

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

Agency Name

Division

**Chris Castle**

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**3301-35-04**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Student and other stakeholder focus.****RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **No**2. Are you proposing this rule as a result of recent legislation? **No**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: **3301.07**5. Statute(s) the rule, as filed, amplifies or implements: **3301.07, 1347.99, 3301.0711, 3313.60, 3313.6013, 3313.602, 3313.603, 3313.608, 3313.609, 3313.61, 3313.611, 3313.612, 3313.613, 3313.614, 3313.615, 3313.641, 3313.90, 3319.01**

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

The rule is being rescinded and filed as new pursuant to the requirements of five-year rule review.

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:

The rule establishes that school districts must address the needs of the students and the community by ensuring that programs, instruction and facilities meet the needs of all students; that instruction in the school or school district must be grade appropriate and meet the needs of each student and the community; that credit flexibility and dual enrollment are permissible; and that districts must provide study in certain subjects.

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. If applicable, indicate each specific paragraph of the rule that has been modified:

*Not Applicable.*

12. Five Year Review (FYR) Date:

(If the rule is not exempt and 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: If the rule is not exempt at the 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 have no impact on revenues or expenditures.

\$0

This filing will not impact the agency's budget.

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

NA

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 cost of compliance for a chartered nonpublic school would be associated with a variety of factors and impact employee time, resources, and supplies. For example, a chartered non-public school must set and communicate standards for academic performance, attendance, and conduct; monitor its performance and that of its students; seek to continually improve; and communicate with stakeholders and parents. A chartered non-public school shall also implement a curriculum that is developed with input from parents and other stakeholders, and adopt courses of study for each course taught. In addition to those subjects required by the Revised Code, a school shall provide for the study of personal safety and assault prevention for grades kindergarten through six, and foreign language, technology, family and consumer sciences, and business education. A school shall also provide for an assessment system that aligns with its courses of study. Further, a chartered nonpublic school shall provide every student with opportunities to acquire the knowledge and skills required to meet local course of study objectives and shall also provide students with the opportunity to earn credits toward graduation

through programs, including dual enrollment programs. Student achievement shall also be monitored according to established procedures, progress reports shall be provided, cumulative records shall be maintained, criteria for decisions on student promotion and retention shall be established; policies on student admission, placement and withdrawal shall be followed; and the school shall have established policies for the admission of students to kindergarten and first grade (in accordance with state law regarding age requirements for these students). The majority of these costs, however, are typically associated with the operation of a school (i.e. they should be considered part the "cost of doing business").

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**

**S.B. 2 (129th General Assembly) Questions**

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

B.) Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? **No**

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **Yes**

The rule establishes a variety of standards that impact chartered non-public schools and result in specific expenditures.

**Rule Summary and Fiscal Analysis (Part B)**

1. Does the Proposed rule have a fiscal effect on any of the following?

(a) School Districts	(b) Counties	(c) Townships	(d) Municipal Corporations
<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>

2. Please provide an estimate in dollars of the cost of compliance with the proposed rule for school districts, counties, townships, or municipal corporations. If you are unable to provide an estimate in dollars, please provide a written explanation of why it is not possible to provide such an estimate.

These rules affect most aspects of a school district's operations including the development of policies and procedures, long-term strategic planning, curriculum and instruction, and staffing. As such, a school district's budget is directly impacted by the requirements established by these operating standards, but any costs associated with these requirements will vary among districts depending on a number of factors including the number of students served by the district. This rule establishes minimum standards for curriculum and instruction as well as a variety of school operations related to student and stakeholder needs. In particular, the rule requires that certain courses be offered, that students be assessed, that alternate pathways for acquiring course credit (e.g. advanced standing, credit flexibility, study abroad) be offered, and that schools continually review programs and offerings and reflect on its operations to better meet student and stakeholder needs. Since no two districts are exactly alike, especially when student and stakeholder needs are inherently unique, the impact of these requirements will vary greatly among districts; how a district chooses to meet the minimum standards established in the rule will determine the impact on a district's budget.

3. If the proposed rule is the result of a federal requirement, does the proposed rule exceed the scope and intent of the federal requirement? **No**

4. If the proposed rule exceeds the minimum necessary federal requirement, please provide an estimate of, and justification for, the excess costs that exceed the cost of the federal requirement. In particular, please provide an estimate of the excess costs that exceed the cost of the federal requirement for (a) school districts, (b) counties, (c) townships, and (d) municipal corporations.

*Not Applicable.*

5. Please provide a comprehensive cost estimate for the proposed rule that includes the procedure and method used for calculating the cost of compliance. This comprehensive cost estimate should identify all of the major cost categories including, but not limited to, (a) personnel costs, (b) new equipment or other capital costs, (c) operating costs, and (d) any indirect central service costs.

How a district chooses to meet the standards established by the rule, as informed by the requirement a district has to focus on the particular needs of its students and stakeholders, will impact funding decisions that will ultimately be reflected in a district's budget.

(a) Personnel Costs

Unknown

(b) New Equipment or Other Capital Costs

Unknown

(c) Operating Costs

The requirements established by the rule will impact a district's operating budget; however, that impact will vary greatly among districts based on how each district allocates its funds to meet the needs of students and stakeholders while meeting (or exceeding) the minimum standards established by the rule.

(d) Any Indirect Central Service Costs

Unknown

(e) Other Costs

Unknown

6. Please provide a written explanation of the agency's and the local government's ability to pay for the new requirements imposed by the proposed rule.

These costs, however, are typically associated with the operation of a school (i.e. they should be considered part the "cost of doing business").

7. Please provide a statement on the proposed rule's impact on economic development.

None