



Initial Student Eligibility

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 participating private school. SNSP schools may accept SNSP applications from July 1st to June 30th of each school year for that school year.

The following information is intended to assist SNSP schools in understanding the state law related to determining if a student with a disability meets the initial SNSP eligibility requirements. Additional information is available on the [Student Application & Transfer Request Processing webpage](#) and in the training modules on the [SNSP School Training webpage](#).

There is also a Continuing & Transfer Student Eligibility bulletin available on the [Student Application & Transfer Request Processing webpage](#) that explains the student eligibility requirements for continuing students.

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:

- **Prior Year Enrollment.** The student was enrolled in a Wisconsin public school for the entire school year before applying to participate in the SNSP.
- **Open Enrollment Denial.** The student applied to attend a public school under the open enrollment program for the same school year the student is submitting an application for the SNSP, and all of the following occurred:
 - o All of the student's open enrollment applications were denied. Only certain denial reasons meet the eligibility criteria. See the Open Enrollment Denial section for more information.
 - o If the open enrollment denial was appealed, the department affirmed the decision.
- **IEP or Services Plan.** The student has an Individualized Education Program (IEP) or services plan in effect at the time the application is received.
- **Wisconsin Resident.** The student resides in Wisconsin. Further information on the residency requirements is available in the [Residency Documentation Bulletin](#).

Students must be age eligible for four-year old and five-year old kindergarten (K4 and K5) and first grade. By September 1 of the school year the student is applying for, K4 students must be four (4) years old, K5 must be five (5) years old, and 1st graders must be six (6) years old. Additionally, student applicants may not be 21 as of the date they apply or September 1, whichever is later.

PRIOR YEAR ENROLLMENT

In order to be eligible, a student applicant must have been enrolled in a Wisconsin public school for the entire school year before the year in which he/she is seeking to participate in the SNSP.

For purposes of the SNSP, enrollment for the entire school year means that a student was registered and attending classes at a Wisconsin public school for the entire school year and counted by the school district for state aid purposes on both the 3rd Friday in September and the 2nd Friday in January. Students would be counted in a school district's aid count if they had attended a public school, a district authorized charter school, an independent charter school, a school district under the interdistrict Chapter 220 program, or a school district under the open enrollment program.

By statute, a home-based private educational program is not a public school and enrollment in a home-based private school does not meet the prior year enrollment requirement. In addition, enrollment at a private school, including a private school participating in the Milwaukee, Racine or Wisconsin Parental Choice Program, does not meet this requirement.

OPEN ENROLLMENT DENIAL

Open Enrollment Overview.

Open enrollment allows a parent to apply to have their student attend a school district other than the one in which they reside. There are two ways a parent can apply for open enrollment. A parent could submit an application during the regular application period. An application submitted during the regular application period is for the following school year. The regular application period occurs during a three (3)-month application period each year which begins in February and ends on the last weekday in April.

A parent could also submit an alternative application. This procedure is a way for parents to apply for open enrollment outside the regular application period. An alternative application for open enrollment must be submitted during the school year in which the pupil wants to begin attending school in the nonresident school district. For more information about open enrollment, or access to the open enrollment regular and alternative applications, please see the Public School Open Enrollment website at: <http://dpi.wi.gov/open-enrollment>.

Open Enrollment Denials.

A student applying to participate in the SNSP must have had all of his/her open enrollment applications denied for the school year that the student is seeking to participate in the SNSP. Open enrollment denials may come from a student's resident or non-resident school district. A resident school district is the school district where the student lives. The nonresident school district is the public school district where the student has applied to attend.

When denying a student's open enrollment, public school districts are required to indicate the reason for the denial. Only certain open enrollment denials meet the SNSP eligibility requirements. The denials that meet the SNSP eligibility requirements are as follows:

Non-Resident School District Denials.

- A non-resident school district denied the open enrollment application (regular open enrollment application or alternative open enrollment application) for any reason.
- A non-resident school district terminated open enrollment because it did not have the special education space and/or related services required under a newly developed or revised IEP.

Resident School District Denials.

- The student applied under the alternative open enrollment option and the alternative application criteria was determined to not be applicable to the student by the resident school district.

Open Enrollment Appeals.

The applicant is not required to appeal any of the open enrollment denials to qualify for the SNSP. However, if the applicant appeals any of the denials, the denials must have been affirmed (upheld) by the department for the applicant to qualify for the SNSP.

SNSP Required Open Enrollment Documentation.

The SNSP applicant must submit copies of the open enrollment denial letter(s) to the SNSP school and, if the decision was appealed to the department, a copy of the letter(s) from the department upholding the denial for the applicable year. If a student applicant did not retain the open enrollment denial letter(s) or the letter(s) from the department affirming (upholding) the open enrollment denial, then the SNSP administrator or designee may email the department for confirmation that the open enrollment application was denied and any appeal was upheld by the department, if applicable. The email should include: (a) the name of the student, (b) the student's date of birth, (c) the school district(s) that denied the school open enrollment, and (d) an indication of if the school needs a confirmation of the district denial and/or the department's appeal decision.

IEP OR SERVICES PLAN

To be eligible to participate in the SNSP, a student must have an IEP or services plan in effect at the time the student applied to participate in the SNSP. 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. 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 his/her parent.

An IEP or services plan is considered in effect if the Local Education Agency (LEA) had developed and is implementing an IEP or services plan for the student at the time the student submitted his/her SNSP student application. Once the student begins attending a private school, an IEP is no longer considered to be in effect. The LEA is generally a public school district or a charter school.

FREQUENTLY ASKED QUESTIONS

Q1. How does a four-year old kindergarten student meet the prior year attendance requirement?

A four-year old kindergarten student meets the prior year attendance requirement by being enrolled in a public school district and attending the district's preschool special education program. This is typically for 3, 4, and 5 year old students.

Q2. Does a parent need to apply under open enrollment to a certain number of school districts to be eligible for the SNSP?

There is not a certain number of school districts the parent must apply to in order to be eligible for the SNSP. However, if the parent applies to more than one district, all of the districts must deny the open enrollment application for a reason that qualifies the student for the SNSP.

Q3. Does a parent need to appeal an open enrollment denial for SNSP eligibility purposes?

No, a parent does not need to appeal any of the open enrollment denials for SNSP eligibility purposes. However, if the parent does appeal an open enrollment denial, the open enrollment denial must have been upheld for the student to be eligible for the SNSP.

Q4. If a student applies for the SNSP and the Choice program, how should I proceed?

First the parent/guardian must determine which program they will participate in. Once the parent makes this determination he or she should provide the school with a signed document or email indicating the program preference that includes the parent name, student name and student date of birth. If the parent/guardian chooses to withdraw from the Milwaukee Parental Choice Program or Racine Parental Choice Program, no communication to the department is required. If the parent/guardian chooses to withdraw from the SNSP, the school must send an email to snsp@dpi.wi.gov with the student name and student date of birth. If the parent/guardian chooses to withdraw from the Wisconsin Parental Choice Program, the school must send an email to privateschoolchoice@dpi.wi.gov with the student name, student date of birth, and grade level that includes one of the following:

1. School form showing the student has withdrawn from the WPCP for the school year. The form must include the student name and be signed by the parent.
2. A letter or email from the parent sent to the school which includes the parent(s) name, the student name and the school name stating the student has withdrawn from the WPCP for the school year.