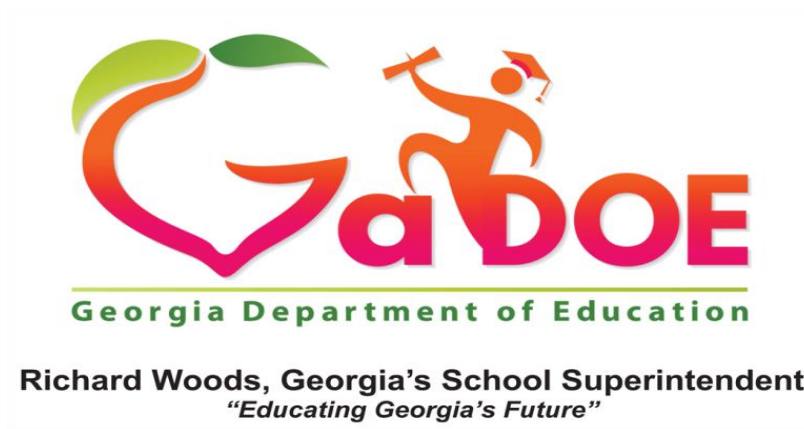


Georgia Department of Education



Early Intervention Program (EIP) Guidance 2021- 2022

Effective July 1, 2021, the EIP program is no longer waivable for both Strategic Waiver School Systems and Charter Systems. The Rubrics are required for school districts to use along with other supporting documents in making EIP placement and exit decisions.

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Early Intervention Program (EIP) Guidance

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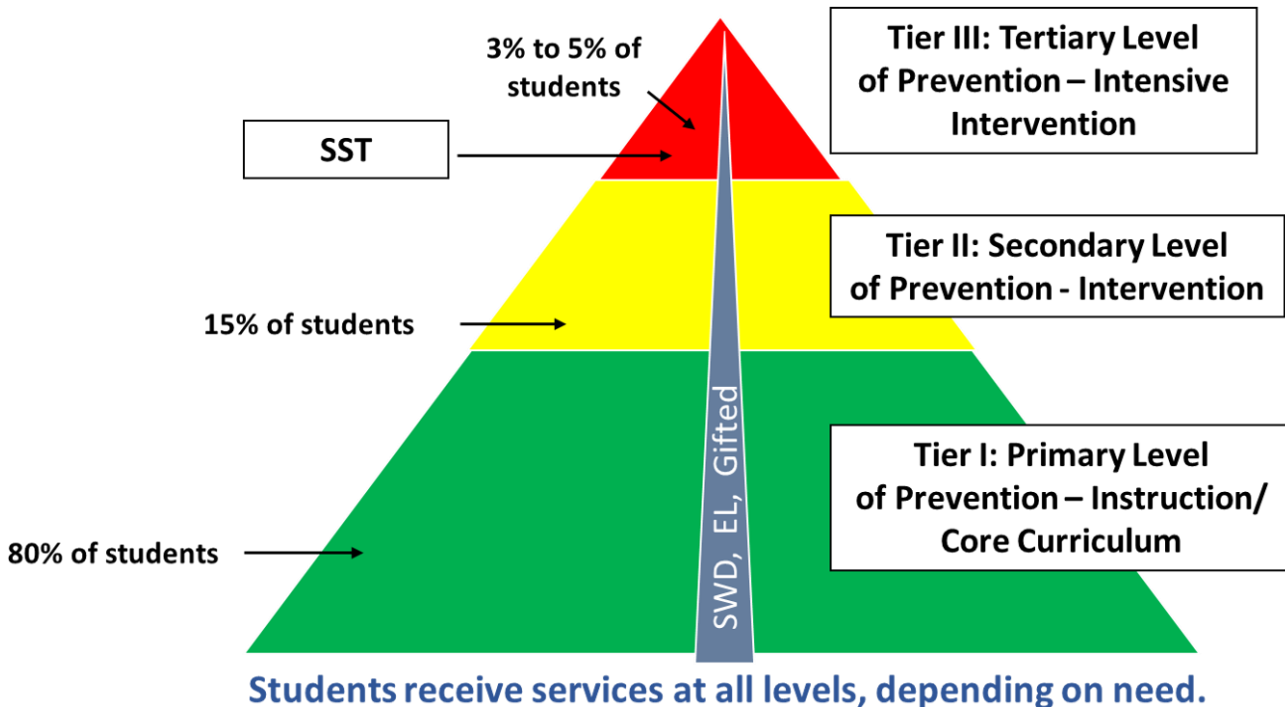
PURPOSE OF EARLY INTERVENTION

Children start school at a designated chronological age, but differ greatly in their individual development and experience base. The Early Intervention Program (EIP) is designed to serve students who are at risk of not reaching or maintaining academic grade level. The purpose of the Early Intervention Program is to provide additional instructional resources to help students who are performing below grade level obtain the necessary academic skills to reach grade level performance in the shortest possible time.

