



Special Education Supervision and Monitoring Manual

Updated 2024

The purpose of this manual is to provide a guide for users on the implementation of special education services in the Baldwin County School District. It is not intended to establish mandates or ministerial duties, and nothing herein should be viewed as taking away 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 the District's Notice of Parental Rights. These Rights, the IDEA, and the State special education regulations are the controlling provisions for services in this District. This manual covers frequently asked questions and applied procedures, and is not intended to cover every situation. The school district is currently using the state of Georgia's GO IEP software program for development of the student's individualized educational program.

This manual can be located on the Baldwin County Charter School intranet. A hard copy of the manual is available upon the request of parents, teachers, and other stakeholders. Appropriate stakeholders were involved in the development of these procedures. Further information is available by contacting the District's Special Education Director at 478-457-2910.

1 The Baldwin County School district does not discriminate on the basis of age, color, religion, creed, disability, marital status, veteran status, socio-economic status, national origin, race, gender or sexual orientations in its educational services and activities.

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What is Child Find?

Child find is a process that local educational agencies use to identify, locate and evaluate all children within the jurisdiction of the local educational agency (LEA), birth through age 21, who are suspected of having disabilities that may result in a need for special education and related services. This includes:

- preschool children, ages 3 through 5, who may not be enrolled in Georgia funded pre-kindergarten and kindergarten, including children who are parentally placed in private preschools or daycare centers outside the LEA;
- children who are enrolled in a public school within the LEA, including public charter schools;
- children who are parentally placed in private and home schools located within the LEA's jurisdiction
- highly mobile children, including migrant, homeless, and children who are wards of the state;
- children served in community programs, such as rehabilitation centers, daycare centers, etc.;
- children who are incarcerated in facilities operated by the local sheriff's office or other municipalities;
- with regard to Georgia Department of Juvenile Justice and Georgia Department of Corrections, children incarcerated in state juvenile or correctional facilities; and
- any other children suspected of having disabilities, even when those children may be progressing from grade to grade
- Any child with motor, adaptive, communication or intellectual weaknesses

Baldwin County Schools serves children ages 3 through 21 with identified special education needs. All children with disabilities between the ages of 3 through 21 who are residing in Baldwin County are entitled to a free appropriate public education (FAPE), children with disabilities may be served in Babies Can't Wait in Baldwin County as well as other agencies from birth to age 3. Students are eligible to start IDEA services upon their third birthday. By age three, a transition meeting is held; and the children are then served under IDEA with a Baldwin County Schools IEP. Baldwin County Schools works collaboratively with Babies Can't Wait as well as other agencies to ensure services are provided in Baldwin County from birth through 21.

How can children be referred? A referral may be made by anyone who has a concern about a child's development. All referrals are considered confidential. The parent retains the right to refuse services. Children may be referred by any of the following:

- Parents/legal guardians/foster parents
- Other family members
- Physicians/health care providers
- Preschool programs
- School system personnel
- Community agencies
- Private school personnel

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- Others who are concerned about a child's development

When should a child be referred to Child Find?

A child should be referred when:

- A health or medical disorder interferes with development or learning.
- A child seems to have difficulty seeing or hearing.
- A child appears to have social, emotional or behavioral difficulties that affect his/her ability to learn.
- A child has diagnosed progressive or degenerative condition that will eventually impair or impede the child's ability to learn.
- A child seems to have difficulty understanding directions like others that are his/her age.
- A child's speech is not understandable to family or friends.
- A child has difficulty with reading, math, or other school subjects.

Where can I find out more about Child Find?

For a preschool aged child, with a chronological age of 3 through 5, who have or may have a developmental disability, please contact the Early Learning Center at (478) 457-2464.

Parents of students, kindergarten through 12th grade, who suspect their child may have a disability, should contact the teacher, principal or the chairperson of the school's MTSS coordinator.

To learn more about Child Find follow this link to the special education rules implementation manual:

[More about Child Find](#)

Child Find Activities and serving Non-Public School Children

An annual meeting regarding child find activities is published in the local newspaper and held at the Baldwin County Board of Education. Child find activities provide for screening and evaluation of all children with suspected of having a disability including children ages 3-21, preschool students, children enrolled in private and public charter schools, migrant and highly mobile children, children detained or incarcerated in jails or correctional facilities, children enrolled in homeschool programs, parentally placed private school children including religious, elementary and secondary schools. Students enrolled in local daycare centers within the Baldwin County Notification about this meeting is published in the local newspaper, mailed to local private school representatives, mailed to daycare centers, and mailed to homeschool children known to the LEA. At this meeting the Special Education Director will give proportional share information as to how, where, and by whom special education and related services will be provided for parentally placed private/home school children with disabilities, including a discussion of the types of services (such as direct services and alternate service delivery mechanisms), how the service is apportioned if there are insufficient funds to serve all the children, how and when these decisions will be made. Documentation of the consultation process with private/home school representatives attending this meeting

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will be kept by the Special Education Director of the Baldwin County School System. If you have questions regarding services for homeschool students or private school students, including public charter schools, please call the Special Education Director of the Baldwin County School District.

Scientific, Research or Evidence-based interventions

For children in grades K-12, during the child find process the psychologists and any other personnel necessary will reach out to the parent or agency and recommend interventions that can be conducted. The staff will continue to track progress throughout the process to determine if the rate of learning is insufficient. If the RTI team determines the student needs to be evaluated, a meeting will be held to discuss the process. Once consent is received the student will be evaluated within the 60-day timeline and an eligibility meeting will be held to determine whether the student qualifies for special education services.

Exceptions to the Use of SST Process

An exception is allowed when evaluation and / or placement is required due to a significant disability. Contact the director of special education immediately if you have knowledge of a student with a suspected disability. School personnel and parents/guardians may determine that there is a reasonable cause to bypass the RTI process for an individual student. Documentation in the student records should clearly justify such an action, including whether the parent or guardian agreed with such a decision. In cases where immediate referral is sought, the MTSS team shall determine what interim strategies, interventions, and modifications shall be attempted for the student.

[Child Find Procedures \(Adopted 3-11-10\)](#)

RTI

Response to Intervention (RTI) is a multi-step approach to providing services and interventions to students that are struggling in certain areas. The progress students make at each stage of intervention is closely monitored by families and/or professionals who make decisions regarding the need for a special education evaluation. Results of the monitoring are used to make decisions about the need for further instruction and/or intervention or if the child should be referred for evaluation. IDEA does not require that a child receive scientific, research, or evidence-based interventions before being referred for consideration for eligibility for special education and related services. The use of interventions before referring a child for an initial evaluation for special education can have a positive impact on reducing the disproportionate representation of racial and ethnic groups in special education and related services. In addition, if a parent or teacher requests an evaluation and interventions have not been provided prior to the referral, interventions may be provided while the child is being evaluated (within the 60-day timeline requirement). Although a child's receipt of interventions can provide a critical piece of information in helping to determine eligibility for special education, the lack of interventions must not be a reason for determining that a child is not eligible for special education services. 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. The instructional strategies shall be implemented for a minimum of 12 weeks to show the instructional strategies

Tier I includes evidence-based instruction which is based on the Georgia Standards of Excellence. It includes school-wide behavior support and differentiated instruction to promote higher levels of student engagement and

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achievement. Tier II interventions serve as standard intervention protocols for students in the school who require extended learning opportunities or students who are not making adequate progress and need additional interventions. If students are not making the expected levels of progress in Tier II, they are referred to the school's Student Support Team which comprises Tier III. Prevention through intervention is stressed in all tiers. Alternative strategies for increasing the student's academic, social, and behavioral performance are identified, reviewed, and implemented. Parents shall be invited to participate in all meetings of the child's RTI team and in the development of interventions for their child.

Students that are still not progressing at Tier III will be referred to the special education department for further evaluation.

Student Support Team 160-4-2-.32

Requirements:

The State of Georgia mandated that a student support team would be establishing every Georgia Public School K through 12th grade.

Definition: Student Support Team (SST) - an interdisciplinary group that uses a systematic process to address learning and/or behavior problems of students, K-12, in a school. Each school shall have a minimum of one student support team and shall follow established support team procedures. The SST shall include at a minimum the referring teacher and at least two of the following participants, as appropriate to the needs of the student: The student support team is a team of people typically of three to five members. The student support team may include the student's parent, a regular education teacher, a special education teacher, a lead teacher, a counselor, a principal, a social worker, a school psychologist, a subject area specialist, ESOL teacher, a special education teacher, central office personnel, section 504 coordinator, other appropriate personnel. Any of these individuals may refer a student to the student support team.

Parent Guardian Participation: Parent / Guardians shall be invited to all meetings of their child's SST and in the development of the interventions for their child

Steps in the SST process: identification of learning and / or behavior problems, assessment if necessary, educational plan, implementation plan follow up and support continuous monitoring and evaluation. A notice for the SST meeting will be sent to the parent and the SST team indicating when and where the meeting will be held. During the SST meeting the team will identify what interventions will be used with the student and schedule a follow up meeting to examine the student's data and determine next steps.

Documentation of SST activities shall include the following: Documentation of SST activities shall include the student's name, the names of the team members, meeting dates, identification of student learning and/or behavior problems, any records of assessment, the documentation of scientific, research or evidenced based academic or behavioral interventions that demonstrate insufficient progress for the student will accompany the referral. All referrals to special education must be accompanied by the needed academic and/or behavioral interventions. Screening to determine appropriate educational strategies is not to be considered an evaluation.

Not referred for further Evaluation- Should the SST develop alternative strategies and interventions that are successful with a student, naturally the student should not be referred for further evaluation. However, the SST should not exclude a student from further evaluation because the team "feels" that the student will not meet special

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education eligibility. The SST must have data to support the decision that interventions are successful at Tier III and that the student is successful without further evaluation. The SST may have attempted reasonable strategies at the school level in Tiers II and III and have physical/emotional/academic questions that might be answered by an evaluation. Remember: The SST is not an Eligibility/Placement Team; therefore, SST should never make decisions on special education eligibility or placement.

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

Exceptions to the use of the SST process- If it is determined by school personnel and parents that there is a significant disability, the SST process may be bypassed for an individual student. If immediate referral to special education is sought the SST shall determine what strategies and interventions will be put into place for the student.

[State Board Rule for Student Support Team](#)

Evaluations and Reevaluations

Initial Evaluation Referral Process

Once the SST makes a referral for special education evaluation, the building level SST coordinator complete the SST referral checklist including the following:

- Referral for special education consideration
 - Hearing and Vision results current within one year
 - Parent Questionnaire
 - Pertinent medical or Outside Agency records and / or release of information forms
 - Detail disciplinary records or statement that there are no disciplinary records
 - All past and current report cards and teacher comments and current progress reports
 - All standardized test scores Georgia Milestones, GKIDS
 - Current attendance records
 - List of all Tier 1 and tier 2 interventions utilized
 - SST meeting minutes
 - Progress monitoring test scores, data sheets and available graphs for current and previous years analyzed work Samples with educational impact documented in each area of concern
- A. Complete Referral Packet – After the referral packet is compiled and reviewed by the County SST Coordinator, the packet will be sent to the PEC department (Psychological Services) who will verify that all information needed for the referral is present. Incomplete packets will be returned to school for additional information (see checklist appendix).

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- B.** The referral packet is then sent to the Psychological Services secretary. The referral will be date stamped after receipt, and assigned to one of the school psychologists. Psychologists review all existing data on each student prior to beginning the evaluation.
1. Referral for Special Education Evaluation Services
 - a. All pages of the referral questionnaire should be completed by the Student Support Team Coordinator at the students home school.
 - b. The SST coordinator will include the data gathered for the student.
 - c. The SST coordinator will include the parent questionnaire in the referral for special education services.
 - d. Vision and Hearing Screening- This is the responsibility of the school's Student Support Team as a part of the referral to SST.
 2. The school will administer vision and hearing screening or attach documentation of vision and hearing screening completed outside of the school environment.

Students may be re-screened within 2 to 4 weeks after failure unless failure is due to other circumstances that require a longer wait (colds, ear-aches, etc.). If you know that the student wears glasses, be sure to test with the glasses. Vision/hearing results must be current within one calendar year.

 - a. Failed Hearing(on 2nd attempt)- Contact the parent by phone and/or letter to notify the parent of results. The parent is responsible for scheduling a hearing exam and reporting results to the school.
 - b. Failed Vision(on 2nd attempt)- Contact the parent by phone and/or letter to notify the parent of results. The parent is responsible for scheduling an eye exam and reporting results to the school.

In either case, do not send the Referral Packet to the Special Education Office until it is complete with both the hearing and near vision resolved. A written referral to the School Social Worker is warranted if unsuccessful over a reasonable amount of time.

Parent Consent

Once all items on the Referral for Special Education Evaluation Services Checklist have been gathered and the referral has been submitted to the Psychological Services Administrative Assistant, Parental Consent for Evaluation will be acquired by the Psychological Services office. The students' school will not obtain consent for initial referrals.

The Psychological Services Administrative Assistant will send the Parental Consent for Evaluation form, Prior Written Notice, and a copy of Parent Rights for Special Education to the student's parent(s)/legal guardian by mail with self-addressed stamped envelope, by email using DocuSign, by the student's school communication folder, or by scheduled appointment with the parent at the Board of Education. The parental consent for evaluation includes a list of possible evaluation instruments.

Timelines for Evaluation

- a. Informed written parental consent must be obtained before conducting an initial evaluation, or an initial provision of special education and related services to a child with a disability.
- b. The school district has 60 calendar days after receiving parental consent to complete the initial evaluation. Completion of the initial evaluation is defined as completion of the evaluation report(s)
School district's are not required to make the eligibility determination during the 60-day initial evaluation timeline.

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- c. The eligibility decision should be made within a reasonable period of time following the completion of the evaluation.
- d. The 60-calendar-day time period begins when a school district employee receives the signed consent, but excludes school holidays and other times when children are not in attendance for five or more consecutive school days, including the weekend days before and after the holiday period. Any summer vacation period when the majority of the school district's teachers are not under contract does not count toward the 60 day time period.
- e. If consent is received 30 days or more before the end of the school year (as defined as the teachers' last day under contract), the evaluation process must be completed within the 60-day time period.
- f. An exception to the 60-daytime period occurs if the parent fails or refuses to produce the child for the evaluation, if extenuating circumstances exist (illness, unusual evaluation needs, or revocation of parental consent), and if the child moves to another school district after the 60-day time period has begun.
- g. If the parents of a child with a disability refuses consent for initial evaluation or a re-evaluation, the district may, but is not required to, pursue the evaluation of the child using the due process procedures under IDEA. The school district does not violate its child find obligations if it does not pursue the evaluation if the parent does not provide consent.

Parental consent is not needed for the School District to perform these routine duties:

- 1. Review existing evaluation information.**
- 2. Screen a child to determine appropriate instructional strategies for curriculum implementation.**
- 3. Administer a test or evaluation that is given to all children without consent for that test or evaluation.**

- h. The school district also needs informed parental consent for a re-evaluation. This is true unless the school system can demonstrate that (1) it took reasonable steps to obtain your consent for your child's reevaluation and (2) you did not respond.
- e. If you refuse to consent to your child's reevaluation, the school system may, but is not required to pursue your child's reevaluation by using mediation or due process hearing procedures to seek to override your refusal to consent to your child's reevaluation
- f. As with initial evaluation , the Baldwin County School District does not violate its obligations under the IDEA if it declines to pursue re-evaluation in this manner.
- g. Completed referrals for Psychological/Educational/Speech Evaluations/OT/PT/- Completed referrals will be logged into the school psychology office and given to appropriate evaluation staff. Staff will complete evaluations according to the Georgia Department of Education timeline requirements.

When the report(s) is(are) complete, one copy will be sent to the school's Special Education Coordinator or Lead Teacher. The Special Education Coordinator or Lead Teacher will schedule an IEP Team meeting to address eligibility and write an IEP if needed

Multidisciplinary Evaluation Team

When a referral for special education evaluation is made due to a concern that the child may have a disability and be in need of special education and related services, the comprehensive evaluation will be conducted by a multidisciplinary team. This team may consist of the LEA's psychologist, speech language pathologist, occupational therapist, physical therapist, the child's teacher(s), and others as appropriate to the evaluation. The child's parents

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are considered members of this team. The child should be evaluated in any area which committee members have determined to be an area of weakness. The team is responsible for formally or informally assessing the child in all areas related to a suspected disability. Formal assessments may include standardized, criterion-referenced tests, and norm-referenced tests, while informal assessments may include teacher-made assessments, naturalistic observations, and interviews. The child's parents will be asked to provide input during the evaluation process. Their information is valuable in developing the total picture of the child.

Comprehensive Evaluation

An initial evaluation needs to look at the needs of the whole child, regardless of the reason for the referral. Baldwin County Charter School District will notify parents if their child has been referred for a comprehensive evaluation. For both initial evaluations and reevaluations parent notification shall be made by the Baldwin County Director of Special Education.

In a comprehensive evaluation, the School District will:

- informally and formally assess all areas related to any suspected disability, including, if appropriate, vision and hearing, health, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- use a variety of evaluation tools and strategies to gather relevant academic, functional, and developmental information about the child, including information provided by the parents;
- not use any single procedure as the only criterion for determining whether a child is a child with a disability or for determining an appropriate educational program for the child;
- use assessment techniques that may assess developmental, physical, intellectual, academic, communication, and social/emotional skills;
- use evaluation tools and strategies to provide relevant information that will directly assist the eligibility team in determining the educational needs of the child;
- use assessments and other evaluation materials to assess specific areas of educational need and not only those that are designed to provide a single general intelligence quotient (IQ) score; and
- select assessment methods that, when administered to a child with impaired sensory, manual, or communication skills (to include English Learner (EL) barriers), the results accurately reflect the child's aptitude or achievement level and are not culturally biased.

Information Sources: Evaluations often use many of the following:

- Individually administered tests and tools
 - o Academic achievement
 - o Cognitive ability
 - o Social/Emotional/Behavioral
 - o Speech/Language
- Parent/Teacher/Child Questionnaires

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- o Social/Emotional/Behavioral
- o Adaptive behavior
- Parent information and input
- Teacher input (verbal or written descriptions/analyzed classroom work samples)
- Schoolwide standardized testing results
- Medical information, as appropriate
- Classroom observations
- Prior testing done in private settings
- Prior testing done in other school settings, such as formative assessments from classroom progress monitoring

Trained and Knowledgeable Staff

Instruments selected are based on the following criteria:

- are selected and administered so as not to be discriminatory on a racial or cultural basis
- are provided at administered in the child the native language or other mode of communication and in the four 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 provide or administer
- are used for purposes for which the evaluation or measures are valid and reliable
- are administered by trained and knowledgeable personnel; and
- are administered in accordance with any instructions provided by the producer of the assessments.

The student shall be evaluated 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. The evaluation tools and strategies used during the evaluation shall provide information that directly assist in addressing these concerns and not simply consist of a single measure of intelligence. The tests shall be selected and administered in accordance with standardized procedures and accurately reflect the student aptitude and achievement levels and not simply measured student suspected impairment.

If for some reason the test is administered in a non standardized manner, this must be indicated in the evaluation report.

- A psychological examiner shall be determined to be qualified if he/ she is a school psychologist with a valid S-5 or higher certificate in school psychology, or child clinical psychology, a full-time graduate student who is being supervised is a component of his/her internship or practicum, and a Georgia Merit System Employee who has a classification rating of psychologist, senior psychologist, or psychology program specialist.

Steps in the Evaluation Process

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

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assessment and progress, results of any provided interventions, previous results of statewide assessments, attendance data, and disciplinary history.

3. Classroom observations in a setting in which the concern has been noted are conducted to determine current performance and to look for specific causes or reasons why the child is not learning or behaving at the expected levels. The observations are usually conducted by a diagnostician or other professional with expertise.

4. The current and previous teachers of the child are interviewed. The focus of the interviews is to determine whether the concerns cited as the reason for the evaluation are new issues or recurring issues. In addition, the interviews will provide information on any interventions or strategies that may have been tried previously.

5. The parents are interviewed as part of the evaluation process. If the parents have any independent evaluations or medical information they have not provided to the school district, they should provide this information now. Information the parents have about learning at home, such as how long it takes the child to complete his or her homework and how much help the child requires, assists in the evaluation. Often the behavior of the child at home is also discussed to determine whether the parents see the same behaviors as the school sees, what kind of interventions work at home, and how frequently certain behaviors occur. In addition, many times the school district needs to screen for adaptive behavior, and it may ask questions about household chores or tasks, about money management, and about other things that do not always feel educational to the parent. This information contributes to the whole picture of the child.

6. All previous information and data on the child is reviewed (e.g. previous evaluations, medical reports, psychological evaluations, and independent evaluations). This helps the team determine which evaluations to administer for the current evaluation.

7. Many evaluations include the administration of surveys or questionnaires. These are usually published forms of surveys or questionnaires that gather information about the typical day-to-day behavior of the child. The surveys or questionnaires are often completed by multiple people who know the child in order to provide a comprehensive view that encompasses school, home, and the community.

8. As all this information is received, the multidisciplinary evaluation team begins to review the information and determine what individual assessments are needed, and by whom, to provide more in-depth information. The needed assessments are then conducted and may include a variety of instruments that look at learning, listening, speaking, behavior, sensory, motor, and/or academics.

9. As these assessments are administered, other areas of concern may arise that need to be evaluated and additional assessments will be conducted as necessary. For example, fine motor skills may not have been a concern when the evaluation was requested; but, information from the assessments and observations may indicate a concern that warrants an evaluation of the fine motor skills as a component of the comprehensive evaluation.

10. All instruments are scored, and the results are analyzed and interpreted by the professionals who administered the instruments.

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11. The person coordinating the evaluation discusses the results of the evaluation with the parent and educators, with accompanying evaluation report(s) at this time. This discussion could occur at the completion of the 60-day initial evaluation period or at the eligibility meeting, which as a matter of best practice, should occur within 10 calendar days of the completion of the initial evaluation.

12. An eligibility meeting is conducted. The eligibility meeting determines whether a disability exists and what the impact is on the education of the child. If there is an adverse impact, the team may determine that the child is a child who needs special education and related services. Evaluation report(s) and an eligibility report are created regardless of whether the child is determined eligible or ineligible.

Reevaluations

The Baldwin County School District will provide a reevaluation of each child with a disability at least once every three years, unless the parent and the district agree that our reevaluation is unnecessary. The reevaluation may be conducted at any time if the school district feels that the needs of the child should be reevaluated or if the child's teacher or parent requests a reevaluation. However, a reevaluation may not occur more than once a year unless the parent and the school district agree to more than once a year. Reevaluations are due three years from the date of the student's last eligibility determination. By this date, the student must have a redetermination meeting completed and/or be reevaluated. There are no exceptions to this rule.

The special education coordinator or lead teacher for the school will notify each student's case manager that the student eligibility will be expiring. A Reevaluation Data Review team, including the parent and other qualified professionals must review evaluation data, including but not limited to the current full eligibility on the child that is already available. Best practice is to invite the school psychologist to the meeting. This review may include evaluations and information provided by the parent, current classroom-based local or state assessments, classroom-based observations, and observations by the teacher and related service providers. This review may be conducted without a meeting if the parent and LEA agree not to convene a meeting for this purpose. The team will, on the basis of that review, and considering how long it has been since a comprehensive evaluation of the child last occurred, identify additional data needed, if any, to determine the following:

- the present levels of academic achievement and related developmental needs of the child;
- whether the child continues to have a disability or additional areas of need due to a disability;
- whether the child continues to need special education and related services;
- whether the child needs any additions or modifications to the special education and related services to meet the measurable annual goals set in the IEP; and
- whether the child needs any additions or modifications to special education and related services to enable participation, as appropriate, in the general education curriculum.

After reviewing the existing data on the child, if the IEP Team determines that no additional information is needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs,

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then the school district must notify the child's parent of that determination, the reasons for the determination, and the parent's right to request assessments for the determination of eligibility and the child's educational needs. If no additional information is needed, this completes the reevaluation process and the date of this determination is the child's reevaluation date. In no more than three years from that date, the need for a reevaluation must be considered again.

The school district must provide written notice to the parent and must receive written informed parental consent before conducting any additional assessments as part of a reevaluation of a child with a disability. If the school district makes multiple reasonable attempts to contact the parent for written consent to conduct additional assessments as part of a reevaluation and the parent does not respond after several attempts, the school district must keep documentation of those attempts and lack of responses, and then the school district may move forward with the reevaluation. See [34 C.F.R. §300.300\(c\)\(2\)](#) (234 CFR 300.300(c)(2)). In circumstances where the parent refuses to provide consent to administer additional assessments as part of a reevaluation, the school district may, but is not required to, pursue the reevaluation by using mediation or due process hearing procedures. See 34 C.F.R. §300.300(c)(1)(ii). If the school district does not pursue the reevaluation by using mediation or due process hearing procedures when a parent refuses consent, the district has not violated its obligations under Child Find. See [34 C.F.R. § 300.300\(c\)\(1\)\(iii\)](#). In addition, if a parent refuses to provide consent to administer additional assessments as part of the reevaluation process, the school district may decide to discontinue the provision of special education services and supports to the child, if the school district believes based on a review of existing evaluation data, that the child does not continue to have a disability or does not continue to need special education and related services. If the school district discontinues the provision of special education services, it must provide the parent with prior written notice of its proposal to discontinue the provision of a free appropriate public education (FAPE) to the child consistent with [34 C.F.R. §300.503\(a\)\(2\)](#), including the right of the parent to use the mediation procedures in 34 C.F.R. §300.506 or the due process procedure in [34 C.F.R. §§300.507-300.516](#) if the parent disagrees with the school district's decision to discontinue the provision of FAPE to the child.

Upon deciding to recommend the student for a comprehensive re-evaluation, the student's case manager will request a re-evaluation packet from the psychological services secretary. The information for the re-evaluation packet is to be gathered by the case manager and returned within ten days to the psychological services secretary. The following information for each student for whom a comprehensive evaluation will be requested includes:

- A re-evaluation referral form
- Vision and hearing screening both must be past and current within 6 months
- Pertinent medical or Outside Agency records or signed release of Information Form
- Disciplinary records
- Most recent report cards
- Standardized test scores
- Current attendance records
- Progress monitoring data sheets, available graphs for current and previous years
- Any additional items needed including:
- Analyzed work samples in classroom observation in area of present and suspected disability
- Current medical information
- Counseling intervention log

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The information for the re-evaluation packet is to be gathered by the case manager and returned within ten days to the Psychological Services Administrative Assistant. The reevaluation referral is logged in by the Psychological Services Administrative Assistant to the evaluation list and assigned to a school psychologist. The same procedures for obtaining parental consent for an initial evaluation shall be followed when a student with a disability is recommended for a reevaluation. It should also be noted that the same timeline exceptions which applied to initial evaluations apply to reevaluations as well.

Evaluation before Termination of Eligibility

The school district must comprehensively re-evaluate a child with a disability before determining that the child is no longer a child with a disability who requires special education services. However, re-evaluation is not needed:

1. when the child graduates from high school with a regular education diploma. A regular education diploma is when the student has a minimum of 23 credits, including 4 English credits, 4 Math credits, 4 Science credits, 3 Social studies credits, 3 career/foreign Language/fine arts credits, 1 health and physical education and 4 elective credits.
2. when the child has exceeded the age of eligibility (22nd birthday) for a FAPE. The school district must, however, provide the child with a summary of academic and functional performance that includes recommendations for meeting postsecondary goals when the child is graduating with a regular diploma or aging out of school. Special education students enrolled in the Baldwin County Charter School district will cease to receive services on their 22nd birthday regardless of the point in time that it is during the semester.

Eligibility Determination

- Once a comprehensive evaluation has been completed, a meeting to share the evaluation results shall be set. The meeting shall be scheduled by either the special education coordinator or the case manager for the student. No student shall be placed in a special education program until that student is the subject of an eligibility team meeting. After the eligibility determination meeting, the parents will be provided with a copy of the evaluation and report and eligibility report.

Eligibility Team

Members of the eligibility team may consist of the following:

- the parent
- the student
- the regular education teacher
- a special education teacher
- the local education agent (school administrator, special ed coordinators, or lead sped teacher)
- the school psychologist
- Any related service provider nurse, OT, PT, speech and any other Personnel his knowledge or expertise would assist in determining the best placement for the student

The eligibility team will review the evaluation results, information from the parents, information from the student and the pertinent information from all school personnel and will document the evaluation results on the state eligibility form

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Information reviewed at this time shall include the following background information:

- State assessment
- progress monitoring data
- current data from the evaluation teachers and parents
- consideration of exclusionary factors
- possible areas of Eligibility, if applicable

Exclusionary factors

It should be noted that a student cannot be eligible to receive special education support services if any of the following is the determinant factor for the students inability to learn and perform in the classroom setting:

- lack of appropriate instruction in reading or the essential components of reading instruction
- lack of appropriate instruction in math
- limited English proficiency
- or if the data does not support the presence of a disabling condition as outlined by the Georgia eligibility guidelines
- atypical educational history
- cultural factors
- environment or economic disadvantage

Determination of the disability and the need for special education

If the student is determined to meet the eligibility criteria as outlined by the State of Georgia as having a disabling condition, then an IEP must be developed for the student. In interpreting evaluation data for the purpose of determining if a child is a child with a disability and the special educational needs of the child, each LEA must draw upon information from a variety of sources including aptitude and achievement tests, parent input, and teacher recommendation, as well as the information about the child's physical condition, social or cultural background, and adaptive behavior. The LEA must ensure that information obtained from all of these sources is documented and carefully considered. An eligibility report which documents the area of disability shall be completed and placed in each child special education folder the eligibility report shall provide statements for each component of the eligibility and she'll be comprehensive enough to service the evaluation report when necessary. The eligibility and all documents from the eligibility meeting will either be given to the parent, sent via the student or will be mailed home. care of at IQ law

If the student is not determined to meet the eligibility criteria outlined by the state of Georgia is having a disabling condition, then the following shall occur

- If the student presently has a Section 504 plan, then a Section 504 meeting shall be immediately held at the conclusion of the eligibility meeting.
- if the student is currently in the SST process, then a tier 3 SST meeting shall be immediately held upon completion of the eligibility meeting
- If this is a reevaluation if the student is found to no longer meet the eligibility criteria to receive special education Support Services then they must be referred to the tier 3 SST for academic and/ or behavioral Monitoring for a minimum of one calendar year from the date of dismissal from special education Support Services. Additionally, if the student has diagnosed medical conditions, the team may wish to consider if a Section 504 plan would be beneficial.

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Referral Process for PreSchool Special Education Program

Children may be referred by parents, school personnel, local pediatricians, private speech/language pathologists, audiologists, parents, and/or staff from private preschools or daycares, Head Start, Pre-K, Health Department, Family and Children's Services and Early Intervention/Babies Can't Wait.

The MTSS team can make recommendations for interventions for the areas of deficits that the student may be displaying. The interventions can be closely monitored by families and/or professionals who make decisions regarding the need for a preschool age child to be referred for a preschool special education evaluation.

Individuals making referrals should call the office at 478-457-2915 to request an appointment for an SST Meeting.

Once a decision is made to refer the child for an evaluation, the parent must complete the referral information which includes a questionnaire, a request for a copy of the child's birth certificate, proof of immunization, proof of residency and social security card. The complete packet must be submitted to the Psychological Services Secretary of Baldwin County Schools, 110 ABC Drive, Milledgeville, GA. Vision and hearing must be completed prior to an evaluation. The vision/hearing screening may be included with the referral packet from the parent, referral agency, or completed by the school system.

Once all documentation is received, the secretary will log the referral into the master evaluation list. Consent for Evaluation will be obtained. Once the Consent for Evaluation is received, the process will be completed following the Timelines for Evaluation on page 8 of this manual.

The parent will be contacted by either the preschool special education staff or speech pathologist to schedule an evaluation appointment for play-based developmental assessment which includes the 5 developmental areas of cognition, communication, fine and gross motor, adaptive and personal/social or either a speech evaluation. Following the evaluation, an Eligibility/Individualized Education Program Team meeting will be scheduled with the family to discuss the findings, determine eligibility and write an IEP if appropriate. Once the Consent for Placement is obtained, the child will begin to receive special education services.

Private Schools

[Private Schools \(Adopted 6-14-07\)](#)

If a parent or the private school staff suspects a child of having a disability, a representative from the private school or the student's parent may contact the special education Director for the Baldwin County School District and request an evaluation. A multidisciplinary team composed of members of the private school, the parent, the LEA's representatives, a school psychologist, and an SLP if appropriate will attend this meeting. The assembled team will determine if the student should be evaluated or if the student needs to participate in or has participated in needed interventions prior to referral. If the team determines that evaluation is not appropriate at this time the LEA will

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provide the private school and/or parent with prior written notice. If the team determines that evaluation is appropriate, a referral for special education consideration will be given to the parents of parentally placed private school children and/or private school staff. Parents and private schools are asked to provide documentation of interventions tried prior to referral. The child must pass hearing and vision screening. Baldwin County Schools can conduct a hearing/vision screening at the home school (with consent), or parents may obtain hearing/vision screening from the child's physician or the health department. Baldwin County Schools will evaluate private school/homeschool students within the Georgia Department of Education 60 day timeline requirement

Once testing is complete, the Special Education Director or their designee from the student's home county will be notified along with the private school liaison. An eligibility meeting will be scheduled and the eligibility team will develop the eligibility document. The school district will develop an IEP and serve the child accordingly. Should the private/home-school family opt not to enroll in the Baldwin County School District and the student resides in Baldwin County, a service plan will be written for proportionate share services.

LEA privately place or referred students

- If the IEP team, including the parent, decides that the most appropriate placement for a student is in a private school, and the District places the student in the private school, the District continues to be responsible for making sure that the student receives special education and related Services included in the student's IEP and that those services are provided at no cost to the parent.
- You should make sure that the education provided at the private school meets the standards that apply to other students with disabilities that the student and parent continue to have all the same rights that other students with disabilities and their parents have. A District representative must visit the private school at least annually. Ultimately, the district remains responsible for ensuring free appropriate public education (FAPE) when the student is placed in the private school.
- The IEP team, with all of the appropriate members including the parent, private school or facility staff, and District representative will develop the IEP for the child. IEP team members may participate in the meeting through a conference call or other means. The district will ensure that the parent can attend at no cost to the parent.
- To apply for grant funds, the child must be placed in a private school or facility that is approved by the Georgia Department of Education (GADOE). or if the private school is out of state, it must be on the approved list of the state where the school is located.

Parental placement in private school and LEA offer of FAPE

- Children who are home-schooled within the boundaries of the district are considered parentally placed private school children for the purposes of special education. Children who are home-schooled within the boundaries of the district are considered parentally placed private school children for the purposes of special education.

Provision of Written Notice by Parent to Place in Private School

- Sometimes a district will make free appropriate public education (FAPE) available to a child but the child's parent decides to place a child in a private school or facility. The district is not required to pay for the cost of the education for this child at the private school. When the district and the parent disagree regarding the availability of an appropriate program for the child, due process hearing procedures may be initiated by the

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parent. An administrative law judge (ALJ) may find that the district has not made FAPE available to the child in a timely manner prior to the child's enrollment in the private school and at the private placement is appropriate, resulting in reimbursement to the parent of the cost of the private school. A parental placement may be found to be appropriate by an (ALJ) even if it does not meet Georgia standards that apply to education provided by Georgia or the district period when FAPE is at issue between the parent and the school district, and the parent determines that he or she is going to place the student in a private school at public expense, the parent must notify the district in writing at least 10 business days prior to the removal of the child or an IEP meeting prior to the removal. If the parent does not provide the notice, then the cost of the reimbursement for private school services may be reduced or denied. The cost of reimbursement will not be reduced or denied for the parent's failure to give the above-described notices if the district prevented the parent from providing the notice, the parent had not received the information regarding the notice requirement, the parent is not literate or cannot write in English, or the notice requirement would result in serious emotional or physical harm to the child.

- Each district must maintain records and report to the GADOE the following information related to parentally placed private school children:
 - the number of children evaluated
 - the number of children determined to be children with disabilities
 - the number of children served.

Reimbursement and limitations on reimbursement for private school placement

- Each LEA must ensure that a child with a disability who is placed in or referred to a private school or facility by the LEA as a means of providing special education and related services:
 - Is provided special education and related services in conformance with an IEP
 - At no cost to the parent
 - is provided an education that meet standards that apply to education provided by the good to know and the LEA and
 - has all of the rights of a child with a disability who is served by the LEA
 - Placement of children by parents when FAPE is at issue
 - If the LEA made a free appropriate public education available to a child and the child's parents elect to place a child in a private school or facility the LEA is not required to pay for the cost of Education, including special education and related services, for the child at the private school or facility. However these students must be included in the activities in paragraph 3 of this rule
 - [34C.F.R. §300.148 (a)]

Reimbursement and Limitations on Reimbursement for private School Placement Placement/Expenditures

- To meet the requirements of the provision of services to parentally placed private school children home-schooled students, the district must follow these guidelines:
 - For children ages 3 - 21, the district must expend an amount that is the same proportion of the districts total Part B of the IDEA flow through funding as the number of private children with disabilities, ages 3 - 21, attending private and home schools in its jurisdiction is to the total number of children with disabilities in its jurisdiction.

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- For children ages 3-5, the district must expend an amount that is the same proportion of the district's preschool funding as the number of private school children and home-school children with disabilities, ages 3-5, attending private and home schools in its jurisdiction is to the total number of children with disabilities, ages 3-5, in its jurisdiction.
- If the district has not expended all of the funds required by the end of the fiscal year, the district must carry over funds for a period of one additional year to be used for proportionate share.
- The district must consult with representatives of the private school in deciding how to conduct the annual count of the number of private school children with disabilities who reside in its jurisdiction.
- The district must ensure that the child count is done in October
- Parentally - placed private school Provisions are to be applied to preschool age children only when these children who are eligible for a service plan and attend private non-profit elementary school (grades K and higher)
- Preschool students who attend private preschools within their District of residence are served by the district through an IEP.
- Parentally placed private school preschool students who attend private preschools(that are not considered elementary or secondary schools) outside their residential district are not entitled to services from that district.

Home Schooled Students

- Baldwin County Schools will maintain eligibility for all known homeschooled students within the school district is jurisdiction a proposal of FAPE will be given if the student is found eligible. Expenditures and procedures for service plans will align with the state rule 160 - 4 - 7 - 13 and expenditures and service plans will be in accordance to this rule

Child Find in Private Schools

Part B and related Services for Private School Students

- Transportation may be provided by the district, but it cannot transport the child from home to the private school. Transportation service plans must contain a statement of the special ed and related services, and supplementary aids and services, to be provided to the child: be in effect at the beginning of each school year; and be developed previewed, and revised periodically, but not less than annually, in accordance with the IEP requirements in Georgia rules.

Provision of IEPs and service plans to private schools

- A service plan will be developed and implemented for each private school child with disabilities who will receive services from the district. The district will initiate and conduct the meetings to develop, review, and revise a service plan. The student's parent and the school district will determine an appropriate space for delivery of service to the student. The LEA will maintain a log/timesheet of the service dates.

Consultation with private schools for child count

- The consultation process is important to ensure the provision of Equitable Services. Consultations with the representatives of private schools, parents of private school students, and parents of homeschooled students must be timely and meaningful. Consultation requirements include:

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- how private school children suspected of having a disability can participate equitably in the child find process:
- how parents, teachers, and private school officials will be informed of the funds available to serve the children with disabilities with calculated:
- how funds will be apportioned if funds are insufficient:
- how and when those decisions will be made: and
- how the district will provide to the private school officials a written explanation of the reason why it shows not to provide services directly or through a contract.
- The district must obtain a written affirmation signed by the representatives of the participating private schools as documentation of the consultation process and must be prepared to submit this documentation to the GADOE upon request.
- Private school officials believe that the district did not engage in the consultation in a meaningful or timely manner or did not consider the views of the private school officials, it may submit a complaint through the formal complaint process to the GADOE. If the private school is not satisfied with the decision of the GADOE, they may submit a complaint to the United States Department of Education (USDOE).

