

# Succeed Scholarship Program

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ARKANSAS  
DEPARTMENT  
OF EDUCATION

# Implementation of the Program

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- Act 1178 of 2015 created the Succeed Scholarship Program.
- In 2017, three amendments were made to the SUCCEED Scholarship.
  - Act 327 - allows schools in the process of accreditation to be approved, but accreditation must be completed within four years
  - Act 637 - waived the requirement for attendance in public school
    - Superintendent of resident school district must sign waiver
  - Act 894 - allows for up to 20 students that do not have IEPs in foster care, living in a group foster home or facility
    - DHS must approve placement to make sure it is in the best interest of the student

# Private Schools

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- An interested private school shall notify ADE of its intent to participate in the Program by completing the Private School Application posted on ADE's website.
- ADE shall approve as eligible any private school that submits a complete application which satisfies all requirements of the Program's rules.
- A list of eligible private schools will be maintained by ADE and published on ADE's website.

# Parents/Legal Guardians

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- As eligible private schools are posted, parents or legal guardians of public school students with a disability may apply for a Scholarship by completing the Parent/Legal Guardian Application posted on ADE's website.
- The application shall be submitted at least sixty-five (65) days before the date of the first scheduled scholarship payment for the private school to which the student has been accepted for admission.
- Parents/Legal Guardians shall notify the superintendent of the student's current and resident school district(s) within five (5) business days of submitting the application.
- If a student is accepted for admission into a private school upon the availability of space, parents/legal guardians shall notify the student's current and resident school district(s) at least sixty (60) days before the student enrolls in the private school and thereby becomes eligible for scholarship payments for attending that private school.

# Private School Eligibility Requirements

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- In order to participate in the Succeed Scholarship Program, a private school must, as part of its application:
  - Specify the grade level(s) and services that the private school has available for students with disabilities who will participate in the Program; and
  - Provide a description of the private school's disciplinary procedures, code(s) of conduct, and parental involvement requirements (which will be made available on ADE's website).

# Private School Eligibility Requirements

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- In order to participate in the Program, a private school must:
  - Meet accreditation requirements set by
    - The State Board of Education;
    - The Arkansas Nonpublic School Accrediting Association;
    - The American Montessori Association;
    - AdvancED; or
    - Be in the process of accreditation by one of the approved accrediting bodies.
      - Accreditation must be completed within four years.
  - Demonstrate fiscal soundness by
    - Having been in operation for one (1) school year; or
    - Providing ADE with a statement by a CPA confirming that
      - The private school is insured; and
      - The private school has sufficient capital or credit to operate in the upcoming school year.
    - In lieu of a statement, a surety bond or letter of credit for the amount equal to the scholarship funds for any quarter may be filed with ADE.

# Private School Eligibility Requirements

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- In order to participate in the Program, a private school must:
  - Comply with the antidiscrimination provisions of 42 U.S.C. § 2000d (Title VI of the 1964 Civil Rights Act);
  - Meet state and local health and safety requirements and maintain an environment in which the health, safety, and welfare of students is not threatened;
  - Be academically accountable to parents/legal guardians for meeting the educational needs of students; and
  - Employ or contract with only teachers who hold baccalaureate or higher degrees.

# Private School Eligibility Requirements

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- In order to participate in the Program, a private school must:
  - Employ or contract with at least one (1) teacher who holds a current, valid standard license in special education issued by the State Board of Education.
    - If, at any point following approval, an eligible private school no longer employs or contracts with at least one (1) teacher who holds such licensure, the private school shall:
      - Notify parents/legal guardians of any students participating in the Program enrolled in the private school within five (5) days; and
      - Notify the State Board of Education or its designee within twenty (20) days.
  - Comply with all state laws and regulations governing private schools; and
  - Adhere to the tenets of the school's published disciplinary procedures before an expulsion of a student participating in the Program.



# Additional Requirements for Private Schools

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- An eligible private school shall administer annually or make provisions for a student participating in the Program to take a nationally recognized, norm-referenced test as established by the State Board of Education.
  - A student whose individualized education program (IEP) provides for an exemption to standardized testing is not required to take such a test.
  - The private school shall annually prepare a portfolio that provides information on a student's progress to the student's parent/legal guardian if a student is exempt from standardized testing.
- An eligible private school shall notify the State Board of Education or its designee if any student participating in the Program ceases to be enrolled in or regularly attend the private school for any reason.
- As a condition of continued participation in the Program, each participating private school shall certify under oath, on a semiannual basis, that any students participating in the Program are and have been enrolled and attending the participating private school except for excused absences.

# Private Schools - Accountability

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- The inability of a private school to meet the requirements under ADE's Rules shall constitute a basis for the ineligibility of the private school to participate in the Succeed Scholarship Program as determined by ADE.
- Any instance of an owner, operator, superintendent, or principal of, or a person who has equivalent decision-making authority over, a private school participating in the Program operating or having operated an educational institution in Arkansas or in another state or jurisdiction in a manner contrary to the health, safety, or welfare of the public shall constitute a basis for the ineligibility of the private school to participate in the Program as determined by ADE.

