

For Discussion Purposes Only

PROPOSED REVISIONS – Revised October 12, 2016

Code: IDDF (15)

160-4-7-.15

GEORGIA NETWORK FOR EDUCATIONAL AND THERAPEUTIC SUPPORT (GNETS)

DEFINITIONS

- (a) All terms used in this Rule that are not defined in Section (1) and appear in the Individuals With Disabilities Education Act, 20 U.S.C. §1401(3) *et seq.* and/or its implementing regulations, 34 C.F.R. §300 *et seq.* (“IDEA”) have the meanings 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 the GNETS Program funding in its geographic area.
- (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) **Zoned school** - the K-12 Public School that a student is assigned to attend based on his or her home address.

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- (1) 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 emotional and behavioral disabilities. The main goal is to provide an option in the continuum of services that prevent children from requiring residential or other more restrictive placements. GNETS services are available for students with social-emotional disabilities, ages 5-21. Specifically, GNETS provides comprehensive educational and therapeutic support services to students who exhibit emotional/behavioral disorders (EBD) of a severity and 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 emotional and behavioral disabilities. These student's behaviors may include but are not limited to, significant acting out, self-destructive, withdrawal and aggressive 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 behavioral, social-emotional and academic supports are implemented with students for a greater duration, intensity, and frequency than what is typically delivered in a general education school setting. The supplemental aids and services available at GNETS must be appropriate and necessary in order for the child's IEP team to consider services for the student in a GNETS program.
 - (d) GNETS programs will be staffed to meet the intensive 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 behavioral, social-emotional, and academic goals established in their IEPs.
 - (e) GNETS Programs will collaborate with professionals from a variety of disciplines to promote the positive social-emotional well-being and academic achievement for children served based on the individual student's IEPs.
 - (f) The IEP team will assess at least annually whether the student with disabilities is ready to transition to a less restrictive setting. Data should be reviewed to determine if the student is ready to receive a free appropriate education (FAPE) in the less restrictive setting with the use of appropriate special education and related services.

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(2) 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 IDEA regulations.
- (b) IEP teams considering recommendation of GNETS Program services will, follow the notice requirements of IDEA, convene an IEP meeting. The IEP meeting will include a GNETS director or their designee from the GNETS program being considered. The GNETS director or designee must be knowledgeable of the behavioral, social-emotional and academic services available to meet the needs of any student considered for GNETS.
- (c) An individual student is considered for GNETS Program services only if his or her IEP team recommends GNETS Program services based on the existence of all of following, which will be documented in the student's education record:
 - i. Documentation indicating prior services in the full continuum of services available in a less restrictive environment and the student's inability to receive FAPE in that environment.
 - ii. A Functional Behavioral Assessment (FBA) and/or Behavior Intervention Plan (BIP) administered within the past year.
 - iii. Documentation that a comprehensive evaluation or a more frequent reevaluation as required by IDEA has been completed within the last 2 years.

(3) CONTINUUM OF GNETS SERVICE DELIVERY AND ENVIRONMENTS

- (a) To the maximum extent appropriate, the IEP team must determine that specialized services in the GNETS Program are necessary for the student to receive FAPE. Removal from the general education setting will occur only when the nature or severity of the disability of the student is such that education in a general education setting with the use of supplementary aids and services cannot be achieved.
- (b) The IEP team will consider the full spectrum of environments in which GNETS Program services may be delivered and determine whether the individual student is likely to receive FAPE in each environment, beginning with the least restrictive, and will place each individual student in the least restrictive educational environment as consonant with his or her IEP needs and strengths.
- (c) The GNETS continuum of services by environment may be delivered as follows:
 - i. Services provided in the general education setting in the student's Zoned School or other public school.

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- ii. 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.
- iii. Services provided in the student's Zoned School or other public school for part of the school day in a setting dedicated to the GNETS Program.
- iv. Services provided in the student's Zoned School or other public school for the full school day, in a setting dedicated to the GNETS Program.
- v. Services provided in a facility dedicated to a GNETS Program for part of the school day.
- vi. Services provided in a facility dedicated to a GNETS Program for the full school day.

(d) The least restrictive environment (LRE) principle, as determined by IDEA guides the determination of the environment in which the recommended GNETS services are to be provided for each student.

(5) DUTIES AND RESPONSIBILITIES.

(a) The SEA shall:

1. Receive and disburse funds appropriated by the Georgia General Assembly to support the GNETS programs.
2. Administer the grant program 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 program budgets.
 - (iii) Monitor the GNETS programs 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 IDEA.
3. Conduct FBAs/BIPs as required by IDEA.

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4. Collaborate with the GNETS program(s) to determine opportunities for students to have access to general education activities.
5. Provide transportation to and from a GNETS site, as required, including transportation to and from home to school for students attending GNETS Programs 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 Rules and GaDOE guidance.
7. Provide student outcome assessments and other relevant data to the GNETS program(s).
8. Monitor student IEP goals and transition criteria.
9. Provide ongoing professional learning opportunities and best practices for teachers to support students who exhibit social-emotional/behavioral disorders.
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.
11. Assist with identifying and facilitating services from community service providers to assist students requiring additional social-emotional services and/or family support.
12. Provide all IEP team members including parents with the information required to make a recommendation for GNETS program services under section (3) of this Rule in a timeframe sufficiently prior to convening an IEP team meeting at which GNETS program services will be considered.
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 roster.
14. Submit student class files to the GaDOE with GNETS alternative school code.

(c) The GNETS Program shall:

1. Provide the special education and related services stated in this Rule to all students recommended for GNETS Program services.
2. Collaborate with GaDOE to implement activities outlined in the GNETS strategic plan to improve GNETS programs, 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.

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6. Collaborate with the fiscal agent to ensure appropriate expenditure of funds.
7. Submit student demographic and program data as requested by the GaDOE.
8. Collaborate with the LEAs to provide access to general education activities.
9. Collaborate with the LEAs to ensure that any student that was recommended to receive GNETS Program services is provided access to general education classes and general education activities to the fullest extent possible based on the student's most recent IEP.
10. Monitor student IEP goals and transition criteria.
11. Collaborate with the LEAs on building capacity for professional learning opportunities, flexible models of service delivery, and determining best practices for educational support.
12. Assist with identifying and facilitating services from community service providers to assist students requiring additional social-emotional services and/or family support.
13. Collaborate with the LEAs in the service area to determine a calendar that is best suited to provide services for students in the applicable GNETS Program.
14. Provide valid teacher identification to LEAs to ensure teacher can access records for students included on their rosters.

(d) The Fiscal Agent shall:

1. Be either the respective LEA(s) and/or Regional Educational Service Agency affiliated with the GNETS Program.
 - (i) The fiscal agent responsibility may be transferred to a RESA or an LEA only if the new fiscal agent agrees to serve for a minimum of three years.
 - (ii) An LEA or RESA serving as fiscal agent for a GNETS Program may petition to change the fiscal agent, in which case the vote will be taken no later than January 1 to be effective for the ensuing fiscal year.
2. Account for and disburse grant funds in accordance with general accepted accounting and financial reporting principles to restricted program 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*.)
3. Submit financial reports as required by the SEA and the GaDOE.
4. Monitor facilities for safety and accessibility of services for GNETS students.
5. Report requested data to the SEA or the GaDOE.

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6. Submit program 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.

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: