Rule 3301-103-01 | Definitions.

The following terms are defined as they are used in this chapter of the Administrative Code:

(A) "Administrative or judicial mediations or proceedings" includes, but is not limited to, all pending written complaints, mediations, or due process hearings with respect to the content of the individualized education program (IEP) that an alternative public provider or registered private provider would implement if an autism scholarship is awarded to a child whose parent has applied for a scholarship for his or her child; or is implementing if a child was awarded a scholarship and is participating in the autism scholarship program.

(B) "Alternative public provider" means either of the following providers that agrees to enroll a child in the provider’s special education program to implement the child’s individualized education program and to which the child’s parent owes fees for the services provided to the child:

1. A school district that is not the school district in which the child is entitled to attend school;
2. A public entity other than a school district.

(C) "Approval date" means the date of the Ohio department of education’s written notice to the parent, informing the parent, as defined in paragraph (J) of this rule, that his or her child has been awarded a scholarship under the autism scholarship program based on the parent’s application and documentation that the child is a qualified special education child.

(D) "Autism scholarship program" has the same meaning as the autism scholarship program established in section 3310.41 of the Revised Code.

(E) "Category six special education ADM" means the average daily membership of students receiving special education services for the disabilities specified in division (F) of section 3317.013 of the Revised Code and reported under division (B)(10) or (D)(2)(g) of section 3317.05 of the Revised Code.
(F) "Entitled to attend school" means entitled to attend school in a school district under section 3313.64 or 3313.65 of the Revised Code.

(G) "Formula ADM" means, for a city, local, or exempted village school district, the final number verified by the superintendent of public instruction, based on the number reported pursuant to division (A) of section 3317.03 of the Revised Code, as adjusted, if so ordered, under division (K) of that section.

(H) "Individualized education program (IEP)" means the written statement described in section 3323.011 of the Revised Code. For the purposes of division (A)(7)(b) of section 3310.41 of the Revised Code, the IEP is the most current IEP created by the district of residences IEP team.

(I) "Modify services" means to provide services identified on the IEP at a different frequency or in a different amount than specified on the IEP, as measured by goals and objectives or to provide services other than those identified on the IEP, but associated with educating the child. A parent and provider do not have the ability to independently amend or alter the IEP as written by the school district.

(J) "Parent" has the same meaning as in section 3310.41 of the Revised Code.

(K) "Preschool child with a disability" means a child with a disability who is at least three years of age but is not of compulsory school age, as defined under section 3321.01 of the Revised Code, and who is not currently enrolled in kindergarten.

(L) "Preschool scholarship ADM" means the number of preschool children with disabilities reported under division (B)(3)(h) of section 3317.03 of the Revised Code.

(M) "Qualified special education child" is a child for whom all of the following conditions apply:

1. The school district in which the child is entitled to attend school has identified the child as a child with autism. A child who has been identified as having a pervasive developmental disorder not otherwise specified (PDD-NOS) shall be considered to be a child with autism for purposes of section 3310.41 of the Revised Code. In addition, a child who has received a scholarship under the autism scholarship program based upon the identification of pervasive development disorder-not otherwise specified (PDD-NOS) prior to the 2013/2014 school year shall continue to be eligible for a scholarship despite the changes related to this diagnosis in the "Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (2013)";

2. The school district in which the child is entitled to attend school has developed an individualized education program under Chapter 3323. of the Revised Code for
the child; and (2) The school district of residence, or the school district which the child is entitled to attend under the circumstances set forth in paragraph (A) of rule 3301-103-04 of the Administrative Code, has identified the child as a child with a disability:

(3) The child either:

(a) Was enrolled in the school district in which the child is entitled to attend school in any grade from preschool through twelve in the school year prior to the year in which a scholarship under this chapter is first sought for the child; or

(b) Is eligible to enter school in any grade preschool through twelve in the school district in which the child is entitled to attend school in the school year in which a scholarship under this chapter is first sought for the child.

(N) “Registered private provider” means a nonpublic school or other nonpublic entity or person that has been approved by the Ohio department of education to participate in the autism scholarship program established under section 3310.41 of the Revised Code.

(O) “Comprehensive special education program” means a program offered by a nonpublic school approved by the Ohio Department of Education to participate in the autism scholarship program that includes both the educational and services components.

(P) “Scholarship year” means a year beginning July first and continuing through June thirtieth of the following year.

(P) “School district” means a city, local, or exempted village school district but does not include any community school established under Chapter 3314. of the Revised Code.

