

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

Agency Name

Division

Matt DeTemple

Contact

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3301-37-01

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Definitions.**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: **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: **3301.07; 3301.53**

5. Statute(s) the rule, as filed, amplifies or implements: **3301.52 through 3301.59**

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

To rescind the existing rule and replace with a new rule. The rules for preschool programs were originally effective on August 5, 1988. They were revised in 1991 to reflect changes in the Revised Code. Since that time, additional legislative changes have been made with regard to subsequent biennium budget mandates, teacher licensure and staffing requirements. In 2003, HB 95 transferred the authority to license Head Start programs to ODJFS. The current rules are being rescinded and filed again as new rules. Stakeholders recommended additional new rules and a different numerical sequence from the current version.

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:

Includes definitions of terms used in Chapter 3301-37 for licensing preschool programs operated by districts, eligible chartered nonpublic schools and county boards of MRDD. Definitions have been updated for currency and clarification.

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:

Rule is being revised to correct a reference to the Ohio Plumbing Code in paragraph (N) of the rule. A rule was cited instead of the Chapter, which now reads correctly as 'Chapter 4101:3'.

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

These filings will not impact the agency's budget.

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

GRF 200-442 Child Care Licensing - \$1,385,633 each year of the biennium.

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:

Based upon stakeholder input in regional meetings, no additional cost is expected as staffing requirements remain constant. Costs associated with licensing are in statute related to building inspections, fire inspections, and food service licenses. Those costs are regulated by other state agencies and required of all programs licensed by ODE or ODJFS.

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**

