

## Special Needs Scholarship Program

### Frequently Asked Questions for Parents– 2017-18 School Year

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.

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**APPLYING TO THE SNSP**

**1. How does a student apply to the SNSP?**

SNSP student applications can be submitted to SNSP schools for the 2017-18 school year starting July 1, 2017 through June 30, 2018. 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.
- c) Copies of the open enrollment denial letter(s).
- d) If an open enrollment denial was appealed, a copy of the appeal decision from the Department of Public Instruction (department).

SNSP schools must give student applicants a copy of the school’s special education profile. The student application, list of SNSP schools and school special education profiles are available at: <http://dpi.wi.gov/sms/special-needs-scholarship>.

SNSP schools are required to accept SNSP students in the order that complete applications are received. If a school receives more eligible applications than the number of available SNSP seats, the school will notify students of their place on a 2017-18 waiting list. Schools may choose to give preference to siblings of students who are already attending the school.

**2. When can a student apply to participate in the SNSP for the 2017-18 school year?**

Students may apply for the 2017-18 school year from July 1, 2017 to June 30, 2018.

**3. 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 for the 2017-18 school year may participate in the program. A list of schools that have registered to participate for the 2017-18 school year is available at: <http://dpi.wi.gov/sms/special-needs-scholarship>.

**4. 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 seats they have available. The number of SNSP seats available for new SNSP students at each school is included in the list of participating schools and special education profiles available at: <http://dpi.wi.gov/sms/special-needs-scholarship>.

SNSP schools are required to accept SNSP students in the order that complete applications are received. If a school receives more eligible applications than the number of available SNSP seats, the school will notify students of their place on a 2017-18 waiting list. Schools may choose to give preference to siblings of students who are already attending the school.

**5. 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 3 years; or (f) a partial scholarship student leaves the participating private school that he/she is attending.

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. For the 2017-18 school year, the residency documentation must be dated between the third Friday in August and October 1, 2017. A list of acceptable proof of residency documents is available at <https://dpi.wi.gov/sms/special-needs-scholarship/student-applications>.

**6. Does a student who was on the waiting list for the 2016-17 school year need to apply to the school for the 2017-18 school year?**

Yes, the student must apply for the 2017-18 school year. The waiting list for the 2016-17 school year is only for the 2016-17 school year.

**SNSP GENERAL STUDENT ELIGIBILITY**

**7. 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) Prior Year Enrollment: The student was enrolled in a Wisconsin public school for the entire 2016-17 school year.
- b) IEP or Services Plan: The student has an IEP or services plan that was developed and has an implementation date at the time the student is applying to the SNSP.
- c) Open Enrollment Denial: The student applied to attend a public school under the open enrollment program for the 2017-18 school year, and all of the following occurred:
  - All of the student's open enrollment applications were denied. See the open enrollment section below for more information on which denial reasons meet the eligibility criteria.
  - If the open enrollment denial was appealed, the department affirmed the decision.
- d) Wisconsin Resident: The student resides in Wisconsin.

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

**8. What does enrollment for the entire school year mean?**

For purposes of the SNSP, enrollment for the entire school year means that a student was enrolled at a Wisconsin public school for the entire school year and counted by the school district for state aid purposes on both the 3<sup>rd</sup> Friday in September and the 2<sup>nd</sup> 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 attendance 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.

## 9. What 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.

## OPEN ENROLLMENT

## 10. What is open enrollment?

Open enrollment allows a parent to apply to have their student attend a public school district other than the one in which they reside (known as the non-resident school district). There are two ways a parent can apply for open enrollment. A parent could submit an open enrollment application for the 2017-18 school year during the regular application period which is from February 6, 2017 to April 28, 2107. An application submitted during the regular application period is for the following school year.

A parent could also submit an alternative application. This allows parents to apply for open enrollment outside of the regular application period. An alternative application must be submitted during the school year in which the student wants to begin attending school in the nonresident school district.

For more information about open enrollment, or access to open enrollment regular and alternative applications, please see the Public School Open Enrollment website at: <http://dpi.wi.gov/open-enrollment>.

## 11. How many public school districts do I need to apply to and be denied from to meet the SNSP open enrollment denial eligibility criteria?

