (unless excused by the school for illness or other good cause);
- Is expelled from a private school and does not enroll in another participating private school within 30 calendar days; or
- Is placed in a school operating for the purpose of providing educational services to youth in any Department of Juvenile Justice (DJJ) program.

24. My child is 2 1/2 years old and will be able to start special education at age 3. When will she or he be eligible for the scholarship?

Your child will need to complete one school year in kindergarten at a Georgia Public school and meet the other eligibility requirements to participate in the GSNS Program. Students must complete one school year in grades K-12 in a Georgia public school before they are eligible for a scholarship. Pre-k students are funded with a separate funding source and do not generate full-time equivalent (FTE) funding which is the source of the funding for the scholarships through the GSNS Program.

25. My child is going to be retained by his public school will this affect his eligibility for the GSNS Program?

Promotion or retention of a student does not affect eligibility for the GSNS Program.



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26. My child did not pass a CRCT will this affect her eligibility for the GSNS Program?

Failure to pass a state-administered test such as the CRCT does not affect eligibility for the GSNS Program.

**PRIVATE SCHOOL CHOICE QUESTIONS**

1. When will the list of participating private schools be revised for the upcoming school year and made available to the public?

The list of participating private schools for the upcoming school year is available on the GSNS web page when new schools are authorized by the State Board of Education (SBOE) to participate. This typically happens annually between March and August of each year.

2. Are all private schools required to participate in the GSNS Program?

No. Private schools are not required to participate in the GSNS program. Participation in the GSNS Program is voluntary on the part of private schools and is open to all private schools. If there is a school you are interested in that is not on the current approved private school list on the web site ask it to apply. The application with instructions and eligibility requirements for private schools is posted on the web page each year in January. Applications are accepted through June 30. Many of the schools currently participating in the GSNS Program do so because parents asked them.

3. The private school I would like my child to attend was not able to apply and receive authorization for the current school year. It intends to apply for the next school year. Can I send my child to this school and keep the scholarship?

No, because the school is not authorized to participate in the GSNS Program for the current school year. A student's eligibility does not carry with him/her if the student attends an unauthorized private school even if the school applies and receives its authorization for an upcoming school year.

4. Will a private school's acceptance of GSNS students in any way hinder its ability to continue religious education at the school?

No, a private school participating in the Georgia Special Needs Scholarship Program is not required to alter its curriculum or program of instruction.

5. What type of testing is a private school required to give GSNS students should it choose to accept them?

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The legislation requires that private schools assess students using both a pre-test and post-test. The legislation governing the GSNS Program does not give the GaDOE the authority to mandate specific assessments to be used by private schools. Private schools select their own assessments and do not use state-mandated standardized assessments to measure student progress. Progress information is self reported by private schools to the GaDOE.

6. Can a parent/guardian select a religiously based private school?

A scholarship can be used at any participating private school, including religiously based schools that are on the GSNS authorized private school list.

7. Do private schools have to provide special education services to students?

Private schools are not required to provide special education services to students. The Official Code of Georgia Annotated 20-2-2114 (f) states Acceptance of a scholarship shall have the same effect as a parental refusal to consent to services pursuant to the Individuals with Disabilities Education Act (IDEA), 20 U.S.C.A. Section 1400, et seq. IDEA is a federal law that requires public schools to provide all children with disabilities a free and appropriate public education (FAPE). If you choose to remove your child from the public school—even if the state is providing some funds for the private school— then you are refusing parental consent to services under IDEA. Therefore, a private school is not required to provide the same services required of public schools. A parent/guardian must ask a private school directly regarding the specific special education or other services it may be able to provide for students.

8. Can a parent/guardian move a child from a public school to a participating private school during the middle of the school year?

Parents now have three opportunities during a school year to transfer an eligible student from a public school to an authorized private school by the following dates each school year: September 15, December 13 and March 4. For the December or March dates, a parent of an eligible student must file an Intent to File for Scholarship form with the GaDOE. This intent form is available on the GSNS web page and parents must send this form to the GaDOE following the instructions provided. **IMPORTANT:** Due to funding, a student that attended an authorized private school during the prior school year, but did not complete the year at the private school is ineligible to participate in the GSNS Program for the new school year. The only way a student can re-qualify for the Georgia Special Needs Scholarship Program is to again meet the program requirements outlined in law.

