# Carson Smith Special Needs Scholarship Program

## Program Procedures and Rules Training for New Special Education Directors

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By

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Carson Smith Scholarship Program

Utah State Office of Education

# History of the Carson Smith Special Needs Scholarship

Parent Choice Action

Legislative Action – Utah  Code 53A 707

USOE – Rules – R277-602

Educator Licensing Section

Special Education Section
Special Ed Director – Glenna Gallo

Compliance Monitoring
Sp Ed Coordinator – Peggy Milligan

Program Specialist – Barbara Bickmore

# Authority & Purpose

Authority

- Utah Code 53A-707  Board shall make rules
- Board Rule - R277-602.  Special Needs Scholarships

Purpose of  code and rules:

- Outline responsibilities for parents/students/public schools

- Provide choice for parents of special needs students who choose to have their children served in private schools

- Provide accountability for the citizenry in the administration and distribution of the scholarship funds

# Enforcement & Penalties 53A-1a-708 Utah Code

- The board shall require private schools to submit signed affidavits assuring the private school will comply with requirements of CSS

- May investigate complaints and convene administrative hearings for alleged violations

- Upon a finding, the board may:
  - deny permission to enroll scholarship students
  - Interrupt disbursement of or withhold scholarship payments or
  - issue an order for repayment of scholarship payments fraudulently obtained

# General Process

Eligible Private schools

- Apply for eligibility
- Eligibility is determined
- Added to list of eligible schools for public
- Notify parents at school that school is eligible to receive CSS scholarships
- Announce process and direct parents to USOE website for more information and application process.

Questions?

# Parent Responsibilities R277-602-3

- Find information and scholarship application on the USOE website http://www.schools.utah.gov/sars/Quick-Links/Carson-Smith-Scholarship.aspx

- Submit completed application and required documents to LEA
  - If the student is enrolled in a public school or was enrolled in the year previous to the year in which the scholarship is sought, the parent/guardian shall submit an application to the school district or charter school within which the parent/guardian resides.

  - If the student was not enrolled in a public school in the year previous to the year in which the scholarship is sought, the parent/guardian shall submit an application to the school district in which the private school is geographically located (school district or charter school responsible for child find under IDEA, Sec. 612 (a) 3(3) ).

# LEA RESPONSIBILITIES

LEAs must check to see that parents have provided the following required documents: that the student is

- A Utah resident;
- Student is at least 5 yrs. old before Sept. 2;
- Is not more than 21 years of age;
- Has not graduated from high school; and
- Has an official acceptance and enrollment letter from an eligible private school
  - List of eligible schools can be found at the USOE website

- A parent guardian must sign acknowledgments and "refusal to consent to special education and related services" on the application form
  - Parent/guardian signature releases LEA from further obligations under IDEA – until/unless the child returns to public school and then child find process is implemented as appropriate.

- District or Charter school must send the completed application and required documents to the USOE Barbara.Bickmore@schools.utah.gov

Check your understanding

Additional parent/guardian responsibility

- The parent shall participate in an assessment team meeting to determine if a student would qualify for special education services and the level of services for which the student would be eligible if enrolled in a public school.

# District and Charter LEA Responsibilities R277-602-4 A-C

The school district or charter school that receives the student's scholarship application from students/parents shall;

- Verify enrollment of the student seeking a scholarship in previous school year
- Verify existence of the student's IEP and level of service
- Forward applications to Special Education Department % Barbara Bickmore/Peggy Milligan no more than 10 days following receipt of the application.
  - Do not send a copy of the student's IEP
  - As ISP is not an IEP, don't send that either

## Charter School Responsibility ends here

Districts must:

- Provide personnel to participate on an assessment team to determine likelihood of eligibility if in a public school;
- Cooperate with the USOE in cross-checking special needs scholarship student enrollment information
- Not dual enroll special needs scholarship students or provide extracurricular activities

- Notify students with IEPs of the following:
  - Written notice to parents or guardians of students who have an IEP, of the availability of a scholarship to attend a private school through the Special Needs Scholarship Program
- Include the statement "School districts and charter schools are required by Utah law, 53A1a-704(10), to inform parents of students with IEPs enrolled in public schools, of the availability of a scholarship to attend a private school through the Carson Smith Scholarship Program".

- No later than 30 days after the student initially qualifies for an IEP

- Annually, no later than February 1 to all students who have IEPs

- Include the address of the Internet website maintained by the USOE that provides prospective applicants and their parents with program information and application forms for CSS Program http://www.schools.utah.gov.sars/Quick-Links/Carson Smith Scholarship.aspx

- And post the CSS Internet website on the school district's, charter school's or school's website

# Questions?

http://www.schools.utah.gov/sars/Quick-Links/Carson-Smith-Scholarship.aspx

Or Contact

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801-538-7612

or

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