

Rule Summary and Fiscal Analysis (Part A)**Department Of Education**

Agency Name

Division

Matt DeTemple

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3301-103-07

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Standards and Eligibility for Registered Private Providers.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB95**General Assembly: **125**Sponsor: **Representative Calvert**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **Section 41.33 of Am. Sub. H.B. 95**

5. Statute(s) the rule, as filed, amplifies or implements: **Section 41.33 of Am. Sub. H.B. 95**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

To implement Section 41.33 of Am. Sub. H.B. 95.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Outlines standards and eligibility for registered private providers who may serve children with autism under this program.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date:

(If you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: At time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase/decrease** either **revenues /expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will increase expenditures.

\$80,000.00

The Department of Education: Full-time consultant: \$56,000.00 (agency salary schedule); Technical/Web Based Support: \$12,000.00 (estimated); Mailing Costs: \$4,000.00 (estimated); Publication Cost: \$8,000.00 (estimated).

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

The Office for Exceptional Children uses only federal funding for all administrative costs.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

The Department of Education: Full-time consultant: \$56,000.00 (agency salary schedule); Technical/Web Based Support: \$12,000.00 (estimated); Mailing Costs: \$4,000.00 (estimated); Publication Cost: \$8,000.00 (estimated). School Districts: Scholarships awarded under this program will be deducted from amounts paid to the resident district for eligible children included in the formula ADM and category six special education ADM of the district. For high-wealth districts with minimal state share, each child who participates in the scholarship program could potentially result in an annual loss of revenue not to exceed \$15,000. Parents: May have to claim the scholarship funds as income. They may also incur transportation costs to and from the program as well as any costs of the program that exceeds \$15,000. Costs that may be incurred by a registered private provider could include the following: consultation with legal counsel; consultation with an accountant; procuring criminal background checks; upgrading employees and volunteers certification/licensure to meet minimum requirements.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **Yes**

You must complete Part B of the Rule Summary and Fiscal Analysis in order to comply with Am. Sub. S.B. 33 of the 120th General Assembly.

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**