



## Ohio Administrative Code Rule 3301-101-08 Termination of eligibility.

Effective: March 28, 2019

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(A) Eligibility to continue to receive a scholarship in the school year in which it is being received shall be terminated if any of the following occur:

(1) The department determines that the application made for the program contained false information that, had such information been correct, would have caused the scholarship recipient to be ineligible for the program; or

(2) The scholarship recipient is withdrawn from, or is expelled from, the entity that is providing the child with an educational program that complies with the minimum standards of the Ohio state board of education as prescribed in Chapter 3301-34 or 3301-35 of the Administrative Code, and fails within thirty calendar days to enroll with another entity to provide an educational program to the child that complies with those standards.

(3) If the child is not receiving any of the special education and related services identified on the IEP or approved modifications to the services on the IEP.

(B) Eligibility to receive scholarships in subsequent school years and to submit an application for continuing eligibility pursuant to paragraph (C) of rule 3301-101-04 of the Administrative Code shall cease if the scholarship recipient fails to comply with the provisions of rule 3301-101-04 of the Administrative Code as determined by the department.

(C) Eligibility to receive scholarships in subsequent school years shall not be terminated because a student failed to take a state test or alternate assessment prescribed for the students grade level if the department determines that the provider failed to meet its obligation to administer the test.

(D) If the department intends to terminate eligibility for the reasons set forth in paragraphs (A)(1) to (A)(3) and (B) of this rule, it shall notify the applicant and the provider in writing of its determination to terminate eligibility. Such notification shall include the effective date of the



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termination.