The Early Intervention Program Placement and Exit Criteria are based on documented student achievement/performance in ELA/reading and mathematics.

EIP is aligned with the [Georgia's Tiered System of Supports for Students](#) framework. EIP provides a structure for additional instruction to ensure students meet grade level expectations at the elementary level. The tertiary level of prevention for EIP is dependent on the model of service.

Georgia's Tiered System of Supports for Students: Multi-Level Prevention System



More information about each level of prevention can be found on the next page.

Georgia Department of Education

Georgia’s Tiered System of Supports for Students (MTSS): Multi-Level Prevention System

	Focus	Instruction	Assessments
Tier I: Primary Level of Prevention (Core curriculum and instruction)	ALL students	District curriculum and instructional practices that are evidence-based; aligned with state and district standards; and incorporate differentiated instruction	Screening, continuous monitoring for progress (formative assessments), and outcome measures or summative assessments
Tier II: Secondary Level of Prevention (Intervention)	Students identified through screening and other data sources who are in need of enrichment/acceleration or are at risk for poor learning and behavioral outcomes	Supplemental instruction and/or intervention that is: delivered to small groups, targeted to the area of need, and implemented with fidelity (i.e., consistent with the way it was designed)	Progress monitoring (minimum of once per month), diagnostic
Tier III: Tertiary Level of Prevention (Intensive Intervention)	Students who have not responded to primary or secondary levels of prevention or who are in need of enrichment/acceleration. SST are most often initiated at this tier.	Intensive, supplemental instruction delivered to small groups or individually	Progress monitoring (minimum of once per week), diagnostic

I. PROGRAM STRUCTURE

1. **STAFF:** EIP must be staffed by certificated teachers. Full time paraprofessionals may assist kindergarten EIP teachers for the purposes of reducing the student-teacher ratio to meet class size reduction rules.
2. **DELIVERY MODELS:** Any combination of the following models may be used within a system or school depending on the unique needs and characteristics of the students and school. If regular school operation is interrupted, the following models could be implemented using distance learning.

There are five models:

- (1) **Augmented** – The augmented model incorporates EIP services into the regular group class size by providing an additional early childhood certified teacher to reduce the teacher/pupil ratio while providing EIP services.
- (2) **Self-Contained** – This model is used to reduce the class size in order to provide more emphasis on instruction and increased academic achievement.
- (3) **Pull-Out** – EIP students are removed from the classroom for instruction by an additional certified teacher. This model may serve a maximum of 14 students at a time.
- (4) **Reduced Class Model** – This model allows for the combination of EIP students with regular education students in smaller classes. The reduced class model uses a sliding scale in which the class size reduces as the number of EIP students increase (see Appendix 1).
- (5) **Reading Recovery Program** – Students are removed from the classroom for one segment of reading. One segment of Reading Recovery is defined as a minimum of 30 minutes. Students must be served a minimum of 45 days. Students served by Reading Recovery may be counted for one segment of EIP instruction for the entire year.

Innovative Model – Schools may submit a school design model to the Georgia Department of Education (GaDOE). Use of this model requires a written description of how EIP students will be provided services above and beyond the regular classroom setting.

Innovative Models must include the following:

- an appropriate and effective program for accelerating student learning.
- services through a state-certified teacher.
- the use of EIP funds that provide supplemental instruction above and beyond those services provided by the state.
- compliance with the maximum class size rule.

3. **CLASS SIZE:** A class for EIP must follow Appendix 1 of the class size rule.

160-5-1-.08 CLASS SIZE

Early Intervention Program (EIP) Self-Contained and Pull-out Models

Grade(s) Subject(s)	Funding Class Size	Maximum System Avg. Class Size
Kindergarten	11	14
Grades 1-3	11	14
Grades 4-5	11	14

Self-contained classes may be multi-grade level classes as long as the class size does not exceed the maximum class size.

Augmented Class Model-Kindergarten

A state certified early childhood/elementary teacher will work for a minimum of one segment (45 minutes) with no more than 14 Early Intervention Program students.

Grade(s) Subject(s)	Funding Class Size	Maximum System Avg. Class Size
Kindergarten	15	18
Kindergarten with full-time paraprofessional	15	20

A maximum of 14 EIP students may be in an augmented class.

Augmented Class Model – Grades 1-3

A state certified early childhood/elementary teacher will work for a minimum of one segment (45minutes) with no more than 14 Early Intervention Program students.

Grade(s) Subject(s)	Funding Class Size	Maximum System Avg. Class Size
Grades 1-3	17	21
Grades 1-3 with full– time paraprofessional	17	21

Augmented Class Model – Grades 4-5

A state certified early childhood/elementary teacher will work for a minimum of one segment (50 minutes) with no more than 14 EARLY INTERVENTION PROGRAM students.

Grade(s) Subject (s)	Funding Class Size	Maximum System Avg. Class Size
Grades 4- 5	23	30

A maximum of 14 EIP students may be in an augmented class.

