



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 44
136th General Assembly

Bill Analysis

Version: As Re-referred to Senate Finance

Primary Sponsor: Sen. O'Brien

Lauren Hunsinger, Attorney

SUMMARY

- Permits students to receive an Ed Choice or Cleveland scholarship and either an Autism or Jon Peterson Special Needs scholarship in the same school year.
- Appropriates \$42 million in each of FYs 2026 and 2027.

DETAILED ANALYSIS

Concurrent scholarship eligibility

The bill permits a qualifying student to receive an Educational Choice (Ed Choice) or Pilot Project (Cleveland) scholarship and either the Autism or Jon Peterson Special Needs scholarship in the same school year. A student must meet the eligibility requirements for each scholarship received. A student who receives an Ed Choice or Cleveland Scholarship under the bill's provisions remains an eligible student for that scholarship so long as the student continues to meet the eligibility criteria for the scholarship. The amount a student receives under the concurrently received scholarships cannot exceed the total amount paid for services or tuition and fees provided to a student under those scholarships. Under current law, a student cannot qualify for the Jon Peterson Special Needs scholarship if the student has received an Ed Choice scholarship, Cleveland scholarship, or Autism scholarship.¹

Jon Peterson Special Needs scholarship

The bill permits a student who receives a Jon Peterson Special Needs scholarship, but not an Ed Choice or Cleveland scholarship, to use any amount of the Jon Peterson Special Needs scholarship remaining after paying the student's special education program fees to pay tuition at the provider operating the student's special education program.

¹ R.C. 3310.034 and 3310.51.

Under the bill, if a student receives both an Ed Choice or Cleveland scholarship and a Jon Peterson Special Needs scholarship, the student may only use the Jon Peterson Special Needs scholarship to pay for fees for the student's special education program. Such a student may not use the Jon Peterson scholarship to pay for tuition at the provider that operates the student's special education program.²

Appropriation

The bill appropriates \$42 million in each of FYs 2026 and 2027.³

Background

The Ed Choice Scholarship Program operates statewide in every school district except Cleveland to provide scholarships for students to enroll in participating chartered nonpublic schools. Students may qualify for a traditional Ed Choice scholarship if they are assigned or would be assigned to district school buildings that have persistently low academic achievement or meet certain other criteria established under continuing law. Any student may receive an Ed Choice Expansion scholarship, though the amount of that scholarship is determined based on the student's family adjusted gross income.

The Pilot Project (Cleveland) Scholarship Program allows students who are residents of the Cleveland Municipal School District to obtain scholarships to attend participating nonpublic schools or public schools in adjacent districts.

The Autism Scholarship Program provides scholarships to autistic students in any of grades pre-K-12 whose parents choose to enroll the student in an approved special education program other than the one offered by the student's school district.

The Jon Peterson Special Needs Scholarship Program is similar to the Autism Scholarship Program except that it is available to students with any category of disability in grades K-12. It is not available to pre-K students.⁴

HISTORY

Action	Date
Introduced	01-28-25
Re-referred, S. Finance	02-12-25

ANSB0044RCS-136/ar

² R.C. 3310.034 and 3310.52.

³ Section 4.

⁴ See R.C. 3310.03 and 3310.033 (traditional Ed Choice), 3310.032 (Ed Choice Expansion), 3313.975 (Cleveland), 3310.41 (Autism), and 3310.52 (Jon Peterson), none in the bill.