

Special Education Basics For Charter Schools

**Georgia Department of Education
Division for Special Education
Services and Supports
1870 Twin Towers East
Atlanta, Georgia 30334**

Laws that Impact Students with Disabilities



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
gaDOE.org

- Every Student Succeeds Act (ESSA)
- Americans with Disabilities Act (ADA)
- Section 504 of the Rehabilitation Act
- Individuals with Disabilities Education Act (IDEA)



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

So...What Does IDEA Say?

Children with disabilities, and their parents, who attend public charter schools retain all rights under IDEA

Georgia Department of Education



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
gaode.org

Ensuring a Lawful Special Education Program

State Board and Charter School Commission Authorization

These charter schools are, in fact, their own Local Education Agencies (LEAs) and are solely responsible for ensuring that the requirements of IDEA are met...

Georgia Department of Education

Basics of IDEA



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga.doe.org

IDEA requires that procedures be in place to address the following:

- **Free Appropriate Public Education (FAPE)** for children who are eligible ages 3-21
 - Provided at no cost to parents
 - Provide an opportunity to progress in the general curriculum and to make progress toward annual goals

Georgia Department of Education

Basics of IDEA



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

IDEA requires that procedures be in place to address

the following:

- **Least Restrictive Environment (LRE)**

Students are removed from general education **only** when services cannot be provided in the general education setting with supports.



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

Basics of IDEA

IDEA guarantees students with access to a full continuum of services, supports and accommodations necessary for participation in the LRE:

- based on the individual needs of the students
- determined by the Individualized Education Program (IEP) team (a district cannot tell students and families they do not provide a particular service)
- must include general classes, special classes, special schools, home instruction, and instruction in hospitals and institutions.

Basics of IDEA



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
gaDOE.org

Child Find

- Identification process for SWD birth through 21
 - Georgia Student Achievement Pyramid of Interventions Response To Intervention (RTI)-Tiers 1-4
 - If a student is referred for evaluation for Special Education, eligibility must be determined within 60 days of receiving consent for evaluation

Note: If a parent requests an evaluation, the school must provide one.

Basics of IDEA



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
gaode.org

PRIOR WRITTEN NOTICE

The school district must provide parents written notice whenever the district proposes or refuses to initiate or change a student's:

- Identification
- Evaluation
- Educational placement
- FAPE

Georgia Department of Education

Basics of IDEA

Confidentiality of information

- Records
- Personnel
- Access of parents

Related Health Issues

- May cause frequent absences
- May need to consider hospital homebound services
- May take medication that needs to be monitored
- Schools may not require a SWD to take medication in order to come to school or to have an IEP in place

Basics of IDEA



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

- **Notice and consent**
 - Prior to evaluations
 - Prior to providing services (placement in special education)
 - Prior to changing services
 - Parents may revoke consent
 - LEAs provide *Prior Written Notice*

Georgia Department of Education

Basics of IDEA



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

Revocation of consent

- Relatively new regulation in the most recent reauthorization of IDEA
- Allows parent (in writing) to remove consent to receive special education and related services
- System must respond to parent's written statement with prior written notice and then honor the request
- Parent may not pick and choose, consent /revocation of consent is for receipt/revocation of all services

Georgia Department of Education

Basics of IDEA



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

- **Dispute resolution procedures**
 - Complaints
 - Mediation
 - Due Process Hearings

Georgia Department of Education

IEP Development



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

- **An Individualized Education Program (IEP)**
 - Annual plan, must be reviewed at least one time per year
 - Progress reporting on annual goals
 - No required forms but each component must be addressed
 - Georgia has GO-IEP an online platform that many districts use

IEP Development



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

- IEPs are developed by a team that must include:
 - General education teacher
 - Special education teacher
 - Parent
 - Student (if transition to postsecondary is to be discussed)
 - LEA representative
 - An individual who can interpret the results of assessments and determine educational needs (may be one of the above)

IEP Development



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga.doe.org

- Transfer of rights
 - Notice by age 17
 - Actual transfer at age 18
- Statement of annual services, related services and types of supports to be provided to the student including academic, nonacademic and extracurricular activities
- To be educated and participate with nondisabled peers and an explanation, if any, of the extent to which the child will not participate with nondisabled children in the regular class and other activities

Components of the IEP



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

- Contains the following sections:

I. Present levels of academic and functional performance

- Most recent evaluations
- Description of academic, developmental, and/or functional strengths
- Description of academic, developmental, and/or functional needs
- Parental concerns regarding their child's education
- Impact of the disability on involvement and progress in the general education curriculum