Reduced Class Model – Kindergarten

EIP Students	Non-EIP Students	Maximum Total in Class
1	14	15
2	13	15
3	11	14
4	10	14
5	9	14
6	7	13
7	6	13
8	5	13
9	3	12
10	2	12
11	1	12

A full-time paraprofessional may be used in the kindergarten models to increase class size by 2 students. The 2 additional students may be either EIP or regular students.

Reduced Class Model – Grades 1-3 *

EIP Students	Non-EIP Students	Maximum Total in Class
1	16	17
2	14	16
3	13	16
4	12	16
5	10	15
6	8	14
7	7	14
8	5	13
9	4	13
10	2	12

Reduced Class Model – Grades 4-5 *

EIP Students	Non-EIP Students	Maximum Total in Class
1	22	23
2	20	22
3	18	21
4	16	20
5	14	19
6	12	18
7	10	17
8	8	16
9	6	15
10	4	14
11	2	13
12	1	13

** Paraprofessionals may not be used to reduce teacher/student ratio in grades 1-5.*

Reading Recovery

The Reading Recovery Program may be used as a model for the Early Intervention Program.

Funding Class Size	Maximum System Avg. Class Size
11	14

Students served by Reading Recovery may be counted for one segment of EIP instruction for the entire year.

4. CLASS SEGMENTS:

A segment for grades K-3 is defined as a minimum of 45 minutes (daily). A segment for grades 4-5 is defined as a minimum of 50 minutes (daily). A Reading Recovery segment is defined as a minimum of 30 minutes (daily). **While delivery models can be optimized to meet student needs, in order to maximize student outcomes, students should receive the total number of EIP minutes weekly: K-3 225 minutes; 4-5 250 minutes.**

II. ELIGIBILITY FOR PLACEMENT

The following will apply for student eligibility:

- Under Method 1, eligibility determination is made at the school level by identifying the students functioning below the normal expectation for the respective grade as determined by criteria established by the Georgia Office of Student Achievement (GOSA).
- Placement of students under Method 2 of the GOSA criteria must be consistent throughout the system.
- For kindergarten and grade 1, Method 2 allows students to qualify for EIP based on various criteria, including the EIP Rubric.
- For grades 2-5, Method 2 allows up to 3% of the students to qualify for EIP based on various criteria, including the EIP Rubric.

See Appendix 2

III. ASSESSMENT AND ACCOUNTABILITY

1. **REPORTING PROCEDURES:** Eligibility records and exit documentation must be maintained at the local school and made available for monitoring upon request.
2. **STUDENT ASSESSMENT:** Students must be moved into EIP, provided assistance, and moved out of EIP upon reaching grade level performance. Students placed in the EIP must be administered a formative assessment that will reflect achievement gains throughout the academic year.
3. **EXIT CRITERIA:** Program exit criteria are developed by the Office of Student Achievement.
See Appendix 3
4. **PARENTAL INVOLVEMENT:** The school shall provide a ten calendar-day notice for an opportunity to conference with the student's parents or guardians and the student to discuss the student's performance and the role of the Early Intervention Program. EIP funds may not be used for parent workshops (see Georgia School Laws, Section 20-2-167).
5. **ACCOUNTABILITY:** The Office of Student Achievement will consider the following EIP data in identifying performing and non-performing schools:
 - The length of time that students spend in the EIP.
 - Performance/achievement of EIP students on the Georgia Milestones, if available.

IV. FUNDING

Students reported with a grade level of Kindergarten who are receiving services under the Early Intervention Program should be reported with a PROGRAM CODE = E for each segment served in the program. Refer to GaDOE Rule 160-4-2-.17 Early Intervention Program (EIP) for additional information.

Students reported with a grade level of 1 through 3 who are receiving services under the Early Intervention Program should be reported with a PROGRAM CODE = F for each segment served in the program. Students who are removed from the general education classroom for one segment to participate in the Reading Recovery Program may be counted for one segment of EIP instruction for the year. Refer to GaDOE Rule 160-4-2-.17 Early Intervention Program (EIP) for additional information.

Students reported with a grade level of 4 and 5 who are receiving services under the Early Intervention Program should be reported with a PROGRAM CODE = G for each segment served in the program.

Refer to GaDOE Rule 160-4-2-.17 Early Intervention Program (EIP) and Official Code of Georgia (OCGA) 20-2-16 Quality Basic Education Formula for additional information.

**All Full-Time Equivalent (FTE) questions should be directed to the
GaDOE Help Desk at 1-800-869-1011.**

APPENDIX 1

Early Intervention Program (EIP)

EIP CLASS SIZE RULES

Self-Contained and Pull-out Models

	<u>Funding Size</u>	<u>Maximum Class Size</u>
Kindergarten	11.....	14
Grades 1-3	11.....	14
Grades 4-5	11.....	14

Self-contained classes may be multi-grade-level classes as long as the class size does not exceed the maximum class size.