9. Can a parent/guardian transfer a child from a participating private school back to a public school during the middle of the school year?

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Yes, a student can return to a public school at any point during a school year. The parent/guardian would forfeit the scholarship and the student's eligibility for the GSNS Program would end for that school year. A student would need to regain eligibility for the GSNS Program before he/she could participate again. Keep in mind that leaving a private school does not release a parent/guardian from an obligation to pay tuition and/or fees owed to a private school.

10. If I re-enroll my child in a public school, will she have to be re-evaluated for eligibility to receive special education services through an IEP?

Re-evaluation for an IEP would depend on whether your child's IEP has expired. Typically IEPs are in effect for two years and the expiration date is usually noted on the last page of the IEP. You would need to speak to the special education staff at the public school regarding your child's IEP and if a re-evaluation needs be completed.

11. Can a parent move a child from a participating private school to another participating private school during the middle of the school year?

Yes, at any point during a school year, a parent can transfer a student to another authorized private school. To maintain a student's scholarship, a parent should not remove a student from his/her current private school until a parent has received acceptance from another authorized private school. Keep in mind that leaving a private school does not release a parent/guardian from an obligation to pay tuition and/or fees owed to a private school.

12. Can a student attending one of the state schools for the blind and/or deaf transfer to a participating private school?

Yes, students who are eligible for the GSNS Program attending one of the three state schools for the blind and/or deaf are eligible for the private school choice option. A parent/guardian would need to contact a private school authorized to participate in the GSNS Program about its admissions procedures and confirm a private school can meet a student's educational needs.

13. How are payments made through the GSNS Program?

Go to the GSNS Program web page <http://www.gadoe.org/External-Affairs-and-Policy/Policy/Pages/Special-Needs-Scholarship-Program.aspx> click the Additional Resources link on the right side of the web page and refer to the How Payments are Made document.

14. Once a student receives a scholarship does the amount remain the same each school year?

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Scholarship award amounts do not remain the same each school year. Scholarship awards for returning GSNS students are calculated using the data from the last year a student was in a Georgia public school. The data is entered into the state public education funding formula that applies to the new school year. As with all state funded programs, scholarships actually paid can increase or decrease because they are dependent on appropriations made by the Georgia General Assembly.

15. If the private school my child is currently attending decides to no longer participate in the GSNS Program can my child continue to attend the school and receive the scholarship?

No, you would need to transfer your child to a private school that is authorized to participate in the GSNS Program to continue your child's eligibility for the GSNS Program.

16. I live outside the metro-area and notice there are no private schools participating in the program. What can be done about this?

Participation in the GSNS Program is voluntary on the part of private schools and is open to all private schools. If there is a school you are interested in that is not on the current approved private school list on the web site ask it to apply. The application with instructions and eligibility requirements for private schools is posted on the web page in January and applications are accepted through June 30. Many of the schools currently participating in the GSNS Program do so because parents asked them.

17. Are private schools participating in the program required to accept all GSNS students that apply to the school?

There is no obligation on the part of a private school participating in the program to accept GSNS students. Parent(s)/guardian(s) must follow the admission procedures in place at the private school.

18. None of the private schools on the authorized list can accommodate my child's needs. Aren't private schools participating in the GSNS Program required to provide services to special needs students?

Private schools participating in the GSNS Program are not required to provide special education services to students. The Official Code of Georgia Annotated 20-2-2114 (f) states Acceptance of a scholarship shall have the same effect as a parental refusal to consent to services in a public school pursuant to the Individuals with Disabilities Education Act, 20 U.S.C.A. Section 1400, et seq. IDEA is a federal law that requires public schools to provide all children with disabilities a free and appropriate public education (FAPE). If you choose to remove your child from the public school—even if the state is providing some funds for the private school— then you are refusing parental consent to services under IDEA. Therefore, a private school is not required to provide the same services required of public schools. A parent/guardian must ask a private school directly regarding the specific special education or other services it may be able to provide for students. However, the school district in which a private school is located must treat a

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student participating in the GSNS program as a parentally-placed private school student with a disability under the IDEA.

19. Can a private school expel a GSNS student?

Yes, a private school can expel a GSNS student. If a GSNS student is expelled from a private school, a parent/guardian will have 30 calendar days to find another placement at another authorized private school. If by day 31 a parent/guardian has not secured a placement for a GSNS student at another authorized private school, the student's eligibility for the GSNS Program will end. A student will need to regain his/her eligibility for the GSNS Program by meeting again the program requirements outlined in law. Expulsion of a GSNS student from a private school does not release a parent/guardian from an obligation to pay tuition and/or fees owed to a private school.

20. Are charter schools the same as private schools?

No, charter schools are publicly funded and are considered public schools.

21. Can funds from the Georgia Special Needs Scholarship Program be used to fund charter schools?

No, charter schools are publicly funded and are considered public schools. Funds received through the GSNS Program can only be used to offset tuition and fees at a private school authorized by the State Board of Education to participate in the program. Funds cannot be used to offset the costs of out of district tuition, charter schools, or other options available under public school choice.

22. Can anyone file a complaint against a private school?

Any individual, organization or agency may file a complaint with the Georgia Department of Education if that individual, organization or agency alleges that a school on the GSNS approved private school list is violating a statute or regulation that applies to the Georgia Special Needs Scholarship Act. Complaints cannot be taken over the phone. The complaint must be submitted on the form posted on the GSNS Program web page <http://www.gadoe.org/External-Affairs-and-Policy/Policy/Pages/Special-NeedsScholarship-Program.aspx>

23. There is a private school I am interested in for my child, but the school is not on the list. Can it apply to participate?

Program is voluntary on the part of private schools and is open to all private schools. If there is a school you are interested in that is not on the current approved private school list on the web site ask it to apply. The application with instructions and eligibility requirements for private schools is posted on the web page

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in January. Applications are accepted through June 30. Many of the schools currently participating in the GSNS Program do so because parents asked them.

24. The private school I am interested in for my child is not located in Georgia. Can the school apply to participate?

No. Private schools that apply to participate in the GSNS Program must be physically located in Georgia where students physically attend classes and have direct contact with the school's teachers.

25. Can an on-line private school participate in the GSNS Program?

On-line private schools cannot participate in the GSNS Program because the law governing the program requires a private school to have a physical location in Georgia where the scholarship students physically attend classes and have direct contact with the school's teachers.

26. The private school my child attends is authorized to participate in the GSNS Program. The school offers an all on-line option for students. Can I have my child use this option and still receive funds through the GSNS Program?

Your child could not participate in this all on-line option. He/she would need to attend classes at the private schools because the law governing the GSNS Program requires a private school to have a physical location in Georgia where the scholarship students physically attend classes and have direct contact with the school's teachers.

**PUBLIC SCHOOL CHOICE QUESTIONS**

1. Does the law provide parent(s)/guardian(s) the choice of which public school a child can attend within a system regardless of attendance zone as long as the school has the capacity and offers a program aligned with a student's IEP?

Yes, students who meet the Georgia Special Needs Scholarship eligibility criteria in law, now have greater public choice options available to them. Parent(s)/guardian(s) may request a public school within or outside their local school system.

The authority to allow or deny transfer requests belongs to a school system. School systems can create their own forms and set deadlines for transfer requests. Parents/guardians must contact a school system directly regarding the process the school system uses for public school transfer requests available through the GSNS Program. Many school systems have policies in place not to accept students from outside its system which is allowable through state law. A parent can link to any school system from



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the Georgia Department of Education's home page at [www.gadoe.org](http://www.gadoe.org), look for the school finder icon on the home page.

**TRANSFERS WITHIN A SCHOOL SYSTEM**

(e.g. transfer from one public school in a county to another in the same county)

A school system reviewing a transfer request must evaluate the request based on availability of space and/or the availability of a special education program at the requested public school that can meet the services outlined in a student's IEP. If there is no space available and/or if the public school requested by a parent/guardian cannot provide the special education services outlined in a student's IEP, then the school system can deny the transfer request.

**TRANSFERS OUTSIDE OF A SCHOOL SYSTEM**

(e.g. transfer from a public school in Cobb County to a public school in Cherokee County)

A school system reviewing a transfer request to its school system from another school system can deny a request for any reason even if there is space and the availability of a special education program at a requested public school. It is allowable for a school system to have a policy not to accept students that reside out of the school system.

If a school system approves an out of system transfer request, it can charge a parent/guardian for the costs of educating a student; also known as out of district tuition. Funds received through the GSNS Program cannot be used to offset the costs of out of district tuition.

Transportation under this public school choice option is the responsibility of a parent. Once a transfer request has been approved by a school system, the student must be allowed to complete all grades at a school.

2. If my child participated in the GSNS Program using the private school choice option last school year, will I be able to use the public school choice option for the upcoming school year?

Yes, if an eligible student attended a private school through the GSNS Program during the immediate prior school year a parent/guardian can make a request for a public-school transfer for the upcoming school year.

3. Can a parent/guardian make an appointment to visit a potential public school of choice to observe the special education services and classes that are available?

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A parent/guardian will need to call the school system office to inquire about such arrangements. State law does not provide for or prohibit such visits, so this will be a school system's decision.

4. My child is eligible for the GSNS Program and I am enrolling him in a private school. When I tried to withdraw him from the public school, I was told it was too late because the school year had already begun and he could not be withdrawn. Will this affect my child's eligibility for the GSNS Program?

It is a parent's responsibility to withdraw a student from a public school if the student will be attending a private school. However, it is only the parent's responsibility to notify the public school. If a public school cannot officially withdraw a student due to administrative rules it has to follow, this does not affect the eligibility of a student to receive funds through the Georgia Special Needs Scholarship Program.

5. I adopted my child and her name changed, but it was not changed in the school systems records. Can her name be changed in the records used for the GSNS Program?

When the Georgia Department of Education receives student data from school systems it cannot change this information for any reason. Therefore, a child's data for the purposes of the GSNS Program is tied to the last year he/she attended a Georgia public school. Since your daughter's former name was not changed in the data reported by the school system, it cannot be changed for the GSNS Program.

A private school in its daily administration would use her current name, but just note that her former name is used for the GSNS Program. This would not affect her eligibility for the GSNS Program and would not affect the ability of a parent to endorse the payments over to a private school when they are issued during the school year.

6. Can a public-school student transfer to a state school such as the Georgia Academy for the Blind?

Yes. However, only students with the primary exceptionality of visual and/or individuals who are deaf or hard of hearing qualify for transfer to a State School. You would need to work with your local school system and the Georgia Department of Education regarding transferring to a State School.

7. Does the new public school I choose for my child to attend have to implement his/her IEP as it is written?

The local school system will provide Free and Appropriate Public Education (FAPE) as soon as the student transfers to the new public school. It will then either implement the IEP as written, or develop a new IEP.

8. If a parent/guardian chooses a public school in another county, does the student still have IEP rights?

Yes. All rights and entitlements follow the student to the new public school. However, transportation for the student is not provided by the school system and is the responsibility of the parent(s)/guardian(s).



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9. My child was granted a public school choice transfer for the upcoming school year. How long will the transfer be valid?

Once a transfer request has been approved by a school system, the student must be allowed to complete all grades at a school. For example, if a student was granted a transfer request to a public middle school for 6<sup>th</sup> grade, he/she must be allowed to attend the school through the eighth grade. Once the student completes middle school and if the parent/guardian wishes to have the student attend a different high school, the parent/guardian would need to submit another public school choice transfer request to the local school system at that time.

