

## TO BE RESCINDED

5123:2-5-05

**Early intervention services certification standards.**

## (A) Purpose

The purpose of this rule is to establish minimum qualifications through certification standards for staff employed as developmental specialists or early intervention supervisors.

## (B) Definitions

- (1) "Accredited college or university" means a college or university accredited by a national or regional association in the United States or a foreign college or university of comparable standing.
- (2) "College course" means department-approved instruction of at least two semester hours or three quarter hours of credit provided by an accredited college or university.
- (3) "County board" means a county board of developmental disabilities.
- (4) "Department" means the Ohio department of developmental disabilities.
- (5) "Developmental specialist" means a professional trained to develop and implement strategies and interventions, which may include but are not limited to, the special instruction identified in the Individuals with Disabilities Education Act, 34 C.F.R. part 303 (September 2011) as follows:
  - (a) Design of learning environments and activities that promote a child's acquisition of skills in a variety of developmental areas, including cognitive processes and social interaction;
  - (b) Curriculum planning, including the planned interaction of personnel, materials, and time and space, that leads to achieving outcomes identified in an individual family service plan;
  - (c) Providing families with information, skills, and support related to enhancing the skill development of a child; and
  - (d) Working with a child to enhance the child's development.
- (6) "Director" means the director of the Ohio department of developmental disabilities or his or her designee.

- (7) "Early intervention service provider" means any entity or individual that provides early intervention services, whether or not the entity or individual receives federal funding under the Individuals with Disabilities Education Act, 34 C.F.R. part 303 (September 2011).
- (8) "Early intervention services" means developmental services selected in collaboration with the parents of an infant or toddler birth through age two, and designed to meet the developmental needs of the infant or toddler and the needs of the family to assist appropriately in the infant's or toddler's development as identified by the individual family service planning team.
- (9) "Early intervention services registration or certification" means developmental specialist certification and early intervention supervisor certification described in this rule and any levels or grades of early intervention registration and certification described in rule 5123:2-5-05 of the Administrative Code as it existed prior to the effective date of this rule.
- (10) "Early intervention supervisor" means a person who supervises early intervention service providers.
- (11) "Professional development" means department-approved training required for renewal of developmental specialist certification and early intervention supervisor certification. Department approval of professional development shall require documentation to demonstrate that the training is:
- (a) Pertinent to serving infants and toddlers birth through age two and their families;
  - (b) Research-based and relevant to early intervention services; and
  - (c) Aligned with current practices in the field of early intervention.
- (12) "Seminar" means department-approved instruction of a minimum of thirty hours. Department approval of seminars shall require documentation (including a syllabus with identified objectives and method of evaluation) to demonstrate that the instruction is:
- (a) Provided by a department-approved instructor who holds a master's degree or doctoral degree in early childhood education, special education, or a closely related field and who possesses in-depth knowledge related to the content area of the seminar;

- (b) Formulated on current evidence-based practices and conforming to part C of the Individuals with Disabilities Education Act, 34 C.F.R. part 303 (September 2011) and state early intervention services requirements;
  - (c) Structured in accordance with principles of adult learning; and
  - (d) Based on peer-reviewed literature and research.
- (13) "Superintendent" means a person certified by the department in accordance with rule 5123:2-5-03 of the Administrative Code and employed in that capacity by a county board.

(C) Description

There are two levels of early intervention services certification:

(1) Developmental specialist

(a) One-year certification available to employees of county boards

- (i) The department may issue developmental specialist certification for an initial period of one year to an applicant who:

(a) Is employed by or under contract with a county board; and

(b) Meets one of the following:

(i) Holds a bachelor's degree or graduate-level degree in education, health, social or behavioral science, social services, human services, or other related field from an accredited college or university; or

(ii) Holds a bachelor's degree or graduate-level degree in an unrelated field from an accredited college or university and has at least two years of full-time (or equivalent part-time), supervised, paid experience working with children birth through age five with disabilities, developmental delays, or diagnosed physical or mental conditions that have a high probability of resulting in a developmental delay and their families; or

(iii) Holds a valid license in counseling; early childhood education for ages three through eight, grades kindergarten through third, or special education;

hearing impairment intervention; medicine; nursing; occupational therapy; physical therapy; psychology; psychiatry; social work; speech-language pathology; or visual impairment intervention.

