



Special Needs Scholarship Program Public School Choice

Parental Right to Choice

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

- Another public school within their district of residence; or
- Another public school system outside their district of residence; or
- To one of the three state schools for the blind or deaf (**Only students with the primary exceptionality of visual impairment and/or individuals who are deaf or hard of hearing may request a transfer to a State School**).
- A private school authorized to participate in the GSNS Program. Funds received through the GSNS Program can only be used to pay for tuition and fees at a private school authorized by the State Board of Education to participate in the program.

Note: Transportation under all school choice options are the responsibility of a parent/guardian. Funds cannot be used to pay the costs of out of district tuition, charter schools, or other options available under public school choice.

2023-24 Georgia Special Needs Student Scholarship Eligibility Criteria

In order to qualify for the Georgia Special Needs Scholarship Program a student must meet the following requirements:

- **Student Eligibility Criteria 1-** A student must have a parent/guardian who currently lives in Georgia and has been a resident for at least one calendar year.
- **Student Eligibility Criteria 2-** A student was enrolled and completed the 2022-2023 school year in a Georgia public school in grades kindergarten through twelfth.
- **Student Eligibility Criteria 3-** A student was reported attending a Georgia public school by a school district(s) during mandatory student counts conducted in October 2022 **and** March 2023.
- **Student Eligibility Criteria 4 -** 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 the 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.

Note: If a student attended a private school through the Special Needs Scholarship Program during the 2022-23 school year, a parent/guardian is eligible for public school choice options for the 2023-2024 school year.

The authority to allow or deny transfer requests belongs to a school system. School systems can create their own forms and set deadlines for transfer requests. Parents/guardians must contact a school system directly regarding the process the school system uses for public school transfer requests available through the GSNS Program. A parent can link to any school system from the Georgia Department of Education's home



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page at www.gadoe.org . Only a school system has the authority to approve or deny a public school transfer request.

TRANSFERS WITHIN A SCHOOL SYSTEM (e.g. transfer from one public school in a county to another in the same county)

A school system reviewing a transfer request must evaluate the request based on availability of space and/or the availability of a special education program at the requested public school that can meet the services outlined in a student's IEP. If there is no space available and/or if the public school requested by a parent/guardian cannot provide the special education services outlined in a student's IEP, then the school system can deny the transfer request.

TRANSFERS OUTSIDE OF A SCHOOL SYSTEM (e.g. transfer from a public school in Cobb County to a public school in Cherokee County)

A school system reviewing a transfer request to its school system from another school system can deny a request for any reason even if there is space and the availability of a special education program at a requested public school. **Note:** It is allowable for a school system to have a policy not to accept students that reside outside of the school system.

If a school system approves an out of system transfer request, it can charge a parent/guardian for the costs of educating a student; also known as out of district tuition. Funds received through the GSNS Program cannot be used to offset the costs of out-of district tuition.

IMPORTANT

If a transfer request is granted by a school system, the student must be allowed to complete all grades at a school. For example, if a student is granted a transfer request to a middle school that serves grades 6 - 8, the transfer request would apply to the student's attendance through grade 8. The parent would need to file another transfer request if the parent wished to send the student to a different high school.

[Information specific to the application process can be found here.](#)