Augmented Class Model – Kindergarten

A state certified early childhood/elementary teacher will work for a minimum of one segment (45 minutes) with no more than 14 EARLY INTERVENTION PROGRAM students.

Funding Class Size		Maximum Class Size
15	Maximum Class Size Regular Kindergarten	18
15	Maximum Class Size With Full-time Paraprofessional	20

A maximum of 14 EIP students may be in an augmented class.

Augmented Class Model – Grades 1-3

A state certified early childhood/elementary teacher will work for a minimum of one segment (45 minutes) with no more than 14 EARLY INTERVENTION PROGRAM students.

Funding Class Size		Maximum Class Size
17	Maximum Class Size Regular Kindergarten	21
17	Maximum Class Size With Full-time Paraprofessional	21

A maximum of 14 EIP students may be in an augmented class.

Augmented Class Model – Grades 4-5

A state certified early childhood/elementary teacher will work for a minimum of one segment (50 minutes) with no more than 14 EARLY INTERVENTION PROGRAM students.

Funding Class Size		Maximum Class Size
23	Maximum Class Size Regular Kindergarten	30

A maximum of 14 EIP students may be in an augmented class.

Reduced Class Model – Kindergarten

<u>EIP Students</u>	<u>Non-EIP Students</u>	<u>Maximum Total in Class</u>
1	14	15
2	13	15
3	11	14
4	10	14
5	9	14
6	7	13
7	6	13
8	5	13
9	3	12
10	2	12
11	1	12

A full-time paraprofessional may be used in kindergarten models to increase class size by 2 students. The 2 additional students may be either EIP or regular students.

Reduced Class Model – Grades 1-3

<u>EIP Students</u>	<u>Non-EIP Students</u>	<u>Maximum Total in Class</u>
1	16	17
2	14	16
3	13	16
4	12	16
5	10	15
6	8	14
7	7	14
8	5	13
9	4	13
10	2	12

Reduced Class Model – Grades 4-5*

EIP Students	Non-EIP Students	Maximum Total in Class
1	22	23
2	20	22
3	18	21
4	16	20
5	14	19
6	12	18
7	10	17
8	8	16
9	6	15
10	4	14
11	2	13
12	1	13

**Paraprofessionals may not be used to reduce teacher/student ratio in grades 1-5.*

Reading Recovery

The Reading Recovery program allows for students to be removed from the classroom for one segment of reading. One segment of Reading Recovery is defined as a minimum of 30 minutes. Students must be served a minimum of 45 days.

The Reading Recovery Program may be used as a model for the Early Intervention Program.

Funding Size
11

Maximum Class Size
14

Students served by Reading Recovery may be counted for one segment of EIP instruction for the entire year.

APPENDIX 2

Governor’s Office of Student Achievement (GOSA) EIP ELIGIBILITY FOR PLACEMENT CRITERIA

Placement Procedures for the Early Intervention Program (EIP) Grades K-5

Eligibility for the Early Intervention Program (EIP) is determined by an assessment process at the local school system level. The eligibility determination is made by identifying the students functioning below the normal expectation for the respective grade using criteria provided by the Governor’s Office of Student Achievement (GOSA).

There are different methods that may be used to establish eligibility for placement depending on grade level and includes the following:

For students entering Kindergarten or in Kindergarten:

Use the following method/s to identify students entering or in Kindergarten.

Method/s: This includes students whose documented performance/achievement indicates needing extra instructional assistance using **two or more** of the following:

- local assessments; or
- standardized norm-referenced tests (below the 35th percentile); or
- portfolios; or
- Georgia Pre-K Work Sampling System documentation; or
- Student Support Team (SST) Checklist; or
- EIP Rubric; or other checklist; or
- GKIDS Readiness Check
- **retained kindergarten students** whose documented achievement levels indicate “Not Yet Demonstrated” or “Emerging” on the majority of elements on the English Language Arts and/or Mathematics Georgia Kindergarten Inventory of Developing Skills (GKIDS).

For students entering or in Grade 1:

Use the following method/s to identify students entering or in Grade 1.

Method/s: This includes students whose documented achievement levels indicate:

- “Not Yet Demonstrated” or “Emerging” on the majority of elements included on the English Language Arts and/or Mathematics Georgia Kindergarten Inventory of Developing Skills (GKIDS); or
- other indicators such as local assessments;
- standardized norm-referenced tests (below the 35th percentile);
- portfolios;
- Student Support Team (SST) Checklist;
- EIP Rubric; or other checklists; or

- retained students
(The Georgia Milestones Tests are not administered in Grade 1. Refer to the criteria listed below for students without Georgia Milestones scores.)

For students entering or in Grades 2-5:

(The Georgia Milestones Tests are not administered in Grade 2. Refer to the criteria listed below for students without Georgia Milestones scores.)