Private School Representatives at IEPs

- The private school will ensure that a representative of the Private School attends each meeting. As with IEPs, in person participation in the meeting is encouraged, but participation may be through conference call or other means.
- Added to private school children must be provided by District Personnel who made the same standards as personnel providing services in the district, except that they do not have to meet the highly qualified special education teacher requirements.

Equitable Services Determination and Limitations of Service

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

Materials provision: secular, neutral, non-ideological

- Special education and related services provided to parentally placed private school children with disabilities, including materials and equipment must be secular, neutral, and non-ideological.
- Location of services. Services provided to private school children with disabilities may be provided on-site at the child's private school, including a religious school, to the extent consistent with law.

Location of services and transportation

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- Services may be provided at the private school, or children may be transported to the public school or community setting to receive services.

Provision of Property, Equipment and Supplies to Private Schools

- This will be included in calculating whether the district has met requirements are proportionate funding. The district May provide materials, equipment, and property purchase to implement the services to the children with disabilities in the private school: but these must be used only for those purposes and must be returned when no longer needed. No funds may be used for repairs, minor remodeling, or construction of private school facilities. The district may not use the IDEA Part B flow through or federal preschool funds to finance the existing level of instruction in a private school, the needs of the private school, or the general needs of the children in the private school.

Least Restrictive Environment (LRE)

LRE Requirements: Written Policies and Procedures Exist

Least restrictive environment means that students with disabilities should be placed in the general education setting to the maximum extent possible. LRE is a requirement of the federal law mandating special education services and in the Baldwin County Charter School System, the IEP team is expected to carefully consider the least restrictive environment for each child. A child should remain in the regular classroom with special education and related Services provided in the regular classroom unless there is evidence that this environment is not successful even with supports and services

- Special classes, separate schooling, or other removal of children with disabilities from the regular class environment shall occur only when the nature or severity of the disability is such that education and regular **classes with the use of supplementary AIDS and services cannot be achieved satisfactorily**[[34 CFR §300.114](#)]

Annual IEP Placement Determination

- In determining educational placement of a child with a disability, including a preschool child with a disability, each LEA must ensure that the placement decision:
 - Is made by group of persons, including the parents, and other person's knowledgeable about the child, the meaning of the evaluation data, and the placement options: and
 - is made in conformity with the LRE Provisions contained in this rule [[34 CFR §§300.116\(a\)\(1\)-\(2\)](#)]
- The child's placement is determined at least annually, is based on the child's IEP and is as close as possible to the child's home: [[34 CFR §§300.116\(b\)\(1\)-\(3\)](#)]
- The IEP of a child with a disability require some other Arrangement, the child is educated in the school that he or she would attend if non-disabled: [[34 CFR §§300.116\(c\)](#)]
- In selecting the LRE consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs: and [[34 CFR §§300.116\(d\)](#)]
- A child with a disability is not removed from education and age appropriate regular classrooms solely because of needed modifications in the general education curriculum. [[34 CFR §§300.116\(e\)](#)]
- After an IEP committee reviews progress, present levels, goals/objectives, transition plan, and the student support, services are then considered. The team must consider the implementation in the IEP in the least

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restrictive setting first. In order to access the IEP in the least restrictive setting, student supports, assistive technology and supplementary AIDS and services need to be considered. Examples of this may include but are not limited to:

- Development of behavior intervention plan
- support from staff
- changes to physical environment
- Team has exhausted all possibilities within the least restrictive environment, and environment outside the General Ed classroom may be considered. A statement justifying removal is required when entering in services.
- If the student is on an amended day, in a specialized program, or separate School, the IEP team must have a plan and support in the IEP indicating requirements for moving through the continuum to the least restrictive placement.

Full Continuum of Alternative Placements

A student with a disability is not removed from education in an age- appropriate instructional setting solely because of needed modifications to the general curriculum.

Placement Summary

What placement options did the IEP team consider

Consultative

Collaborative

Co-teaching

Supportive Services

Separate class

Separate School

Home instruction

Residential

Hospital homebound

- **GO IEP requires that the full continuum of services be considered when determining services**

Location of services

- The location of programs is determined by district personnel based on the accessibility and resources within the district. When the continuum of services is discussed at the IEP meeting, placement within a specific school or location may change due to the needs of the student. This will be indicated within the IEP

Preschool Placement and Services

- **Preschool Placements include:**
 - a regular education Early Childhood Program in the public school or Community such as Head Start, Bright From the Start Pre-Kindergarten, public or private daycare, and preschool programs for special education services delivered as:
 - Additional Supportive Services. The child remains in a regular Early Childhood Program with supplementary aids and services provided to the teacher and or child to implement the IEP. The service is provided maybe from Personnel such as paraprofessionals, interpreters, or others.
 - Direct Services

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- the child remains in a regular Early Childhood Program with Direct Services for special education Personnel utilizing a consultative, collaborative or co-teaching model.
 - the child is in the regular education Early Childhood Program but special education and related services are provided outside a regular education Early Childhood Program.
- Placements for children not attending a regular Early Childhood Program:
 - a separate special education program house in the public school or in a community-based setting, in a separate school or residential school or facility;
 - a program provided at home as a natural environment:
 - a program provided through service providers in their offices: or
 - any combination of the above and/ or other settings based on the child's IEP
- Baldwin County Schools attempt to maintain partnership with local daycares, Head Start, and church Based Services in order to provide services in the least restrictive environment. Maintaining the students environment is often critical and must be considered the first priority moving this student to a self-contained classroom.

ISchool-age Placements and Services

The team should consider multiple options for student placements within the Baldwin County School District. There are several different models within the Baldwin County Schools

1. General education classroom with age-appropriate non-disabled peers, if required by the IEP:
 - (i)additional Supportive Services. The child remains in the regular classroom with supplementary aids and services provided to the teacher and/ or child to implement the IEP. The service is provided maybe from Personnel such as paraprofessionals, interpreters, or others.
 - (ii)Direct Services. The child remains in the regular classroom with direct services from special education Personnel on a consultative, collaborative, or co-teaching basis.
2. General classroom for individuals or small groups.
3. Separate day school or program
4. Home based instruction uses short-term placement option on occasions when the parent LEA agree and an IEP meeting with the following considerations
 - A free and appropriate public education is provided and includes access to the general curriculum and an opportunity to make progress towards goals and objectives included in the IEP:
 - Home Based Services must be reviewed no less than cordially by the IEP team: and
 - all IEPs that require home-based placements willing to include a reintegration plan for returning to the school setting.
5. Residential placement in-state or out of state
6. Hospital homebound instruction program is used for students with disabilities who replaced any special education program and have it medically diagnosed condition that will significantly interfere with your education and requires them to be restricted to their home or hospital for a period of time. The LEA shall provide Hospital homebound instruction to students with disabilities under the requirements found in Georgia rule [160-4-2-31](#) Hospital Homebound Services.

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Non academic and extracurricular settings

Non academic and extracurricular activities should be discussed at the IEP meeting. If student supports are necessary for the student to be successfully integrated into the activities then the case manager must determine if the LEA attending can assign the supports necessary. If not the discussion will be tabled until the correct LEA can be in attendance.

Physical Education services

The Baldwin county school system supports specially designed services for physical education if deemed necessary for a student with a disability to participate with their non disabled peers.

Discipline [160-4-7.10](#)

The Baldwin County School system supports a positive approach to behavior that uses proactive strategies to create a safe school climate that promotes dignity, promotes dignity, creates authentic student engagement, increases instructional time, and improves student achievement for all students. When teachers and administrators implement evidence-based positive behavior supports with fidelity, a school environment is created that is conducive to learning and students are able to achieve without the constant interruptions that occur when teachers are required to address discipline problems in the classroom.

Relationship of the general code of conduct to an IEP

Georgia school laws give LEA s the responsibility to develop appropriate and legally based disciplinary procedures. The code of student conduct shall apply to all children unless a child's individualized education program (IEP) specifically provides otherwise . The LEA shall ensure 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 .

Interim alternative settings in 10 day rule

Students with disabilities may be suspended out of school for less than 10 days in any school year, and no services are required to be provided.

- When frequent disciplinary actions add up to more than 10 school days in a school year, or when frequent disciplinary actions clearly indicate a pattern that is a change of placement, the IEP team must determine appropriate services that allow the student to continue to participate in the General Ed curriculum, although in another setting and progress towards meeting the goals outlined in the student's IEP.
- After a student has been removed for 10 school days in the same school year, and a subsequent removal is not for more than 10 consecutive days and is not a change in placement, then the system personnel and at least one of the students teachers determine the extent of services needed so that the student can continue to participate in the general education curriculum, although in another setting and progress toward meeting the goals outlined in the student's IEP.
- If system officials want to suspend the student from school for more than 10 consecutive school days, or to have the students educational setting change to an interim alternative educational setting for up to 45 days for weapon or drug possession or for infliction of serious bodily injury on another person, system officials must notify the parent immediately of this decision. The administrator must notify the Director of Special Education of this decision. System Personnel may consider any unique circumstances when determining whether a change of placement is appropriate for a student with a disability. These circumstances are best determined at the local level by System Personnel who know the student and the facts and factors related to the behavioral violation. System Personnel may consider various forms of information such as the students

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disciplinary history, ability to understand the consequences, expression of remorse, and the supports that were provided to the student priority to the behavioral violation.

Manifestation Determination

Once a student has been suspended for 10 or more days in a school year, the following must occur:

- A manifestation meeting will be held to determine if the behavior in question is caused by the child's disability. At the manifestation meeting, the IEP team will determine if the student's behavior was caused by the disability and/or whether the student's IEP was followed.
- If the team determines the behavior was caused by the disability and/or the IEP was not followed, then the student must return to the original setting unless the incident is a case of illegal drugs, weapons or serious bodily injury. If the IEP team determines that the student's behavior is a result of the student's disability, then a functional behavior assessment (FBA) and a Behavior Intervention Plan (BIP) must either be conducted or reviewed and revised, when the behavior is a manifestation of the student's disability.
- If the team determines that the behaviors were not caused by the disability and that the IEP was followed, then the student may be disciplined in the same manner as the student's nondisabled peers. Students with disabilities must continue to receive FAPE and the IEP team will determine how the services can be provided. An FBA/BIP may be developed or reviewed and revised to prevent further behavior problems.
- If you disagree with the decision of the manifestation determination, you may appeal by requesting a due process hearing. An expedited hearing must occur within 20 school days. Your child will remain in the setting decided by the discipline process until the hearing occurs

Under special situations, if the behavior that causes your child to get into trouble and be suspended is not related to your child's previous behavior that resulted in discipline or to your child's disability, the school system may review the incidents and determine that a new suspension that results in more than ten cumulative days of suspension for this school year is not a change in placement and, therefore, does not require services to continue.

- If your child is moved to another setting due to discipline, your child must continue to participate in the general curriculum and to meet the goals and objectives in his/her IEP.
- When the school system had knowledge that the child might be a child with a disability prior to the behavior occurring, the child will have the same protections of discipline as a child with an IEP. A school system has knowledge when:
 - the parent expressed concern in writing to the school; or
 - the parent requested an evaluation for special education; or
 - the child's teacher or other school system staff expressed concerns about a pattern of behavior.
- Any evaluations that have been requested for a student being disciplined must be completed quickly.
- A free and appropriate public education, even though it is in a different location, shall be provided to all children with disabilities who have been suspended out of school or expelled so that the child can continue to make progress toward meeting the goals and objectives of his IEP and make progress in the curriculum.

Functional Behavior assessment

Federal law mandates the school systems conduct functional behavioral assessments(FBA) when taking certain disciplinary actions with students who are disabled. The process is based on the concept that if you understand the functioning of a challenging behavior, you can have a great impact on changing it. This assessment is a comprehensive and individual approach to examining variables that promote the continuation of challenging behaviors.

- Functional Behavior assessment are conducted when:
 - Tier 2 strategies have not significantly reduce the child's problem Behavior to classroom manageable levels
 - A team is unable to determine the function of a student's Behavior

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- Upon adding a BIP for the first time for a student that does not already have a BIP. An FBA needs to be conducted before a student is given a BIP for the first Behavior. A BIP needs revision for new behaviors that are not part of the same response class
- A current BIP is not reducing the child's problem to classroom management levels
- When the student gets to a manifestation to ensure that the team has determined the correct function of behavior

Although it is acceptable for the team to informally determine the function of behavior, the process of conducting an FBA is best done in systemic stages:

1. The team specifies the problematic behavior and consider student variables that may impact Behavior. This provides a clear Focus for discussing strategies that may be used to modify the behavior.
2. The team collects information about the students behavior and the environments in which it occurs. This enables the team to determine the function of the behavior and have data to assist in developing an intervention plan.
3. The team considers how and to what degree the behavior intervention support is faded to promote generalized Behavior changes.
4. The team may need to meet problem solve and discuss ongoing modifications

***Before conducting the FBA be sure to obtain a consent to evaluate**

Behavior Intervention Plans (BIP)

- All students who have behaviors that impede their learning or the learning of others should have a behavior intervention plan (BIP) that is developed as part of an Individualized Education Plan IEP team meeting. This plan should be developed after interventions from the Functional Behavior Assessment have been initiated.
- BIPS Should include:
 - Behaviors that impede student learning with measurable, clear definition
 - Frequency of the behavior- how many times does the behavior occur
 - Duration- how long does the behavior typically last
 - Prevention used in the environment- how can we prevent the behavior from occurring
 - Replacement Behavior- what is another behavior we can teach the child to engage in that is different from the problem behavior
- According to the implementation manual for the special education State rules, if an IEP team has adequate information to develop a bip, and FBA may not be required. Although not required, best practice is to conduct an FBA prior to the development of a BIP. And FBA does not have to be Rewritten each year but should be reviewed periodically throughout the year with changes made as appropriate. The FBA drives the BIP all student to meet eligibility criteria in the area of emotional behavior disorder must have a BIP

Special Circumstances Weapons, Illegal Drugs, Injury

Certain serious behavior problems can lead to a student being moved to an interim alternative educational setting for up to 45 school days even if the conduct is determined to be a manifestation of the student's disability. Removing the student for these offenses does not require parent consent or agreement, nor does it require tribunal hearing. These offenses involve:

- Weapons-- if a student carries or possesses a weapon to school, on school premises at a school function, or is at a school function.
- Drugs-- if the student knowingly possesses or uses illegal drugs or sells or solicits the sale of Controlled Substances at school, on school premises, or at a school function.
- Serious bodily injury-- if a student has inflicted bodily injury upon another person at school, on school premises, or at a school function

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- Additionally, a system May seek to remove a student to an interim alternative educational setting for up to 45 school days for creating a dangerous situation. The system must do this by making a request for hearing officer.

Provision of Notification of Change of Placement:

- On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of conduct, the LEA must notify the parents of that decision, and provide the parents procedural safeguards notice described in [Rule 160-4-7-.09](#)

Appeal Process

- A parent that disagrees with placement or decision of the manifestation determination meeting May appeal the decision according to State Rule [34 C.F.R. § 300.530\(a\)](#) the case will be appealed to an administrative law judge who will hear the facts and make a determination regarding the appeal

Placement During Appeal

- During the appeal the child will stay put in the interim alternative educational setting pending the decision of the administrative law judge.

Protections for Children Not Yet Eligible

- A student may assert protections under the discipline rule if the district had knowledge that the student was a student with a disability.
- The district would be considered to have knowledge if any of the following came prior to a disciplinary action:
 - The parent expressed, in writing, concern that the student needed special education and related services
 - The parent requested an evaluation of the student in writing
 - The teacher or other staff express to the Superintendent of Student Services specific concerns about a pattern of behavior at the student.
- The Baldwin County school system is not deemed to have knowledge that the student has a disability if the parent has refused services or the student has been evaluated and found ineligible.
- If a parent requests an evaluation during the time the student is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. The student will remain in the education placement determined by the district, which can include suspension or expulsion without Educational Services. If a student is determined to be a student with a disability, the district must provide special education and related services.

Referral to Law Enforcement and Judicial Authorities

Baldwin County Schools is not prohibited from making reports of alleged criminal acts committed by students with a disability. In accordance with the Family Educational Rights and Privacy Act (FERPA) regulations, copies of the student special ed records and disciplinary records will be provided to the appropriate authorities upon request by the students parents or if the student is over 18, the student may make the written request him/herself.

Change of Placement Due to Disciplinary Removal

- Baldwin County School administrator or designee will notify parents on the day a student is issued a removal that constitutes a change in placement as identified in the disciplinary actions beyond 10 days or Special Circumstances section of this handbook and provide the parent with a copy of their parent rights

Seclusion and Restraint

State Board Rule 160-5-1-.35 **SECLUSION AND RESTRAINT FOR ALL STUDENTS** significantly limits the use of seclusion in all public Georgia schools and educational programs.

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The use of chemical restraints is expressly prohibited in schools in the Baldwin County School System. School or educational program staff cannot administer any medication that is used to control behavior or restrict the student's freedom of movement when it is not a prescribed treatment for the student's medical or psychiatric condition. In all instances, staff should provide medication exactly as prescribed including the appropriate dosage and with the same frequency as prescribed.

The use of **mechanical restraints** is expressly prohibited in public Georgia schools and educational programs. Mechanical restraints include devices or materials attached to or adjacent to a student's body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. Examples of mechanical restraints include straightjackets, straps, and handcuffs except when used by law enforcement personnel.

Adaptive or protective devices recommended by a physician or therapist are not considered to be mechanical restraints and are allowed when used as recommended by a physician or therapist to promote normative body positioning and physical functioning. For example, a prone stander or adaptive chair with an attached lap tray would not be a mechanical restraint if used to promote normative body functioning or physical functioning in a student with a physical disability if the equipment was recommended by a physician or therapist and used as prescribed. However, if the same equipment was used to restrict the student's movement for the purpose of controlling behavior, it would be considered mechanical restraint and would not be permitted in schools and educational programs.

In rare instances, it may be necessary to use adaptive or protective devices used to prevent self injurious behavior. The use of these devices must be recommended by a physician or therapist and used as described. They should not be used to control behavior or limit movement except in those situations in which the student is demonstrating self-injurious behaviors. Students who experience these types of self-injurious behaviors should receive a functional behavior assessment, and a behavior intervention plan should be developed to address the behaviors. Seatbelts and other safety equipment such as safety harnesses are not considered to be mechanical restraints and are permitted when used as recommended to secure students during transportation.

The use of **physical restraints** is prohibited except in those situations in which students are an imminent danger to themselves or others and when the student is not responsive to less intensive de-escalation techniques.

Restraint should never be used:

- When the student is responsive to less intensive interventions and de-escalation techniques such as verbal commands and directives
- As a form of discipline or punishment, as a means to obtain compliance, or as a replacement for less restrictive alternatives.
- When students cannot be safely restrained due to the size of the student or staff or for any other reason.
- When the use of the intervention would be contraindicated due to the student's psychiatric, medical, or physical conditions as described in the student's educational records.

Physical restraints, as defined in this rule, do not include providing limited physical contact and/or redirection to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to a location, or providing comfort. For example, a running after and holding a student who is about to run in front of an oncoming automobile is not in any way prohibited based on the adoption of the rule. Providing physical guidance (e.g. lightly holding a student at the elbow to guide him/her from one location to another) is also permitted.

When using physical restraint for students who are an imminent danger to themselves or others, school staff should take precautions necessary to ensure the safety of the student and the staff engaged in restraining the student. Restraint should be implemented in a safe and humane manner without any intent to harm or create undue discomfort for the student. Prone restraints are prohibited in all situations.