Components of the IEP



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
gadoe.org

II. Consideration of Special Factors

- Behavior Issues
- Limited English Proficiency
- Blindness/Visual Impairment
- Communication needs,
- Deaf/hard of hearing issues
- Assistive Technology
- Alternative Format

Georgia Department of Education

Components of the IEP



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

III. Transition Service Plan

- For students who enter 9th grade or turn 16...whichever comes first

IV. Measurable Annual Goals

- Enable the student to participate in general curriculum
- For those in alternate assessments, also must include sort term objectives or benchmarks
- A statement of when progress toward meeting the annual goals will be reported

Georgia Department of Education

Components of the IEP



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

- **Transition services plan**
 - By age 16 or entry into high school, whichever comes first
 - Course of study (diploma options)
 - Measurable postsecondary goals related to training, education, employment and independent living
 - Agencies/persons who will be involved in transition services

Georgia Department of Education

Components of the IEP



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

V. Measurable Annual Goals and Short Term Objectives

Goals must be developed for all areas of **"Need"** identified in the Present Levels of Academic and Functional Performance (PLAAFP)
Report of Student Progress

VI. Student Supports

Accommodations

Supplemental Aids and Services

Components of the IEP



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
gaDOE.org

VII. Assessment Determination for District and Statewide Assessments for Grades K-12

VIII. Special Education:

Instruction/Related Services In General Education Classroom/Early Childhood Setting

IX. Special Education:

Instruction/Related Services Outside General Education Classroom/Early Childhood Setting

Components of the IEP



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga.gov
gaedoe.org

X. Extended School Year (ESY)

IEP team may determine ESY services are necessary for the provision of FAPE and must include:

- Goals to be extended or modified
- Service
- Frequency
- Initiation
- Duration
- Provider Title
- Location

Components of the IEP



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
gaode.org

XI. Documentation of Notice of IEP Meeting

XII. Parent Participation in the IEP Process

Georgia Department of Education

Discipline



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
gaode.org

- **Discipline procedures and protections that address**
 - Removal from classroom
 - Functional Behavioral Assessment (FBA)
 - Behavioral Intervention Plan (BIP)

Georgia Department of Education

Discipline



- Students who are removed from the classroom are not receiving the services required by the IEP
 - After 10 days, it is considered a change of placement
 - Change of placement cannot be done without notifying the parent and convening the IEP team
 - Considered a denial of FAPE (opportunity to progress in the general curriculum and to make progress toward annual goals)
- Students may only be removed for up to 10 days in any school year!
 - ISS may be an exception *if* the student is receiving services

Discipline



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

- **For removals over 10 days (considered a change in placement), the following must occur:**
 - Services will be provided, although in another setting
 - Consideration of whether the behavior that caused the removal was a manifestation of the disability.
Manifestations asks two questions:
 - Is the behavior caused by the disability?
 - Was the IEP implemented?
 - If it was a manifestation of the disability, the student must be returned to his/her original setting and...

Discipline



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

- Conduct or revise :
 - Functional Behavioral Assessment (FBA)
 - Behavioral Intervention Plan (BIP)
- If it was NOT a manifestation, the student may be placed in another setting as determined by the IEP team

Georgia Department of Education

Discipline



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

- School personnel may remove a student to an interim alternative setting for up to 45 days without regard to the manifestation when a student:
 - Violates the code of conduct for a weapon
 - Violates the code of conduct for controlled substances
 - Has inflicted serious bodily injury upon another person
 - The interim placement must provide FAPE

State and Federal Law Resources



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

- **IDEA Statute and Federal Regulations**

<https://sites.ed.gov/idea/statuteregulations/>

- **Special Education Rules**

[Special Education State Rules Link](#)

- **Georgia Special Education Primer for Charter Schools**

[State Charter School Primer](#)



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
gaDOE.org

Data Collection Resources

State Commissioned Charter Schools must understand state and federal reporting requirements in order to secure funding for all students, especially Students With Disabilities (SWD).

Special Education Data Collection and Funding

Data Collection:

Carol Seay

cseay@doe.k12.ga.us

404-463-1713

Funding/Budget:

Amber McCollum

amccollum@doe.k12.ga.us

404-463-0535



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga DOE.org

GOIEP Resource

GaDOE online IEP (GOIEP)

Linda Castellanos lcastellanos@doe.k12.ga.us 404-719-8045

Georgia Department of Education

Contact



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
ga.doe.org

Susan Brozovic, PhD
District Liaison State Charter Schools
Georgia Department of Education,
Division for Special Education
Services and Supports
sbrozovic@doe.k12.ga.us
470-316-8634