



# **JON PETERSON SPECIAL NEEDS SCHOLARSHIP**

*Feb. 2, 2012*

## **Overview for Catholic School Administrators**

### **INTRODUCTION**

**Statutory purpose of the program** – The Jon Peterson Special Needs Scholarship Program (JPSNSP) is intended to permit the parent or legal guardian of a qualified special education child the choice to send the child to a special education program, which can be housed at a school, or through a private entity (e.g., Columbus Nationwide Children’s Hospital), or through multiple special education providers and sites.

The parents/legal guardians are responsible for ensuring that their scholarship child receives the special education services necessary for him or her to be educated.

The JPSNSP provides opportunities for students based on their needs, regardless whether they have attended a public or nonpublic school. For students to receive a Jon Peterson Scholarship, they must be identified having one of the below-stated documented disabilities. Then, an Individual Education Plan (IEP) is to be completed by the public school district of residence.

Following are the maximum amounts of the scholarship per the special needs categories:

<b>Special Ed category</b>	<b>Scholarship funding</b>
<b>Speech</b>	\$7,275
<b>Learning disability</b>	\$7,687
<b>Hearing/vision impairment</b>	\$14,911
<b>Major health impairments</b>	\$17,981
<b>Multi-handicapped</b>	\$20,000
<b>Autism, traumatic brain injury</b>	\$20,000

The amount of the scholarship shall be either the school/provider’s net tuition and fees, or the maximum amount of the scholarship per the disability category (please see above), whichever is less. Net fees or tuition are specified by the school/provider, minus all other financial aid, discounts and adjustments received for the student. In cases where discounts are offered for multiple students from the same family, and not all students in the same family are scholarship recipients, the scholarship amount shall be the lowest tuition to which the family is entitled.



**Catholic Conference of Ohio**  
9 E Long St. Columbus Ohio 43215 / 614-224-7147  
[www.ohiocathconf.org](http://www.ohiocathconf.org)  
Contact Larry Keough: [lkeough@ohiocathconf.org](mailto:lkeough@ohiocathconf.org)

## DEFINING TUITION & FEES

**Note** – Parents of students who receive a JPSNSP have options for utilizing the scholarship:

- They may contract with a single provider or with multiple providers to deliver a special education program for their children. If they choose multiple providers, they are responsible for allocating scholarship funds among the providers;
- They may choose for the Catholic school to serve as the single provider; the Catholic school then contracts with other providers (if/as necessary) to deliver special education services on behalf of the scholarship student;
- They may choose for the Catholic school to serve as the site for the student to receive general education, and then obtain special education services for the child off-campus.

The scholarship amount shall be applied only to the tuition and fees of the school/provider. Parents/legal guardians and schools/providers are to agree on which special education services within the IEP will be provided to the child and the cost for said services. Parents and schools may agree for the parents to pay tuition and fees for general education and allow most of the scholarship amount to be utilized for special education services. Schools/providers are not required to implement the full IEP on behalf of the scholarship student. At least one special education service within the IEP must be provided to the scholarship student for the scholarship to remain in effect. Parents/legal guardians are to pay tuition and fees that exceed the amount of the scholarships. Once, the special education services from the scholarship have been utilized to educate the scholarship student, Auxiliary Services can be used to extend hours of special education services, or provide additional services that the school/provider and parents agree would be beneficial for the scholarship student.

## PREPARING TO PARTICIPATE IN THE JPSNSP SUGGESTED STEPS

- For all students who have a documented disability, and whose parents/legal guardians are applying for a JPSNSP: submit a written request for their Individual Service Plans, Academic Support Plans, or other documented plans to be converted to an IEP by their public school district of residence.

**Note** -- Districts may delay this process until the administrative rules are ratified. The rules are expected to be approved in final form by early February. Districts may agree to begin the process of converting documented plans to IEPs to avoid a potential back log.