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When using physical restraint to protect students who are a danger to themselves or others, the following procedures are recommended:

- Less restrictive interventions should first be used to de-escalate the behavior and the student should only be restrained when these less intensive interventions prove unsuccessful.
- Restraints should be conducted by staff who are trained in the restraint procedures that have been adopted by the school or program. Staff should know and utilize the prescribed procedures for requesting assistance.
- Adults should carefully observe the student throughout the restraint to observe the student's physical status and to determine when the child is no longer a danger to himself/herself or others. Restraint should be immediately terminated if the child is observed to be, appears to be, or claims to be in severe distress. The student's breathing should be carefully monitored, and the restraint should be immediately terminated if the student is exhibiting any respiratory distress.
- When possible, all potentially dangerous materials such as pencils, pens, or other sharp objects should be removed to ensure the student's safety.
- The restraint should be removed as soon as the student is no longer a danger to himself/herself or others. Generally, students should be restrained for very short periods of time. Additional staff support should be provided and the documentation log should include restraints that last for longer periods of time.
- As soon as appropriate after the restraint is removed, the staff should discuss the incident leading up to the restraint with the student and discuss alternative behaviors that could have been utilized.
- When the student is no longer a danger to himself/herself or others, he/she should be returned to the instructional activity or to a less restrictive environment.

The restraint should be documented in an incident report that is turned in to the school or program administrator. Parents should be informed that restraint was used within a reasonable time not to exceed one school day from the use of restraint.

CATEGORIES AND SUMMARIES OF EVALUATION INFORMATION REQUIRED FOR ELIGIBILITY

[Eligibility Determination and Categories of Eligibility](#)

AUTISM: 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. [refer to 34 CFR 300.7(c)(1)(i)]

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 Requirements

AUTISM (AUT)

1. Comprehensive psychological evaluation
 - A. Intellectual functioning
 - B. Adaptive behavior

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- C. Dates and results
- 2. Educational evaluation
 - A. Educational performance
 - B. Current functioning levels are indicated
- 3. Communication evaluation (includes assessment of verbal and nonverbal communication) which includes prosody (linguistics including intonation, rhythm and focus in speech) and pragmatic language utilizing both formal and informal measures.
- 4. Behavioral evaluation that may include assessments of social interaction, participation, peer and adult interactions, capacity to relate to others, stereotypical behaviors, resistance to change, atypical responses to sensory stimuli, persistent preoccupation with or attachment to objects, or other behaviors often associated with autism.
- 5. Developmental history (developmental differences and delays, general age of onset)
- 6. Conclusion
 - A. Identifies and documents the characteristic areas of autism.
 - 1. Developmental rates and sequences/basis for determination
 - 2. Social interaction and participation/basis for determination
 - 3. Communication (verbal and nonverbal)/basis for determination
 - 4. Sensory processing (if appropriate)/basis for determination
 - 5. Repertoire of activities and interests (if appropriate)/basis for determination
 - B. Documents the characteristics associated with autism and the adverse effect on educational performance.

DEAF-BLIND: 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 Requirements Deaf-Blind

- 1. Audiometric evaluation/summaries results (Annual audiogram is attached)
- 2. Otological evaluation by otologist
 - Documents a hearing impairment
- 3. Ophthalmological or optometric examination
 - Documents a vision impairment
- 4. Educational evaluation includes instruments used, dates and results
- 5. Conclusion
 - Summarizes evaluation information that supports a combined hearing and vision impairment that creates a severe communication, developmental and learning need that cannot be solely addressed by eligibility in hearing or vision impairments

DEAF/HARD OF HEARING: A student who is deaf or hard of hearing is one who exhibits a hearing loss, whether permanent or fluctuating, that interferes with the acquisition or maintenance of auditory skills necessary for the normal development of speech, language, and academic achievement. [Refer to 34 CFR 300.7 (3), (5)]

Eligibility Requirements

DEAF/HARD OF HEARING (D/HH)

- 1. Audiometric evaluation
 - A. Summarizes the overall results of audiological examination report by certified/licensed audiologist and dates
 - B. Audiogram is on file (required annually)

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2. Otological evaluation
 - A. Summarizes the overall results of otologic examination report by licensed physician, date and results within 90 days of initial placement or if recommended by an audiologist.
 - B. Otological report is attached.

3. Educational evaluation indicates instruments (formal or informal) used and summarizes results in each of the following areas:
 - A. Receptive/expressive language abilities
 - B. Receptive/expressive communication abilities
 - C. Academic achievement or developmental skill level
 - D. Social/emotional adjustment
 - E. Observational data of classroom performance and functioning
 - F. Psychological (optional)

4. Conclusion – Documents that the hearing impairment interferes with the acquisition or maintenance of auditory skills necessary for the normal development of speech, language and academic achievement.

EMOTIONAL/BEHAVIORAL DISORDER:

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. Consistent or chronic inappropriate type of behavior or feelings under normal conditions.
4. Displayed a pervasive mood of unhappiness or depression.
5. Displayed tendency to develop physical symptoms, pains or unreasonable fears associated with personal or school problems.

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

Eligibility Requirements

EMOTIONAL AND BEHAVIORAL DISORDER (EBD)

- I. Documentation of prior extension of services indicates interventions have been implemented and the interventions in the regular program include counseling, modifications of the regular program, and/or data-based progress monitoring

- II. Evidence of comprehensive case study that includes:
 - A. Psychological and date
Summarizes and interprets assessment results which indicate the presence of significant emotional factors that are affecting educational performance

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- B. Educational history
Summarizes significant deficits in educational performance that include formal and informal learning of academic material, social and personal skills
 - C. Social history
Summarizes significant data, including discipline records, that support emotional factors affecting performance in a variety of settings
 - D. Behavioral observation
Summarizes behavioral observation(s) and/or checklists that indicate the incidence of one or more of the characteristics of emotional and behavioral disorders over a significant period of time.
- III. Exclusionary Factors must be considered and documented
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.).
- IV. Conclusion
- A. Identifies and discusses one or more characteristics of emotional and behavioral disorders over a period of time as evidenced by the case study.
 - B. Summarizes the intensity, frequency and duration of one or more of the characteristics of emotional and behavioral disorders that significantly interfere with educational performance.

INTELLECTUAL DISABILITY: 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.

Intellectual Disability

Mild (MID) / Moderate (MOID) / Severe (SID) / Profound (PID)

- I. Intellectual evaluation shall be based on multiple sources of information and shall include more than one formal measure of intelligence, dates, a summary of results and the student's strengths and weaknesses
- II. Educational evaluation includes instruments utilized, dates, and a narrative summary of results (academic/achievement)
- III. Adaptive behavior assessment includes a summary of formal and informal instruments, interviews, observations, etc., from multiple sources (school source and source outside of school)
- IV. Educationally relevant medical data is included (when applicable)

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- V. Exclusionary Factors:
 - 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.).

- VI. Conclusion
Summarizes the results of the comprehensive evaluation and indicates deficits in intellectual functioning, academic achievement and adaptive behavior

- VII. An intellectual disability is indicated at one of the following levels:
 - A. Mild intellectual disability (IQ of approximately 70 to 55)
 - B. Moderate intellectual disability (IQ of approximately 55 to 40)
 - C. Severe intellectual disability (IQ of approximately 40 to 25)
 - D. Profound intellectual disability (IQ below approximately 25)

ORTHOPEDIC IMPAIRMENT: Orthopedic impairment refers to students whose severe orthopedic impairments affect their educational performance to the degree that the student requires special education

Eligibility Requirements

- I. Medical evaluation (Current within one year for initial placement)
 - A. Includes date, physician and results
 - B. Includes diagnosis/prognosis of the orthopedic impairment and any medical implications for instruction.
 - C. Includes current information regarding surgeries, medications, special health care procedures, special diet, activity restrictions, or other relevant information
 - D. Attached to eligibility report—Verification of Health Impairment

- II. Educational evaluation
 - A. Includes dates, instruments and results
 - B. Indicates the adverse effects of the orthopedic impairment on the child’s educational performance
 - C. Documents deficits in pre-academic or academic functioning, social/emotional development, adaptive behavior, motor development or communication abilities resulting from the orthopedic impairment

- III. Psychological evaluation with dates, instruments and results (if indicated, due to apparent deficits in cognitive/academic functioning), OR psychological evaluation is not indicated

- IV. Significant educational deficits are indicated but are no lower than criteria for mild intellectual disabilities program

- V. Conclusion

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Summarizes the documentation that significant educational deficits have resulted from the orthopedic impairment

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

Eligibility Requirements

Other Health Impairment (OHI)

- I. Medical evaluation or licensed clinical psychologist for students with ADHD (current within one year for initial placement; subsequent reports for re-evaluation shall be obtained at least every three years)
 - A. Includes dates, physician and results
 - B. Includes diagnosis/prognosis of the health impairment and any medical implications for instruction
 - C. Includes medical information regarding limitations to strength, vitality, or alertness, including a heightened alertness to environmental stimuli; special health care procedures; special diet; activity restrictions; or other relevant information
 - D. Attached to eligibility report—Verification of Health Impairment
- II. Educational evaluation
 - A. Includes dates, formal and informal assessments and results
 - B. Indicates that academic deficits have resulted from the health impairment and documents effects of the health impairment on the child's educational performance
- III. Psychological evaluation with dates, instruments and results (if indicated due to apparent deficits in cognitive/academic functioning), OR psychological evaluation is not indicated. The comprehensive developmental or educational assessment must document deficits in pre-academic or academic functioning, adaptive behavior, social/emotional development, motor or communication skills resulting from health impairment.
- IV. Significant educational deficits are indicated
- V. Exclusionary Factors:
 - 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.).
- VI. Conclusion

Summarizes the documentation that significant educational deficits have resulted from the health impairment

SIGNIFICANT DEVELOPMENTAL DELAY: The term significant developmental delay refers to a delay in a child's development in adaptive behavior, cognition, communication, motor development or emotional

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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). [See 34 C.F.R. § 300.8(b)]

SIGNIFICANT DEVELOPMENTAL DELAY (SDD)

- I. The SDD eligibility may be used for children from ages three through seven and in no instance later than the end of the school year in which the child turns nine. Initial eligibility must be established on or before a child's 7th birthday.
- II. Assessment – scores/results are reported in standard deviations (SD) from the mean of developmental expectancy
- III. All five skill areas shall be assessed using at least one formal assessment. Where a significant delay is suspected, at least one additional formal assessment must be utilized to determine the extent of the delay.
 - A. Cognition
 - B. Communication
 - C. Physical development (Gross/fine motor)
 - D. Adaptive development
 - E. Social/emotional development
- IV. Exclusionary factors: For children who are kindergarten age or older with initial eligibility, include documented evidence that the impact on educational performance is not due to exclusionary factors.
- V. Conclusion
Results document 2 standard deviations below the mean in one or more of the five skill areas or 1.5 standard deviations below the mean in two or more of the five skill areas
- VI. The application of professional judgment is a critical part of the entire eligibility process.

SPECIFIC LEARNING DISABILITY: 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 students who have learning problems that are primarily the result of visual, hearing or motor disabilities, intellectual disabilities, emotional or behavioral disorders or environmental, cultural or economic disadvantage.

Eligibility Requirements

SPECIFIC LEARNING DISABILITY (SLD)

- I. Psychological evaluation – Includes instruments utilized, dates and results
- II. Learning behaviors/psychological processes – indicates source of information and strength or weakness

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- A. Attending
- B. Organization
- C. Discrimination/Perception
- D. Phonological deficits
- E. Executive functioning
- F. Processing speed
- G. Memory
- H. Conceptualization/Reasoning
- I. Language

III. Educational evaluation – includes instruments utilized, dates and results of two assessments per area of underachievement

- A. Severe discrepancy areas (8)
 - 1. Oral expression
 - 2. Listening comprehension
 - 3. Written expression
 - 4. Basic reading skills
 - 5. Reading comprehension
 - 6. Reading fluency
 - 7. Mathematics calculation
 - 8. Mathematical reasoning
- B. A statement of status is included for each of the eight areas of learning

IV. Supporting evidence

- A. Classroom observation is summarized (relates to reason for referral)
- B. Analyzed work samples verify the area of deficient learning behaviors (attached to eligibility report)
- C. Educationally relevant medical information is included, if applicable

V. Exclusionary factors have all been considered:

- Lack of appropriate instruction in reading, to include the essential components of reading instruction;
- Lack of appropriate instruction in math;
- Lack of appropriate instruction in writing;
- Limited English proficiency;
- Visual, hearing or motor disability;
- Intellectual disabilities;
- Emotional disturbances;
- Cultural factors;
- Environmental or economic disadvantage; or
- Atypical educational history such as irregular school attendance or attendance at multiple schools.

VI. Conclusion

- A. The student has one or more serious academic deficiencies and does not achieve adequately according to age to meet grade level standards.

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- B. The achievement deficiencies must be directly related to pervasive processing deficits and to the child's response to scientific, research-based interventions
- C. 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.

VII. Signatures of concurring team members including names and positions which must include (a.) child's regular education teacher, (b.) a highly qualified certified special education teacher, (c.) a minimum of one other professional qualified to conduct individual diagnostic assessments in the areas of academic achievement, intelligence, development, or social-emotional development.

VIII. Signature(s) of dissenting team members including names and positions and separate statement presenting the member's conclusion

SPEECH/LANGUAGE DISORDER: 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. [34 C.F.R. § 300.8(c)(11)]

Eligibility Requirements

SPEECH-LANGUAGE IMPAIRMENT (SI)

Evaluation and Assessment

- A. Documentation of child's response to prior evidenced-based interventions before referral
- B. At least one screening measure or procedure in all areas is documented (Including oral screening)
- C. Results of two or more measures or procedures (at least one must be formal) are documented in the area of deficit
 - 1) Articulation
 - 2) Language
 - 3) Fluency
 - 4) Voice (date and results of evaluation by a laryngologist for voice quality disorders)
- D. Eligibility—(a.) determine presence or absence of speech impairment, (b.) documentation of an adverse effect of the impairment on child's educational performance
- E. Exclusionary factors—A speech and 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
- F. Conclusion
 - 1) States type and severity of the Speech Impairment
 - 2) Provides a summary statement of the effect of the speech impairment on the student's educational performance (academic or non-academic)

TRAUMATIC BRAIN INJURY

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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 Requirements

TRAUMATIC BRAIN INJURY (TBI)

- I. Summary of information describes the student's pre-injury functioning status
- II. Verification of the presence of TBI
 - A. Medical evaluation report
 - 1) Includes date, physician, diagnosis and prognosis
 - 2) On file with the eligibility report
 - B. Summary of information from previous medical evaluation or other source that verifies the presence of TBI (if current medical evaluation is inconclusive regarding the presence of TBI)
 - 1) Includes date(s), sources and information obtained
 - 2) On file with the eligibility report
- III. Neuropsychological, psychological or psychoeducational evaluation includes date(s), instruments and results of current evaluation on the following areas of functioning: cognitive, social/behavioral, and physical/motor
- IV. Conclusion – Summary statements indicate that significant educational deficits have resulted from the traumatic brain injury and adversely affect the child's educational performance

VISUAL IMPAIRMENT: 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.

VISUAL IMPAIRMENT (VI)

Eligibility Requirements

- I. Eye Examination Report
 - A. Signed by ophthalmologist or optometrist who examined child
 - B. Includes date and results of eye examination
 - C. Indicates diagnosis, visual acuity, prognosis, and recommendations
 - D. Report from optometrist or ophthalmologist is attached
- II. Educational Evaluation
 - A. Includes dates, instruments and results of educational evaluation
 - B. Documents the effect of the visual impairment on the student's educational performance
- III. Conclusion
Indicates that the visual impairment adversely affects on the student's educational performance

PROCEDURES FOR IEP DEVELOPMENT

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Overview

An Individualized Education Program (IEP) must be developed for every disabled student who is or will be receiving special education services under the IDEA. This IEP becomes the important document that ensures the special education student is provided free and appropriate public educational services based on his/her special needs. The IEP details in writing the student's current performance, the student's needs that result from the disability, as well as the goals, accommodations, modifications, supports, and services that are required in order for the student to be involved in and make progress in the general education curriculum. The IEP results from a collaborative effort between parents, education professionals and, in most cases, the student. This IEP becomes the important document that ensures the special education student is provided appropriate Educational Services based on his/her special needs. Additionally, any change in special education and/or related services for a student must be documented in the IEP. The IEP team must review the IEP periodically, but no less than annually, to determine whether the annual goals for the child are being achieved, and to revise the IEP as appropriate to address any lack of progress, to discuss any reevaluations, and to discuss any other needs of the child. And IEP must be in effect at the beginning of each school year.

IEP Team Definition

The IEP Team for each child with a disability includes:

- A. The parents of the child;
- B. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
- C. At least one special education teacher of the child or, if appropriate, at least one special education provider of the child;
- D. A representative of the public agency (LEA) who:
 - 1) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of a child with disabilities;
 - 2) Is knowledgeable about the general curriculum; and
 - 3) Is knowledgeable about the availability of resources of the public agency;
- E. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team (see above);
- F. At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate.
- G. Whenever appropriate, the child with a disability

General Requirements

- 1) A statement of the student's present levels of academic achievement and functional performance and how the disability affects the child's involvement and progress in the general education curriculum or for preschool children in appropriate activities;
- 2) A statement of measurable annual goals including academic and functional goals and for students participating in alternate assessments, short-term instructional objectives;
- 3) A statement of specific special educational and related services to be provided to the student and the extent to which the student will be able to participate in regular educational programs;
- 4) An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class;
- 5) Accommodations that are necessary to measure the academic achievement and functional performance of the child on state and district-wide assessments;
- 6) Dates for initiation of services and anticipated duration of the services;

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- 7) Anticipated frequency, location, and duration of these services;
- 8) Appropriate objective criteria, and evaluation procedures and schedules, for determining, on at least an annual basis, whether the short-term instructional objectives are being achieved.
- 9) Transition Services—For each student with a disability beginning at age 16 (or younger, if determined appropriate by the IEP team), and updated annually, appropriate measurable postsecondary goals and a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study (such as participation in advanced-placement courses or a vocational education program);

III. Development, Review, and Revision of IEP

The IEP team should consider:

- A. The strengths of the child and the concerns of the parents for enhancing the education of their child;
- B. The results of the initial or most recent evaluation of the child;
- C. The academic, developmental, and functional needs of the child.

Special Factors to also be considered are:

- A. In the case of a child whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior;
- 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 (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille 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 requires assistive technology devices and services.

The IEP Team must review the IEP periodically, but not less than annually,

- A. To determine whether the annual goals for the child are being achieved;
- B. Revises the IEP, as appropriate, to address any lack of progress, to discuss any reevaluations, and to discuss any other needs of the child.

An IEP must be in effect at the beginning of each school year.

IV. Parent Participation

The public agency must take 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. This includes notifying the parent early enough, scheduling the meeting at a mutually agreed upon time and place. The notice must have the purpose, time, and location of the meeting.

Required Sections of the IEP

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Present levels of performance: Academic, Functional, Developmental, Behavioral and Functional Strengths (PLAFFP)

The section of the IEP is the foundation for all services, goals and accommodations in the IEP. It should include the following information. Laugh is a written narrative that establishes the current functioning level. There should be a direct relationship between the present level of educational performance (PLAFFP and other components in the IEP areas that are identified as deficits are weaknesses should be addressed through goals and objectives descriptions of the students performance should document the need for any related services that are provided.

At a minimum the PLAFFP must clearly contain the following information

- A summary of current information on the student educational performance
- a summary of the effect of the students disability on involvement and progress in the general curriculum
- a summary of the educational needs of the student that result from the disability and cannot be met through participation in the general curriculum
- a summary of the student strengths and
- a summary of updated evaluation information
- Concerns of the parents
- A summary of the impact of the disability on his or her participation in age appropriate activities

The case manager for the student is responsible for ensuring that all teachers, therapist, and other professionals who work with a student provide input into developing PLAFFP

Result of Evaluations and Assessments

the section of the IEP includes information from the most recent psychological or eligibility report. Strengths and weaknesses should be stated verbatim from the psychological. The most recent test results Georgia Milestones, map, Etc should also be included. Psychological scores can be added however, the score should not be the only test results included scores need to be in some reform and not just a simple listing of results

Strengths

In describing a student strengths, statements should reflect skills/ knowledge that the student currently possess, which will allow him/ her to work on grade level standards. Academic areas, developmental areas, and functional areas should be included.

