Ohio Administrative Code

Rule 3301-101-08 Termination of eligibility.

Effective: June 27, 2024

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

(1) The department of education and workforce 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(2) The scholarship recipient is withdrawn from, or is expelled from, the entity that is providing the child with an educational program that complies with the minimum standards of the department as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 will 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 will not be terminated because a student failed to take a state test or alternate assessment prescribed for the student's 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 will notify the applicant and the provider in writing of its determination to terminate eligibility. Such notification will include the effective date of the termination.