- Assess the special education resources within the school to determine which category of disabilities the school is equipped to address effectively;
- Assess the effectiveness of any providers who have delivered special education services to



**Catholic Conference of Ohio**  
9 E Long St. Columbus Ohio 43215 / 614-224-7147  
[www.ohiocathconf.org](http://www.ohiocathconf.org)  
Contact Larry Keough: [lkeough@ohiocathconf.org](mailto:lkeough@ohiocathconf.org)

students with disabilities in the Catholic school. Auxiliary Services personnel can't be utilized as the school's credentialed staff necessary to implement the Jon Peterson Program.

- However, school-district personnel who also serve as private-sector providers can be retained in that capacity, provided that their employment as school district personnel does not overlap with their work as private-sector providers.
- Determine the services that regional providers can deliver for Jon Peterson scholarship students and project the cost over the course of the school year for the services;

### **CATHOLIC SCHOOLS MAY SERVE IN ONE OF THREE ROLES WITHIN THE JPSNSP**

A Catholic school may serve in one of three roles when educating students on Jon Peterson Scholarships. First, the Catholic school provides general education to the scholarship student and serves as the site for providers to deliver special education services to the student. Secondly, the school is the site for the scholarship student to receive general education, but the student receives special education services off campus from one or more providers. In both roles, the Catholic school is neither registered as a provider in the Jon Peterson Scholarship Program, nor does it provide a special education program for the scholarship student. Thirdly, the Catholic school is a registered provider in the Jon Peterson Scholarship Program and offers a special education program to the student. If the Catholic school is to be a provider, the following requirements apply:

- That it will register with the ODE in accordance with the procedures established by the ODE;
- That it will not discriminate on the basis of race, color, or national origin, regardless whether the school/provider receives federal funding;
- That it will comply with applicable sections of the Ohio Revised Code – 3319.39, 3319.391 and 3310.392 – regarding background checks;
- That teaching and nonteaching professionals it employs will hold credentials that are appropriate for the scholarship student, as determined by the ODE;
- That employees (including any subcontractors and subcontractor's employees) will hold appropriate credentials from the Ohio board of education or from a national or state board for their specific professions, and these credentials shall be applicable to the special education or related services that the provider or employee will be providing;

**Note** – If the school uses volunteers to assist in providing special education and related services for a scholarship student, the volunteers shall be directly supervised by a person meeting the applicable credentials for the services provided. The school is not required to have an intervention specialist on staff for scholarship students.



**Catholic Conference of Ohio**  
9 E Long St. Columbus Ohio 43215 / 614-224-7147  
[www.ohiocathconf.org](http://www.ohiocathconf.org)  
Contact Larry Keough: [lkeough@ohiocathconf.org](mailto:lkeough@ohiocathconf.org)

- That it will obtain approval of its special education program by the ODE;
- That it will meet all applicable health and safety standards established by law;
- That it will provide a record of the implementation of the IEP and a record of the student's progress to the school district, which completed the IEP;
- That it will retain documentation regarding scholarship students as required by the ODE;
- That it will notify an eligible applicant in writing of its reasons for declining to enroll the child receiving a scholarship;
- That it will demonstrate fiscal soundness by providing the ODE with a written statement confirming that it has adequate liability, property and casualty insurance;
- That it will ensure there are no outstanding claims for recovery from the auditor of state;
- That it annually communicate to the ODE its tuition, or fee structure, including all discounts and other adjustments offered or available;
- That it will prepare a profile of its special education program that contains the methods of instruction that will be utilized to provide services to scholarship students and the qualification of teachers, instructors and all other employees or subcontractors who will provide services to scholarship students;
- That it will provide a profile (please see directly above) to parents/legal guardians who children are eligible for a Jon Peterson Scholarship;
- That it will administer tests or alternative assessments to students receiving scholarships and enrolled in grade levels for which tests are regularly administered in accordance with 3301.0710 and 3301.0712 of the Revised Code.
- That it will make its facilities and records available for announced or unannounced visits by the ODE to ensure that it is complying with the implementation of the Program;
- That it will establish sufficient student attendance record/keeping procedures, including processes for documentation or excused absences;
- That it will establish reliable systems to ensure confidentiality of student records;
- That it will refund to the state any amounts overpaid on behalf of a student due to ineligibility, disenrollment, expulsion, data error, or for any other reason;
- That it will dis-enroll any scholarship student once a determination is made that the student will no longer attend school.
- That it will allow the ODE to monitor compliance with the provisions of this rule and of other laws and rules as they apply to chartered nonpublic schools and shall provide at the request of the ODE such information and copies of records as necessary to ensure compliance, including:
  - information and records pertaining to school staff and volunteers;
  - information and records related to school policies and procedures, including, but not limited to the parent or student handbook, admission policies, and withdrawal and transfer policies.
  - information and records related to building, vehicle and operational safety including, but not limited to fire inspection reports, food services and vehicle inspection reports.