Use Method 1 to identify students entering or in Grades 2-5.

Method 1 This includes students who score at the *Beginning Learners* level on the Georgia Milestones in mathematics or ELA with a Reading status of Below Grade Level.

Use Method 2 to identify students who do not qualify using Method 1.

Method 2 This includes students who score at the Developing Learners level on the Georgia Milestones in ELA with a Reading status of Below Grade Level or mathematics, but whose local records of documented achievement/performance shows that they are performing at the *Beginning Learners* level on the Georgia Milestones in reading or mathematics. This population of students who score at the Developing Learners level on the Georgia Milestones but still need additional instructional assistance shall not exceed 3% of the population at the system, school, or grade level.

For students in Grades 1-5 without GEORGIA MILESTONES scores:

This includes students who do not have Georgia Milestones scores but whose documented achievement shows that they are performing below grade level in reading or mathematics.

Documented achievement must include **two or more** of the following:

- local assessments, or
- standardized norm-referenced tests (below the 35th percentile), or
- portfolios, or
- Student Support Team (SST) Checklist, or
- EIP Rubric, or
- other checklists, or
- performance as described by Achievement Level Descriptors of the *Beginning Learners* level of the Georgia Milestones

EIP Rubrics

EIP Rubrics may be downloaded from the GaDOE website at this link:

(Click on the EIP Rubric link.)

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Curriculum-and-Instruction/Pages/Early-Intervention-Program.aspx>

Reading – A total score of less than (<) 15 on the EIP grade level rubric, in addition to one other data source, indicates eligibility for EIP services. (See Chart Below)

Mathematics – The rubric score varies by grade level, e.g., a total score of less than (<) 14 on the EIP Kindergarten rubric, in addition to one other data source, indicates eligibility for EIP services. (See Chart Below)

EIP Rubrics

Grade Level	Reading	Mathematics
K	15	14
1	15	15
2	15	17
3	15	14
4	15	17
5	15	23

APPENDIX 3

GOVERNOR'S OFFICE OF STUDENT ACHIEVEMENT (GOSA) EIP EXIT CRITERIA

Exit Procedures for the Early Intervention Program (EIP) Grades K-5

Early Intervention Program exit criteria, developed by the Georgia Office of Student Achievement (GOSA), include the following:

For students in Kindergarten:

- a. This includes kindergarten students whose achievement levels indicate meets or exceeds on the majority of elements included on the English Language Arts and/or Mathematics Georgia Kindergarten Inventory of Developing Skills (GKIDS); or
- b. whose documented achievement indicates “on or above grade level” as documented by one or more of the following: local assessments, portfolios, Student Support Team (SST) Checklist, EIP Rubric, or other checklists.

For students in Grades 1-5:

(The Georgia Milestones Tests are not administered in Grades 1 and 2. Refer to the criteria listed in bullet b.)

- a. This includes students who score at/above the *Proficient* level on the Georgia Milestones Tests in reading or mathematics; or
- b. who score at/above the *Developing Learners* level on the Georgia Milestones Tests in reading or mathematics and whose achievement indicates “on or above grade level” as documented by one or more of the following: local assessments, portfolios, Student Support Team (SST) Checklist, EIP Rubric, other checklists, or student work as described by Georgia Milestones Achievement Level Descriptors for the *Developing Learners*, *Proficient Learners* or *Distinguished Learner* levels.

For students in Grades K-5 without Georgia mandated test results:

This includes students whose performance indicates “on or above grade level” as documented by one or more of the following: local assessments, portfolios, Student Support Team (SST) Checklist, EIP Rubric, other checklists, or student work as described by Georgia Milestones Achievement Level Descriptors for the *Developing Learners*, *Proficient Learners* or *Distinguished Learner* levels.

APPENDIX 4

Code: IDDH

160-4-2-.17 EARLY INTERVENTION PROGRAM (EIP).

(1) DEFINITIONS.

- (a) **Accelerated Instruction** – challenging instructional activities that are intensely focused on student academic deficiencies in content areas. This accelerated instruction is designed to enable students who have not achieved grade level, as defined by the Office of Student Achievement, to meet grade-level standards in the shortest possible time.
- (b) **Early Intervention Program** – a program designed to serve students in grades kindergarten through five who are at risk of not reaching or maintaining academic grade level, as defined in the department’s *Early Intervention Program Guidelines*, to obtain the necessary academic skills to reach grade-level performance in the shortest possible time.

(2) REQUIREMENTS.