(ii) The department may renew the developmental specialist certification of an employee of a county board for subsequent periods of one year for an employee who has successfully completed at least one of the college courses or seminars (or equivalent instruction as determined by the department) specified in paragraph (C)(1)(b)(i)(b) of this rule during the period of the preceding developmental specialist certification.

(iii) Notwithstanding paragraph (C)(1)(a)(ii) of this rule, an employee of a county board issued one-year developmental specialist certification in accordance with paragraph (C)(1)(a)(i) of this rule who has not already successfully completed one college course or seminar (or equivalent instruction as determined by the department) in each of the following areas, shall do so during the effective period of his or her initial one-year certification. If he or she fails to complete this requirement, he or she shall be ineligible for additional one-year developmental specialist certification and shall be required to meet the requirements set forth in paragraph (C)(1)(b) of this rule for five-year developmental specialist certification.

(a) Evaluation and assessment; and

(b) Infant/toddler growth and development.

(b) Five-year certification

(i) The department may issue developmental specialist certification for an initial period of five years to an applicant who:

(a) Meets one of the following:

(i) Holds a bachelor's degree or graduate-level degree in education, health, social or behavioral science, social services, human services, or other related field from an accredited college or university; or

(ii) Holds a bachelor's degree or graduate-level degree in an unrelated field from an accredited college or university and has at least two years of full-time (or equivalent



intervention services through individual family service plans or developing early intervention services policy and/or instructional materials during the period of the preceding developmental specialist certification; or

- (ii) Successfully completed eighty hours of professional development during the period of the preceding developmental specialist certification.

(2) Early intervention supervisor

- (a) The department may issue early intervention supervisor certification for an initial period of five years to an applicant who:

- (i) Meets the requirements for five-year developmental specialist certification as set forth in paragraph (C)(1)(b) of this rule; and

- (ii) Has either:

- (a) At least four years of full-time (or equivalent part-time), supervised, paid experience working with children birth through age five with disabilities, developmental delays, or diagnosed physical or mental conditions that have a high probability of resulting in a developmental delay and their families; or

- (b) At least two years of full-time (or equivalent part-time), supervised, paid experience working with children birth through age five with disabilities, developmental delays, or diagnosed physical or mental conditions that have a high probability of resulting in a developmental delay and their families and at least two years of full-time (or equivalent part-time) supervised, paid experience in a management or supervisory role.

- (b) The department may renew the early intervention supervisor certification of an applicant for subsequent periods of five years provided the applicant has either:

- (i) Successfully completed seventy-five hours of professional development and worked for at least four thousand hours supervising early intervention service providers, directly providing early intervention services through individual family service plans, or developing early intervention services policy and/or

instructional materials during the period of the preceding early intervention supervisor certification; or

- (ii) Successfully completed one hundred twenty hours of professional development during the period of the preceding early intervention supervisor certification.

(D) Training requirements

Persons employed by or under contract with a county board as developmental specialists or early intervention supervisors shall annually complete training in:

- (1) The provisions governing rights of individuals set forth in sections 5123.62 to 5123.64 of the Revised Code; and
- (2) The requirements of rule 5123:2-17-02 of the Administrative Code including a review of health and welfare alerts issued by the department since the previous year's training.

(E) Early intervention supervisors working less than .5 full-time equivalent

A person employed on or before December 4, 1992 as an early intervention supervisor at a county board for less than .5 full-time equivalent is not required to hold early intervention supervisor certification. A person newly employed after December 4, 1992 as an early intervention supervisor at a county board for less than .5 full-time equivalent shall possess:

- (1) Early intervention supervisor certification issued in accordance with this rule; or
- (2) A currently valid Ohio department of education provisional certificate in supervision with validation in early education of the handicapped or special education for children with disabilities; or
- (3) A graduate-level degree in a related field from an accredited college or university and at least five years, two of which are within the last five years, of full-time (or equivalent part-time), supervised, paid experience working with children birth through age five with disabilities, developmental delays, or diagnosed physical or mental conditions that have a high probability of resulting in a developmental delay and their families.