**Catholic Conference of Ohio**  
 9 E Long St. Columbus Ohio 43215 / 614-224-7147  
[www.ohiocathconf.org](http://www.ohiocathconf.org)  
 Contact Larry Keough: [lkeough@ohiocathconf.org](mailto:lkeough@ohiocathconf.org)

## **SUGGESTIONS FOR MEETING WITH PARENTS REGARDING JPSNSP**

Before meeting with the parents/legal guardians of a JPSNS recipient who is enrolling as a new student in the Catholic school, the administrator is encouraged to ask parents for the following:

--Child's IEP and/or other pertinent information such as prior evaluations and 504 Plans, the letter from the ODE indicating the child has been awarded a scholarship, and the acceptance form that the child's parents/legal guardians have accepted the scholarship on behalf of their child.

Before meeting with the parent/legal guardian of a current student or a new student who plans to use a JPSNSP, the administrator should review the IEP to determine which services the school can reasonably provide to the student. It is essential that the parents and administrator agree as to which services will be provided and the cost of delivering such services.

**Note** – Representatives of each diocese are assisting to draft an agreement of understanding which parents of scholarship recipients and school administrators would sign to indicate the services requested and the services the school is offering to provide.

## **APPLICATION PROCESS**

Applications for program participation shall be made on forms or through electronic means as prescribed by the ODE.

The application deadline is April 15 for a student to receive a scholarship for the July 1 to Dec. 31 academic term. The application deadline is Nov. 15 to receive a scholarship for the Jan. 1 to June 30 academic term. If applicants are awarded scholarships, they do not need to reapply during the second application period in order for their scholarship to continue for the second term of the academic year.

Students will not be awarded scholarships until the public school district of residence, or the district where the private school is located, has completed an IEP for the student. Students can begin their academic terms on a scholarship even if the IEPs are completed following the April 15 and Nov. 15 deadlines, but IEPs would need to be completed prior to the respective academic terms.

Children who are parentally placed in Catholic schools and have a documented Individual Support Plan, or Academic Support Plan, or other documented plan, must have these plans converted to an IEP. In completing the child's IEP, the public school district of residence may initiate an evaluation to determine whether the child is in need of special education services, or it may utilize evaluations and re-evaluations from the district where the child is attending school to make said determination. However, the school district in which the private school is located may develop the IEP if the public school district of residence has delegated these responsibilities to the other school district, or failed to respond to an invitation from the district where the private school is located to participate in the IEP process.



**Catholic Conference of Ohio**  
9 E Long St. Columbus Ohio 43215 / 614-224-7147  
[www.ohiocathconf.org](http://www.ohiocathconf.org)  
Contact Larry Keough: [lkeough@ohiocathconf.org](mailto:lkeough@ohiocathconf.org)

The district where the private school is located is responsible for all re-evaluations.

If the public school district of residence agrees to complete the IEP, the child's parents/legal guardians may invite personnel from the district where the private school is located, which is required under the Individual Disabilities Education Act to conduct Child Find, identify, evaluate and complete Individual Services Plans for select special needs children in Catholic and other nonpublic schools. Parents may also invite Catholic school administrators to IEP meetings conducted by the public school district of residence or the district where the Catholic school is located.

In instances in which a student has attended a public school in the prior year, the scholarship is awarded and then the parents/legal guardians enroll the child into a registered provider.

**Note** -- Provided that the school adheres to anti-discriminatory language of the Code of Federal Regulations (2000d), a Catholic school that registers as a private provider may refuse to educate a student who is awarded a scholarship if the parents/legal guardians of the scholarship student are demanding a special education program that is inconsistent with what the school offers.

Parents/legal guardians whose children are currently receiving one of three state-sponsored scholarships (Ed Choice, Cleveland Scholarship & Autism Scholarship) may apply for a Jon Peterson Scholarship on their children's behalf. Application for a Jon Peterson Scholarship does not disqualify a student from continuing to receive a scholarship from another program. However, if the student is awarded a Jon Peterson Scholarship, then the child's parents/legal guardian must direct the award letter and acceptance form for the program that is selected for the child. Once this has occurred, the ODE documents that the child is only receiving one scholarship.

The JPSNSP is capped at 5 percent (11,550) of the total number of children in the state of Ohio with IEPs. It is expected that unlike other school-choice programs in which student participation is incremental, the number of students who apply for a Jon Peterson Scholarship for the 2012-2013 school year may be near or at the 11,550 cap. Students will be awarded scholarships in the order in which they have completed the eligibility criteria. If the number of valid applications received by the application deadline exceeds the cap, no additional applications shall be accepted. In subsequent years, priority will be provided to students who have the most years participating in the program. Any student who has not been awarded a scholarship shall be placed on a waiting list maintained by the ODE according to the order of a Lottery.

There is a possibility that the JPSNSP capacity may be reduced for the 2013-2014 school year. The current program cap may be lowered as public school students with full IEPs transition to private schools on Peterson scholarship without the benefit of FAPE, full due process and procedural safeguards. If 11,550 JPSN scholarships are awarded in 2012-2013 and then the cap is reduced for 2013-2014, scholarship recipients will be placed in a lottery.



**Catholic Conference of Ohio**  
9 E Long St. Columbus Ohio 43215 / 614-224-7147  
[www.ohiocathconf.org](http://www.ohiocathconf.org)  
Contact Larry Keough: [lkeough@ohiocathconf.org](mailto:lkeough@ohiocathconf.org)

## DEFINITIONS:

Modify services – means to provide services identified on the IEP at a different frequency or in a different amount than specified on the IEP;

Registered private provider means a nonpublic school or other nonpublic entity that has been registered by the superintendent of public instruction;

Special education program means a school or facility that provides special education and related services to children with disabilities.

**Note** – This summary primarily is intended to assist Catholic school administrators who are preparing to register their schools in the Jon Peterson Special Needs Scholarship Program. Information also is available for administrators in a Conference Q&A document. Additional information can be available by contacting the Conference at [lkeough@ohiocathconf.org](mailto:lkeough@ohiocathconf.org), or the ODE's Center for School Options and Finance, 614/728-2776.

02/02/12



*The Ohio Advocates for Catholic Schools is a network to maximize advocacy efforts on behalf of Catholic schools, their students and teachers. OACS is intended to create strong grass roots support within Catholic-school communities. OACS will complement the Catholic Conference of Ohio's lobbying efforts in education to promote funding and services for our schools.*



**Catholic Conference of Ohio**  
9 E Long St. Columbus Ohio 43215 / 614-224-7147  
[www.ohiocathconf.org](http://www.ohiocathconf.org)  
Contact Larry Keough: [lkeough@ohiocathconf.org](mailto:lkeough@ohiocathconf.org)