- (a) All identified students shall be moved into the Early Intervention Program (EIP), provided assistance, and moved out upon reaching grade level performance.
- (b) The kindergarten early intervention program shall serve students enrolled in grade kindergarten. The primary grades early intervention program shall serve students enrolled in grades one through three. The upper elementary grades early intervention program shall serve students enrolled in grades four and five.
- (c) Schools participating in the EIP shall provide an instructional program that will promote the acceleration of learning in order for students to succeed and progress to the next higher level of academic achievement in accordance with *Georgia Department of Education Early Intervention Program Guidelines*.
- (d) The specifications for delivery of early intervention services shall be the responsibility of local boards of education. Participating schools shall use instructional models for the Early Intervention Program that include, but are not limited to, class augmentation, self-contained, reduced class size, pull-out, or Reading Recovery.
- (e) Eligibility determination is made at the school system level by identifying the students functioning below the normal expectation for the respective grade using criteria provided by the Office of Student Achievement.

160-4-2-.17 (Continued)

- (f) Local systems shall use the provided EIP Checklist rubric, when using the EIP Teacher Checklists for eligibility.
- (g) Local systems shall devise a process for identification of students during the school year as a continuous process of early identification and monitoring.
- (h) The school shall provide a ten calendar-day notice for an opportunity to conference with the student's parents or guardians and the student to discuss the student's performance and the role of the early intervention program.
- (i) Students placed in the EIP must be administered continuous assessments that will reflect achievement gains throughout the academic year.
- (j) Program exit criteria shall be as developed by the Office of Student Achievement.
- (k) Eligibility records and exit documentation shall be maintained at the local school made available for monitoring upon request.
- (l) Each local school system shall report the number of students served in the EIP as part of the full-time equivalent (FTE) program count.

Authority O.C.G.A. § 20-2-153.

Adopted: April 13, 2006 Effective: May 3, 2006

APPENDIX 5

Georgia Code O.C.G.A. § 20-2-153.

(a) The State Board of Education shall create and each local board of education shall provide an early intervention program to serve students in kindergarten through grade five. The kindergarten early intervention program shall serve students enrolled in kindergarten. The primary grades early intervention program shall serve students enrolled in grades one through three. The upper elementary grades early intervention program shall serve students in grades four through five.

(b) The early intervention program shall serve students who are at risk of not reaching or maintaining academic grade level, including but not limited to students who are identified through the first grade readiness assessment required by Code Sections 20-2-151 and 20-2-281 and students with identified academic performance below grade levels defined by the Office of Student Achievement in Code Section 20-14-31 for any criterion-referenced assessment administered in accordance with Code Section 20-2-281 for grades one through five. Local school systems shall devise a process for the identification of such students at the beginning of each school year and also during the school year as a continuous process of early identification and monitoring. School systems may use indicators such as but not limited to the student's scores on previous assessments, the student's classroom performance in the same or previous years, and other reliable indicators to identify such students. A student shall be assigned to the early intervention program as soon as is practicable after the student is identified as at risk or after the results of the first-grade readiness assessment, the criterion-referenced assessment, or other indicators are known. The school shall provide timely notice and an opportunity for a conference with the student and his or her parents or guardians to discuss the student's academic performance and the role of the early intervention program.

(c) The State Board of Education shall describe by rules and regulations such additional services, resources, support, or strategies as may be provided by the local school system. The specifications for delivery of early intervention services shall be the responsibility of local boards of education except that the program rules and regulations adopted by the State Board of Education shall be followed in designing the program delivery models. Delivery models may include, but are not limited to, class augmentation, pull-out or self-contained classes, and the Reading Recovery Program delivered by certificated personnel.

- (d) The early intervention program shall be designed with the intent of helping the student to perform at expectations and exit the program in the shortest possible time. Students shall be moved into this program, provided assistance, and moved out of this program upon reaching grade level performance. It is not the intent of the General Assembly that students be assigned to this program on a continuing or permanent basis.
- (e) Funding for the early intervention program shall have a full-time equivalent teacher-student ratio of one teacher to 11 students.
- (f) Each local school system shall annually report the number of students served in the early intervention program as part of the full-time equivalent program count conducted pursuant to Code Section 20-2-160.

APPENDIX 6

Senate Bill 59

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to 2 elementary and secondary education, so as to prohibit the waiver of the early intervention 3 program requirements in local school system flexibility contracts; to provide for additional 4 QBE funding for each full-time equivalent student within a local charter school; to provide 5 for a maximum amount of such funding available to each local charter school; to provide for 6 direct allocation of appropriated funds to local charter schools by the State Board of 7 Education; to provide an additional opportunity for existing charter schools to elect to 8 participate in a health insurance plan for teachers and employees; to provide that certain 9 employees of state charter schools shall be included in the definition of "public school 10 employee" for purposes of the health insurance plan for public school employees; to require 11 that new and renewed charters for charter schools and charter systems shall be subject to 12 early intervention program requirements; to provide for the allocation and distribution of 13 federal funds by local school systems to local charter schools; to require local boards of 14 education to provide local charter schools with educational facilities; to provide for multiple 15 effective dates; to provide for related matters; to repeal conflicting laws; to revise a 16 definition; and for other purposes.

