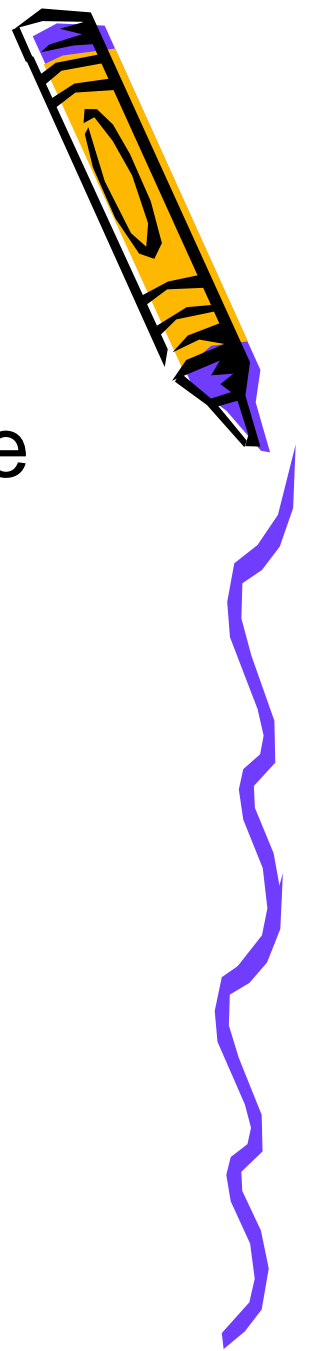


School Choice: Public, Charter and Voucher School and the Rights of Students with Disabilities

Sally Flaschberger



What will you learn?

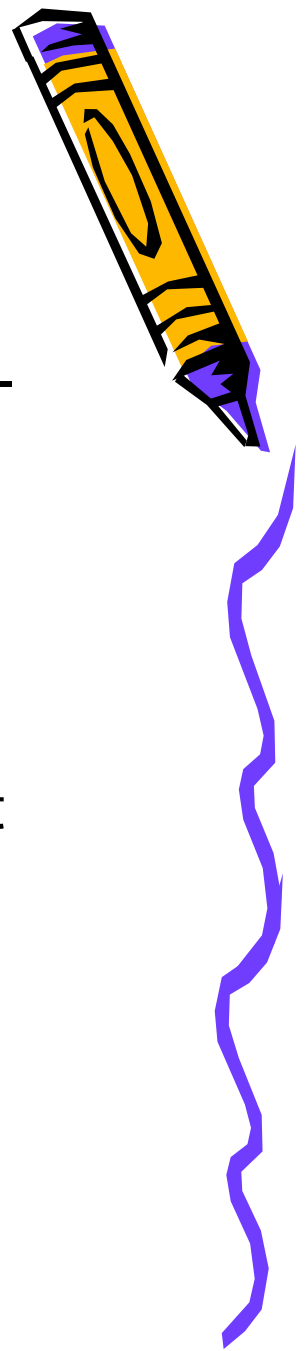


- What is the difference between these types of schools.
- What rights do students with disabilities have in each of these schools.
- How to be informed about these schools.



Public School

- State must provide free education to all students ages 4-20 and special education for students age 3-21.
- No child can be denied entrance.
- Teachers are required to be certified.
- You must live in the particular District.
- Bigger school districts may offer choices of different school building in the District.
- Some schools have selection criteria
- Students may open enroll to others school districts.