(Q) “School district of residence” means:

(1) The school district in which the child’s natural or adoptive parents reside;

(2) If the school district specified in paragraph (Q)(1) of this rule cannot be determined, the last school district in which the child’s natural or adoptive parents are known to have resided if the parents whereabouts are unknown;
(3) If the school district specified in paragraph (QP) (2) of this rule cannot be determined, the school district determined under section 2151.362 of the Revised Code, or if no district has been so determined, the school district as determined by the probate court of the county in which the child resides;

(4) Notwithstanding paragraphs (QP) (1) to (QP) (3) of this rule, if a school district is required by section 3313.65 of the Revised Code to pay tuition for a child, that district shall be the child's school district of residence for the purposes of Chapter 3301-103 of the Administrative Code.

(SR) "Special education program" means a school or facility that provides special education and or related services to children with disabilities.

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Supplemental Information

Authorized By: 3310.41, 3301.07
Amplies: 3310.41
Five Year Review Date: 10/23/2022

Rule 3301-103-02 | Autism scholarship program established.

(A) The purpose of the rules in Chapter 3301-103 of the Administrative Code is to prescribe procedures to implement the autism scholarship program established in section 3310.41 of the Revised Code.

(B) The purpose of the scholarship is to permit the parent of a qualified special education child the choice to send the child to a special education program, instead of the one operated by or for the school district in which the child is entitled to attend school, to receive the services prescribed in the child's IEP once the IEP is finalized. Upon written agreement with the eligible applicant, the provider may modify services provided to the child.
Recipients of a scholarship through the autism scholarship program must be in compliance with the state compulsory attendance law established under Chapter 3321. of the Revised Code.

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June 23, 2017
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Supplemental Information
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Amplifies: 3310.41
Five Year Review Date: 6/23/2022

Rule 3301-103-03 | Procedures and deadlines for parents to apply for scholarship.

(A) Application

The initial application process is used to determine whether a child meets the definition of a qualified special education child. The reapplication process for succeeding years is used primarily to identify continued eligibility and interest in the program.

1. If the parent of a child who meets all of the criteria in paragraphs (B)(1) to (B)(25) of this rule wishes to have the child participate in the autism scholarship program, the parent must complete and submit an annual application for the scholarship, along with all required information, in accordance with rules of the state board of education and guidelines established by the Ohio department of education.

2. As part of the annual application process, the parent shall provide a signed written consent that requires the school district of residence to release the following records to the alternative public provider or the registered private provider who will be implementing the child's individualized education program (IEP):

   (a) The current IEP;
(b) The evaluation team report of the current evaluation;

(c) All progress reports and interim reports from the previous school year;

(d) The previous year’s IEP.

(3) To document the department’s practices regarding eligibility for a scholarship during the current fiscal year, the deadline for receipt of applications for students older than age three is March thirty-first of each year. The deadline for receipt of applications for newly eligible students turning three is May thirty-first of each year.

(4) Applications received after the deadlines stated in paragraph (A)(3) of this rule shall be processed for the next fiscal year, beginning on July first.

(B) Eligibility

Eligibility is determined by the following criteria:

(1) The child is between the ages of three and twenty-one years, inclusive;

(2) The child either was enrolled in the school district in which the child is entitled to attend school (school district of residence) in any grade from preschool through twelve in the school year prior to the year in which a scholarship is first sought for the child or is eligible to enter school in any grade preschool through twelve in the school district in which the child is entitled to attend school (school district of residence) in the school year in which a scholarship is first sought for the child. For the purposes of this paragraph, a child is entitled to attend preschool if he or she satisfies the requirements in paragraph (A)(50) of rule 3301-51-01 of the Administrative Code.

(C) Written notification of approval or disapproval

(1) Once a child has been approved or disapproved to receive a scholarship through the autism scholarship program, the child’s parent shall be notified of the approval or disapproval, in writing, by the Ohio department of education.

(2) Scholarships awarded under the autism scholarship program shall be valid from the date of the Ohio department of education’s written notification of approval to the end of the scholarship year, provided all program requirements have been met.
(3) No scholarship funds shall be expended for services the child received prior to
the parent of the child receiving written notification from the Ohio department of
education that the child has been approved for a scholarship and prior to
placement of the child with an alternative public provider or registered private
provider.

(D) New application after exiting program

A parent of a child who has exited the program and wishes to return must reapply by
submitting a new application in accordance with rules of the state board of education
and guidelines established by the Ohio department of education.

