

3301-103-06

**Payment under the Autism Scholarship Program.**

- (A) Under the autism scholarship program, the 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. Each scholarship 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/or related services as identified on the child's current IEP. Each scholarship is payable to the parent. The parent and the provider must endorse each check issued under this program.
- (B) Each scholarship shall be used only as payment for the child, on whose behalf the scholarship is awarded, to receive special education and/or related services that implements 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 up to fifteen thousand dollars per school year.
- (D) A child attending a special education program with a scholarship, under this section, shall continue to be entitled to transportation to and from that program in the manner prescribed by law.
- (E) A child for whom a scholarship is awarded under rule 3301-103-03 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.
- (F) In each fiscal year, the 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 this section for qualified special education children included in the formula ADM and 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 district's compliance with division (C)(5) of section 3317.022 of the Revised Code.
- (G) Payments will be made to the parents of a qualified special education child participating in the autism scholarship program from time to time in accordance with guidelines established by the department of education.
- (H) The department of education, on behalf of the parents 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 this 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/or related services for which a scholarship was awarded under this section, for the entire school year.

(J) The 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 individualized education program are pending.

Effective: 01/08/2004

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CERTIFIED ELECTRONICALLY

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Certification

12/29/2003

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Date

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H.B. 95  
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H.B. 95