

## Special Needs Scholarship Program

### Frequently Asked Questions for Parents

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The Special Needs Scholarship Program (SNSP) allows a student with a disability, who meets certain eligibility requirements, to receive a state-funded scholarship to attend a SNSP school. The requirements in this document are based on Wis. Stat. 115.7915 and Wis. Admin. Code PI 49.

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## APPLYING TO THE SNSP

### 1. How does a student become eligible for the SNSP?

Under Wis. Stat. § 115.7915, a student with a disability may be eligible to participate in the SNSP if the student meets all of the following eligibility requirements:

- a) IEP or Services Plan: The student has an Individualized Education Program (IEP) or services plan that meets program requirements.

An IEP or services plan meets program requirements if:

- The student's IEP or services plan is currently being implemented, **or**
- The student's IEP or services plan was developed no earlier than 3 years prior to September 15th of the school term for which the student is submitting an application (for example, September 15, 2017 for the 2020-21 school year) AND there has not been a more recent reevaluation that determined the student no longer had a disability.

- b) Wisconsin Resident: The student resides in Wisconsin.

For purposes of applying to participate in the SNSP, parents must complete the student application at: <https://dpi.wi.gov/sms/special-needs-scholarship/student-applications>.

### 2. How does a student apply to the SNSP?

The SNSP student application is a paper application that must be submitted directly to the SNSP school that you would like for your child to attend. SNSP student applications can be submitted to SNSP schools for each school year from July 1<sup>st</sup> to June 30<sup>th</sup>. For example, students can apply for the 2020-21 school year from July 1, 2020 through June 30, 2021. A student application is not complete until all of the following documents have been given to the school:

- a) SNSP student application.
- b) Documentation verifying the family's current address.

SNSP schools must give SNSP applicants a copy of the school's special education profile. The student application, list of SNSP schools and school special education profiles are available by the end of June for the upcoming school year at: <https://dpi.wi.gov/sms/special-needs-scholarship/student-applications>.

SNSP schools are required to accept SNSP students in the order that complete applications and transfer requests are received. If a school receives more eligible applications than the number of

available SNSP scholarships, the school will notify students of their place on the SNSP waiting list. Schools may choose to give preference to siblings of students who are already attending the school.

Once a school receives a complete application, the school will determine if the student is eligible, other than determining whether the student has an IEP or services plan that meets the requirements. The SNSP school's determination must be made within 3 weeks of when the school receives the complete application. If the student is determined not eligible through this process or if there is not enough room at the school, the school will send notification to the parent within the 3 weeks. If there is not enough room at the school, the letter will indicate the child's place on the waiting list.

If the application is determined eligible, the school sends an email to the Local Education Agency (LEA) that developed the IEP or services plan. The LEA is required to send a response within 5 business days indicating whether the student met the requirement. The school is required to send a notification to the parent within 7 days of receiving the response from the LEA letting the parent know whether or not the application has been accepted.

### **3. Where should a parent submit the SNSP student application or transfer request form?**

You must submit the SNSP student application directly to the SNSP school where you would like for your child to attend. The student application, list of SNSP schools and school special education profiles are available by the end of June for the upcoming school year at:

<https://dpi.wi.gov/sms/special-needs-scholarship/student-applications>.

### **4. When can a student apply to participate in the SNSP?**

SNSP student applications can be submitted to SNSP schools for each school year from July 1<sup>st</sup> to June 30<sup>th</sup> for that school year. For example, students can apply for the 2020-21 school year from July 1, 2020 through June 30, 2021.

### **5. Can a student attend any private school under the SNSP? How does an applicant know which schools are participating in the SNSP?**

Only schools that registered to participate in the program may participate. A list of schools that have registered to participate is available on the SNSP website at <https://dpi.wi.gov/sms/special-needs-scholarship/student-applications>. The list for the upcoming school year is typically posted

by the end of June. Additionally, the website includes each school's Special Education Profile that describes the methods of instruction and qualifications of those who will provide special education and related services to SNSP students.

Schools must register to participate in the program by the first weekday in March prior to the start of each school year. If you would like your student to attend a school not currently participating in the SNSP, you can reach out to the school to determine if they would be interested in joining the program in a future year.

#### **6. Is there a limit on how many students a SNSP school can accept?**

State law does not limit the number of students a SNSP school can accept. However, SNSP schools identify how many SNSP scholarships they have available.

