



## Superintendent of Schools

Dr. Mark Scott

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April 14, 2023

### RE: Georgia Special Needs Scholarship Act

Under the Georgia Special Needs Scholarship (GSNS) law passed in 2007 (O.C.G.A. s 20-2-2113), Parents/guardians whose child meets the Georgia Special Needs Scholarship eligibility criteria now have the right to request a transfer from a student's public school to:

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

This form must be sent directly to the school district: Complete the following page to send to HCSD Student Services Department P.O. Box 1850 Perry, GA 31069. Forms must be received by the deadline of May 15, 2023.

Only the school district has the authority to approve or deny a public-school transfer request.

Under HCSD board policy, JBCD, students who transfer from one high school to another (without a bona fide move) will be considered ineligible for participation in varsity competitive events governed by the Georgia High School Association for one calendar year from the start of entry into the receiving school.

### Georgia Special Needs Student Scholarship Eligibility Criteria

To qualify for the GSNS Program all of the following requirements must be met:

- A student must have a parent/guardian who currently lives in Georgia and has been a resident for at least one calendar year.
- A student was enrolled and completed the 22-23 school year in a Georgia public school in grades kindergarten through twelfth.
- A student was reported as attending a Georgia public school by a school district during mandatory student counts conducted in October 2022 and March 2023.
- A student does not need to have an individualized Education Plan (IEP) for the entire school year to qualify for the GSNS Program. A student must have received special education services at some point during the 2022-2023 school year through an IEP. A student must be reported by a school district(s) in either October 2022 or March 2023 student counts OR in the final student record as a student receiving special education services by the end of the 2022-2023 school year.



478-988-6200



1100 Main Street | Perry, Georgia 31069



[www.hcbe.net](http://www.hcbe.net)

Exceptions to the eligibility criteria: if an eligible student attended a private school through the GSNS program during the 2022-2023 school year, a parent can make a request for a public school transfer for the 2023-2024 school year.

Transfers within a school district: A school district considering a transfer request between schools in its system may deny a parent request for a transfer based on lack of capacity and/or the lack of a program available at another school which is aligned with the student's IEP.

Capacity is defined in two ways:

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

Transfers out of a school district: A school district considering a request for a transfer into its school system from another school system has the authority to approve or deny a public-school transfer request. A school district considering a transfer can deny a request even if there is a capacity and a program available that is aligned to the student's IEP within the system. If a request is approved a school district can charge the parent/ guardians for the cost of educating a student from outside of its school district.

Transportation under the public choice is the responsibility of the parent/guardian. Funds received through the special ed scholarship cannot be used to offset the costs of out of district tuition, charter schools or other options available under public school choice. Once a transfer request has been approved by the school district the students will be allowed to complete the grades at the approved school. The school district will report the students for FTE purposes.

