

## TO BE RESCINDED

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 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 district's compliance with division (B) of section 3317.022 of the Revised Code.

- (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. 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 special education program that implements the child's individualized education program or to pay for itemized services. The invoice for tuition must identify the primary credentialed employee providing the education component of the scholarship to the child. The invoice for 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.

Effective:

Five Year Review (FYR) Dates: 3/31/2023

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 3301.07, 3310.41  
Rule Amplifies: 3310.41  
Prior Effective Dates: 01/08/2004, 07/01/2009, 06/23/2017