10. Can the scholarship be used to purchase curriculum and supplies for home schooling?

Funds received through the GSNS Program can only be used to offset tuition and fees at an authorized private school.

11. What are the criteria local school systems use to approve transfer requests?

A school system considering a transfer request between schools within the system must evaluate the request based on capacity at a requested school(s) and the availability of a program at a requested school(s) which is aligned with the student's IEP. Capacity is defined in two ways:

- Capacity of the school building based on established health and safety provisions; and
- Class-size capacity by grade and subject, based on state law and rule.

A school system considering a request for a transfer for a student that resides outside the school system from has the authority to approve or deny a public school transfer request for any reason. A school system considering a transfer can deny a request even if there is capacity and a program available that is aligned to the student's IEP within its system. Many school systems have policies to not accept transfers requests from students that do not reside within a school system which is allowable under the law.

Parent(s)/guardian(s) considering sending students to schools outside their school system need to contact that school system directly regarding its policies. If a request is approved, a school system can charge parent(s)/guardian(s) for the costs of educating a student from outside its school system. Funds received through the GSNS Program can only be used to offset tuition and fees at a private school authorized by the State Board of Education to participate in the program. Funds cannot be used to offset the costs of out of district tuition, charter schools, or other options available under public school choice.

**SCHOLARSHIP FUNDING QUESTIONS**

1. How is the scholarship amount for a student calculated?

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The Georgia Special Needs Scholarship amount is based on information reported by each school system during the previous year's October Full-Time Enrollment (FTE) count. State funding for students with disabilities can vary greatly and is determined by the services the school district reported as providing to the student during the prior school year's data collection cycle. At a broad level, the special education funding for a given student is determined by the number of segments of special amount of the school day a student receives special education services and the nature of the student's disability. The special education services may be provided in a variety of environments along the continuum for alternative placements, and the environment in which a special education student receives services bears no relation to the amount of funding a school will receive for the student.

All scholarship amounts and payments are contingent on appropriation by the Georgia General Assembly and scholarship payments may be reduced to reflect budget reductions in the State budget. A student's scholarship award is the maximum amount the Georgia Department of Education can give out for a student's scholarship. The scholarship is made up of only state funds. Not all services provided by a public school for a student are paid for with state funds. By law, federal and local funds are not included in the scholarship.

2. Who provides transportation for GSNS Students?

If a parent/guardian chooses to transfer their child to another public school or private school the parent/guardian is responsible for providing transportation.

3. I took my child out three weeks before the March FTE count. Can I get a partial scholarship?

Partial scholarships are not available. The funds accessed for scholarships are the state funding a public school earned for a student during the immediate prior school year. Therefore, if a student was not attending a Georgia public school for an entire prior school year and reported by the school district as a special needs student, there are no funds available for a scholarship for the upcoming school year. The scholarship is made up of only the state funds a student earned. By law, federal and local funds are not included in the scholarship.

4. My child qualified, but I chose not to enroll him in a private school. Can I use the scholarship funds to pay for tutoring?

No, funds received through the GSNS Program can only be used to offset tuition and fees at a private school.

5. Can scholarship funds be used to pay for summer school or camps at a private school?

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No, funds received through the GSNS Program are not available to pay for summer school or camps at a private school.

6. Must parent/guardian claim the scholarship amount awarded to a child on State or Federal Income Tax forms?

No. The IRS has determined that acceptance of a scholarship under this program is not considered personal family income if a parent/guardian does not attempt to deposit or cash the scholarship checks.

7. Could the scholarship amount change if state education funding changes?

As with all state funded programs, the level of funding for k-12 education can change each school year. Scholarships actually paid through the Georgia Special Needs Scholarship Program are dependent on appropriations made by the Georgia General Assembly.

8. Will the scholarship be based on the IEP from the previous year or the one written for the upcoming year?

The scholarship is based on the amount of state funds the public school received for students during the last school year they were enrolled in a Georgia public school – not future years.

9. My child's IEP includes Occupational Therapy and Physical Therapy. If related services are listed on the application with the appropriate fees the private school will charge, can it be included as part of the scholarship amount?

