

## **210:15-13-7. Lindsey Nicole Henry Scholarship for Students with Disabilities Program**

(a) **Scholarship Requests.** ~~When a parent of an eligible student requests a scholarship, they must notify the district of residence. The district of residence is defined as the legal district of residence, unless the child is a child with an IEP who has been on a transfer of any kind for three consecutive years, in which case the district is then defined as the receiving district, as required by 70 O.S. 13-103(d). If a child is on a transfer of any kind, that does not meet the three-year rule, and accepts the scholarship, the transfer is effectively terminated. The parent or legal guardian of an eligible student with disabilities who has been admitted to an approved private school may request a Lindsey Nicole Henry Scholarship from the Oklahoma State Department of Education.~~

(1) A complete Lindsey Nicole Henry Scholarship for Students with Disabilities Application and all required documentation must be submitted by mail or fax to the State Department of Education by December 1 of the year that the scholarship is being requested for. Scholarship requests received after December 1 shall be eligible for consideration, but funding for scholarship requests received after December 1 shall not be available until the beginning of the following school year.

(2) Upon receipt of a Lindsey Nicole Henry Scholarship request, the State Department of Education shall notify the school district of residence.

(3) All recipients of the Lindsey Nicole Henry Scholarship must submit a renewal request for the scholarship each year, by submitting a current Lindsey Nicole Henry Scholarship for Students with Disabilities Application to the State Department of Education. Renewal requests should be submitted in June or July prior to the beginning of the academic year for which the scholarship renewal is requested. If the application is received after the beginning of the school year, the scholarship will be prorated according to the date the renewal request is approved. If a renewal application is not submitted by December 1, the scholarship will be terminated.

(4) If the required annual renewal requests and all other required documentation are submitted to the State Department of Education as provided for in this section and in 70 O.S. § 13-101.2, the scholarship shall remain in force until the student returns to a public school, graduates from high school, or reaches the age of twenty-two (22), whichever occurs first.

(5) Acceptance of a Lindsey Nicole Henry Scholarship shall have the same effect as a parental revocation of consent under the Individuals with Disabilities Education Act (IDEA).

~~(b) **Payments.** Payments will be made to the private school on a quarterly basis upon verification of continued enrollment and attendance at the private school. Payments will be made in arrears, following the completion of each quarter. The payments will be made after the private school provides the public school with a quarterly attendance record for each child receiving the scholarship. Payment of scholarship funds shall be made by the State Department of Education with an individual warrant made payable to the participating student's parent or guardian, and mailed by the Department to the private school where the student is enrolled.~~

(1) Upon issuance of a Lindsey Nicole Henry Scholarship warrant, the parent or legal guardian to whom the warrant is made shall restrictively endorse the warrant to the private school for deposit into the account of the private school.

(2) The initial payment shall be made after the State Department of Education verifies acceptance and enrollment at the approved private school. Quarterly payments shall be made upon verification of continued enrollment and attendance at the private school.

(3) The parent or legal guardian may not designate any entity or individual associated with the private school as the attorney in fact for the parent or legal guardian to endorse a warrant. Failure to comply with this subsection will result in forfeiture of the scholarship.

(c) **Private School Eligibility.** In order to be eligible to accept students on the scholarship, private schools must be accredited by the State Board of Education or another accrediting association approved by the State Board of Education, and meet all other requirements for participating private schools as listed in 70 O.S. § 13-101.2. ~~Only school districts within the state of Oklahoma can be accredited by the State Board of Education.~~ No out of state schools are eligible to participate in the scholarship program. The State Department of Education shall maintain a list of private schools that have been determined to be eligible to participate in the Lindsey Nicole Henry scholarship program, to be posted on the State Department of Education website and updated each time a school is added to or removed from the program. Scholarship requests shall only be considered when the parent of an eligible student submits documentation that the student has been admitted to a school that has been approved as of the date the scholarship request is received by the State Department of Education.

(d) **Student Eligibility.** To be eligible for a Lindsey Nicole Henry Scholarship, a student must meet all of the following criteria:

(1) Has been identified as a student with a disability, and has had an individualized Education Program (IEP) developed in accordance with the Individuals with Disabilities Education Act (IDEA);

(2) Has an IEP in effect at the time the scholarship request is received by the State Department of Education;

(3) Has been accepted by a private school approved by the State Department of Education for participation in the Lindsey Nicole Henry scholarship program; and

(4) Falls within one of the following three categories:

(A) Has spent the prior school year in attendance at a public school in Oklahoma; or

(B) Is the child of a member of the United States Armed Forces who transfers to a school in Oklahoma from another state or from a foreign country pursuant to a permanent change of station orders; or

(C) Has been provided services under an Individual Family Service Plan (IFSP) through the SoonerStart program, and during transition was evaluated and determined to be eligible for school district services.

~~(de) **Amount of Scholarship.** Within ten business days of receipt by the public school district of the parental request, the State Department of Education must receive from the public school a request form for a determination of the calculation of the maximum scholarship amount. The State Department of Education must provide the calculation of the maximum amount of the scholarship to the public school in writing within fifteen business days of the receipt of the request. The parent shall be notified in writing by the district of the maximum amount of the scholarship in a timely manner, not to exceed thirty business days from the date of the parents' original request. Scholarship amounts will be calculated at the time of the parental request and will not change during the course of the school year regardless of a school district's mid-year adjustments. The amount of the scholarship will be calculated annually as required by 70 O.S. 13-101.1, Section 2(F)(1). The maximum scholarship granted for an eligible student with disabilities shall be equivalent to the total State Aid factors for the applicable school year~~

multiplied by the grade and disability weights generated by that student for the applicable school year.

(1) The disability weights used in calculating the scholarship amount shall include all disability weights which correspond to the disabilities included in the multidisciplinary evaluation and eligibility group summary (MEEGS) for the student at the time the request for a scholarship is made by the parent or legal guardian.

(2) The maximum scholarship amount shall be calculated by the State Board of Education for each year the student is participating in the Lindsey Nicole Henry Scholarship program.

(3) Within ten (10) days after receiving a scholarship request, the State Department of Education shall notify the participating private school of the amount of the scholarship, provided the total State Aid factors have been determined for the current fiscal year.

~~(e) **Tracking.** School districts providing scholarships shall annually report for child count and funding purposes, all students who are attending a private school under the scholarship program to the State Department of Education. Students must be reported as Lindsey Nicole Henry Scholarship Students on both the Special Education Child Count and the First Quarter Statistical Report (FQSR) and the Annual Statistical Report (ASR). These Lindsey Nicole Henry Scholarship students will shall also be tracked through the WAVE system.~~