Needs:

This area is extremely important and serves as the basis for the goals/ objective as well as classroom testing accommodations. Every identified need must have a corresponding goal. Needs unrelated to the students disability are not addressed in the IEP Needs are barriers to the student's success in meeting grade level standards in the general education classroom without support. In other words, in order to identify needs, think of skills that would enable the student to be successful in the classroom without support. Deficits in these skills result in needs.

Parental Concerns:

this section should address concerns regarding the child academics, Behavior, performance on goals, and/ I she Communication with a parent maybe through verbal or through written contacts. Specific comments and concerns should be elicited.

Impact of Disability

Information stating how the students disability affects the classroom performance, involvement, and progress on grade level standards should be included statement should be specific and unique for each student present levels are not addressed in this section some specific characteristics include:

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- short-term memory problems
- poor organization skills
- auditory processing problems
- visual processing problems
- fine and gross motor deficits
- slow rate of information processing
- difficulty generalizing

Consideration of special factors

There are six special factors the IEP team must consider for students when a special factor applies to a student the IEP must contain written documentation of the required components for each factor all area should be addressed. The child has a need in any of these special factors,"yes" should be marked on the IEP. Needs should be addressed in the area below the special factors section

Measurable annual goals

Present level provide the Baseline information for the development of measurable annual goals. And you will goals are developed to meet the unique needs of the child identified in the present levels. Appropriate goals cannot be written without good data collection methods.

Short-term objectives are not required for all students in special education. Only those students who participate in the Georgia alternate assessment are required to have short-term objectives. However there is nothing that prohibits a system from requiring short-term objectives or benchmarks for all special education students.

Preschool/Pre-K IEPs and IEPs written for students who participate in an Adaptive curriculum tested through the GAA will be required to write goals and objectives. Other IEPs that may be written with goals and objectives are those IEPs for students in special circumstances and objectives included because of teacher professional judgment.

Data collection

The special education teacher maintains data for each goal identified on the student's IEP. This data is used to

- Determine if an intervention needs to continue, be modified, or be completely changed
- provide information for the annual review of the IEP
- provide information for the development of new goals on the IEP

the type of data collected and the format for collection is dependent upon the criteria set forth in the goal. Best practice suggests that the data for goal should be available in chart and in graph form regardless of the method used data collection may be shared with a parent at any time and therefore should be maintained in a format that the teacher can use to easily please explain the students progress to the parent

Criteria for measurement of goals/objectives/Progress monitoring review process

Accuracy rate is a score of the student must attain on progress monitoring checkpoint in order to show he understands the concept.Criteria for Mastery is the number of times student must attain the accuracy rate in order to demonstrate mastery.

Progress monitoring is the process by which we assess a student's improvement with goals and objectives developed by the IEP team. It is best practice for these goals to be assessed at least weekly to determine progress and adjust instruction. Additionally it is required that teachers send home IEP goals each six weeks with progress toward mastery

Progress monitoring notebooks.

Each teacher will have a three ring or electronic binder to use for Progress monitoring.

- Tabs will be provided to separate information by student.
- Progress monitoring forms with all student goals and objectives will be listed.

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- The student work sample that supports the progress monitoring graph or chart will be kept by the teacher.
- The student work sample will identify the goal, the student's performance on the task, and the date the task was assessed.

Three times during the year the special education director ,the lead special education teacher, the special education coordinator or designee will review the progress monitoring notebook and provide the teacher with feedback. When did your show evidence that they need support, a data support person will be assigned to assist with a collection of progress monitoring data

Report of student progress

Case managers must provide parents with progress monitoring as often as indicated in the IEP. The most common time frames in our district are 6 weeks or 9 week increments.

Case managers, lead teachers, and special education coordinators must monitor progress reports to ensure that they have not lapsed

Follow the steps below to run reports to see lapsed progress reports

- Go to IEP Reports
- Click either lapse in 6 days or lapsed progress reports
- The report will show name and dates
- You can then prioritize student that require reports to be generated.
- To save this list click export to excel.file. save as.....

Follow the steps below to print progress report:

- Go to dashboard and find student name and click on it
- At bottom of screen you will see a list of students that has download report options
- click download report
- print
- Send

[Individualized Education Program \(IEP\) \(Adopted 6-14-07\)](#)

Procedures for IEP Development

Notification of Special Educations IEP Meeting Notice (IEP, Eligibility,Re-Evaluation,etc)

The parent should be notified of the proposed date, time and location of an IEP meeting to give sufficient time to make arrangements to attend or contact the school to reschedule the meeting. The meeting notice should include the purpose of the meeting, the proposed date, time and place of the meeting, and the names and positions of the people that the system will invite to the meeting. The parent may request to reschedule the IEP meeting or to participate via telephone if they are not able to attend in person.

Other attempts can include:

- Telephone calls
- Notice sent via US mail
- Notice sent via Email
- Reminder Letter
- Home Visits
- Social Worker

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If, after reasonable efforts to involve the parents have occurred, the parents have either not responded or refused to reasonably cooperate in the scheduling of the meeting, the meeting may proceed without parental attendance

Excusals- A required member of the IEP team may be excused when:

- when an IEP Team member's area of curriculum or related services is NOT being changed or discussed at the meeting, the parent and the system may agree to excuse the team member from all or part of the meeting if the parent consents in writing to this excusal; or
- when the IEP Team member's area of curriculum or related services is being discussed at the meeting, the parent and the system may excuse an IEP Team member from all or part of a meeting if the parent consents in writing to the excusal and the person submits relevant written input to the IEP Team prior to the meeting.

The IEP Team for each child with a disability includes:

- A. The parents of the child;
- B. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
- C. At least one special education teacher of the child or, if appropriate, at least one special education provider of the child;
- D. A representative of the public agency (LEA) who:
 - 1) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of a child with disabilities;
 - 2) Is knowledgeable about the general curriculum; and
 - 3) Is knowledgeable about the availability of resources of the public agency;
- E. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team (see above);
- F. At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate.
- G. Whenever appropriate, the child with a disability

Developing the IEP

Conduct at IEP Meetings:

i. The purpose of IEP meetings is to engage in a collaborative productive team approach to making appropriate educational decisions for the student. This purpose is frustrated when any team members engage in a confrontational; unprofessional; argumentative; or aggressive demeanor. Team members are not to be cross-examined; interrupted; or treated disrespectfully during these meetings. No one team member should "take over" the IEP meeting or otherwise discourage others from participating. Any concerns regarding a particular team member's conduct should be raised with the principal or special education director, or special education coordinator and, if the team member is an employee of the District, will be addressed separately as a personnel matter. Team members that do not abide by these rules may be asked to leave by the School District representative at the meeting. If the team member refuses to leave, the meeting will be tabled.

ii. Meetings may be recorded with notice to the complete team. If the parent decides that they wish to record an IEP meeting, the District should also record the meeting assuming equipment is available. It is expected that both parents and the District will make their recordings available to each other if requested should either tape recording device fail or be unavailable.

When starting an IEP meeting introduce all team members and state the purpose of the meeting. Review parent rights and establish any ground rules that may be required for the meeting to run smoothly. A successful IEP team meeting includes active engagement of all team members with all members contributing in an open, honest, professional and positive manner.

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Parent Rights Document

Procedural Safeguards/Parents Rights (Adopted 5-13)

- a. The Parent Rights provide important information for parents to understand their rights; their child's rights; and the procedure for resolving differences.
- b. These Parent Rights are available upon request at www.baldwin-county-schools.org any time a parent wishes to have a copy.
- c. In addition, the Baldwin County School District will provide parents with a copy of Parental Rights at least once a year (e.g. at the initial IEP meeting and at the annual review meetings), and any time any of the following occur:
 - i. Upon initial referral or parental request for evaluation (e.g. when they are asked to sign Consent for Evaluation).
 - ii. Upon receipt of the first state complaint in the school year.
 - iii. Upon receipt of the first due process complaint in the school year.
 - iv. In accordance with disciplinary procedures.
 - v. Upon parental request.

The Georgia Parental Rights document can be accessed in English and other supporting translations on the TransACT website. Baldwin County Schools has an account with this website, and a system employee can register and access the appropriate state form or parental rights in Spanish, Portuguese, Vietnamese, Chinese, Russian, Korean, and Urdu. The website can be accessed at the following web address:
<http://www.transact.com/public/default.htm>.

Meeting Attendance: All team members in attendance at the IEP meeting are to sign the meeting attendance form. Individuals are to sign their name and their role in the meeting

Present Level of Academic and Functional Performance: The Present level is the basis for the development of the entire IEP. It should be very specific and individualized to the student.

Initial or Most Recent State Assessment and System Assessment Results-Begin with a statement of the student's current placement. The PLAFFP should include the students results on the most recent state assessment and system level assessments. Please include the last two years of assessment data for the student and the passing score for the assessment.

Description of Academic, Development/Functional Strengths/Weaknesses- Document what the student does well and what the student does not do well in the appropriate sections. The goals & objectives that the team will develop for the student should flow out of the students weaknesses. Be very specific in stating student weaknesses. Remember there should be a direct relationship between the weaknesses and the goals. Parents should be asked to share their observations as well. A review of student performance on previous goals and objectives may be listed here as well.

Parental Concerns: Parents should be given an opportunity to share any concerns they have with the IEP team. If parents are unable to attend, they may submit their concerns ahead of time in writing or meet with an IEP team member to relay their concerns.

Impact of the Disability on Involvement and Progress in the general education curriculum- Discusses how the disability effects classroom performance, involvement and progress on grade-level Georgia Standards of Excellence. This section is unique to each student.

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Special Factor Considerations: This should be addressed with statements written where needed. If the child has a need in any of the special factors, place a mark in the yes box.

- If the student needs a Behavior Intervention Plan, this is where the need would be documented.
- If the student needs or is using an assistive technology device or alternative format of accessible instructional materials, this is where the need is documented. Assistive technology devices and services required by a student with a disability should be clearly documented in the student's IEP. Assistive technology can be included in many different places in the IEP, but it is typically addressed in the special factors section of the IEP. The team members will consider the question "does the student need assistive technology services" and answer the question with a yes or no response. Through the use of the AT considerations checklist the team will come to a decision as to what type of device is needed by the student. The team will also determine how, when and where the device will be used, whether the student needs AT as a related service, and if a goal for AT should be written.

Goals and Objectives: The IEP team will develop measurable goals and objectives for each student based on the students weaknesses identified in the present level of student performance. The IEP will also need to identify the criteria for mastery and the method of evaluation for every short term objective written by the IEP team.

Progress reporting: The IEP will identify how often parents will be informed of the students progress toward meeting the annual goal.

Student Supports: Accommodations, Supplemental Aids and Services, Supports for School Personnel. All accommodations/ modifications that a student needs for access to the general curriculum must be indicated in the IEP.

Testing Accommodations or Modifications: The IEP must identify the accommodations needed for student participation in statewide assessment. Only allowable accommodations for state testing may only be written in the IEP. Allowable assessment accommodations may be found in the Georgia Student Assessment Handbook. State testing accommodations must be accommodations that are also used throughout the year and not only for state testing. Decision-making guides for selection of appropriate assessment accommodations can be found in the Georgia Student Assessment Manual.

Services in General Education, in Special Education, & Related Services: The IEP will specify the services that a student is to receive. Direct Services and related services that take place in General Education settings should be written in the grid on the top of the services page. Direct services and related services that occur in special education settings should be listed on the bottom of the grid on the services page. All placement options considered should be discussed and documented in the IEP.

Exclusion from Participation with Non Disabled Peers

A statement telling why the student will be excluded from his non disabled peers will be included if the IEP team determines that the student is to be served outside of the general education classroom.

Extended School Year Services (ESY)

i. ESY is defined as special education and related services that: (1) are provided to a child with a disability beyond the normal school year of the school district, in accordance with the child's IEP, and at no cost to the parent of the child; and (2) in compliance with the standards of the state DOE. ESY must be provided only if a student's IEP team determines, on an individual basis, in accordance with the IDEA, that the services are necessary for the provisions of FAPE to the student.

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ii. IEP teams should discuss whether the student needs ESY when initially developing the IEP or conducting any annual or substantive review. ESY services are often provided during the summer. However, ESY is not the same thing as “summer school.” Depending on the unique needs of a student, ESY services could be needed in the form of extended day services throughout the school year, or during short breaks from school such as Thanksgiving break, winter and spring break, in addition to the longer summer break. Therefore, IEP teams should not defer a discussion on ESY until later in the school year without determining that the student does not need mid-year or extended day ESY. If the IEP team discusses ESY and determines that the student does not need any ESY services except for services during the summer, then it is appropriate to agree to defer the ESY discussion until closer in time to the summer break.

iii. If a student is determined eligible for ESY services by the IEP team, the team should:

1. Indicate with goals and objectives from the current school year are being extended or modified.
2. Identify the specific services needed, the amount of time for each service, the beginning and ending dates for the services, the service provider and location of service.

Transition Plans:

- For each student with a disability, beginning in the 8th grade, a transition plan based on transition assessments that includes the student's preferences and interests will be written and updated annually. The transition plan must be based on age appropriate assessments and must be practical and relevant to transition needs. The transition plan will include appropriate measurable post-secondary goals in the area of education/training, employment, and independent daily living if needed. The transition plan will also identify the course of study and career pathway for the student. The transition plan must include the needed academic and functional transition activities/services to facilitate movement to a student's post-secondary choice. Goals in the area of education/training, development of employment must be completed. Completion of goals in the areas of community participation, adult living skills & post school options, related services, and daily living skills will be completed as determined necessary by the IEP team. By the age of 17 students will be notified that their parental rights & procedural safeguards will transfer to them when the student reaches 18 years of age. When addressing transition, the invitation to the IEP meeting is to include the name of the student, the inclusion of agency representatives that might pay for transition services, and prior parental consent for the agency representative to attend the IEP meeting. The teacher or case-manager of the student will complete the transition documentation checklist for compliance and send it in to the special education coordinator along with all other documents from the IEP meeting.

Transfer of Rights

At age 18, students become their own educational decision makers, unless a court decides they are not able to make these decisions. On or before the student's 17th birthday, the school is to inform the parents and the student, that at age 18, the student attains the age of majority in Georgia and will become his or her own educational decision maker. This is done during the IEP meeting. The school may also inform parents of other options or where to get more information about guardianships, powers of attorney and any other options. Beginning at age 18, the school is to send all notices to both the parent and the student, but the student will provide informed written consent for any action requested by the system. When the student turns 18, he or she becomes the educational decision maker, but the parents retain the rights to all notices of meetings, notices of changes in program or placement, and notices of evaluations while the student is eligible under the IDEA.

Excusal of IEP Team Members

There are circumstances in which a required member of the IEP team may be excused:

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1. If the area of the curriculum or service is not being discussed or changed at the meeting, the parent and the system may agree to excuse an IEP team member. The excusal form must be signed by the parent and included in the paperwork you send to the special education office.

2. If the area of curriculum is being discussed or changed the parent and system may agree to excuse the member from all or part of the meeting. The excusal must be in writing and should be attached to the IEP. The member must provide all relevant input in writing to the IEP team prior to the meeting.

3. If required members of the IEP team have to leave before the end of the meeting, the case manager should ask parents if it is okay to continue the meeting without the required person. Parents give permission to the case manager to document that the person left and that the parents gave permission from the meeting to continue without the required person.

In the event that the parent does not give permission for the required member to leave, that person must stay, or the meeting could be tabled and reconvened at a time when all required members can participate for the full meeting.

4. If the LEA has to leave a meeting, every attempt should be made to have another LEA take over the meeting.

Parent participation in IEP notification and invitation

- Parents must be notified of all IEP meetings. The notice must include the date proposed time and location at the meeting. Baldwin County best practices for this notice to be no less than 5 days prior to the meeting unless a time is agreed upon with all parties in need of attending. If parents are unable to attend on the date suggested, parents may request a date and time that is more convenient for them in the IEP team should make every effort to accommodate the requested time. The expectation is that three attempts to contact parents should be made in order to involve parents in the IEP meeting. Teacher should seek assistance from the parent liaison and from the school social worker if parents need assistance in order to attend the IEP meeting.
- If parents need an interpreter, please contact the ESOL teacher at the appropriate school level to schedule an interpreter.
- If the parent is unable to attend the meeting the case manager must get information from the parent about any concerns that the parent might have for their child's educational program. This can be done by phone conference or in writing.
- A copy of the IEP team meeting invitation must be included with the IEP when it is sent to the district office. If the invitation was made via phone the case manager should follow up with a written invitation and send a copy to the district office along with the updated IEP.
- Initial IEP meeting for a child under part C (Babies Can't Wait.) In the case of a child, birth through Age 2, who is previously served under Babies Can't Wait (BCW), an invitation to the initial IEP team meeting must, at the request of the parent be sent to the Babies Can't Wait service coordinator or other representatives of BCW to assist with a smooth transition of services.

ISP / IFSP

Students with disabilities that are enrolled by their parents in private schools when FAPE is not an issue must be afforded equitable participation in the provision of special education services.

An individual services plan or individual family service plan shall be developed and implemented for each private school child with a disability who has been designated to receive special education and related Services by the LEA

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in which the private school is located. [34 CFR 300.132](#). The IEP or ISP shall be conducted within 30 days of determination of eligibility and current within one year

Inter / intra-state transfer of students with IEP's

IEP's for children who transfer LEAs within the state of Georgia. If a child with a disability transfers to a new LEA in the same school year within Georgia, the new LEA must provide FAPE to the child comparable to those described in the child's IEP from the previous LEA, until the new LEA either

- adopt the child IEP from the previous LEA or
- develops, adopts, and implements a new IEP that meets the IEP requirements of this rule [34.300.323](#)

IEP's for children who transfer from another state. If a child with a disability who had an IEP that was in effect in the LEA in another state transfers to Georgia within the same school year, the new LEA must provide the child with FAPE including services comparable to those described in the child's IEP from the previous LEA, until the LEA:

- Conduct an evaluation if determined to be necessary by the new LEA; and
- develop, adopt, and implement a new IEP, if appropriate. [34.300.323 \(f\)\(1-2\)](#)

FERPA/Transmittal of Records

To Facilitate the transition for a child transferring to the district:

- The new LEA in which the child enrolls must take reasonable steps to properly obtain the child'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 the Family Educational Rights and Privacy Act (which does not require prior parental consent to disclose education records to officials of another school where the student seeks or intent to enroll); and [34.300.323.\(g\)\(1\)](#)

Review and revision of the IEP

Baldwin County Schools must ensure that the IEP team reviews the child's IEP periodically but no less than annually, to determine whether the annual goals for the child are being achieved; revises the IEP as appropriate to address:

- Any lack of expected progress toward the annual goals and in the general curriculum, if appropriate
- the results of reevaluations conducted
- information about the child provided to, or by, the parents
- the child's anticipated needs or
- Consideration of special factors
- A regular education teacher of the child, as a member of the IEP team must participate in the review and revision of the IEP of the child
- Failure to meet transition objectives

(1)Participating agency failure. If a participating agency, other than the public agency, fails to provide the transition services described in the IEP in accordance with [§ 300.320\(b\)](#), the public agency must reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.

(2)Construction. Nothing in this part relieves any participating agency, including a state vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to children with disabilities who meet the eligibility criteria of that agency.

Children with disabilities in adult prisons –

(1)Requirements that do not apply. The following requirements do not apply to children with disabilities who are convicted as adults under state law and incarcerated in adult prisons:

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(i) The requirements contained in section 612(a)(16) of the act and § 300.320(a)(6) (relating to participation of children with disabilities in general assessments).

(ii) The requirements in § 300.320(b) (relating to transition planning and transition services) do not apply with respect to the children whose eligibility under Part B of the Act 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) Modifications of IEP or placement.

(i) Subject to paragraph (d)(2)(ii) of this section, the IEP Team of a child with a disability who is convicted as an adult under State law and incarcerated in an adult prison may modify the child's IEP or placement if the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated.

(ii) The requirements of §§ 300.320 (relating to IEPs), and 300.114 (relating to LRE), do not apply with respect to the modifications described in paragraph (d)(2)(i) of this section.

Determine Services needed for the coming year.

If at any time during the meeting the team needs more information or input from other personnel that are not available, table the meeting. All components of the IEP that can be resolved before tabling should be completed and the team should reconvene within 10 school days to resolve the items that need additional information or personnel.