Public School-Rights Special Need Children

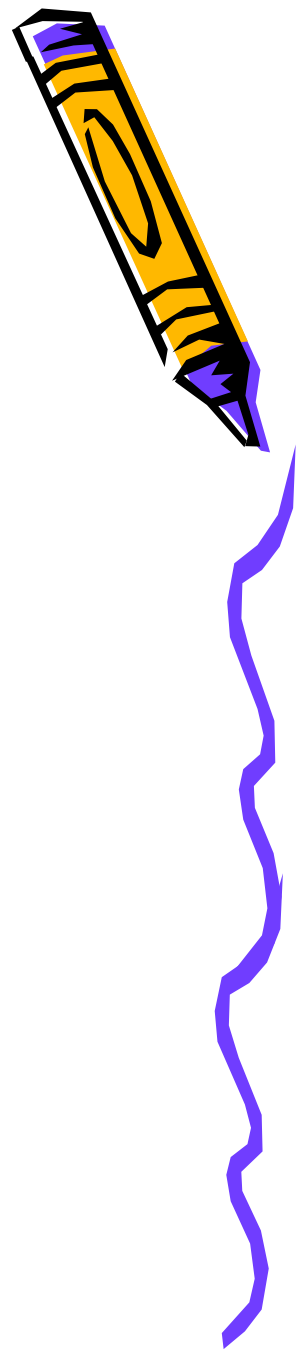


- IDEA and 504 Rights
- Districts must identify and evaluation children that are suspected to have a disability(Child Find)
- Special Education must be provided for child to receive FAPE.
- Must have highly qualified special education teachers.

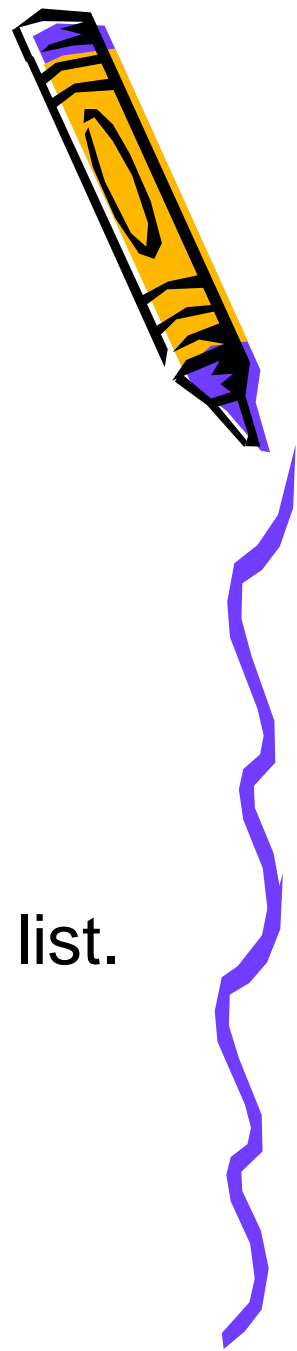


Public School-Rights Special Need Children

- Must provide related services and accommodations to students with disabilities.
- Must keep children in integrated setting for learning.
- Must measure student progress and IEP goal progress.
- Complaint system available; complaints, mediation, due process if not following IDEA or 504 laws.
- Federal and State laws protect the students.



Charter School



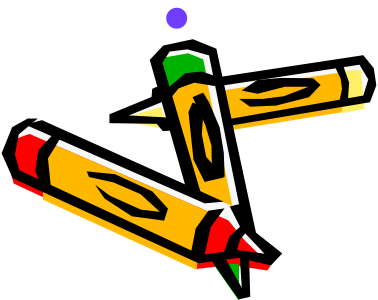
- Considered Public Schools in Wisconsin.
- District Charters- elected school board.
- 2R Charter (Independent)- school governing boards.
- Virtual Schools are also Charter Schools.
- 235 Charter Schools in Wisconsin
- Admission may be based on lottery if waiting list.
- Schools may have a particular focus.



Charter School-Rights Special Needs Children

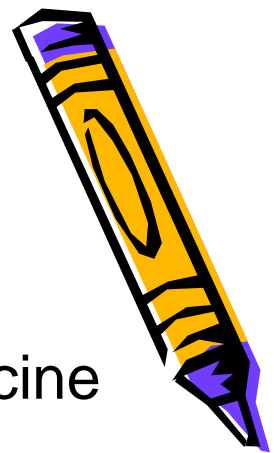


- Enrollment process may exclude some students with disabilities.
- Special education must be provided in these schools.
- Must follow discipline laws of manifestation before expulsion.
- Charter School or District can do special education evaluation.
- Cannot deny enrollment of special education students.