SNSP schools are required to accept SNSP students in the order that complete applications are received. If a school receives more eligible applications and transfer requests than the number of available SNSP scholarships, the school will notify students of their place on the waiting list. Schools may choose to give preference to siblings of students who are already attending the school.

#### **7. Are students required to reapply to participate in the SNSP every year?**

No. A student who has been accepted into the SNSP will continue to receive a scholarship until one of the following occurs: (a) the student graduates from high school; (b) the student turns 21; (c) the student no longer resides in Wisconsin; (d) the student enrolls in another school or a home-based educational program; (e) the student is not made available for a reevaluation every three (3) years; or (f) a partial scholarship student leaves the participating private school that the student is attending. However, if a student would like to change schools and continue to participate in the SNSP, the parent must first complete a transfer request form. See the Transfer Request section for additional information.

While students are not required to reapply annually, SNSP students are required to annually provide residency documentation to their SNSP school to show which Wisconsin public school district they currently reside in. The residency documentation must be dated between the third Friday in August and the end of September. A list of acceptable proof of residency documents is available at <https://dpi.wi.gov/sms/special-needs-scholarship/student-applications>.

**8. Does a student who was on the SNSP waiting list in the prior school year need to apply to the SNSP in the following school year?**

Yes, a student who remains on the SNSP waiting list at the end of the school year because there are not enough SNSP scholarships available at the school must apply to the SNSP in the following school year.

**9. What documentation is required to show that a student resides in Wisconsin?**

The applicant must provide one of the acceptable proof of residency documents. See the Acceptable Proof of Residency Documents available at <https://dpi.wi.gov/sms/special-needs-scholarship/student-applications> for additional information.

**INDIVIDUALIZED EDUCATION PROGRAM OR SERVICE PLAN**

**10. What is an Individualized Education Program (IEP)?**

An IEP is a written statement that outlines an educational plan for a student with a disability who is enrolled in a public school. IEPs are developed, reviewed, and revised by a student's IEP team.

**11. What is a services plan?**

A services plan is a written statement that describes the special education and related services a public school will provide to a student with a disability placed in a private school by their parent. Services plans are developed by public school districts.

**12. Does a 504 plan meet the IEP or services plan requirement for the SNSP?**

No. A 504 plan is not sufficient to qualify for the SNSP.

**13. What do I do if my child does not have an IEP or services plan but I believe my child might have a disability and be eligible for special education?**

If you believe your child has a disability, contact the school district where the school your child is attending is located to request a special education evaluation. If your child is found eligible for special education, the school district may, but is not required to, develop a services plan for your child. The services plan can be used to meet the SNSP requirement to have an IEP or services plan that is in effect. If the school district does not develop a services plan, you can contact the school district where your child resides and request a meeting to develop an IEP for your child. The IEP can then be used to meet the SNSP requirement to have an IEP or services plan that is in effect.

**14. Is the private school required to implement a SNSP student's IEP or services plan?**

SNSP schools are required to implement the IEP or services plan of SNSP students as modified by agreement between the private school and the student's parent/guardian. This agreement must be signed and dated by the parent/guardian and the school. If it is not signed by a certain date, the student will not be eligible for all SNSP payments. See the SNSP payments, tuition and fees section for additional information.

**15. Are schools required to report the student's progress to parents or guardians?**

SNSP schools are required to provide SNSP parents with quarterly reports about the implementation and progress of their student's modified IEP or services plan.

**16. Are SNSP students eligible to receive a services plan from a public school district?**

Maybe. When a student is found eligible for special education under state and federal special education law, the student is entitled to a free appropriate public education (FAPE). FAPE is provided to each student with a disability in accordance with the student's IEP. The public school district where the child lives is responsible for providing FAPE to every student enrolled in the public school district with a disability.

Students are not entitled to receive FAPE while enrolled by their parents in a private school. However, certain students may be eligible to receive some public school services through a services plan (ISP). The public school district responsible for developing and implementing

services plans for parentally placed private school students is the district where the private school is located. It is important to note that unlike FAPE/IEP for public school students, there is no individual entitlement to a services plan for private school students. For additional information about the requirements for public school districts to provide services for students with disabilities who are enrolled by their parents in private schools, see <http://dpi.wi.gov/sped/topics/private-schools>.