The team must remember, however, that all decisions made within the meeting are team decisions. If the parents disagree with the team's decisions they can activate their parental rights in order to address these concerns.

Assistive Technology: As part of the Individual Education Program (IEP) process, the team considers supplementary aids and supports, and whether any referral for evaluation(s) are necessary for the provision of a free appropriate public education (FAPE). The IEP team will consider the need for assistive technology . In the event that the IEP team determines that an Assistive Technology evaluation is needed the students case-manager will contact the AT coach, to secure an AT referral form. Upon return of the referral from the teacher, parental consent for an evaluation will be secured by the Psychological Services Secretary. The psychological services secretary notifies the AT Coach that consent to evaluate has been secured and the AT evaluation will be completed by the Baldwin County AT Team. Following the completion of the AT evaluation an IEP meeting will be scheduled by the case-manager to review the Assistive Technology Evaluation results. The case manager is responsible for sending notification of meeting and completing the IEP with the IEP team. After receipt of Assistive Technology device(s), the Assistive Technology Intervention Team will provide training to school staff and students on the use of the device. AT equipment valued at less than \$400 may be checked out for student use at home.

Meeting Notes- Minutes of the IEP meeting are not required, but they are very helpful in situations where the IEP team wants to clarify any particular item or make note of decisions of the team.

Consent to Place- Parents are to sign their consent for placement and delivery of special education services.

At the end of the meeting, copies of all documents used in the meeting should be sent to the special education office and to the parent.

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Revocation of Parental Consent for Placement

Parents have the right to request to revoke the consent for placement of their child with disabilities. If a parent requests to revoke consent, then the school must notify the Special Education Coordinator so that all steps of Prior Written Notice (PWN) are followed. The IEP Team, including the Special Education Coordinator, should attempt to meet with the parent to discuss this request. Often the parent may not understand all ramifications of this choice, so the process should be explained to the parents so that they understand the rights that they would be giving up when revoking consent.

By revoking Consent for Placement, the parent would be giving up the procedural safeguards available under the Individuals with Disabilities Education Act (IDEA). The revocation of parental Consent for Placement means that Baldwin County Schools is not deemed to have “knowledge of disability” under IDEA and that all rules and timelines for student discipline (including suspension, expulsion, and manifestation) that apply to general education students would apply to this student.

The parent is not allowed to revoke “partial” consent for only some of the services provided by the IEP. If the parent and Baldwin County Schools disagree about whether a Free and Appropriate Public Education (FAPE) would be provided with or without the provision of a service, the parent may use the due process procedures outlined in Special Education Parental Rights to obtain a ruling regarding the services. If the parent does decide to revoke consent, the school district will send home a prior written notice that states the date on which services for the student will cease. Consent for services is for consent for special education.

Free Appropriate Public Education (FAPE)

[Free Appropriate Public Education \(FAPE\) \(Adopted 5-13\)](#)

All children with disabilities eligible for services under the IDEA between the ages of 3 through 21 who are residing in Baldwin County are entitled to a free appropriate public education (FAPE), including children with disabilities who have been suspended or expelled from school. Children with disabilities may be served in Babies Can't Wait in Baldwin County as well as other agencies from birth to age 3. By age three, a transition meeting is held; and the children are then served under IDEA with a Baldwin County Schools IEP. Baldwin County Schools works collaboratively with Babies Can't Wait as well as other agencies to ensure services are provided in Baldwin County from birth through 21.

Upon reaching age 22, disabled students enrolled in the Baldwin County School system will be dismissed from special education as there are no individual entitlements to FAPE or other rights under IDEA are afforded to adult students after age 22.

FAPE will no longer be provided by Baldwin County Schools upon a student graduating from school with a general education diploma.

The School District must take steps to ensure that all students with a disability have a variety of programming options and equal access to educational programs.

The school district must prohibit personnel from requiring parents to obtain a prescription for medication.

Extra curricular services and activities, including meals, recess periods, and other services and activities, each LEA shall ensure that each child has accessibility with a disability and participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. The LEA must

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ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings. [\[34 C.F.R. § 300.117\]](#)

If the Individualized Education Program (IEP) Team, including the parent, decides that the most appropriate placement for a student is in a private school, the district that places the student in the private school/residential continues to be responsible for the provision of Free Appropriate Public Education (FAPE) for the student. This includes ensuring the student receives the special education and related services included in the IEP and that those services are provided at no cost to the parent. The district must ensure that the education provided in the private school meets the standards that apply to other students with disabilities. In addition, the student and parent must be provided the same rights as other students with disabilities and their parents, including receiving a full instructional day for the full academic year, instruction in the Georgia Performance Standards, and participation in state assessments.

If the student needs or is using an assistive technology device or alternative format of accessible instructional materials, this is where the need is documented. Assistive technology devices and services required by a student with a disability should be clearly documented in the student's IEP. Assistive technology can be included in many different places in the IEP, but it is typically addressed in the special factors section of the IEP. The team members will consider the question "does the student need assistive technology services" and answer the question with a yes or no response. Through the use of the AT considerations checklist the team will come to a decision as to what type of device is needed by the student. The team will also determine how, when and where the device will be used, whether the student needs AT as a related service, and if a goal for AT should be written.

Confidentiality

[Confidentiality of Personally Identifiable Information \(Adopted 6-14-07\)](#)

Confidentiality is one of the rights afforded to parents in the Parent Rights document (procedural safeguards). Confidentiality of educational records is a basic right shared by all children in public schools and their parents. These fundamental rights are described in the Family Educational Rights and Privacy Act (FERPA) of 1974, which applies to all students, not only those with disabilities. FERPA allows parents to inspect and review all educational records of their child maintained by an educational agency that receives federal funds. This includes all public schools and most private schools. The school must comply with the request to inspect records within a reasonable amount of time, and a no case more than 45 days after the request has been made

Access Rights and Required Procedures;

- Must maintain the confidentiality of information and children's educational records. The district can assume that both parents of a child have authority to inspect and review the child's records unless the district is notified in writing that a parent's worst rights to see the records have been terminated by a court order. Parents of a child with a disability must be allowed an opportunity to inspect and review all education records with respect to the identification process to determine eligibility, evaluation nature and scope of assessment procedures, placement of the child, and FAPE provision of a free appropriate public education.

Amendment of records at parent request:

- A parent who believes that information contained in the education records collected, maintained, or used is inaccurate or misleading or violates the privacy or other rights the student may request that the LEA and then the information. The request must be put in writing addressing the specific information should be

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redacted or changed. This request should be sent to the special education director or special education coordinator for the students grade level.

- Once the request has been submitted and received, the LEA will consider the request and either amend the information or inform the parents through writing of the refusal and advise the parents of the right to hearing.

Destruction/Method to Monitor for compliance

All records are maintained at the Baldwin County School District until the year in which the student would turn age 25. Paper copies and electronic copies of special education records are in the Special Programs office. Parents are notified via media, district website, newspaper, etc. when the district plans to destroy the information and what students this will affect. The district reminds parents that they or their child may need the information for Social Security benefits or other purposes in the future. At the school level, access is given electronically to students' records on a need-to-know basis. Logs are maintained for anyone who requests and picks up copies of student records. All special education records at the school level will be maintained in a locked file cabinet in the teacher's classroom or designated area. "Destruction of records" denotes physical destruction (shredding) or removal of personal identifiers from information so that the information is no longer personally identifiable.

Results of the hearing

- Records will be amended, and parents notified by the Director of Special Programs of the amendment, if the hearing results indicate that the records should be amended per the request of the parent. If the hearing results do not indicate that the records should be amended, the Director of Special Programs will notify the parent in writing, informing the parent of the right to place a statement in the record, of the disagreement with what is represented.

Interim alternative settings in 10 day rule

Students with disabilities may be suspended out of school for less than 10 days in any school year, and no services are required to be provided.

- When frequent disciplinary actions add up to more than 10 school days in a school year, or when frequent disciplinary actions clearly indicate a pattern that is a change of placement, the IEP team must determine appropriate services that allow the student to continue to participate in the General Ed curriculum, although in another setting and progress towards meeting the goals outlined in the student's IEP.
- After a student has been removed for 10 school days in the same school year, and a subsequent removal is not for more than 10 consecutive days and is not a change in placement, then the system personnel and at least one of the student's teachers determine the extent of services needed so that the student can continue to participate in the general education curriculum, although in another setting and progress toward meeting the goals outlined in the student's IEP.
- If system officials want to suspend the student from school for more than 10 consecutive school days, or to have the student's educational setting change to an interim alternative educational setting for up to 45 days for weapon or drug possession or for infliction of serious bodily injury on another person, system officials

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must notify the parent immediately of this decision. The administrator must notify the Director of Special Education of this decision. System Personnel may consider any unique circumstances when determining whether a change of placement is appropriate for a student with a disability. These circumstances are best determined at the local level by System Personnel who know the student and the facts and factors related to the behavioral violation. System Personnel may consider various forms of information such as the students disciplinary history, ability to understand the consequences, expression of remorse, and the supports that were provided to the student priority to the behavioral violation.

Alternative placements and Least Restrictive Environments

Each LEA must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education services. Based on the student's needs the committee determines the least restrictive environment for the student:

- Direct services in General education
- Additional support/services in a small group setting
- Separate day school or program
- Home-Based instruction may be used as a short-term placement option
- Residential placement in-state or out of state

Parent consent

- Parental consent must be obtained before personally identifiable information is disclosed to other parties in accordance with [34 C.F.R. 99.30](#) Unless the disclosure is authorized without parental consent, Parental consent is not required to release information to other school officials, including teachers, within the agency or institution who the agency or institution has determined to have legitimate educational interest. This includes teachers within the LEA legally constituted cooperating agencies or other agencies providing shared services, officials of another school system or institution of post secondary education in which the child seeks or is eligible to enroll upon condition that the students parents be notified of the transfer, receive a copy of the record if desired and have an opportunity for a hearing to challenge the content of the record

Physical Education services

The Baldwin county school system supports specially designed services for physical education if deemed necessary for a student with a disability to participate with their non disabled peers.

Procedural Safeguards and Parent Rights

Parent rights in special education notice provides the foundation for ensuring that a child with a disability has access to FAPE. The parent rights notice provides parents with an opportunity to understand their rights, the rights of their child, and the procedures for resolving differences. This document should also help facilitate communication between parents and District Personnel. The parent rights notice outlines all of the rights and safeguards available to parents of children with disabilities in children who are decision-makers.

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The content of the notice includes a full explanation of all the procedural safeguards available relating to:

1. Independent educational evaluations;
2. Prior written notice;
3. Parental consent;
4. Access to education records;
5. Opportunity to present and resolve complaints through the State complaint procedures and a due process hearing including:
 - (i) The time period in which to file a complaint or due process hearing;
 - (ii) The opportunity for the agency to resolve the complaint; and
 - (iii) The difference between the due process hearing and the state complaint process, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures;
6. The availability of mediation;
7. The child's placement during the pendency of any due process hearing;
8. Procedures for children who are subject to placement in an interim alternation education setting;
9. Requirements for unilateral placement by parents of children in private school at public expense;
10. Due process hearings, including requirements for disclosure of evaluation results and recommendations;
11. Appeals of due process hearings, including the time period in which to file those actions;
12. Attorneys' fees; and
13. Notice provided in a language understandable to the parents in a language understandable to the parents.

Parent rights notice should be written language understandable to the general public provided in the native language of the parent or other mode of communication (eg Braille or sign language) used by the parent. if necessary the district will translate the notice orally or by other means so that the parent understands the content of the notice. The parent rights notice may be provided by electronic mail (e-mail) and maybe posted for access on the local district website(s). if parents would like a more detailed explanation of these rights, they can contact the principal at their child's school, a teacher or administrator, the local special education director, Christy Goforth, 478-457-2910 or the Georgia Department of Education, division for special education at 404 -656-3963.

Parent Request for Independent Educational Evaluation

- a. If a parent disagrees with the result of an evaluation, the parent is entitled to one independent educational evaluation (IEE) at public expense each time the school district conducts an evaluation with which the parent disagrees. If a parent requests an IEE, the school district may ask for the parent's reason why he or she objects to the school district's evaluation; however, the school

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district may not require the parent to provide an explanation and may not unreasonably delay either providing the IEE or filing a due process complaint to defend the school district's evaluation.

- b. If the school district agrees to the IEE, the school district will provide the parents with a list of criteria and pre-approved examiners for the IEE. Parents are required to make arrangements for the appointment and provide transportation.
- c. The school district has criteria for IEEs; a list of pre-approved IEE providers; a maximum fee schedule for IEEs; a required agreement with outside providers; and a consent form governing IEEs that are available upon request to the special education director.
- d. If the school district disagrees with the request for an IEE, it must file a due process complaint to request a hearing to show that its evaluation is appropriate. If the District's evaluation is judged to be sufficient, then it will not have to pay for the IEE. However, the parent still has the right to an IEE, but at their own expense. During this IEE process, there should not be a delay of services to the student.
- e. It is important to note parents are not entitled to an IEE before the school district conducts its own evaluation. If a parent obtains an IEE either at their own expense or at the public's expense, the school district must consider the portions and results of the IEE that meet state and district criteria regarding eligibility and potential services.
- f. Any staff member receiving a parental request for an IEE should notify your principal and the special education director immediately.

Prior Written Notice

- The school district will inform the parent of actions being proposed or refuse regarding their child by giving written notice before the district poses or refuses to initiate or change the following: identification(process to determine the eligibility, evaluation(nature and scope of assessment procedures), educational placement (educational placement of children including graduation), or FAPE (free and appropriate public education)
- Prior written notice is often contained within the IEP document if the discussion occurred during an IEP meeting. At other times, the parent will request and the district will respond in writing.
- The prior written notice will contain a description of the action refused or proposed by the district:

a description of the evaluation procedure, assessment, records, or report use as a basis for the proposed or refused action; a statement that the parents have the protections of the procedural safeguards; the sources for the parents to contact understand the procedural safeguards; a description of other options the IEP team considered and the reasons why these options were rejected; and a description of other factors that are relevant to the district's proposal or refusal

Parent Consent

The district must obtain a signed, informed parental consent for evaluation. The district has 60 calendar days to complete the evaluation of the student. The sixty day calendar time begins when a district employee receives to sign consent, but excludes school holidays and other times when the student is not in attendance for five or more consecutive school days, an exception occurs when the parent fails or refuses to produce the child for evaluation. Parent consent is required for the following actions: initial evaluation, re-evaluation, consent for services.

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- The following are outlined in the notice of parent rights under the individuals with disabilities Education Act (IDEA)
 - School cannot test / evaluate or reevaluate your child without your written consent.
 - Your consent to allow the first evaluation does not mean that your child will receive special education services. Permission to receive special education requires a separate written consent.
 - If you, the parent, do not respond to the school's request to retest, the school may evaluate without your written consent.
 - The school cannot place your child in special education services without your written consent.
 - You have the right to refuse an evaluation or initial placement into special education.
 - You have the right to take away your consent to special education and related Services that you have given permission. You must do this in writing. Revoking consent means your child will no longer receive special education services. The services will not stop until the school has provided you with prior written notice. Prior written notice (PWN) Is a written explanation of any change to the evaluation, identification, placement or Services your child receives in special education. PWN will tell you what the change is, when it will occur, and why it is proposed.
 - Your consent is needed before the school district can access you or your child's public benefit or insurance for the first time.
 - The school system cannot release your child to record without your written permission except to certain individuals identified in law such as other public schools, law enforcement, or Child Protection agencies.

Access to education records

- Along with access to education records confidentiality of information. The following and Compass both confidentiality and access.
 - You have a right to keep your child education records private.
 - School Employees or contractors for school Services involved with your child may see your child's records. School Employees do not need your permission. No one else may see your child's records without your permission unless allowed by other education laws.
 - You have a right to have your child's records read to you in your native language and / or explained to you.
 - Your child records must be made available for review within 45 days if you request.
 - Schools must keep a record of the people who access the child's record.
 - You have the right to ask to have something in the record change or removed. The school system has the right to refuse to change the record. If the school system does not agree to change the record, they must tell you in writing.
 - You have the right to ask for a complete copy of your child's school records. The school system may charge a fee for the copies. The school system may not charge a fee for searching for and providing the records.
 - You have the right to have a person acting on your behalf inspect and review the records with your permission.

Records Requests

Parents and students with disabilities may request copies of their records as follows:

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By submitting a request in writing to the Baldwin County Board of Education addressed to the attention of the Special Education Director. A fax for records request can also be submitted to the Baldwin County Board of Education at 478-457-2921.

The School District will provide copies of educational records requested as soon as practicable but in no case longer than 45 days after the request is received. The school district charges a fee per page for all records provided in response to record requests. Parents should make records requests sufficiently in advance of any IEP meetings if particular information is requested to be available during the IEP meeting. Staff members will not be able to stop IEP meetings to compile or gather records in response to questions during IEP meetings. Staff members should keep a record of all documents provided to parents in response to records requests by providing a copy of the documents to the special education director.

Surrogate Parents

[Surrogate Parent \(Adopted 6-14-07\)](#)

In order to provide every student eligible for public education with the protection of procedural due process, under circumstances where a student's parents or guardians are not known or are unavailable, or a student is a ward of the State, that student will be assigned a surrogate parent. (Refer to Federal Regulations 300.519.) The person who is selected to be a surrogate parent may not be an employee of the State Education Agency, Local Education Agency or any agency that is involved in the education or care of the child; has no personal or professional interest that conflicts with the interest of the child s/he represents; and has knowledge and skills that ensure adequate representation of the child (attends a Surrogate Parent Training Session.) A surrogate parent's responsibility is to act in the role of the parent and make recommendations based on the students needs. In the case of a child who is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents. Children in the custody of DFCS who reside with a foster parent are wards of the state; however, the foster parent can fit the definition of parent under the 2004 IDEA. Therefore, a foster parent can sign without getting a surrogate parent or requiring that the foster parent attend training prior to signing. Children who are in the custody of DFCS and DJJ are considered "wards of the state" or in Georgia the term most often used "in state custody". Children in the custody of DJJ or DFCS that are residing in group homes, residential facilities, or emergency shelters may all qualify as wards of the state that need a surrogate parent.

Review of Guidelines to Determine the Need for a Surrogate Parent

If the child is in the custody of a State agency (DFCS), then the child is a ward of the state. If the child is a ward of the state, then the following question must be asked to determine whether a surrogate is needed or not. If the child is in the custody of DFCS, then ask the person enrolling the child if the child resides with a foster parent.

Yes—(If yes, then the foster parent may sign.)

No—(If no, then the school will assign a surrogate parent to the case.)

In the event that a surrogate parent is needed special education coordinators are responsible for notifying the special education director, so that a surrogate parent can be assigned. The Baldwin County School District maintains a list of eligible persons to serve as surrogate parents.

[Dispute Resolution \(Adopted 3-11-10\)](#)

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The Baldwin County School District is committed to serving our disabled students and working with families to resolve any concerns they have. The quickest and most efficient method to resolve a dispute with the school system is to contact the special education administrators in the district. The special education director can often assist a family to work out the differences with minimal time and conflict.

When a resolution cannot be worked out locally, there are three different ways provided under the IDEA to help parents and school systems resolve disagreements. They are:

- a. Filing a State DOE Complaint to be investigated by the Georgia Department of Education.
- b. Mediation with a Georgia DOE mediator provided at no costs.
- c. Filing a Due Process Hearing Request to be conducted by the Office of State Administrative Hearing

Complaint Process

A formal complaint is a written, signed complaint alleging the violation of the Individuals With Disabilities Education Act (IDEA) procedures or of Georgia rules or the failure of a party to comply with a written agreement of a mediation or resolution session. Any organization or individual may file a signed written complaint; the complaint must include a statement that a public agency has violated a requirement of the IDEA or Georgia rules for special education; the facts on which the statement is based; and suggested resolution to the problem(s). To file a formal complaint, the violation must have occurred within one calendar year of receipt of the complaint. The GaDOE will begin an investigation when you file the complaint the school system must provide a response to the complaint to the ga do e and the person filing the complaint in writing. GaDOE. They will reach a decision and 60 days unless the person filing the complaint agrees to provide more time to resolve the concern. The GaDOE decision is final and cannot be appealed.