SECTION 1.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by revising Code Section 20-2-82, effective July 1, 2021, relating to contract terms for local school systems requesting flexibility, as follows: "(e) The state board shall be authorized to approve a waiver or variance request of specifically identified state rules, regulations, policies, and procedures or provisions of this chapter upon the inclusion of such request in the local school system's proposed contract and in accordance with subsection (b) of Code Section 20-2-84. The goal for each waiver and variance shall be improvement of student performance. The state board shall not be authorized to waive or approve variances on any federal, state, and local rules, regulations, court orders, and statutes relating to civil rights; insurance; the protection of the physical health and safety of school students, employees, and visitors; conflicting interest transactions; the prevention of unlawful conduct; any laws relating to unlawful conduct in or near a public school; the early

Georgia Department of Education
intervention program provided for in Code Section 20-2-153; any reporting requirements pursuant to Code Section 20-2-320 or Chapter 14 of this title; the requirements of Code Section 20-2-210; the requirements of Code Section 20-2-211.1; or the requirements in subsection (c) of Code Section 20-2-327. A local school system that has received a waiver or variance shall remain subject to the provisions of Part 3 of Article 2 of Chapter 14 of this title, the requirement that it shall not charge tuition or fees to its students except as may be authorized for local boards by Code Section 20-2-133, and shall remain open to enrollment in the same manner as before the waiver request."

SECTION 2.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by revising Code Section 20-2-165.1, relating to charter system earnings for each full-time equivalent student and use of funds, as follows: "20-2-165.1. In addition to the amounts earned by a charter system or a local charter school pursuant to subsection (b) of Code Section 20-2-161, a charter system or a local charter school shall earn 3.785 percent of the base amount established pursuant to subsection (a) of Code Section 20-2-161 for each full-time equivalent student in each school within the charter system or each full-time equivalent student within the local charter school; provided, however, that no individual charter system or local charter school shall receive more than \$4.5 million in a fiscal year. The State Board of Education shall directly allocate the amount of appropriated funds calculated pursuant to this Code section to each local charter school. Funds appropriated pursuant to this Code section shall be used in accordance with recommendations of the school level governing body established by the charter or to advance student achievement goals and school level governance training objectives pursuant to the charter."

Access a copy of the full bill here: [C:\pdf\202381.wpd \(ga.gov\)](C:\pdf\202381.wpd (ga.gov)).

APPENDIX 7

EIP Frequently Asked Questions

Q1: Since there will not be Georgia Milestones data for the 2019-2020 school year, what can be used for placement and exit criteria?

A: Local school districts will be able to determine the type/s of documented performance/achievement data for placement and exit purposes.

For students in Grades 1-5 without Georgia Milestones scores:

This includes students who do not have Georgia Milestones scores but whose documented performance/achievement shows that they are performing at the *Beginning Learner* level on the Georgia Milestones in reading or mathematics. **Documented achievement must include one or more of the following: local assessments, standardized norm-referenced tests (below the 35th percentile), portfolios, Student Support Team (SST) Checklist, EIP Rubric, other checklists, or performance as described by Achievement Level Descriptors for the *Beginning Learner* level of the Georgia Milestones.**

Students whose assessment achievement/performance is above the *Beginning Learner* level **but** who still need additional instructional assistance via the Early Intervention Program **shall not exceed 3%** of the population at the system, school, or grade level.

Q2: Does the 3% of the population of students who meet Georgia Milestone standards but need additional instructional assistance apply to the school or grade level?

A: In 2004, districts were given the option to allow the 3% to include grade level, school, or system.

Q3: How is Georgia’s Tiered System of Supports for Students (MTSS) connected to EIP?

A: Since the purpose of the Early Intervention Program is to provide additional instructional resources to help students who are performing below grade level obtain the necessary academic skills to reach grade level performance in the shortest possible time, the connection to MTSS is clear. EIP is a part of the MTSS intervention framework, which includes academics and behaviors. The instruction that is occurring in the EIP classrooms needs to be at the center of the schools attention. The tertiary level of prevention for EIP is dependent on the model of service. For EIP services to be considered a Tier 2 level of prevention, the instruction that is occurring would be in addition to Tier 1 and be evidence-based.

Q4: Where can we find information on reporting guidance for EIP?

A: Information on data collection and reporting requirements can be found on the following website: <https://www.gadoe.org/Technology-Services/Data-Collections/Pages/Data-Collections-and-Reporting.aspx>

Q5: How should special education students be counted in EIP?

A: If a special education student was assigned to a **regular** education teacher all day and participated in EIP, this student may be included in the EIP data collection.

If a special education student was assigned to a **special** education teacher all day and participated in EIP, this student **may not** be included in the EIP data collection. If this same student was assigned to a special education teacher part of the day, this student could be included in the data collection during a segment not served by the special education teacher.

Q6: Can Title I students who participated in EIP be included in the EIP data collection?

A: Yes, any student who receives EIP services should be included in the EIP data collection.

Q7: How many segments may qualified students be counted in FTE?

A:	Augmented model	no more than 2 segments
	Pull out model	no more than 2 segments
	Self contained model	no more than 6 segments
	Reduced class size model	no more than 6 segments
	Reading Recovery	no more than 1 segment for the entire year

Q8: What if a student is identified by the teacher for possible additional support without a Georgia Milestones score?

A: The EIP Rubric or local checklist may be used. See the eligibility section of the EIP guidance – Appendix 2. (For entering kindergarten students, the GKIDS Readiness Check may be used to inform teachers as they individualize instruction and guide/inform the determination of any additional supports and interventions that may be needed. The GKIDS Readiness Check will provide information about the readiness for learning necessary at this grade level.

Q9: How should parents be notified of student participation in EIP?

A: **Before** services begin, the school shall provide a ten calendar-day notice for an opportunity to conference with the student’s parents or guardians and the student to discuss the student’s performance and the role of the Early Intervention Program (see State Board of Education Rule 160-4-2-.17 EARLY INTERVENTION PROGRAM (EIP)).
http://www.gadoe.org/External-Affairs-and-Policy/State-Board-of-Education/SBOE%20Rules/160-4-2-.17_dup.pdf.

Q10: Are ESOL students eligible to participate in the EIP program? How should they be found eligible? How should they be counted in FTE?

A: Yes, ESOL students can participate in the EIP program. They must be counted in FTE during a segment they are not being served in the ESOL program.

Although the Governor’s Office of Student Achievement (GOSA) criteria is followed to determine EIP eligibility, the school team should review data from the EL student’s English language proficiency (ELP) initial screener and most recent or previous annual ELP assessment results, as well as the student’s English language development (ELD) (growth trajectory) compared to like peers.

- The team should determine if the EL student’s ELP level has consistently remained low or the English language is not developing at the expected rate.
- Additional data to consider are the student’s literacy level (reading and writing skills) and student’s oracy level (listening and speaking skills – aka oral language) in both the student’s home or primary language(s), family culture, and educational history. (See [ESOL Language Program](#) website.)

If the EIP team is reviewing initial ELP screener data or annual ELP assessment data as another measure to guide the EIP eligibility decisions, please note which WIDA Screener and WIDA ACCESS scores are/were used to determine the student’s eligibility for English learner (EL) status. For more information, please see [A Resource Guide to Support School District’s EL Language Programs](#) and the **EL Entrance (Eligibility) Flowcharts** on the [ESOL Language Program](#) website.

Q11: Can the 35-percentile cut-off from a norm-referenced assessment be used to identify 2nd - 5th graders who scored in the “Beginning Learner” level of the Georgia Milestones instead of the checklist?

A: Yes

Q12: Can all EIP students in a Reduced Class be counted for 6 segments on FTE count day if the number of EIP students meets the requirements of the model ratio?

A: Yes, in the reduced class model, if the number of EIP students meets the requirements of the model ratio on FTE count day, you may count all of the EIP students in the class for all segments.

Q13: What is the meaning of “shall serve” in Georgia Code 20-2-153 regarding EIP?

A: When drafting requirements for the implementation of its programs, GaDOE uses the word “**shall**” with the expectation that it will be interpreted in accordance with the following definition from Black’s Law Dictionary (8th ed. 2004): shall, *vb*, **1**. Has a duty to; more broadly, is required to <the requester shall send notice> <notice shall be sent>.

Q14: Should EIP services be supplemental instruction or can it be in place of regular classroom instruction?

A: EIP instruction must be in addition to and different from regular classroom instruction.

Q15: Can EIP students be assigned to the EIP teacher as their reading or mathematics teacher for the entire school year?

A: Students should be removed from EIP when they are able to perform at grade level.

Q16: What are the number of segments a student can be served in a model?

A: The table below delineates the number of segments for each model, considering how a student qualified for EIP.

Model	Maximum number of segments (if student qualifies for...)		
	Mathematics	Reading	Both
Augmented	1	1	2
Self-contained	6	6	6
Pull-out	1	1	2
Reduced Class Model	6	6	6
Reading Recovery Program	N/A	1	N/A

<input type="checkbox"/> APPROVED	
<input type="checkbox"/> NOT APPROVED	
Program Manager _____	Date _____
Division Director _____	Date _____

“Innovative Model” EARLY INTERVENTION PROGRAM (EIP)
Submit “Innovative Model” by September 1st of each school year.

School Year _____

Name of School District _____

Name of School _____

School Address _____

Telephone Number _____ Fax Number _____

Principal _____ Signature _____

School District EIP Contact _____ Signature _____

Attach “Innovative Model” description for how EIP students will be provided services above and beyond the regular classroom setting.

“Innovative Model” must include the following:

- An appropriate and effective program for accelerating student learning
- Services through a state-certified teacher
- The use of EIP funds that provide supplemental instruction above and beyond those services provided by the state
- Compliance with the maximum class size rule

COMMENTS: _____
