



JOY HOFMEISTER

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT OF EDUCATION

MEMORANDUM

TO: Parents or Legal Guardians and Private Schools Participating in the Lindsey Nicole Henry Scholarship Program for Students with Disabilities

FROM: Stacy Eden, Lindsey Nicole Henry Specialist, Special Education Services

DATE: March 14, 2018

SUBJECT: **Procedures for the Lindsey Nicole Henry Scholarship**

The Lindsey Nicole Henry (LNH) Scholarship Act (70 S.D. § 13-101.2) allows the parent or legal guardian of a public school student with a disability to exercise their parental option and request to have an LNH Scholarship awarded for their child to enroll in and attend an approved private school. The child must have an Individualized Education Program (IEP) in effect prior to the request, and for funding purposes, was reported in attendance the previous school year by an Oklahoma public school. Additionally, the Act allows eligibility for students who were in out-of-home placement with the Department of Human Services (DHS), adopted while in the permanent custody of the DHS, or in out-of-home placement with the Office of Juvenile Affairs. The child must have an Individualized Service Plan (ISP) pursuant to Section 1-4-704 of Title 10A of the Oklahoma Statutes developed at any time prior to notifying the Oklahoma State Department of Education (OSDE) of the intent to participate in the program. Certain exceptions apply to students whose parent is a member of the United States Armed Forces who transfers to a school in Oklahoma from out of state or from a foreign country pursuant to the permanent change of station orders. Certain exceptions will also apply to students who have 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.

Procedures for the LNH Scholarship award is as follows:

- To be eligible to participate in the LNH Scholarship for Students with Disabilities Program, a private school will notify the OSDE of its intent to participate. The notice shall specify the grade levels and services that the private school has available for students with disabilities who are participating in the scholarship program. The OSDE will approve a private school that is eligible to participate in the scholarship program upon determination that it meets specified requirements.
- The parent or legal guardian must obtain an acceptance letter for admission of the student to an approved private school that is eligible for the LNH Scholarship program by the OSDE.

- The parent or legal guardian will notify the OSDE directly to request the LNH Scholarship by submitting a current LNH Scholarship application and required documents to the OSDE by December 1 of the school year in which the scholarship is requested, and before the child enters the private school. If the child enrolls in and attends the approved private school before the scholarship is granted, the parent will be responsible for tuition charges prior to the approval date.
- The OSDE will verify the application information and complete the calculation request within ten (10) days after receiving the scholarship request or the appropriation approval from the State. The maximum scholarship granted for an eligible student with disabilities will be the amount calculated according to the child's grade level and disability category or the amount of tuition and fees for the private school, whichever is less. The OSDE will notify the approved private school and parent or legal guardian of the maximum amount of funds calculated. OSDE will retain two and one-half percent (2.5%) of the scholarship amount for administrative services.
- Accepting the LNH Scholarship will be the same as revoking consent for special education services. (See "Parents Rights in Special Education-Notice of Procedural Safeguards")
- If the child is a **NEW APPLICANT**, once notified of the scholarship approval, the parent or legal guardian has ten (10) days to accept the scholarship by submitting the Revocation of Consent for Special Education and Related Services form to the school district and to the OSDE. Furthermore, the parent or legal guardian must withdraw the child from the public school district within ten (10) days of accepting the scholarship. The student will no longer receive any services directly or indirectly from the public school while participating in the LNH Scholarship program.
- If there are any changes in the parent or legal guardian or child's address, private school choice, private school attendance, guardianship, or other circumstances that could affect the child's education, the parent or legal guardian must notify the OSDE within (10) days of the change or the parent or legal guardian may forfeit the scholarship award. **It is the responsibility of the parent or legal guardian and the approved private school to notify the OSDE at the time a student withdraws from the private school for any reason.**
- The approved private school will submit an annual, notarized, sworn compliance statement to the OSDE certifying compliance with state laws or they will not be entitled to receive scholarship funds.
- Upon receipt of the approval notice of the LNH Scholarship, the approved private school must submit an annual statement that clearly shows a breakdown of the tuition and fee charges for the student approved to receive the LNH Scholarship.
- The approved private school will send quarterly invoices to the OSDE at the end of each completed school quarter with a quarterly verification of the child's continued enrollment and detailed attendance report. Payments will be made to the parent and sent to the private school at the end of each quarter after attendance is verified. The OSDE will cross-check the list of participating scholarship students with the public school enrollments prior to each scholarship payment to avoid duplications.
- Upon issuance of a scholarship warrant, the parent or legal guardian to whom the warrant is made will restrictively endorse the warrant to the approved private school for deposit into the account of the private school.
- Neither the OSDE nor the public school district of residence will be responsible for any additional cost associated with special education and related service incurred by the private school for the student.

The LNH Scholarship application is available online to the parent or legal guardian on the OSDE website at www.sde.ok.gov/sde/lindsey-nicole-henry-lnh-scholarship-program-children-disabilities, and can also be obtained by contacting the OSDE, Special Education Services (SES).

If you have additional questions about the LNH Scholarship application process or the LNH Scholarship Reimbursement process, please contact the LNH specialist (405) 521-4876.