

For Discussion Purposes Only

PROPOSED REVISIONS – Revised February 2, 2017

Code: IDDF (15)

160-4-7-.15 GEORGIA NETWORK FOR EDUCATIONAL AND THERAPEUTIC SUPPORT (GNETS)

(1) DEFINITIONS.

(a) All terms used in this Rule that are not defined in Section (1) and appear in the Individuals With Disabilities Education Act (IDEA), 20 U.S.C. §1401(3) *et seq.* and/or its implementing regulations, 34 C.F.R. §300 *et seq.* have the meaning stated in IDEA.

(b) **Fiscal agent** - the local educational agency (LEA) or regional educational service agency (RESA) responsible for the fiscal management and budgeting of GNETS funding.

(c) **Georgia Department of Education (GaDOE)** - the state agency charged with the fiscal and administrative management of certain aspects of K-12 public education, including the implementation of federal and state mandates. Such management is subject to supervision and oversight by the State Board of Education.

(d) **Local Educational Agency (LEA)** - a local school system pursuant to local board of education control and management.

(e) **Regional Educational Service Agency (RESA)** - an agency established under O.C.G.A. § 20-2-270 to provide shared services to improve the effectiveness of educational programs and services of LEAs and to provide direct instructional programs to selected public school students.

(f) **State Board of Education (SBOE)** - the constitutional authority which defines education policy for the public K-12 education agencies in Georgia.

(g) **State Education Agency (SEA)** – The term used in federal laws and regulations for the state education authority which in Georgia is the Georgia State Board of Education (SBOE).

(h) **Therapeutic Supports** – Intensive individualized interventions and/or therapy that remediates severe disruptive and self-destructive behaviors.

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(i) **Zoned school** - the K-12 Public School that a student is assigned by the Local Education Agency (LEA)

(2) PROGRAM PURPOSE AND SERVICES.

(a) 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.

(b) GNETS services aim to support students with social, emotional and/or behavioral challenges. These students' behaviors may include but are not limited to, significant, aggressive, self-destructive, atypical, and withdrawal behaviors. Children receiving GNETS services are taught coping skills, behavior regulation, and adaptive behaviors, with a keen focus on developing positive interpersonal relationships with others.

(c) GNETS services are implemented with greater intensity and frequency than what is typically delivered in a general education school environment. The supplemental aids and services available at GNETS must be appropriate and necessary in order for the child's IEP team to consider GNETS services.

(d) GNETS will be staffed to meet the needs of a unique population of students requiring intensive individualized supports, including providing appropriate therapeutic services identified in the IEP. The staff receive specialized training in skills designed to deescalate major disruptive behaviors and assist students with meeting their IEP goals.

(e) GNETS staff will collaborate with professionals from a variety of agencies to enhance students' social, emotional, behavioral and academic development based on their IEPs.

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(f) The IEP team will assess at least annually whether the student with disabilities is ready to transition to a less restrictive setting. Progress monitoring data aligned with IEP goals should be reviewed to determine if the student is ready to receive a free appropriate education (FAPE) in the lesser restrictive environment.

(3) CONSIDERATION FOR GNETS SERVICES.

(a) Consideration for GNETS services is determined by the student's Individualized Education Program (IEP) team using the criteria set forth in SBOE Rule 160-4-7-.06.

(b) IEP teams considering recommendation of GNETS services will follow the notice requirements of SBOE Rule 160-4-7-.06. The IEP meeting will include a GNETS director or his/her designee.

(c) An individual student is considered for GNETS services only if his or her IEP team recommends GNETS services based on the existence of all of the following, which will be documented in the student's education record:

1. Documentation that indicates evidence of annual IEP reviews, progress monitoring data aligned with IEP goals, documentation indicating prior services were delivered in a lesser restrictive environment and the student's inability to receive FAPE in that environment.

2. A Functional Behavioral Assessment (FBA) and/or Behavior Intervention Plan (BIP) administered within the past year.

3. Documentation that a comprehensive reevaluation has been completed within the last 3 years.

(4) CONTINUUM OF GNETS SERVICE DELIVERY AND ENVIRONMENTS.

(a) The IEP team must determine that GNETS services are necessary for students to receive FAPE. Removal from the general education setting will occur only when the nature or severity of students' social, emotional and/or behavioral challenges are such that education in a general education setting with the use of supplementary services and intensive individualized interventions cannot be achieved.

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(b) The IEP team will consider the various setting in which GNETS services may be delivered and determine whether the individual student is likely to receive FAPE in each environment, beginning with the least restrictive setting.