(E) Reporting

The district of residence of a recipient of an autism scholarship shall promptly notify
the department of education when a child in its district has withdrawn from the autism
scholarship program and returned to the district of residence.

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Supplemental Information

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Rule 3301-103-04 | Responsibilities of a school
district of residence.

(A) Evaluation, reevaluation, and individualized education program (IEP)

The school district of residence shall carry out the following activities when a parent of
a child is applying for an autism scholarship for his or her child or when a child has
received a scholarship and is participating in the autism scholarship program:
(1) The district of residence shall conduct an initial evaluation of a child in accordance with rule 3301-51-06 of the Administrative Code if a parent is applying for an autism scholarship for his or her child and the district suspects that the child is a child with a disability unless the child is attending either a chartered or non-chartered nonpublic school. The district where the chartered or non-chartered nonpublic school is located is responsible for the evaluation of these children.

(2) The district of residence shall determine whether the child is a child with a disability as the term ‘child with a disability’ is defined in paragraph (B)(10) of rule 3301-51-01 of the Administrative Code. The child must be a child with one of the disabilities listed and defined in paragraph (B)(10) of rule 3301-51-01 of the Administrative Code or with a developmental delay, as provided in paragraph (B)(10)(c) of rule 3301-51-01 of the Administrative Code. By reason of that disability or developmental delay, the child must need special education and related services, as the term ‘special education’ is defined in paragraph (B)(58) of rule 3301-51-01 of the Administrative Code and as the term ‘related services’ is defined in paragraph (B)(52) of rule 3301-51-01 of the Administrative Code.

(3) If the district of residence determines that the child is a child with a disability under the category of autism in accordance with paragraph (A)(2) of this rule, the child is considered to be a child with autism for purposes of the autism scholarship program.

(4) If the district of residence determines that the child is a child with a disability under another category or is a child with a developmental delay in accordance with paragraph (A)(2) of this rule and the child has been identified as having a pervasive developmental disorder not otherwise specified (PDD-NOS) - the child is considered to be a child with autism for purposes of the autism scholarship program.

(5) If the district of residence determines that the child is a child with a disability, the district of residence shall conduct reevaluations of the child in accordance with rule 3301-51-06 of the Administrative Code unless the child is attending either a chartered or non-chartered nonpublic school. The district where the chartered or non-chartered nonpublic school is located is responsible for the reevaluation of these children.

(6) If the district of residence determines that the child is a child with a disability, the district of residence shall provide the child with an annual IEP that makes a free appropriate public education (FAPE) available to the child.

Comment: This language is a restatement of state and federal law. This language is being removed in accordance with ORC 106.03.
The district is not obligated to provide a child participating in the autism scholarship program with FAPE while a parent of the child is receiving funds from the autism scholarship program.

If, at any time, a parent of a child participating in the autism scholarship program decides to no longer accept funds under the autism scholarship program and the child returns to the district of residence for special education and related services, then the district of residence will be required to provide the child with FAPE.

(B) Filing complaints and due process requests

The parent of a child participating in the autism scholarship program has the right to file with the Ohio department of education a written complaint that alleges that a provider serving his or her child under the autism scholarship program violated a requirement that applies to a provider under section 3310.41 of the Revised Code and the rules adopted by the state board of education under that section of law. The Ohio department of education shall respond to the complaint as determined appropriate by the department.

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Amplifies: 3310.41
Five Year Review Date: 6/23/2022

Rule 3301-103-05 | Program participation.

(A) The parent of a child participating in the autism scholarship program shall assure that the Ohio department of education has at all times current contact information for the parent and child and providers who are implementing the child’s individualized education program and current information about the status of the child’s participation
in the autism scholarship program, including names, current addresses, and telephone numbers.

(1) This information shall include the names and current addresses and telephone numbers for the child and parent and for the providers who are providing a special education program for the child. Email addresses for the parent and providers should be provided where available.

(2) This information shall be provided to the current provider and the Ohio department of education through the system determined by the Ohio department of education.

(B) Parents shall promptly notify the current provider and the Ohio department of education through the system determined by the Ohio department of education in the following circumstances:

1. When moving a participating child from one provider to another during the current school year;

2. When adding a new provider to provide additional services during the current school year;

3. When transferring to a new school district of residence;

4. When withdrawing a participating child from the autism scholarship program;

5. When a participating child becomes no longer eligible to participate in the autism scholarship program.

(C) If a parent withdraws a participating child from the autism scholarship program prior to the end of the current school year, the child’s scholarship terminates as of the date the parent notifies the department. The department shall notify the school district of the parent’s election to terminate the scholarship.

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Supplemental Information

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Amplifies: 3310.41
Rule 3301-103-06 | Application and participation of providers.

(A) No private provider shall receive scholarship payments from parents pursuant to the autism scholarship program until the private provider is registered with the Ohio department of education. The Ohio department of education shall register any private provider that meets the following requirements:

1. A private provider makes application to the Ohio department of education in accordance with rules of the state board of education and guidelines established by the Ohio department of education and that application is approved.

2. The private provider indicates, by signing the provider affidavit, its commitment to follow all requirements for a private provider specified in rules 3301-103-01 to 3301-103-07 of the Administrative Code, including but not limited to, the requirements for accepting qualified special education children pursuant to rule 3301-103-05 of the Administrative Code. The provider affidavit shall also include the assurance that the provider is in compliance with all laws that are applicable.

3. The private provider meets the minimum standards of the applicable professional organization for individual or non-school providers. The private provider holds, and any employees hold, and any volunteers hold, appropriate credentials from the state board of education or appropriate credentials from a national or state board for their specific professions, and these credentials are related to the individualized education program (IEP) services they will be providing. If the private provider contracts with another provider who will be providing special education and related services to children in the autism scholarship program, the contracted provider and any subcontractors and employees or volunteers of both the contracted and subcontracted providers shall also hold appropriate credentials from the Ohio department of education or credentials from a national or state board for their specific professions.

(a) If any of the parties referenced in paragraph (A)(3) of this rule held credentials that are currently revoked by the Ohio department of education,
that party cannot be a registered private provider, even though the party may hold credentials from a national or state board for his or her specific profession.

(b) If any of the parties referenced in paragraph (A)(3) of this rule holds appropriate credentials from a department of education of a state other than the state of Ohio, those credentials will be recognized as appropriate credentials under paragraph (A)(3) of this rule unless that party held credentials that are currently revoked by the Ohio department of education or by the department of education of another state.

(c) In addition to the listed providers of intervention services outlined in division (E) of section 3310.41 of the Revised Code, intervention services under the autism scholarship program may also be provided by an intervention specialist licensed by the state board.

(4) The private provider is physically located within the boundaries of the state of Ohio, and children served by the private provider shall be served within the state of Ohio.

(5) The private provider is in compliance with sections 3319.59, 3319.391, and 3313.392 of the Revised Code regarding background checks as if it were a school district for any staff licensed by the Ohio department of education. For all other staff the private provider has on file, prior to providing any special education and related services to children participating in the autism scholarship program, a current criminal records check from the superintendent of the Ohio bureau of criminal identification and investigation pursuant to rule 109:5-1-01 of the Administrative Code. For purposes of paragraph (A)(5) of this rule, contractor includes any person who is under contract with a private provider and whose work involves routine interaction with a child in the autism scholarship program or regular responsibility for the care, custody, or control of a child in the autism scholarship program. For purposes of paragraph (A)(5) of this rule, volunteer includes any person whose activities involve...
unsupervised access to a child. “Unsupervised access” to a child has the same meaning as in section 109.574 of the Revised Code.

The current criminal records check shall not indicate that any owner, employee, contractor, or volunteer of the private provider has been convicted of or pleaded guilty to a violation of any of the sections of law described in division (B)(1) of section 3319.39 of the Revised Code.

An owner, employee, contractor, or volunteer of a private provider who holds a license consistent with the meaning of license in division (A) of section 3319.31 of the Revised Code shall also meet all applicable requirements for criminal records checks that apply to a holder of that license. An owner, employee, contractor, or volunteer of a private provider who holds a license or certificate under another section of law shall also meet any requirements for criminal records checks that apply to a holder of that license.

As part of the initial application for registration and subsequent annual reapplications for registration, a private provider shall submit to the Ohio department of education an affidavit assuring the department that a current criminal records check, as described above, is on file for all owners, employees, contractors, and volunteers of the private provider and assuring the department that the current criminal records checks do not show that any owner, employee, contractor, or volunteer of the provider has been convicted or pleaded guilty to a violation of any of the sections of law described in division (B)(1) of section 3319.39 of the Revised Code.

(6) Nondiscrimination policies

(a) The affidavit referenced above also shall assure the department that the provider has a written policy addressing the private provider’s practices to ensure that said private provider does not discriminate on the basis of race, color, religion, sex, gender, national origin, disability, or age.

(b) Chartered nonpublic schools are to abide by nondiscrimination policies required as part of the chartering process.

(7) The private provider demonstrates the capacity to provide services under the autism scholarship program. A private provider shall demonstrate its capacity to provide services under the autism scholarship program by meeting the following requirements:
(a) Being in operation for at least one full school year prior to enrolling children participating in the autism scholarship program;

(b) Providing the department of education with documentation that the private provider has adequate liability and property and casualty insurance;

(c) Having no outstanding claims for recovery from the auditor of state;

(d) Providing the parent with a fee schedule and description of the special education and related services that the private provider will be providing as part of the autism scholarship program and making the fee schedule available to the Ohio department of education;

(e) Verifying in a written statement filed with the Ohio department of education that the owner has sufficient capital or credit in order to operate during the upcoming school year to serve the number of children accepted, taking into consideration expected revenues from fees charged and from other sources; and

(f) Filing with the Ohio department of education one of the following:

   (i) a bond in favor of the department for financial loss to the department caused by the provider or one of the providers employees related to the providers participation in the autism scholarship program for an amount equal to one-twelfth of the scholarship funds received for that prior school year or ten thousand dollars, whichever is greater, up to a cap of two hundred fifty thousand dollars. The bond must be maintained in effect for at least one year after the date on which the provider ceases to participate in the autism scholarship program or until resolution of all outstanding claims and the bond shall be continuous. The bond shall, however, include a provision for cancellation, subject to a notice period of thirty days with notice provided to the provider and to the department. Regardless of the amount of claims made against the bond and the number of periods the bond covers, the maximum liability under the bond is the penal sum;

   (ii) a letter of credit for an amount equal to one-twelfth of the scholarship funds received for the prior school year or ten thousand dollars, whichever is greater, up to a cap of two hundred fifty thousand dollars. The letter of credit must be maintained in effect for at least one year after the date on
which the provider ceases to participate in the autism scholarship program or until resolution of all outstanding claims;

(iii) an agreement that authorizes the department to offset any amounts due the department under the autism scholarship program against monies that would otherwise be distributed to that provider in accordance with section 3317.063 of the Revised Code and Chapter 3301-40 of the Administrative Code during the providers participation in the program. The authorization must be maintained in effect for at least one year after the date on which the provider ceases to participate in the autism scholarship program or until resolution of all outstanding claims.

(h)(g) The department may conditionally approve a provider that has not yet satisfied the criteria in paragraphs (A)(7) of this rule and reimburse such a provider for services provided to students receiving services through the autism scholarship program. Within sixty days of the effective date of this rule, a provider conditionally approved in accordance with this paragraph shall file with the department one of the items outlined in paragraph (A)(7)(f) of this rule.

(8) The private provider meets all applicable state and local health and safety codes.

(9) The private provider provides quarterly reports to the parent and to the child’s school district of residence. These reports shall include but not be limited to the following:

(a) The child’s progress toward meeting the annual goals stated on the child’s current IEP, including any modifications, and how the child’s progress is being measured; and

(b) The extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year.

(B) A private provider, who wishes to continue to provide special education and related services to children in the autism scholarship program in the succeeding fiscal year, must submit a completed new application for the succeeding year that includes an affidavit, prescribed by the Ohio department of education, in which the private provider swears or affirms that the private provider continues to meet all requirements for registration. The Ohio department of education must receive all applications and affidavits must be submitted no later than June 30 in order to participate in the program for the next fiscal year. By July first of the current year from private providers...
who wish to participate in the autism scholarship program for the current program year that begins July first.

(C) A registered private provider will participate in an on-site monitoring visit upon the request of the Ohio department of education.

(D) The registered private provider shall make their written policies and practices readily available to all parents in the state of Ohio requesting this information and will do so without charge to the parent.

(E) The Ohio department of education may revoke the registration of a registered private provider if the department of education determines that the registered private provider is in violation of any of the provisions of section 3310.41 of the Revised Code, or rules 3301-103-01 to 3301-103-07 of the Administrative Code, or program guidelines established by the Ohio department of education. Within 10 days of determination, the Department will furnish initial notice of noncompliance to private providers. At the discretion of the department, the department may allow a provider opportunity to complete a corrective action plan to correct issues of non-compliance in lieu of revoking the providers registration. Notice of the department's intent to revoke will be provided in accordance with Chapter 119. of the Revised Code. At the discretion of the department, the department may allow a provider the opportunity to complete a corrective action plan to correct non-compliance in lieu of revoking the providers registration.

(F) If a private providers registration is revoked, the private provider is entitled to and may request a hearing under Chapter 119. of the Revised Code.

(G) All private providers that participate in the scholarship program must be approved and registered by the Ohio department of education. The Ohio department of education will make a list of all registered private providers available to any parent within the state of Ohio.

(H) An alternative public provider for the autism scholarship program may agree to enroll a child in the alternative public providers special education program if the child's parent would owe fees for the services provided to the child by the alternative public provider.

(1) An alternative public provider who agrees to participate in the autism scholarship program shall register with the Ohio department of education and meet all state and federal laws, rules, and regulations applicable to the alternative public provider.
(2) An alternative public provider which is a school district that is not the school district in which the child is entitled to attend school shall meet all requirements that apply to a school district.

(3) An alternative public provider that is a public entity other than a school district shall meet all requirements that apply to that public entity.

(24) The registration requirements that apply to a registered private provider do not apply to an alternative public provider, except an alternative public provider shall provide quarterly progress reports as required by paragraph (A)(9) of this rule and shall submit required invoices. An alternative public provider may claim reimbursement only for the costs of the providers services that implemented the child’s IEP.

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Rule 3301-103-07 | Payment under the autism scholarship program.

(A) Under the autism scholarship program, the Ohio department of education shall provide a scholarship to the parent of each qualified special education child upon approval of an application submitted by that child’s parent pursuant to rule 3301-103-03 of the Administrative Code. Each scholarship provided under the autism scholarship program is to be used for payment to a school district other than the school district in which the child is entitled to attend school or to another eligible public entity, or to a registered private provider who is providing special education and related services as identified on the child’s current individualized education program (IEP). Each scholarship is payable to the parent unless the parent authorizes the checks to be issued directly to the provider.
(B) Each scholarship shall be used only as payment for the child, on whose behalf the scholarship is awarded, to receive special education and related services that implement the child's current IEP and that is operated by a school district other than the school district in which the child is entitled to attend school or by another eligible public entity or by a registered private provider.

(C) Each scholarship shall be in an amount not to exceed the lesser of the fee charged for the child by the special education program or the maximum scholarship amount provided by law.

(D) A child attending a special education program with a scholarship under the autism scholarship program shall continue to be entitled to transportation to and from that program in the manner prescribed by law.

(E) A child who is not a preschool child with a disability for whom a scholarship is awarded under rule 3301-103-03 of the Administrative Code shall be counted in the formula ADM and the category six special education ADM of the district in which the child is entitled to attend school and not in the formula ADM and the category six special education ADM of any other school district. A child who is a preschool child with a disability for whom a scholarship is awarded under rule 3301-103-03 of the Administrative Code shall be counted in the preschool scholarship ADM and category six special education ADM of the school district in which the child is entitled to attend school and not in the preschool scholarship ADM or category six special education ADM of any other school district.

(F) In each fiscal year, the Ohio department of education shall deduct from the amounts paid to each school district under Chapter 3317. of the Revised Code, and, if necessary, sections 321.24 and 323.156 of the Revised Code, the aggregate amount of scholarships awarded under the autism scholarship program for qualified special education children included in the formula ADM, or preschool scholarship ADM, and in the category six special education ADM of the school district in which the child is entitled to attend school. The scholarships deducted shall be considered as an approved special education and related services expense for the purpose of the school districts compliance with division (B) of section 3317.022 of the Revised Code. The department of education will distribute payments under this program in accordance with amounts authorized by the General Assembly.

(G) Payments will be made to the parent of a qualified special education child participating in the autism scholarship program from time to time in accordance with rules of the state board of education.

(1) Invoices for payment for each scholarship shall indicate whether it is for tuition for the child on whose behalf the scholarship is awarded to attend a comprehensive special
education program that implements the child's individualized education program or to pay for itemized services.

(2) The invoice for tuition for a comprehensive special education program offered by a school must identify the primary credentialed employee(s) providing the education component and services of covered by the scholarship to the child.

(3) The invoice for education only or other services must identify each credentialed employee providing the services.

(H) The Ohio department of education, on behalf of the parent of a child receiving a scholarship, who is enrolled in a school district other than the school district in which the child is entitled to attend school, shall make the applicable payments, as required by the autism scholarship program, to the school district where the child is in attendance and receiving special education and/or related services.

(I) The scholarship amount shall be proportionately reduced in the case of any such child who is not attending, participating and receiving special education and related services for which a scholarship was awarded under this section for the entire school year.

(J) The Ohio department of education shall make no payments to the parent of a child while any administrative or judicial mediation or proceedings with respect to the content of the child's IEP are pending.

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