**17. How often do I need to make my child available for a reevaluation for SNSP eligibility purposes?**

In order for a student to be able to continue their participation in the SNSP, the student must be made available for a reevaluation by the resident school district within sixty (60) days of a reevaluation request being made. Resident school districts may only make a reevaluation request for a student once every three (3) years for SNSP eligibility purposes.

**18. Will my child's resident school district or the district that my child's private school is located within conduct the reevaluation?**

Generally, an IEP team appointed by the student's resident school district will complete the reevaluation. However, if the private school that the student is attending is in a different district than the student's resident school district, the parent/guardian may make a written request that the school district where the private school is located complete the IEP team reevaluation.

**19. What happens if I do not make my child available for a reevaluation requested for SNSP eligibility purposes?**

A student must be made available for a reevaluation requested for SNSP eligibility purposes within sixty (60) days of a reevaluation request being made. If a student is not made available for a reevaluation within sixty (60) days of the request, the student will lose his or her SNSP scholarship.



**20. What should I do if the IEP team determines that a reevaluation is not required to determine that my child still has a disability?**

The parent or guardian should obtain a written document, signed by the IEP team, indicating that a reevaluation was not required for the student. This document, which is commonly referred to as a reevaluation waiver agreement, should be provided to the student's SNSP school.

**21. What happens when a student participating in the SNSP is determined to no longer have a disability?**

If a SNSP student is determined to no longer have a disability during an IEP team reevaluation, then the school will receive a partial scholarship in the following school year for that student. A partial scholarship student is able to continue to participate in the SNSP at the same school, but the SNSP scholarship will be at a lower rate. If a partial scholarship student leaves the school they were attending, the student will no longer be eligible for the SNSP.

**TRANSFER REQUESTS**

**22. Can a SNSP student transfer to a different school?**

A student may transfer from one SNSP school to another SNSP school and retain their scholarship if the student has been continuously enrolled in the SNSP and has not been determined to no longer be a child with a disability through a IEP reevaluation. The student must continue to attend his or her school until the student is accepted into the SNSP at the new school.

**23. How does a student apply to transfer to a different SNSP school?**

In order for a SNSP student to transfer and successfully retain their SNSP scholarship, the student must complete a Transfer Request Form and submit all of the following to the school that the student is applying to transfer to:

- a) A complete Transfer Request Form.
- b) Residency documentation.
- c) A copy of the student's most recent IEP or services plan.

The SNSP student must remain at their current SNSP school until the transfer request is accepted by the new school. The Transfer Request form and a list of acceptable proof of residency documents are available at: <https://dpi.wi.gov/sms/special-needs-scholarship/student-applications>.

**24. When should I submit a transfer request form to a new school if I would like my child to attend a new school in the next school year?**

Transfer request forms, including the supporting documentation, should be submitted to the new SNSP school during the school year that you would like your child to attend a different private school participating in the SNSP. For example, if your child is graduating from 8<sup>th</sup> grade and will attend a high school in the following school year, you could submit a transfer request form to the high school beginning July 1 of the new school year. If a pupil is transferring schools while school is in session, the pupil must continue to attend their current school until the new school sends the letter to the parent indicating the child has been accepted into the SNSP at the new school.

As a reminder, the new school must be participating in the SNSP in order for the parent to submit a transfer request form for their child to the school and for the child to retain a SNSP scholarship when they transfer to a different school. If the pupil has been determined to no longer have a disability, the pupil will not be able to transfer to a different school and retain their SNSP scholarship.

**SUSPENSIONS AND EXPULSIONS**

**25. Are there statutory procedures regarding student suspensions and expulsions that a private school participating in the SNSP is required to follow?**

No. State law does not require that SNSP schools have suspension or expulsion policies. Parents should ask the SNSP school if they have a suspension or expulsion policy, and obtain a copy of the policy if the school has one.

**26. What appeal rights does a SNSP student have regarding a suspension or expulsion?**

There are no suspension or expulsion appeal rights under SNSP law. The SNSP student would need to contact the SNSP school to determine what, if any, suspension or expulsion appeal rights a student has at the school.

SNSP students in private schools do not have the same federal and state protections and appeal rights regarding school disciplinary practices that students in public schools have. For a document comparing the rights of students with disabilities and their families under state and federal special education laws to their rights under the SNSP, please see the comparison document available at: <https://dpi.wi.gov/sms/special-needs-scholarship/student-applications>.

