

3301-103-03

Application for Program Participation.

(A) The first year application process is used to determine those children who meet the definition of a "qualified special education child". The re-enrollment process for the second year of the program is used primarily to identify continued eligibility and interest in the program.

(B) First year participation is determined by the following criteria:

(1) The child has been identified as a child with a disability, by the school district of residence's evaluation team, under the category of autism as specified in the Individuals with Disabilities Education Act (IDEA);

(2) The preschool-age child's evaluation to determine if the child qualifies as a child with a disability under the category of autism, as specified in IDEA, shall include the following documentation:

(a) A diagnosis of autism by a physician or psychologist using criteria outlined in the most recent edition of the Diagnostic and Statistical Manual (DSM); and

(b) Deficits in communication and adaptive behavior; and

(c) At least three observations of the child that document behavior consistent with autism conducted by a person knowledgeable and experienced with autism, but who is not a member of the child's family.

(3) The child has a current individualized education program (IEP), created by the district of residence's IEP team, which would be implemented 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;

(4) The child's current IEP is finalized and all parties, including the parent, are in agreement with the IEP. There are no administrative or judicial mediations or proceedings pending with respect to the content of the child's IEP;

(5) The child is three through 21 years of age;

(6) The child is enrolled in the 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 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 in the school year in which a scholarship is first sought;

(7) The child is not currently attending a special education program that is the result of a contract, compact, or other bilateral agreement between the school district of residence and another school district or other public provider; and

- (8) The child is not enrolled in nor attending a community school established under Chapter 3314 of the Revised Code.
- (C) For the parent of a child who meets all of the criteria in (B)(1) to (8) and who wishes to have his/her child participate in the autism scholarship program, an application for the program must be completed and submitted, by the parent, in accordance with guidelines established by the Ohio Department of Education, Office for Exceptional Children.
- (D) As part of the application process the parent will sign written consent that requires the school district of residence to release the following records to the other school district, the eligible public entity or the registered private provider who will be implementing the child's IEP:
- (1) The previous year's IEP;
 - (2) The current multifactored evaluation;
 - (3) All progress reports and interim reports from the previous school year;
 - (4) The current IEP.
- (E) Once a child has been approved to receive a scholarship through the autism scholarship program, the child's parent will be notified, in writing, by the department of education. A copy of this notification will be sent to the superintendent of the child's district of residence.
- (F) Scholarships awarded under the autism scholarship program during the 2004 fiscal year are valid from the department of education's written approval notification date to the ending effective date on the IEP that was current when the scholarship was approved, or June 30, 2004, whichever is earlier. Scholarships awarded under the autism scholarship program during the 2005 fiscal year are valid from the department of education's written approval notification date to the ending effective date on the IEP that was current when the scholarship was approved, or June 30, 2005, whichever is earlier.
- (G) Parents of children are only scholarship recipients when the parent has received written notice that the child has been approved for a scholarship from the department of education and when all confirmation efforts have been performed, including receipt of all information on the applications or affidavits.
- (H) A child attending a special education program with a scholarship shall continue to be entitled to transportation to and from that program in the manner prescribed by law.
- (I) Parents of children who have exited the program and who wish to return must reapply by submitting an application in accordance with guidelines established by the

department of education.

(J) Provided the child remains a qualified special education child, parents of children who were enrolled in the autism scholarship program during the 2004 fiscal year are not required to submit a second application for participation in the 2005 fiscal year. Parents of children who were eligible in the 2004 fiscal year and who participated in the autism scholarship program must complete and submit an affidavit in accordance with guidelines established by the department of education to participate in the 2005 fiscal year.

(K) No scholarship funds will be expended for services the child received prior to the parent of the child receiving written notification from the department of education that the child has been approved for a scholarship.

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: Section 41.33 of Am. Sub.
H.B. 95
Rule Amplifies: Section 41.33 of Am. Sub.
H.B. 95