# Private Schools - Autonomy

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- A private school that participates in the Succeed Scholarship Program is not considered an agent or instrumentality of the State of Arkansas or a school district.
- The curriculum and education plan for a student with a disability attending a private school is not subject to the regulatory authority of the State Board of Education.

# Student Eligibility Requirements

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- In order to be eligible for the Succeed Scholarship Program, a student must:
  - Be currently enrolled in a public school and have attended public school for at least the one (1) full school year immediately prior to the school year for which the scholarship payments would be disbursed; or
  - Provide documentation of waiver of this requirement by resident district.
    - Superintendent of resident school district must sign waiver.
  - If the student is a dependent of an active duty member of any branch of the United States armed forces, the enrollment restriction does not apply.
  - For students currently enrolled in a public school at the time of applying, have a current individualized education program (IEP) in accordance with IDEA.
  - For students not currently enrolled in a public school, had an active IEP in accordance with IDEA at the last public school enrolled.
  - For students in foster care living in a group foster home or facility, the IEP requirement does not apply.
  - Have been accepted for admission into a private school that is eligible to participate in the Succeed Scholarship Program.

# Responsibilities of Parents/Legal Guardians of Participating Students

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- The parent/legal guardian of a student participating in the Program shall:
  - Fully comply with the parental involvement requirements of the private school unless excused by the school for illness or other good cause.
  - Sign waivers that release the State of Arkansas and the student's resident school district from any legal obligation to provide services or education to the student participating in the Program.
    - Waiver forms are available on ADE's website.
  - Notify the State Board of Education or its designee if the student ceases to be enrolled in or regularly attend the private school for any reason.
  - Correspond with ADE annually to inform ADE of intent to maintain enrollment in an eligible private school in order to continue the disbursement of scholarship payments.

# Responsibilities of Parents/Legal Guardians of Participating Students

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- The parent/legal guardian of a student participating in the Program shall:
  - Sign an acknowledgement that, by enrolling a child in a private school, the parent/guardian, acting on behalf of the child, waives the procedural safeguards granted by the IDEA, including notice and discipline procedures, and waives the right to file a state complaint or the right to due process hearings for alleged violations of IDEA.
  - Children placed by a parent/legal guardian in a private school do not have individual rights to receive the special education and related services that the children would receive if enrolled in a public school.

# Responsibilities of Participating Students

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- A student participating in the Program shall:
  - Attend the private school throughout the school year unless excused by the school for illness or other good cause.
  - Fully comply with the code of conduct for the private school.

# Participating Students & Parents/Legal Guardians - Accountability

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- The State Board of Education may terminate a scholarship if the student or the student's parent or legal guardian materially fails to comply with the responsibilities under ADE's Rules.



# Private School-to-Private School Transfers – Generally

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- A student already participating in the Program who wishes to enroll in an eligible private school other than the eligible private school in which the student is currently enrolled may do so by following the full application process, with the following exceptions:
  - Students already participating in the Succeed Scholarship Program need not be currently enrolled in a public school.
  - Parents/legal guardians of students already participating in the Program need not notify the student's resident school district upon submitting a new application.
  - The requirement that the student have an IEP shall be construed as only requiring that the student had an IEP upon the student's initial participation in the Program.
- Approval of an application for a scholarship to attend an eligible private school other than the eligible private school in which the student is currently enrolled is not guaranteed.

# Private School-to-Private School Transfers – Same School Year

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- If the parent/legal guardian of a student participating in the Program who has ceased to be enrolled in or regularly attend the private school wishes to enroll the student in another eligible private school prior to the end of the school year, the parent/guardian shall:
  - Provide proof to ADE that the student has been accepted for admission into another eligible private school; and
  - Request that the State Board of Education approve a reinstatement of the student's scholarship payments.
- No more than one (1) such request may be made within the same school year.

# Funding - Amount

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- The amount of the scholarship shall be the cost of tuition and fees for the private school OR the foundation funding amount for the current school year under Ark. Code Ann. § 6-20-2305, whichever is less.
  - For the 2017-2018 school year, the foundation funding amount is \$6,713 per student.

# Funding - Method

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- Scholarship funds shall be issued in the form of a check made payable to the parent/legal guardian of the student on a monthly basis by ADE or its designee.
  - The parent/legal guardian shall endorse the check for deposit by the participating private school in which the student is enrolled.
  - The private school must verify receipt of the check from the parent/legal guardian on the requisite form.
- The State Board of Education shall not make payments after it is notified that the student is no longer enrolled in or attending a participating private school.
- The State Board of Education shall not make payments to any parent/legal guardian of a student attending a private school that it has determined is ineligible to participate in the program.

# Questions?

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