The SNSP requires that all applications for open enrollment be denied. It does not require that the student apply to a certain number of school districts. However, all school districts that the student applicant applies to must deny the open enrollment application.

## 12. What open enrollment denials meet the student eligibility requirements?

In order to qualify for the SNSP, the student must have been denied for one of the following reasons:

### *Non-resident School District Denials:*

- a) A non-resident school district denied the open enrollment application for any reason.

- b) A non-resident school district terminated open enrollment because the school district did not have or space was not available in the special education or related services required under a newly developed or revised IEP.

*Resident School District Denials:*

- a) The application was submitted under the alternative open enrollment option and the alternative application was denied because the criteria relied upon to submit the application did not apply to the student.

The denial letter from the district will specify the reason that the open enrollment application was denied.

**13. Do I need to appeal an open enrollment denial to be eligible for the SNSP?**

For SNSP eligibility, open enrollment denials do not need to be appealed. If an open enrollment denial was appealed, then the denial must have been upheld by department.

**14. What does it mean to have an open enrollment denial decision affirmed by the department?**

This means that the open enrollment denial was appealed to the department and the department upheld the school district's open enrollment denial.

**15. What documentation does an applicant need to submit in order to demonstrate that the student was denied open enrollment? What should the applicant do if they do not have the required documentation?**

In order for a SNSP student applicant to be able to demonstrate that he/she meets the open enrollment denial requirement, the applicant must submit copies of his/her open enrollment denial letters to the SNSP school and, if the denial was appealed to the department, a copy of the decision from the department upholding the denial for the 2017-18 school year. If the applicant is not able to locate a copy of the open enrollment denial letter or decision from the department, the applicant should request assistance from the school that they are applying to. The school will be able to request confirmation from the department of an open enrollment denial and/or decision from the department.

## **INDIVIDUALIZED EDUCATION PROGRAM OR SERVICE PLAN**

### **16. 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.

### **17. 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 his/her parent.

### **18. Is the private school required to implement the 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.

### **19. 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 IEP or services plan.

### **20. Can a public school district determine that it will not provide services to a SNSP student because the student is receiving a SNSP scholarship?**

While public school districts are ultimately responsible for making the final decisions about the services to be provided to parentally placed private school children with disabilities, they cannot refuse to provide services via a services plan to a student who is receiving a SNSP scholarship solely because the student is participating in the SNSP.

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 an IEP. The public school district where the child lives is responsible for providing FAPE to every enrolled student 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 via 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>.

**21. How often do I need to make my child available for a reevaluation?**

In order for a student to be able to continue his/her 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 once every three (3) years for each SNSP student.

**22. What happens if I do not make my child available for a reevaluation?**

A student must be made available for a reevaluation by the resident school district 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.

**23. 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 should be provided to the student's SNSP school.

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

If, during an IEP team reevaluation, a SNSP student is determined to no longer have a disability, then the student will receive a partial scholarship in the following school year. 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.

**TRANSFER REQUESTS**

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

A student may transfer from one SNSP school to another SNSP school and retain his/her 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 SNSP reevaluation.

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

In order for a SNSP student to transfer and successfully retain his/her 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 his/her 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 is available at: <http://dpi.wi.gov/sms/special-needs-scholarship/student-applications>.

**SUSPENSIONS AND EXPULSIONS**

**27. 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.

**28. 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: <http://dpi.wi.gov/sites/default/files/imce/sms/SNSP/SNSP-Student-Rights-Comparison.pdf>.

### **TRANSPORTATION**

#### **29. 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.

### **TUITION AND FEES**

#### **30. Can a private school charge an SNSP student tuition and fees?**

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

### **SNSP VERSUS THE PRIVATE SCHOOL CHOICE PROGRAMS**

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

The Private School Choice Programs (Choice) 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 his/her student to participate in both programs. However, a student can only participate in one program and can only receive money from one program, not both. If a parent submits applications to both programs, the parent must provide the private school with a written statement indicating which program he/she wants his/her student to participate in (Choice or SNSP) before the school is able to receive the Choice PROGRAM PAYMENT or SNSP scholarship money on the student's behalf.

The department recommends that a parent fully evaluate his/her 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>.

**32. Is my student able to receive a Private School Choice Programs voucher if he/she 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 program, 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>.

**33. 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/or SNSP. As such, a parent who is interested in applying for his/her 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>.