The scholarship amount is based on the amount of state funds the public school would have earned for your student based on the immediate prior school year. If a private school is planning on providing those services as part of its program and is including the costs in the tuition and fees charged, they may be covered up to the maximum scholarship amount for your child. Note that if tuition and fees charged are higher at a private school than a student's scholarship award, a parent/guardian is responsible for paying the additional tuition and fees.

10. Does the scholarship program provide financial assistance for transportation costs?

Assistance with transportation is not provided. Parent(s)/guardian(s) are responsible for providing transportation for students participating in the GSNS Program.

11. I removed my child from a private school that participates in the GSNS Program and now it is telling me I still owe them money. Can a school do this?

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Yes, a parent/guardian can still owe funds to a private school even if your child no longer attends the school. Refer to the contracts or agreements you entered into with a private school. In addition, review your records of payments made by you and through the GSNS Program to a private school. This will allow you to know if you actually owe funds to the private school. A private school participating in the GSNS Program is not required to alter any of its business practices. Parent(s)/guardian(s) must comply with all a private school's policies. GaDOE staff cannot resolve disputes that may arise between a parent/guardian and a private school.

12. Can I ask my private school to provide with me a record each time a GSNS payment is sent to the private of the amount paid to the school?

Yes. Parents are encouraged to ask for such records if a private school does not provide them. You can also contact the GSNS office directly regarding scholarship payments made for your child.

**SPECIAL EDUCATION QUESTIONS**

1. Why does the law for the GSNS Program state that the acceptance of a Georgia Special Needs Scholarship shall have the same effect as a parental refusal to consent to services pursuant to the Individuals with Disabilities Education Act (IDEA)?

IDEA is a federal law that requires public schools to provide all children with disabilities a free and appropriate public education (FAPE). If you choose to remove your child from the public school—even if the state is providing some funds for the private school— then you are refusing parental consent to services under IDEA. Therefore, a private school is not required to provide the same services required of public schools. If you decide to return your child to a public school, your child would again be entitled to all rights and services pursuant to IDEA as long as the child remains eligible to receive services through an IEP. However, the school district in which a private school is located must treat a student participating in the GSNS program as a parentally-placed private school student with a disability under the IDEA.

2. Is a child receiving hospital or homebound services included in the Full Time Equivalent (FTE) counts?

Yes, students receiving hospital or homebound services are enrolled public-school students and are required to be reported by their public schools in the FTE counts.

3. Can you still access federal funds for special education and related services, if your child receives funds from the GSNS Program?

When parent(s)/guardian(s) accept funds for a student's scholarship under the GSNS Program they are refusing parental consent to services under IDEA. A school system in which a private school is located

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must consider a student participating in the GSNS Program for receipt of proportionate share if the student enrolls in a private school within the school system. The school system makes the decision on which students will receive services, what services will be provided, and will develop a services plan for students that will receive services. The parent/guardian of the GSNS student has no individual right, but has the right to have his/her child in the group of students for whom services are considered.

4. Will assistive technologies impact the scholarship amount?

Assistive technology is not part of the State Quality Basic Education (QBE) funding formula and will not impact the scholarship amount. In addition, there is no obligation on the part of a private school to provide assistive technology supports or services to a student participating in the GSNS Program.

5. My child's previous public school has contacted me about updating my child's IEP. The school is telling me I have to update the IEP even though my child is attending a private school through the GSNS Program. Is this correct?

No, there is no requirement to update a student's IEP to continue to receive funds through the GSNS Program if a parent/guardian has a student attending a private school.

6. If my child's IEP expires while he is a GSNS student in a participating private school, can I request that the school system complete another evaluation for an IEP? Would such a request affect my child's eligibility for the GSNS Program?

A student's eligibility for the GSNS Program would not be affected if a parent/guardian requests an evaluation for services due to an expired IEP. The school district in which a private school is located must treat a student participating in the GSNS program as a parentally-placed private school student with a disability under the IDEA.