### **TRANSPORTATION**

#### **27. Is transportation available for students in the SNSP?**

A SNSP school is not required to provide transportation to SNSP students. If a SNSP school notifies the school district of the school's attendance area and the names and addresses of its students for the following school year, in some cases the school district will provide transportation or reimburse parents' transportation costs in part. If the school district is not required to provide transportation for the SNSP pupil, and the SNSP school chooses to provide transportation, the SNSP school may charge the parent or guardian a fee for the service. Parents should check with the SNSP school where their child hopes to attend and with the school district to determine what transportation options are available at the school, if any.

### **SNSP PAYMENTS, TUITION AND FEES**

#### **28. What are the requirements for my child to be eligible for all SNSP payments in a school year?**

Schools are paid for eligible SNSP students in attendance for two (2) count dates. The count dates are the 3<sup>rd</sup> Friday in September and the 2<sup>nd</sup> Friday in January. Schools receive half of the annual SNSP payment for SNSP students that are eligible and meet the attendance requirements for each count date.

In order for a student to be eligible for a SNSP payment, a student must have both of the following by the count date:

- a) An eligible, accepted SNSP application or transfer request.
- b) An agreement of the services that will be provided by the school that is signed and dated by the parent/guardian and the school.

Parents should be aware that if a student does not meet both of the above requirements for a count date, some schools may choose to charge additional tuition and fees. Parents should reach

out to the private school to determine what, if any, tuition and fees may be charged if a student is not eligible for both count dates.

**29. Can a private school charge a SNSP student tuition and fees?**

Yes. A SNSP school may charge a SNSP student tuition and fees.

**SNSP COMPARED TO THE PRIVATE SCHOOL CHOICE PROGRAMS**

**30. Should I enroll my student in the Private School Choice Programs or the SNSP?**

The Private School Choice Programs (Choice or Choice programs) includes the Milwaukee Parental Choice Program (MPCP), the Racine Parental Choice Program (RPCP) and the Wisconsin Parental Choice Program or statewide program (WPCP). The Choice program a student is eligible for is based on where the student resides.

The Choice Programs and the SNSP are governed by different laws. As such, the programs have different student eligibility requirements; different application processes and timelines; and have different school participation requirements.

If the student meets the eligibility requirements and the school is in the Choice programs and the SNSP, it is a parent's decision as to whether to apply to a Choice program or the SNSP. A parent may submit applications for the student to participate in both programs. However, a student can only participate in one program and the school can only receive money from one program, not both, for the student. If a parent submits applications to both programs, the parent should provide the private school with a written statement indicating which program the parent wants the student to participate in (Choice or SNSP).

The department recommends that a parent fully evaluate the options before selecting a program (Choice or SNSP). For information on the Choice Programs, please see the Choice website at: <https://dpi.wi.gov/sms/choice-programs>. For more information on the SNSP, please see the SNSP website at: <https://dpi.wi.gov/sms/special-needs-scholarship>.

**31. Is my student able to receive a Private School Choice Programs voucher if my student is no longer eligible for the SNSP?**

A student who was previously eligible for the SNSP, and who would like to participate in the Choice programs, must apply and meet all of the Choice Programs' requirements. The student is

not automatically eligible for the Choice Programs. For information on the Choice Programs, please see the Choice website at: <https://dpi.wi.gov/sms/choice-programs>.

**32. What happens if the private school I want my student to attend is not participating in the program I am interested in?**

Schools determine if they would like to participate in the MPCP, RPCP, WPCP, and SNSP. If there are specific schools you are interested in that do not currently participate in the Choice programs or SNSP, we recommend you reach out to them and share your interest in having your child attend as a SNSP or a Choice student. Schools must apply annually to participate in each of the programs.

A parent who is interested in applying for their student to participate in one of the Choice Programs or the SNSP should review the different programs' list of schools to determine which schools are accepting applications for the different programs.

The list of schools participating in the MPCP, RPCP, and WPCP, is located on the Choice website at: <https://dpi.wi.gov/sms/choice-programs/student-applications>. The list of schools participating in the SNSP, is located on the SNSP website at: <https://dpi.wi.gov/sms/special-needs-scholarship/student-applications>.