

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

Agency Name

Division

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3301-25-05

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Four-year educational aide permit.**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? **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, 3319.088, 3319.22**

5. Statute(s) the rule, as filed, amplifies or implements: **3319.22**

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

Rules 3301-25-01 to -05, -07, and -08 of the Administrative Code are proposed to be amended pursuant to the requirements of five-year rule review. Section 3319.088 of the Revised Code requires the State Board of Education to adopt rules for the issuance and renewal of educational aide permits, which are issued at the request of employing school districts, and are valid for working with students under the supervision of a fully licensed educator and providing assistance with instructional tasks. Due to restructuring, some of the rules are proposed to be rescinded and adopted as new pursuant to rule-drafting guidelines issued by the Legislative Service Commission.

Rule 3301-25-05 is proposed to be rescinded and adopted due to the extent of

proposed changes.

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:

Rule 3301-25-05 prescribes the requirements for obtaining a four-year educational aide permit. Changes to the rule establish that the term "ESEA qualified" may be added to the permit for individuals who meet certain requirements.

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:

The rule references both high school equivalence regulations prescribed by the superintendent of public instruction and the examination for paraprofessionals prescribed by the state board of education, neither of which would be considered generally available; however, the source of the material, the department's website, is provided for in the rule.

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:

The referenced material is subject to change outside the purview of this rule; therefore, it is more practical for those interested in obtaining the permit to be provided instruction on how to access the material directly on the department's website.

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 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 potential cost associated with the amended rule is related to the new "ESEA qualified" language (ESEA is the federal Elementary and Secondary Education Act, also known as No Child Left Behind). This new language reflects an Ohio process whereby educational aide permit holders are able to establish that they meet the federal No Child Left Behind definition of a qualified instructional paraprofessional, and have that designation added to their permit. If a person elects to add the "ESEA qualified" designation to a permit, they would pay the associated licensure fee for adding an area to a credential, which is twenty dollars. Adding the designation to a permit is purely optional. Even if a person meets the federal

definition of a qualified instructional paraprofessional they would be able to demonstrate their qualification with or without a formal designation appearing on the permit. Adding "ESEA qualified" to the permit is merely a way to clearly demonstrate that this has been accomplished.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

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