More information regarding these formal dispute resolution processes is available in the Notice of Parent Rights and the Georgia Special Education Implementation Manual. Additionally, any family who would like more information regarding these processes may contact the Baldwin County Schools Director of Special Education at 478-457-2910.

Forms for initiating Mediation Requests; State DOE Complaints; and Due Process Hearing Requests are all available at

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/Formal-Complaints.aspx>

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/Mediation-Requests.aspx>

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/Due-Process-Hearing-Requests.aspx>

Mediation

You have the right to ask for mediation if you disagree with special education for your child. The Georgia Department of Education. GADOE will randomly select one of its mediators to guide the mediation. The mediator will be neutral. The mediator will be qualified and trained in mediation. The parents and school system must both

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agreed to try mediation before mediation will be scheduled. Mediation is free and if a party chooses to bring a lawyer or other advisor to the mediation, that party must pay the cost of the advisor. All discussions during mediation or private discussions during mediation cannot be used as evidence in any later due process hearing.

Due process hearings

A due process complaint is filed to ask for a hearing in order to get a ruling to resolve a disagreement between the parents and the school system. Either a parent or school system may ask for a due process hearing. The hearing can be about any issue related to a student's identification, evaluation, educational placement or receiving a free and appropriate public education. You may also ask for mediation to take place before you reach a hearing. The school system must give parents a list of any free or low-cost Legal Services when the parents ask for the list or when the parents or agency start a Due Process complaint. The due process hearing request must relate to a violation of the IDEA or a problem with special education. These must have taken place less than two years before the date that parent you or should have known about the problem in the complaint. The two-year time limit does not apply if:

- The school system said it had resolved the problem in the complaint but the school system had not.
- The school system did not give information about the problem that the parent had a right to have.

The school system and the GADOE have forms to help parents file due process hearing requests. To file a due process hearing request a parent of the school must provide notice of this request to the school system and the GADOE. To request a due process hearing the following information is needed:

- The name and home address of the child,
- the name of the school the child attends,
- in the case of a homeless child, the child contact information and name of the school,
- a description of the problem or violation,
- and a possible solution to the problem or violation.

After you send your due process hearing requests to the school system and the Gadoe, you will be contacted with more instructions. If the school system thinks that the parents due process request does not meet the requirements of the IDEA the system must notify the hearing officer.

- This must be done in writing within 15 days.
- The hearing officer then has 5 days to decide where the request meets the requirements of the IDEA.
- The hearing officer will immediately notify all parties in writing of that decision
- If the hearing officer decides the due process hearing request meets the requirements of the IDEA, the school system must respond to the due process request.
- If the hearing officer decides that the complaint is not valid, the parent may have been through a request or may be filing you due process hearing request.

When the school system receives the due process hearing request, it must first decide whether it provided prior written notice about the issue and the due process complaint. Prior written notice must contain the following:

- An explanation of why the agency proposed or refuse to take the action in the due process complaint:
- an explanation of other options at the IEP team considered in the reasons those options for rejected:
- an explanation of each evaluation procedure, assessment, record or report school system used to make the decision: and

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- an explanation of the relevant factors in the school's decision.

If the school system has not given prior written notice as outlined above, the school system must provide a response to the parent within 10 days of getting the due process hearing request.

Resolution Meeting

When you ask for a due process hearing you will be given the opportunity to participate in a resolution meeting with representatives of the school system to try to resolve any issues in the due process complaint. This meeting helps parents and systems avoid a due process hearing, which will provide immediate benefit to the child. You must participate in the resolution meeting unless both the parent and the school system agree in writing not to have the meeting. The resolution meeting must happen within 15 days of when you ask for a due process meeting. Relevant members of the IEP team must attend the resolution meeting. Relevant members are those who know about the situation or problem the resolution meeting is trying to improve. The school system must have someone at the meeting who has the authority to make decisions. The school system cannot have a lawyer at the meeting unless the parent also has a lawyer at the meeting. If the parent and the school system reach an agreement at the resolution meeting, they must sign a binding agreement. The agreement is enforceable in court. For up to 3 days after they sign the agreement, both the parent and the school system may cancel the agreement. If the parent and the school system do not reach an agreement at the resolution meeting, then the parties may proceed to a due process hearing.

Due Process Hearings

In a due process hearing you have the right to:

- have a hearing at no cost, unless you choose to bring a lawyer, other advisor, or expert witness to the hearing, you must pay any cost connected with these persons:
- have the hearing conducted by a hearing officer who is not employed by a public agency involved in the education of your child:
- have a hearing officer who does not have a personal or professional interest in the hearing:
- be provided a list of the people who serve his hearing officers in a statement of the qualifications of these people:
- have a lawyer or people with special knowledge or training about children with disabilities go with you to the hearing:
- have the hearing open to the public:
- present evidence and confront, cross-examine and subpoena the attendance of witnesses at a hearing:
- have the hearing set at a time and place reasonably convenient to you and your child:
- ask a hearing officer to prohibit any evidence that the hearing that was not given to you at least 5 days before the hearing:
- get an exact written or electronic record of the hearing:
- receive a decision by the hearing officer within 45 days after the end of the resolution, unless they hearing officer extends the time line because of her request of a party: and
- get a written or electronic decision and findings of fact from the hearing officer.

Attorneys Fees

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- In a civil action, a federal court can order a school system or parent to pay the attorney's fees of the other party. The federal court can only award attorney fees to a party that prevailed in a due process hearing or civil action.
- Attorneys fees may only be awarded to the school systems under certain guidelines. The parents or their attorney may be forced to pay the school system's attorneys fees when:
 - parents attorney files a complaint or civil action that is or becomes frivolous. Unreasonable or without Foundation:or
 - the parents complained or civil action was presented for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.
- Not all legal and administrative costs and services can be awarded. A court may not award attorneys fees for any Services performed after the school system make the written offer of settlement to the parents if:
 - the offer is made in accordance with the rule 68 of the federal rules of civil procedure:
 - in the case of the administrative hearing the offers made more than 10 days before the hearing:
 - the offer is not accepted within 10 days: or
 - the quarter hearing officer finds that the relief finally obtained by the parent is not more favorable than the offer of settlement.

However, attorneys fees may be ordered to the parents who were substantially justified in rejecting the settlement offer. IEP team meetings are not eligible for reimbursement unless the meeting is convened as a result of an administrative proceeding or judicial action or for a mediation session. Attorneys fees for Resolutions sessions are also not eligible for reimbursement.

Language understandable to parents

The parent rights notice should be written language understandable to the general public and provided in the native language of the parent or other mode of communication (e.g. braille sign language) used by the parent. If necessary, the district will translate the notice orally or by other means said that the parent understands the content of the notice. Parent rights notice may be provided by electronic mail and may be posted for access on the gadoe and or local school district website. Parents would like a more detailed explanation of these rights so they can contact the principal at their child's school, a teacher or administrator, or the local special education director.

Parental opportunity to review records

Districts must maintain the confidentiality of information and children's educational records. The district can assume that both parents of a child have authority to inspect and review the child record unless the district is notified in writing that a parent's rights to see the records have been terminated by court order. Parents of a child with a disability must be allowed an opportunity to inspect and review all educational records with respect to:

- Identification process to determine eligibility
- Evaluation nature and scope of assessment procedures
- Educational placement of the child
- FAPE provision of a free and appropriate public education

In accordance with parent rights in regards to confidentiality parents also have the following opportunities when reviewing records:

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- You have a right to keep your child education records private.
- School Employees or contractors for school Services involved with your child may see your child's records. School Employees do not need your permission. No one else may see your child's records without your permission unless allowed by other education laws.
- You have a right to have your child's records read to you in your native language and / or explained to you.
- Your child records must be made available for review within 45 days if you request.
- Schools must keep a record of the people who access the child's record.
- You have the right to ask to have something in the record change or removed. The school system has the right to refuse to change the record. If the school system does not agree to change the record, they must tell you in writing.
- You have the right to ask for a complete copy of your child's school records. The school system may charge a fee for the copies. The school system may not charge a fee for searching for and providing the records.
- You have the right to have a person acting on your behalf inspect and review the records with your permission.

Parental participation in meetings

Parents are to be included in the members of any decision-making team for their child. Parent participation includes decisions about eligibility, initial evaluation, reevaluation, development of the IEP, the provision of FAPE, and educational placement. This requirement does not include Informer or unscheduled meetings involving District Personnel or meetings on issues such as teaching methods, lesson plans, or coordination of service provision, as long as those issues are not addressed in the child's IEP. Nor does it include meetings involving the preparation of a proposal or a response to a parent proposal that will be discussed at a later meeting. If neither parent can be present in a meeting concerning educational decisions for a child, The District bus uses other methods to insure parent participation. These methods could include individual / conference telephone calls or video conferencing. If the district cannot reach the parent, after several documented attempts to include the parent in the meeting, the meeting can be held without the parent. The district must make and document reasonable efforts to ensure the parents' involvement. Such efforts are defined as: detailed records of phone calls made or attempted and the results of those calls; copies of Correspondence sent to the parents and any responses received; and detailed records of visits made to the parents home or place of employment and the results of those visits. A best practice would be to document at least two attempts by two methods to reach the parent.

The involvement of parents and all decisions about their child will help result in individualized services that meet the unique needs of children as well as the development of a closer, more collaborative relationship with districts. The contributions that parents make to the process are important because they help ensure the educational progress of the student.

In accordance with parent rights in regards to parent participation the following also applies:

- The school system must let you know your rights as a parent. They must provide these rights at least one time every school year. They also must give them to you whenever you request an evaluation, the first time each school year that you file a written complaint, the first time each school year you request a due process hearing, or when a discipline incident results in a change of placement.

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- You have the right to write a notice that describes the school system's planned action before that action happens. You have the right to have the school system explain why it is the action.
- You have the right to have the school system describe the choices and state why others were rejected.
- You have the right to copies of all documents about your child's education and to have them explained to you. Copies can be made in your native language, Braille, or explained in Sign Language. The school system will provide a translator or interpreter if needed.
- You may also choose to receive all notices and documents by email.
- You have the right to written notice before the school system accesses your or your child's public benefits or insurance for the first time. The district will notify you if the system will bill medicaid for services such as speech therapy, occupational therapy or nursing services.
- you must be given chances to participate in any decision-making meeting about your childhood special education.
- You must be invited to any meeting held to discuss your child disability, evaluations, RI evaluations, placement, and his / her IEP and its contents.
- You have the right to have IEP meetings held at a time and place that can bring it to you and other members of the IEP team.
- You have the right to excuse or not to excuse a member of your child IEP team from an IEP meeting. The school district cannot excuse a required member without your permission.
- If a parent disagrees with the result of an evaluation, the parent is entitled to one independent educational evaluation (IEE) at public expense each time the school district conducts an evaluation with which the parent disagrees. If a parent requests an IEE, the school district may ask for the parent's reason why he or she objects to the school district's evaluation; however, the school district may not require the parent to provide an explanation and may not unreasonably delay either providing the IEE or filing a due process complaint to defend the school district's evaluation.
- If the school district agrees to the IEE, the school district will provide the parents with a list of criteria and pre-approved examiners for the IEE. Parents are required to make arrangements for the appointment and provide transportation.
- The school district has criteria for IEEs; a list of pre-approved IEE providers; a maximum fee schedule for IEEs; a required agreement with outside providers; and a consent form governing IEEs that are available upon request to the special education director.
- If the school district disagrees with the request for an IEE, it must file a due process complaint to request a hearing to show that its evaluation is appropriate. If the District's evaluation is judged to be sufficient, then it will not have to pay for the IEE. However, the parent still has the right to an IEE, but at their own expense.
- It is important to note parents are not entitled to an IEE before the school district conducts its own evaluation. If a parent obtains an IEE either at their own expense or at the public's expense, the school district must consider the portions and results of the IEE that meet state and district criteria regarding eligibility and potential services.
- Any staff member receiving a parental request for an IEE should notify your principal and the special education director immediately.

Parent Consent

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The district is required to obtain informed written consent for any action requested. Parental consent is voluntary and may be revoked at any time. Consent is required for the following actions: initial evaluation, re-evaluation, consent for initial placement.

Parental Refusal for Consent / Revocation

A parent may revoke consent for the receipt of special education and related Services once the child is initially provided special education and related services. This revocation of consent must be made in writing and is for all special education and related services, not for Individual Services. If the parent refuses to give consent for the evaluation, the district may, but it's not required to, pursue the evaluation through mediation or a due process hearing. In some cases (If the child is homeschooled or placed by the parents in a private school at their expense), the district cannot use the mediation or due process hearing procedures to override the parents refusal for evaluation.

Parental Consent Not Required

Parent consent is not needed for the district to perform routine duties of reviewing existing evaluation information screening a child to determine appropriate instructional strategies administer an evaluation that is given to all students without consent for evaluation

Parent Training

Surrogate (substitute) parents will get special training so they will understand the rights of the child.

Maintenance of equipment

Baldwin County School district is committed to ensure the proper functioning of amplification devices used by children with hearing impairment and audiometers at each school are serviced with a company every June to prepare for the next school year.

Bridge Law

BRIDGE Act Overview

The Bridge (Building Resourceful Individuals to Develop Georgia's Economy) Act, House Bill 400, was signed into law in May 2010 to create an atmosphere motivating middle and high school students to learn because they see the relevance of education to their dreams and future plans. The implementation of the BRIDGE Act provides middle and high school students with career counseling and a regularly-scheduled advisement to choose a focus plan of study.

The most critical parts of the BRIDGE Act mandate all students in middle and high school receive counseling and regularly-scheduled advisement. The second mandate is that students choose a career area, create an Individual

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Graduation Plan, and graduate high school prepared to go to college or to enter the workforce. The third mandate requires regularly-scheduled advisement for all high and middle school students. The new rigorous performance standards and graduation requirements found in Georgia secondary schools better prepare our students and ensure they are prepared to move successfully from one phase of their educational life to the next, and eventually become a productive citizen of Georgia's Workforce. The BRIDGE Act, when coupled with Georgia's economic and Workforce Development model, creates qualified workers to attract strong, stable companies and industries.

Classroom size and appropriateness

Each class for students with disabilities has a minimum of 38 square feet per student, with consideration given to special equipment and personnel. The Special Programs Director, the Director of Facilities & Maintenance, and Principal's work in collaboration to ensure this is provided and to resolve any discrepancies.

Maximum class size and caseload by eligibility category

The Baldwin County School District follows the class size and caseload regulations set forth by the Georgia Department of Education

The Class Size will follow the recommendations posted by the State.

http://archives.doe.k12.ga.us/_documents/doe/legalservices/160-4-7-14.pdf

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Georgia Network for Education and Therapeutic Support (GNETS)

The Georgia Network for Educational and Therapeutic Support (GNETS) programs support the local school system's continuum of services by providing comprehensive special education and therapeutic support for the children served. The purpose of the GNETS is to prevent children from requiring residential or other more restrictive placements by offering cost-effective comprehensive services in local areas.

The Georgia Network for Educational and Therapeutic Support (GNETS) is a service available within the continuum of supports for LEAs to consider when determining the least restrictive environment for students with disabilities, ages 5-21. GNETS services is an option in the continuum of supports that prevents children from requiring residential or more restrictive placement. Specifically, GNETS provides comprehensive educational and therapeutic support services to students who exhibit intense social, emotional and/or behavioral challenges with a severity, frequency or duration such that the provision of education and related services in the general education environment has not enabled him or her to benefit educationally based on the IEP.

GNETS of Oconee, which is utilized by Baldwin County School System, is designed for students with disabilities who exhibit severe emotional and/or behavior needs for whom a more restrictive setting is required than is available in the child's current educational setting. This program is the *most* restrictive environment for students who exhibit intense social, emotional, and/or behavioral challenges with a severity, frequency, or duration such that the provision

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of education and related services in the general education environment has not enabled him or her to benefit educationally based on the IEP

The LEA shall:

1. Ensure that FAPE is delivered to students recommended for GNETS services in the least restrictive environment (LRE).
2. Convene IEP team meetings as required by State Board of Education Rule 160-4-7-.06.
3. Conduct FBAs/BIPs for any student considered for GNETS services in accordance to (3)(c)(2) of this rule.
4. Collaborate with the GNETS to determine opportunities for students to have access to general education activities.
5. Provide transportation to and from a GNETS, as required, including transportation to and from home/school for students receiving GNETS services for part of the school day and for students participating in extracurricular activities.
6. Maintain and report student record data in accordance with the State Board of Education Rule 160-5-1-.07 and GaDOE guidance.
7. Provide student outcome assessments and other relevant data to GNETS director or designee.
8. Monitor student IEP goals annually to determine students' progress and access to services in a lesser restrictive environment.
9. Provide ongoing professional learning opportunities and best practices for teachers to support students who exhibit social, emotional and/or behavioral challenges.
10. Allocate supports and resources, which may include in-kind services to GNETS to facilitate flexible models of service delivery and best practices for equitable educational support as appropriate.
11. To the maximum extent possible, collaborate with community service providers to deliver mental health services and/or family support in students' Zoned schools.
12. Collaborate with GNETS to examine student records and discuss the coordination of service provisions for students being considered for GNETS in accordance with 34 CFR §300.501(2)(3).
13. Provide GNETS staff access to longitudinal data for all students receiving GNETS services to ensure teachers can access records for students included on their rosters.
14. Submit student schedules to the GaDOE with the GNETS code.
15. Monitor facilities for safety and accessibility for students served by GNETS and report identified concerns to all key stakeholders such as fiscal agents, GNETS directors and any other appropriate parties.

Eligibility and Placement

- An IEP team may consider in-class services by GNETS program for a child with an emotional and behavioral disorder based upon documentation of the severity of the duration, frequency, and intensity of one or more of the characteristics of the disability category of emotional and behavioral disorders (EBD). This documentation must include prior extension of less restrictive services and data which indicates such services have not enabled the child to benefit educationally.

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- For children receiving in-class services local schools are actively involved and exit criteria are developed upon entry into the GNETS program.

Determination of Ongoing Effectiveness and Improvement

Baldwin County Schools must ensure that the IEP team -

- Reviews the child IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved: and
- Revises the IEP as appropriate to address:
 - Any lack of expected progress for the annual goals and general curriculum if appropriate.
 - The results of any revaluations conducted.
 - Information about the child provided to or by the parents
 - The child's anticipated needs:
 - Other matters [34 C.F.R. § 300.324 (b) (1) (i) & (ii) (A) - (E)]
 - Consolidation of IEP Team meetings. To the extent possible, the LEA must encourage the consolidation of reevaluation meetings for the child and other IEP Team meetings for the child [34 C.F.R. § 300.324 (a) (5)]
 - Consideration of special factors. In conducting a review of the child's IEP, the IEP team must consider the special factors in (18) (b) above. [34 C.F.R § 300.324 (b)(2)]
 - A regular education teacher of the child, as a member of the IEP team, must participate in the review and revision of the IEP of the child. [34 C.F.R § 300.324 (b)(3)]
- Failure to meet transition objectives -
 - Participating agency failure. If a participating agency, other than the LEA, provide the transition Services described in the IEP, the LEA must reconvene the IEP team to identify alternative strategies to meet the transition objectives for the child set out in the IEP. [34 C.F.R § 300.324 (c)(1)]
 - Nothing in this part relieves any participating agency, including the state Vocational Rehabilitation agency, of the responsibility to provide or pay for any transition service at the agency would otherwise provide to children with disabilities who meet the eligibility criteria of that agency. [34 C.F.R § 300.324 (c)(2)]
- Determine Services needed for the coming year.
- If at any time during the meeting the team needs more information or input from other personnel who are not available, table the meeting. All components of the IEP that can be resolved before tabling should be completed and the team should re-convene within 10 school days to resolve the items that needed additional information or personnel.
- The team must remember, however, that all decisions made within the meeting or team decisions. If parents disagree with the team's decisions they can activate their parental rights in order to address these concerns.