Voucher Schools- Private Schools

- Statewide program- Three systems, Milwaukee, Racine and Statewide.
- 254 Statewide (9764 students), 130 Milwaukee (28,987 students), and 27 Racine (3,650 students)
- Not public schools.
- State pays set amount (between 8,000- 8700) per student to voucher schools.
- Have to follow some state laws to receive funding.
- School district may provide transportation for students.
- Teachers do not need to be certified



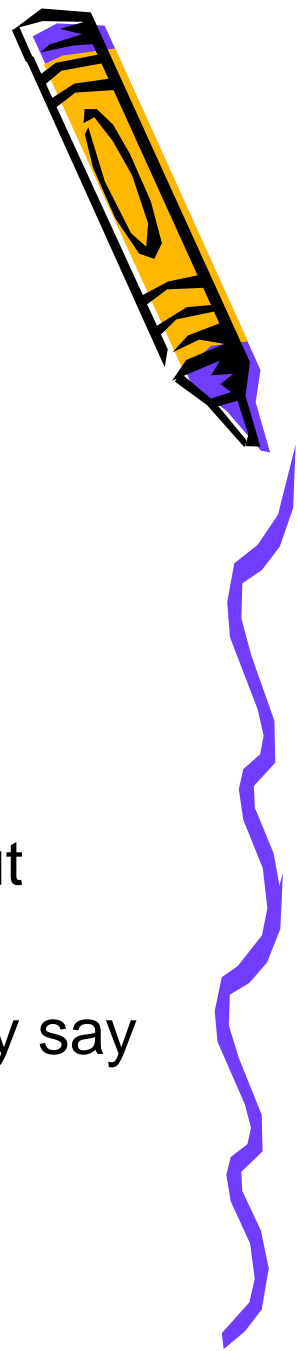
Voucher School-Rights Special Needs Children



- Do not have to follow IDEA (special education law)
- Must make reasonable accommodations/modifications for students.
- Do not need to employ special education teachers.
- Do not have to provide inclusive education.
- Do not need to provide specialized instruction or related services.



Voucher School-Rights Special Needs Children



- Parents cannot file an IDEA complaint, use mediation, or file Due Process.
- DPI does have a complaint procedure for discrimination complaints.
- Are not required to do evaluations.
- Are able to expel children with disabilities without manifestation.
- Cannot deny enrollment due to disability but may say they cant meet students needs.

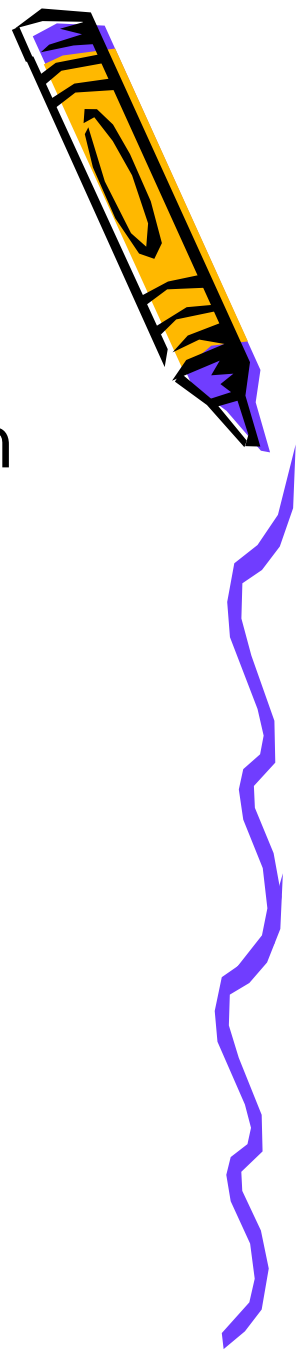


Special Needs Scholarship Program

- Parents will have access to a voucher of just over \$12,000 to send their child to schools enrolled in program
- Schools can submit for additional payments up to 90% of costs for reimbursement.
- 97 schools participating with just over 1000 students for this school year.
- NO rights under IDEA go with voucher to private schools.



Special Needs Scholarship Program



- Private school must apply to participate in program.
- Private school must be approved by the State Superintendent.
- Special education services not required.
- Special education staff not required.



Special Needs Scholarship Program



- DPI has a comparison of rights for families.
 - https://dpi.wi.gov/sites/default/files/imce/sms/SNSP/2019-20_Comparison_Document.pdf
- Private school must implement IEP or services plan as modified by agreement.
- Parents will receive a quarterly report on the implementation of the IEP or services plan.



How to be informed?



- Be sure you know what type of school you are enrolling your child in, public, charter, voucher.
- Ask the voucher school for information on how they deliver special education services.
- Ask if teachers are certified.
- Ask about discipline policies.



Questions?

