

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 3301-39-03

**Rule Type:** New

**Rule Title/Tagline:** Procedures.

**Agency Name:** Department of Education

**Division:**

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#### I. Rule Summary

1. **Is this a five year rule review?** No
  - A. **What is the rule's five year review date?**
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 3301.07(D)(2) and (M)
5. **What statute(s) does the rule implement or amplify?** 3301.07(D)(2), 3317.024, 3317.06, 3327.01
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
  - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

This rule allows the Department to differentiate between the process for initial and reissue of school charters. Expands the time frame during which an application can be submitted from two weeks to two months. Allows more flexibility for schools seek reissuance of a charter due to one or more changes that occur throughout the

school year. Clarifies that schools seeking an initial charter will submit the information necessary to allow the Department to determine if there is compliance with the Operating Standards. Allows for monitoring of schools that receive an initial charter. Site visits provide the opportunity for the Department to provide any necessary technical guidance.

**8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

(A)(1) Details the application process for nonpublic schools seeking a charter or reissue of a charter. (A)(2) expands the timeframe for schools to submit an application. (A)(3) Provides more flexibility for schools seeking reissue of a charter due to changes that may occur during the school year. (B) clarifies that the Department requires information from a school seeking an initial chartered to be submitted so that the Department can determine compliance with the Operating Standards. (C) Adds language for monitoring of schools that received an initial charter and provides for site visits that give the Department the opportunity to provide any necessary technical assistance.

**9. Does the rule incorporate material by reference? No**

**10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

*Not Applicable*

**11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

*Not Applicable*

## **II. Fiscal Analysis**

**12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0

Not Applicable.

13. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not Applicable.

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

16. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable.

### **III. Common Sense Initiative (CSI) Questions**

17. **Was this rule filed with the Common Sense Initiative Office? Yes**

18. **Does this rule have an adverse impact on business? No**

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? No**

D. **Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

### **IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

19. **Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes**

**A. How many new regulatory restrictions do you propose adding to this rule? 3**

3301-39-03 (A) (2) shall

3301-39-03 (E) shall

3301-39-03 (F) must

**B. How many existing regulatory restrictions do you propose removing from this rule? 5**

3301-39-03 (A) (2) shall

3301-39-03 (A) (2) must

3301-39-03 (B) shall

3301-39-03 (D) shall

3301-39-03 (D) shall

**C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

**D. Please justify the adoption of the new regulatory restriction(s).**

The revision to this rule requires the Department of Education to disclose all pertinent information to families and schools in advance of the opening of the application period. This provision allows families to make informed decisions regarding where they may wish to enroll their children.