(c) The GNETS continuum of services by environment may be delivered as follows:

1. Services provided in the general education setting in the student's Zoned School or other public school.
2. Services provided in the student's Zoned School or other public school setting by way of a "pull out" from the general education setting for part of the school day.
3. Services provided in the student's Zoned School or other public school for part of the school day in a setting dedicated to GNETS.
4. Services provided in the student's Zoned School or other public school for the full school day, in a setting dedicated to GNETS.
5. Services provided in a facility dedicated to GNETS for part of the school day.
6. Services provided in a facility dedicated to GNETS for the full school day.

(5) DUTIES AND RESPONSIBILITIES.

(a) The SEA shall:

1. Receive and disburse funds appropriated by the Georgia General Assembly to support GNETS services.
2. Administer the grant funds by performing the following in collaboration with the GaDOE:
 - (i) Develop rules and procedures regulating the operation of the GNETS grant, including the application process;
 - (ii) Notify the fiscal agents regarding each fiscal year's allocation and approve GNETS services budgets; and

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(iii) Monitor GNETS to ensure compliance with Federal and state policies, procedures, rules, and the delivery of appropriate instructional and therapeutic services.

(b) 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 with (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.

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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.

(c) The GNETS shall:

1. Collaborate with LEAs to ensure that special education related services are provided to all students receiving GNETS services.

2. Collaborate with GaDOE to implement activities outlined in the GNETS strategic plan to improve GNETS practices and student services.

3. Complete the annual needs assessment embedded in the GNETS strategic plan.

4. Submit application for grant funds annually.

5. Submit budget request to support program operations to fiscal agents.

6. Collaborate with the fiscal agent to ensure appropriate expenditure of funds.

7. Submit student and program data as requested by the GaDOE.

8. Collaborate with LEAs to provide access to general education activities.

9. Collaborate with LEAs to ensure that students receiving GNETS services are provided access to general education classes and general education activities to the fullest extent possible based on the student's most recent IEP.

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10. Conduct FBAs/BIPs for any student considered for GNETS services in accordance with (3)(c)(2) of this rule.
 11. Monitor student IEP goals annually to determine students' progress and access to services in a lesser restrictive environment.
 12. Collaborate with LEAs on building capacity for professional learning opportunities, flexible models of service delivery, and determining best practices for educational support.
 13. To the maximum extent possible, collaborate with community service providers to coordinate the delivery of mental health services and/or family support.
 14. Collaborate with LEAs 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).
 15. Collaborate with LEAs to convene IEP team meetings as required by State Board Of Education Rule 160-4-7-.06.
 16. Collaborate with LEAs in the service area to determine a calendar that is best suited to provide GNETS services for students.
 17. Provide valid teacher identification to LEAs to ensure teachers can access longitudinal records for students included on their rosters.
 18. Monitor facilities for safety and accessibility for students served by GNETS and report identified concerns to all key stakeholders including, LEAs, fiscal agents and any other appropriate parties.
- (d) The Fiscal Agent shall:
1. Be either the respective LEA(s) and/or Regional Educational Service Agency affiliated with the GNETS Services.
 2. Account for and disburse grant funds in accordance with general accepted accounting and financial reporting principles to restricted GNETS accounts, including, but not limited to, maintenance and operation, instructional materials, media, and sick leave. (For information concerning procedures, see the *Financial Management for Georgia Local Units of Administration*.)

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3. Submit financial reports as required by the SEA and the GaDOE.
 4. Monitor facilities for safety and accessibility for students served by GNETS and report identified concerns to all key stakeholders including, LEAs, GNETS directors and any other appropriate parties.
 5. Report requested data to the SEA or the GaDOE.
 6. Submit grant applications and budgets through the consolidated application. The fiscal agent will calculate indirect cost using one percent. Indirect cost may be used for providing such services as accounting, data processing and purchasing.
 7. Serve in this capacity for the respective unit, for a minimum of three fiscal years in accordance with O.C.G.A. §20-2-270.
 8. Ensure that GNETS services are provided for all member local school systems of the RESA service area providing that the fiscal agent is a RESA.
- (e) Any fiscal agent who decides to no longer serve as fiscal agent for GNETS shall meet with school superintendents of the local school systems within a service area to take a vote no later than January 1 to be effective for the ensuing fiscal year.

Authority: O.C.G.A. §§ 20-2-152; 20-2-240; 20-2-270; 20-2-270.1; 20-2-272; 20-2-274.

Adopted:

Effective: