

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 Ohio department of education shall pay a scholarship to the parent of each qualified special education child upon application of the parent pursuant to procedures and deadlines established by the state board of education's rules in Chapter 3301-103 of the Administrative Code.
- (C) Each scholarship shall be used only to pay tuition for the child on whose behalf the scholarship is awarded to attend a special education program that implements the child's individualized education program (IEP) and that is operated by an alternative public provider or by a registered private provider.
- (D) 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.
- (E) The following prohibitions and provisions apply to the program:
- (1) A scholarship shall not be awarded to the parent of a child while the child's IEP is being developed by the school district in which the child is entitled to attend school or while any administrative or judicial mediation or proceedings with respect to the content of the child's IEP that is being implemented or would be implemented under the autism scholarship program are pending.
- (2) A scholarship under this section shall not be used:
- (a) For a child to attend a public special education program that operates under a contract, compact, or other bilateral agreement between the school district in which the child is entitled to attend school and another school district or other public provider; or
- (b) For a child to attend a community school established under Chapter 3314. of the Revised Code.
- (3) Nothing in section 3310.41 of the Revised Code or in the rules of Chapter 3301-103 of the Administrative Code or any other rules adopted by the state board of education shall prohibit a parent whose child attends a public special education program under a contract, compact, or other bilateral agreement, or a parent whose child attends a community school, from applying for and accepting a scholarship under section 3310.41 of the Revised Code or under the rules of Chapter 3301-103 of the Administrative Code so that the parent may withdraw the child from that program or community school and use the scholarship for the child to attend a special education program for which the

parent is required to pay for services for the child.

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Certification

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Date

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