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# **Jon Peterson Special Needs Scholarship Program (JPSNSP)**

Created February 2012

# Creation of the JPSNSP



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# JPSNSP

- In the beginning.....the Autism Scholarship Program (ASP)
- Multiple attempts to pass legislation
- Included as part of Am. Sub. HB 153 (biennial budget bill, July 2011)
- Creates a scholarship program eligible to any child having a documented disability ages 5 through 21 (K-12).

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# JPSNSP

- Proposed rules passed the State Board of Education in January 2012
- Final rules were filed and passed JCARR, Legislative Service Commission, and Secretary of State in January 2012
- OAC 3301-101-01 through 3301-101-13

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# JPSNSP

- The purpose of the scholarship is to permit a qualified special education child the option to attend 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**.

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# JPSNSP

- The purpose of the scholarship is to permit the parent or other eligible applicant the choice to send the child to a special education program, other than the one operated by the school district the child is eligible to attend, to receives services prescribed in the IEP and additional services not included on the IEP, but are associated with educating the child, upon written agreement between the parent and the provider.

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# Types of Providers

- Alternative public provider
  - A school district that is not the school district in which the child is entitled to attend or the child’s DOR, if different; or
  - A public entity other than a school district .
  - Still needs to be “registered” with ODE

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# Types of Providers

- Registered public provider
  - A nonpublic school or other nonpublic entity that has been registered by the superintendent of public instruction under section 3310.58 of the Revised Code



# Scholarship Prohibitions



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# Prohibitions

- Note – first time scholarships will not be awarded if there are outstanding procedural issues pending regarding the child's IEP
  - This provision is not applicable with subsequent IEPs.

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# Prohibitions

- The scholarship shall not be used for a child to attend a public special education program that operates under a contract, compact, or other bilateral agreement between the school district of residence and another school district or other public provider.
- The scholarship **shall not** be used for a child to attend a **community school** established under Chapter 3314. of the Revised Code.

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# Prohibitions

- Nothing in this rule 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 this rule 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 operated by an alternative public program or registered private provider.

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# Prohibitions

- Applicants cannot accept a JPSNS, if they have accepted a scholarship under the EdChoice program, Autism Scholarship Program or the pilot project scholarship program.

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# Also.....

- In order to maintain their JPSNS, students must take all prescribed state test or alternate assessments for their grade level.

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# Requirements

- Applicants must be enrolled in K-12 in the year prior to when the scholarship is first sought; or
- Applicant is eligible to enter K-12 in the year the scholarship is being sought; and
- Student must not have truancy issues.

# Be Aware....

- The scholarship shall be used only for all or part of the fees or tuition to attend a program to implement the child's IEP.
- **The provider and the parent may agree to modify services, changes in frequency and duration, of items on the IEP - in writing. This is not a modified IEP.**



# The Application

- All aspects of the application will be electronic



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# Application Deadlines

- April 15<sup>th</sup> is the deadline for scholarships for educational terms beginning between July 1 and December 31; and

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# Application Deadlines

- Scholarships will be awarded for the entire year to April 15 applicants. The second application period will be used to award scholarships to newly applying students, assuming scholarships are still available

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# Application Deadlines

- November 15th for educational terms beginning between January 1st and June 30<sup>th</sup>.

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# Other Application Requirements

- Information about the provider or private school providing the education services, if this provider is different from the provider the special education services.

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# Application Information Required

- Information as defined by ODE
- Attestation of the information provided to ODE
- That the applicant has received the comparison document (detailing the difference between accepting a scholarship and staying in the public school)

# Public District



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# Responsibilities of School

- If the child is determined to be a child with a disability, the district must complete the IEP within the guidelines established by operating standards.
- If the child is not enrolled in the public school, the district has 30 days to complete the child's IEP.
- Once a family elects to receive a scholarship, the district of residence is no longer responsible for providing that child with a FAPE. Providers must be registered with the Ohio Department of Education, which must approve their educational program.

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# Responsibilities of the School

- If the district of residence determines that the child is a child with a disability, the district of residence (DOR) **shall conduct reevaluations** of the child.
  - **unless the child is attending either a chartered or non-chartered nonpublic school, then the district where the school is located is responsible for the reevaluation.**
- The district of residence shall annually update the IEP of each child participating in the scholarship program.

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# Responsibilities of the School

- Time frames for MFE and IEP's, as detailed in Operating Standards, remain in effect.
- The district is not obligated to provide a child participating in the scholarship program with FAPE.
- If a child participating in the scholarship program returns to the DOR, then the DOR will be required to provide the child with FAPE.

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# Responsibilities of School

- The DOR shall annually update the child's IEP if he/she remains in the JPSNSP.

# JPSNSP and Private Schools



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# JPSNSP and Private Schools

- If a student is currently enrolled in a private school, the district where the private school is located, is responsible for completing an evaluation of the student.

# Awarding Scholarships



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# Awarding Scholarships

- Based on 5% of most recent child count; approximately 11,800 scholarships
- If demand exceeds the scholarships available, priority will be given to returning students and a lottery process will be used.
- Maximum Scholarship Amounts
  - (which are further limited to the tuition charged by the provider)

# Scholarship Amount



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# Payment of Scholarship

- The amount of the scholarship is the lessor of the fees, or tuition, charged by the provider OR the maximum scholarship amount awarded pursuant to the rule.
- The scholarship amount will be reduced proportionately for those students who don't attend, participate, for the entire school year

# Special Education Category and Scholarship Funding per Student

Category 1 – Speech	Category 2 – SLD, CD or OHI- Minor Disability	Category 3 – HI or VI or SBH	Category 4 – OHI - Major or Ortho	Category 5 – MH	Category 6 – Autism, TBI or Deaf- Blind
<b>\$7,196</b>	<b>\$7,608</b>	<b>\$14,832</b>	<b>\$17,902</b>	<b>\$20,000</b>	<b>\$20,000</b>

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# Payment of Scholarship

- Warrants issued by the Auditor of State will be made payable to the both eligible applicable applicant and the approved provider.
- Warrants will be mailed to the address provided by the provider.

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# Scholarship Payment

- If the parent is using multiple providers, it is up to the parent will distribute the funds.
- Multiple warrants will not be processed.

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# Overpayments

- In cases of overpayment to a provider on behalf of a student, the Department will notify the provider and the provider **WILL** reimburse the Department.
- In the event the provider charges for services not rendered, that portion of the scholarship shall be revoked and the provider **WILL** reimburse the Department.

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# Eligibility Termination and Transfer



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# Termination of Eligibility

- The scholarship recipient is withdrawn from, or is expelled from, the provider in which the student is enrolled, payment is prorated for the time the student was enrolled or for the amount of services actually provided
- Funded enrollment ends the last date of student enrollment, or the students effective date, whichever is earlier.

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# Termination of Eligibility

- If it is determined that the application made for the program contained false information that, had it been correct, would have caused the scholarship recipient to be ineligible for the program



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# Transfer of Scholarship



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# Transfer of Scholarship

- JPSNS may be transferred to another registered provider or alternative public provider.
- The applicant and the provider accepting the transferred student shall notify the department in the manner prescribed by the department.

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# Transfer of Scholarship

- The applicant may designate in writing that the provider enrolling the student notify the department on behalf of the applicant.
- Scholarships are not transferable to any other student.

# Providers



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# Participation by Providers

- Providers must be registered with the Department, which must approve their educational programs.
- Providers must prepare profiles of their special education programs, in a form to be prescribed by the Department, for the purpose of providing information to scholarship applicants.

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# Providers

- Meet applicable health and safety standards established by law
- Provide a record of the implementation of the IEP to the DOR
- Must submit its tuition or fee structure

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# Providers

- Providers must administer the state assessments to scholarship children,
- Must agree to conduct background checks,
- Must have services provided by appropriately licensed staff,
- Must not discriminate based on race, gender or national origin, and
- Must report the child's progress to the school district of residence.

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# Providers

- The provider shall make its facilities and the records pertinent available at any time during regular business hours for announced or unannounced visits by ODE.
- Student attendance recordkeeping procedures, including processes for documentation of excused absences.

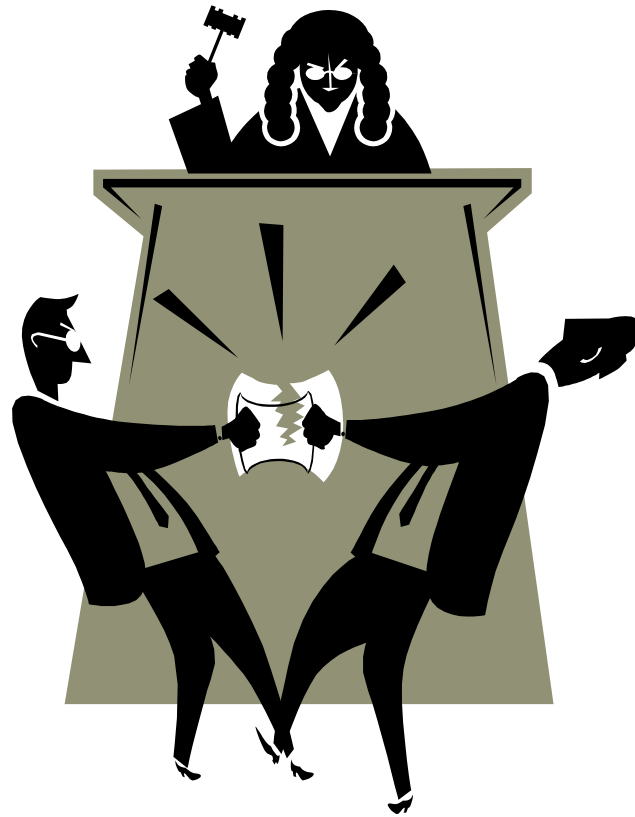


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# Entities Designated to File Applications

- Registered providers and alternative public providers may be authorized to file applications on behalf of applicants if so designated in writing by the applicant. In no case shall any financial charge be made to the applicant for application assistance.

# Disputes



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# Dispute Resolution

- A dispute arises regarding whether a student is a child with a disability or any other aspect of the operation of the program, the issue shall be resolved through the departments dispute resolution procedures.
- A complaint shall be submitted in writing, attached to the complaint any documentation supporting the complaint.

# Program Administration



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# Program Administration

- Primary processing will be under the guise of the Office of Quality School Choice & Funding - Nonpublic Educational Options.
  - Sue Cosmo and Lisa Huckins
- OEC will continue to provide support to Lisa and Sue, LEAs and parents wherever we can (Including ASP)

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# Program Administration

- No GRF funds provided for administration of this program or the ASP.
- ODE will.....
  - Assist potential applications with questions and in completing the application;
  - Operate the application lottery; and
  - Determine guardianship issues.

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# Program Administration

- Improving efficiencies, conducting customer satisfaction surveys;
- Reissuing damaged or lost warrants.