Reintegration Process:

- The purpose of the student level reintegration process is to ensure:
 - Appropriate academic and therapeutic interventions are implemented for the student upon return to a less restrictive setting.
 - Timely transfer of all appropriate student records occurs between GNETS and LEAs.
 - Joint responsibility for planning IEP goals and reintegration interventions.
- When the student successfully meets their IEP goals, the LEA would need to convene the IEP team meeting to discuss next steps and complete the reintegration plan.

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- The reintegration plan should align with the student's IEP goals and objectives to make reintegration is more successful for students.

GNET's Referral Questions/Action Steps

1. Does the student have a BIP?
2. Has an FBA been completed within the last year?
3. Was it information from FBA used in writing the BIP?
4. Does the BIP appropriately address the current target behaviors of concern?
5. Is the current BIP being implemented with fidelity across all settings in the school?
6. Is there data to support BIP implementation as well as its impact on the target behavior?
7. Have any Evidence Based Interventions (EBI) been implemented with this student?
8. Have EBI been implemented with Fidelity for this student?
9. Has data been kept on the EBI's impact with this student?
10. Does the data clearly show that the EBI is not positively impacting this students behavior?
11. Have the interventions been implemented for a significant length of time to demonstrate the effectiveness or lack thereof?
12. What is/are this students current placement and/or circumstances?
13. Have all options on the special education continuum been considered and/or tried for this student?
14. Is the most current psychological evaluation still relevant?
15. Does a new psychological evaluation need to be completed?
16. Has the student explicitly been taught the correct behavior/skill steps/expectations?
17. Has the staff tried other preventative measures such as moving the student desk in the classroom, adjusting his/her schedule, making contact with a parent, etc?
18. Are there medication issues for this child (consistency, dosages)?
19. Are there skill deficits and academics that might lead to avoidance behaviors?
20. If there are known skill deficits, has remediation been provided in this area for the student?
21. Does the student receive a higher ratio of positive versus negative feedback from his/her teachers on a consistent basis?
22. Are there any changes or concerns in the home setting or has the student experience any recent losses or trauma and their life?

After these questions are answered thoroughly and the data has been attached to the application, then an action plan will be made that will address any lack of evidence and other options should be considered. If everything has been answered satisfactorily than the last question is:

and the team clearly document the frequency, duration and intensity of the problem Behavior so that it clearly indicates that all of the above have been attempted and documented as unsuccessful and so that the team feels that placement in the most restrictive environment of Baldwin County GNETS program is the best option in order for the student to make progress?

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Positive Behavior Intervention and Supports

- The mission of schools is to provide opportunities for students to achieve three primary and interrelated expectations that enable participation, contribution, and success in schools, communities, and post-school outcomes. These three expectations are:
 - In order for schools to address problem Behavior successfully best practice dictates placing an increase in fences on proactive approaches rather than reactive behavior management. Proactive approaches to discipline for all students include expectations of more socially acceptable behaviors that are directly taught, skills that are regularly practiced in the school environment by staff and students, and frequent recognition of everyone in the school environment and the performance of these behaviors.
 - The shift from a reactive and aversive approach for managing problem behavior and discipline issues, to a positive and prevention oriented approach, schools must work for and with all students, since every student entering school needs behavior support: give priority to evidence-based procedures: integrate academic and behavioral success for all students; emphasize prevention and establishing and maintaining safe and supportive school climates; expand the use of effective practices to district, county, regional, and state levels; increase collaboration among multiple community support systems, (i.e., Education, Juvenile Justice, Community Mental Health, Family, and Medical); and build a school environment where team building and problem-solving skills are expected, talk, and reinforced.
- Schools that embed positive and prevention oriented School law discipline programs in the current student code of conduct will achieve a decrease in office discipline referrals; a safe and healthy school climate; a climate where teachers can teach and students can learn; and the climate we're learning and teaching are valued.

Positive Behavioral Interventions and Support Strategies (PBIS)

- Georgia special education rule, 160-4-7-.06 Individualized Education Program (IEP) mandates that the consideration of special factors is required in the development of the IEP. Furthermore, the rule states: "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."
- General Positive Behavior Support includes the following strategies:
 - Teach expectations and understand how rules are connected to expectations.
 - Teach (using specific lesson plans targeting behaviors based on school-wide or classroom data, direct instruction, modeling, and practice) the student the appropriate behavior and expectation and follow upper tunity to practice the behavior. Recognize/reward the expected behavior as daily practice in the classroom and school-wide.
 - Use cues, reminders, and proximity control.
 - All for the student choices; privately discussing choices with the student.
 - Avoid embarrassing the student in front of peers.
 - Employ consistent, targeted verbal praise and encouragement based on student need.
 - Institute planned ignoring.
 - Assist students in developing time management and organizational strategies to help them complete tasks.
 - Use materials that are broken down into manageable parts.
 - Provide directions that are repeated, rephrased, simplified, and modeled as needed.
 - Utilize small group instruction opportunities to support academic needs.
 - Designate a "safe place" for Crisis Intervention that the child knows and respects.
 - Reward positive behavior; ask the student for a list of recognition/rewards that work for him or her.

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- Provide a structured format so the child knows what to expect each day. Give notice when the schedule is going to be different.

Academic Curriculum

- The curriculum will be determined by the IEP committee based on the individual's needs.

Counseling

- A process where some students receive assistance from professionals to assist them to overcome emotional and social problems or concerns which might appear with learning. The requirements for counseling services are as follows:
 - The local Board of Education (LBOE) shall provide for school Guidance and counseling services in accordance with state and federal laws, State Board of Education rules, and department guidelines by:
 - Ensuring that each school counselor is engaged in counseling or guidance activities, including advising students, parents, or Guardians, for a minimum of five of six full-time segments or the equivalent.
 - Including the following as duties of the school counselor:
 - Program design, planning, and Leadership
 - Develops a written school-based guidance and counseling program
 - Implements an individual plan of action
 - Council
 - Coordinates and implements delivery of counseling services in areas of self-knowledge, educate exploration, and academic achievement.
- Schedules time to provide opportunities for various types of counseling.
- Counsel learners individually by actively listening, identifying and defining issues, discussing alternative Solutions, and formulating a plan of action.
- Adheres to established system policies and procedures and scheduling appointments and obtaining parental permission.
- Leads counseling or support groups for learners experiencing similar problems.
- Evaluate effectiveness of group counseling and makes provisions as necessary
 - Guidance and collaboration
- Coordinates with school staff to provide support of instructional guidance activities that relate to student self-knowledge, educational and occupational exploration, and career planning to facilitate academic achievement.
- Conducts classroom guidance activities related to identified goals and objectives
- Gathers and evaluates data to determine effectiveness of classroom and student comprehension, making revisions when necessary.
- Provides direct/indirect educationally based guidance assistant to learn as preparing for test-taking.
- Provides information to students, parents, teachers, administrators, and, when appropriate, to the community on student test scores.
- Provides information to students and parents on career planning
 - Consultation and coordination
- Consults, as needed or requested, with system/staff, parents, and community about issues and concerns.
- Collaborates with school staff in developing a strategy or plan for improving school climate.
- Follow up on counseling and consultative referrals.
- Consults with the school system in making referrals to community agencies.
- Implementation of a comprehensive and developmental guidance and counseling curriculum to assist all students.

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- Ensuring that each school counselor is engaged and other functions for no more than one of the six program segments or the equivalent.

Regularly Scheduled Advisement

- The BRIDGE Law requires a teacher as advisor program and every high school. This is a teacher or professional educator in the school who assist a small group of students and their parents or guardians to set post-secondary goals and help them prepare programs of study, track academic progress and provide advisement and support as needed.

Career Awareness

- As a result of previous legislation (HB 400) and Georgia Department of Education State Board rule 160-4 - 08-.09, Georgia has identified specific tasks at grades 6, 7, and 8 to assist students and their parent/guardians in the educational and career planning process. This process will guide students in the development of the Individual Graduation Plan.
- for accountability purposes, the College and Career-Ready Performance CCRPI all 6th graders should complete one (1) career-related assessment from the approved list and record his/her scores in their electronic portfolios (CCRPI Indicator).
- All 7th graders should complete one (1) career-related assessment from the approved list and record his/her scores and their electronic portfolios (CCRPI Indicator).
- All 8th graders should complete an individual graduation plan by the end of the second semester and record in their portfolios prior to the transitional parent/student conference or student-led parent conference (CCRPI Indicator) indicators are identified in the list below with recommended timelines to meet requirements:
- Other tasks identified by the legislation listed above are as follows:
 - All 6th graderS should have accounts/portfolios created in a system selected career information System. All 7th graders should identify three (3) clusters/concentrations of interest and record in their electronic portfolios. all 8th graders should explore at least three (3) occupations and record the occupational information in their portfolios prior to the transitional parent/student conference or student-led parent conference.

Individual Graduation Plan for 8th Grade Students

- Another part of the BRIDGE Act is the requirement that all 8th grade students during their spring semester create an Individual Graduation Plan (IGP). This graduation plan helps “map out” the rigorous academic core subjects and focused work in mathematics, science, or Humanities, Fine Art, World languages or sequence career pathway coursework. The IGP is based on the students' selected academic and career area to prepare them for their chosen career. This plan must be developed in consultation with parents/guardians, students, school counselor or teacher as advisor. Additional parts of the IGP may include career-oriented and work-based learning experiences, and post-secondary studies through Georgia's multiple College Credit Now programs.

High School Students receive:

- Career Counseling
- Career Guidance
- Regularly scheduled career advisement
- Information to enable students to successfully complete their individual graduation plan

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Career Counseling

- School counselor design and deliver comprehensive School counseling programs that promote student achievement. These programs are comprehensive in scope, preventive and design and developmental in nature. A comprehensive School counseling program is standards-based and data-driven, and an integral component of the schools academic mission. It focuses on academic, career, and social/emotional curriculum that is delivered through classroom lessons, small group, and individual consultation.
- In Georgia, the College and Career Readiness Performance Index (CCRPI) provides the student data necessary for accountability data.
- School counselors Focus their skills, time, and energy on direct and indirect services to students.
- The American School Counselor Association (ASCA) has identified for counselor skills that help to articulate the new role of school counselors. They are:
 - Leadership
 - Advocacy
 - Collaboration
 - Systemic change
- ASCA has also identified for other components of an effective 21st Century school counseling delivery system. These are:
 - Guidance Curriculum
 - Individual Student Plan
 - Responsive Services
 - System Support
- School counseling has undergone a transformation from a program of entitlement to one of performance and continuous Improvement. School counselors now focus on improved student results that measure the impact of goals and objectives.

Career Guidance

- College and Career guidance and counseling programs aim to help students make more informed and better educational and career choices. Among other things, programs offer information on high school course offerings, career options, the type of academic and occupational training needed to succeed in the workplace, and post-secondary opportunities that are associated with their field of interest. Programs also often provide teachers, administrators, and parents with information they can use to support students career exploration and post-secondary educational opportunities.
- Activities associated with career guidance and counseling programs typically include:
 - Advising students and parents on high school programs and academic curriculum, preparing them for college application and admission.
 - Arranging dual/concurrent enrollment and advanced placement credits to prepare students for the rigor of post-secondary education.
 - Planning and preparation for college admissions test, SAT and ACT.
 - Informing students about post-secondary financing that can be used to support advanced education and training.
 - Developing career portfolios, which include tests and grades results, examples of student work, and resumes and cover letters to prospective employers.
 - Arranging job shadowing, work placements, and Community Based learning programs to allow students to directly experience workplace situations.
 - Sponsoring workshops, classes, focus groups, and special presentations that focus on job skills and personal development.

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- Providing specialized counseling and intervention services to provide students with individualized attention.

Information to enable students to successfully complete their individual graduation plan

- The Individual Graduation Plan (IGP) is a four-year plan for students and their parent/guardians for use and grades 9-12. The student's IGP is developed by the end of grade 8 based on self-awareness and educational and career explorations. Once the student reaches high school, every effort should be made to assist the student with his/her future planning to include all possible options to reach education and career goals, including dual enrollment and virtual school. To minimize limitations on the student's effort to explore his/her options, the entire course catalog should be available for students to consider course selections while in the middle grades and continuing on in high school. Local schools to determine a delivery method for completion of the IGP which includes two career-related assessments. Data is collected at the end of grade 8 for the IGP. Local schools maintain a paper copy of the IGP as a form of documentation.
- A completed Individual Graduation Plan (IGP) includes the following required items:
 - The Individual Graduation Plan Includes a pathway/focus area of study.
 - students who enrolled in the ninth grade in the fall of 2008/2009 will select course work based on Georgia CTAE Career Pathways and/or Fine Arts and/or Modern World Language focused areas of study (See High School Graduation Requirements IHF (6) 160-4-2-.48) Beginning in fall of 2013-2014, first year freshmen will follow the same requirements as outlined in the rule.
- However, they will choose from the newly designed career pathways which are aligned to the 17 career clusters. These pathways will be finalized and adopted by the State Board of Education during Spring 2013. The Individual Graduation Plan Includes provisions of a student Individualized Education Program (IEP), where applicable. Students with disabilities receive assistance, if applicable, when completing the Individual Graduation Plan that includes appropriate assessment and coursework as reflected in their Individualized Education Plan (IEP). The IGP should act as a companion piece to the IEP During the annual evaluation with approval of parent/guardian. Parents may approve Individual Graduation Plan during that session. The Individual Graduation Plan includes educational and broad career goals that and contains both academic and career pathway coursework including advanced academic, fine arts, and modern world languages focused area of study.
- Students will begin to define and redefine their choices in the narrowing process from clusters, to pathways including advanced academic, fine arts and modern world languages, to specific occupations. In addition, the plan should include the students' coursework required for post-secondary admissions.
- The Individual Graduation Plan Should include flexibility to change a career focus, but continue to meet graduation requirements for graduation and post-secondary admissions. For students who enrolled in the school year 2008 - 2009, the plan should have at least 23 units recorded and/or the systems required units for graduation. Local systems should review and edit, if needed the plan at one time each year and grades 9 through 12. Students and their families should be made aware of post-secondary admission requirements and HOPE scholarship requirements and encouraged to plan accordingly for transition to post-secondary education, including two years of the same foreign language in order to attend University System of Georgia institutions. For additional information regarding post-secondary admissions at University System of Georgia institutions, access Staying on Course at: http://usg.edu/student_affairs/documents/Staying_on_Course.pdf
- See the admissions requirements for Technical System of Georgia institutions at: <https://tcsge.edu/admissions.php>
- In addition, students and their families must be made aware of dual-credit opportunities that earn both high school and college credits simultaneously while in high school and HOPE Scholarship rigor requirements can be found at: http://www.gsfc.org/main/publishing/pdf/2011hope_rigor_requirements.pdf

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- The Individual Graduation Plan should be completed in consultation with a counselor/advisor. The counselor/advisor should consult An approved the plan to ensure all great 8 students have a completed Individual Graduation Plan. The counselor advisor should acknowledge approval electronically on the selected career information system.
- The Individual Graduation Plan Should be approved by the parent/guardian. The parent/guardian should have the opportunity to analyze, question and/or edit the plan. the parent/guardians should indicate approval of the plan electronically on the selected career information system.
- Students are allowed changes to their IGP, but need to keep it sufficiently structure to meet graduation requirements and qualify for admission to post-secondary education. It is advisable that any changes to the plan be based on career data gathered from career interest inventories.
- These changes can be made during the high school ongoing review of the individual graduation plan. During the IGP review, courses completed, schedules, career pathway, post-secondary plans, and related topics can be reviewed and revised, if appropriate, upon approval by the student and the student's parent or guardian with guidance from the students' counselor or teacher advisor.

APPENDIX

Frequently Asked Questions

- What is the Least Restrictive Environment?
 - The Individuals with Disabilities Education Act (IDEA) requires that students with disabilities, to the maximum extent possible, be educated with students who are not disabled. This requirement includes children who are publicly placed in public or private institutions or psychiatric care, group homes, or state operated hospitals in Georgia. Only when the nature of severity of the disability is such that education in general education classrooms with supplementary aids and services cannot be satisfactorily achieved can students with disabilities be moved to other setting such as special classes or separate schooling. Regardless of where services are being provided, students with disabilities are expected to continue to have access to the GPS for their grade level, and teachers are expected to maintain high expectations for student performance in meeting the standards (Georgia Rule 160-4-7-.07)
- Who decides what placement is the least restrictive environment for a student with a disability?
 - The IP team determines the least restrictive environment, which includes the services and supports needed for each eligible student with a disability. The IEP team makes the placement decision in accordance with the Georgia Department of Education (GaDOE) Special Education Rules. The student's placement must be based on the IEP and be reconsidered at least annually by the IEP team. The student attends the same school that he or she would attend if non-disabled unless the IEP indicates that some other arrangement is necessary. The IEP team must consider any potential harmful effect on the student or on the quality of services needed when selecting the least restrictive environment for each individual student with a disability. Districts are to ensure that a full Continuum of alternative placements is available to meet a special education and related service needs of students with disabilities. The IEP team may not make placement decisions based only on the category of the students disability, the severity of the disability, the placement options currently available, the availability of educational or related Services, space available, or administrative convenience.

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- What is the Continuum of alternative placements?
 - The continuum of alternative placements includes options that must be available such as general classes, special classes, special Schools, home instruction, and instruction in hospitals and institutions. Provisions for supplementary aids, services, and supports such as resource rooms or specialized instruction in small group and/or instruction from itinerant teachers who provide services in several schools, must be made available.

- What are the placement options for preschool age students with disabilities?
 - A variety of placement options are available for preschool students with disabilities. The IEP team should consider the full continuum of options when making the placement decision for a preschool child with a disability. Options include participation in general early childhood programs in the public school or in the community, Head Start, Bright from the Start Pre-Kindergarten, public or private child care/daycare, and preschool programs, “The term ‘assistive technology service’ means any service that directly assist a student with a disability in the selection, acquisition, or use of an assistive technology device.
This may include:
 - the evaluation of needs of such student, including a functional evaluation of the student in the students customary environment;
 - Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices for such student;
 - selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or placing of assistive technology devices;
 - coordinating and using other therapies, interventions, or services with assistive technology devices such as those associated with existing education and Rehabilitation plans and programs;
 - training or technical assistance for such student, or, where appropriate, the family of such student; and
 - training or technical assistance for professionals (including individual providing education and rehabilitation services) , employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of such student.”

- Placement and separate school or residential facility, if necessary; service; service; or a combination of the above base with a child's IEP.

- What are the placement options for school-age students with disabilities?
 - A Continuum of placements will be considered by the IEP team for school age students with disabilities and must include the following;

Support in General Education settings.

- Support Services

Personnel support from paraprofessionals, interpreters, or others

- Support from itinerant teachers

Direct special education services

- Consultative services
- Collaborate
- Coaching search
- Support
- Other placement options including
 - Special education pull out class
 - Special
 - Private
 - Home instruction
 - Hospital/homebound

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- Residential Services
- Consultative services involve special education or related service providers consulting with the classroom teacher and working directly with the student for at least one class a month. Collaborative or co-teaching services call for special education or related service providers to collaborate in the general classroom with the classroom teacher for a portion of a class or for the full class period.
- Does the full continuum of placement apply to all areas of disabilities?
 - The full continuum of services applies to all areas of disabilities

Additional information regarding special education services can be found at the following:
<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services>

Special education forms can be located by either logging into the statewide longitudinal data system to access Go IEP. In the event of an emergency or if technology is not functioning, staff members are encouraged to visit and use the programs for exceptional children webpage. Teachers may access this page by logging in to the intranet at <https://www.baldwincountyschoolsga.org/>

GPAT ASSISTIVE TECHNOLOGY CONSIDERATION RESOURCE GUIDE

<https://gpat.gadoe.org/Georgia-Project-for-Assistive-Technology/Documents/Consideration/GPAT%20AT%20Resource%20Guide.pdf>

GPAT ASSISTIVE TECHNOLOGY CONSIDERATION PROCESS GUIDE

<https://gpat.gadoe.org/Georgia-Project-for-Assistive-Technology/Documents/Consideration/GPAT%20AT%20Consideration%20Process%20Guide.pdf>

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