(F) Reciprocity

A superintendent shall accept as valid early intervention certifications issued by the superintendent of another county board during the period of July 4, 2013 through

September 14, 2014 in accordance with rule 5123:2-5-05 of the Administrative Code as it existed during that period.

- (G) Early intervention services registrations and certifications issued prior to the effective date of this rule
- (1) Early intervention program assistant level registrations, early intervention specialist certifications, and early intervention supervisor certifications issued prior to the effective date of this rule in accordance with rule 5123:2-5-05 of the Administrative Code as it existed when the holder was issued the registration or certification shall remain in effect until their assigned expiration dates.
  - (2) No additional early intervention program assistant level registrations as described in rule 5123:2-5-05 of the Administrative Code as it existed prior to July 4, 2013 shall be issued.
  - (3) The department may renew early intervention specialist certifications and early intervention supervisor certifications issued by the department prior to July 4, 2013 or issued by a superintendent during the period of July 4, 2013 through September 14, 2014, under the following conditions:
    - (a) At the point of application for renewal certification, the early intervention specialist certification or early intervention supervisor certification is still in effect or has been expired for less than one year; and
    - (b) The applicant has met the requirements for renewing the certification set forth in rule 5123:2-5-05 of the Administrative Code as it existed when the holder was issued the certification.
  - (4) Holders of early intervention specialist certification who are issued renewal certification pursuant to paragraph (G)(3) of this rule shall receive developmental specialist certification.
  - (5) For purposes of completing requirements for five-year developmental specialist certification, holders of one-year early intervention specialist certification issued prior to the effective date of this rule shall have the option of completing the college courses/seminars specified in paragraph (C)(1)(b)(i)(b) of this rule or the college courses/seminars specified in paragraph (C)(1)(b)(i)(b) of rule 5123:2-5-05 as it existed on the day prior to the effective date of this rule.
  - (6) Renewal of five-year developmental specialist certification or early intervention supervisor certification issued by the department pursuant to paragraph (G)(3) of this rule shall be in accordance with as applicable, paragraph (C)(1)(c) or (C)(2)(b) of this rule.



(H) Renewal of expired early intervention services certifications

- (1) Early intervention specialist certifications, developmental specialist certifications, and early intervention supervisor certifications issued on or after July 4, 2013 which have been expired for less than one year may be renewed upon completion of all renewal requirements of the expired certification.
- (2) Early intervention specialist certifications, developmental specialist certifications, and early intervention supervisor certifications which have been expired for one year or more shall not be renewed; the applicant shall be required to meet the requirements for initial developmental specialist certification or early intervention supervisor certification, as applicable, pursuant to paragraph (C) of this rule.

(I) Administrative review

An applicant for developmental specialist certification or early intervention supervisor certification whose application is disapproved based upon the applicant's failure to meet the requirements of this rule, may request in writing, within thirty days of the rejection, an administrative review by the director. The director's decision is final and may not be appealed.

(J) Denial, suspension, or revocation

- (1) The director shall deny, suspend, or revoke early intervention services registration or certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of early intervention services registration or certification has engaged in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or holder's position.
- (2) Except as provided in paragraph (J)(3) of this rule, the director shall deny or revoke early intervention services registration or certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of early intervention services registration or certification:
  - (a) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(a) of rule 5123:2-2-02 of the Administrative Code;
  - (b) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(b) of rule 5123:2-2-02 of the Administrative Code if a period of ten years has not elapsed from the

date the applicant was fully discharged from imprisonment, probation, and parole;

- (c) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(c) of rule 5123:2-2-02 of the Administrative Code if a period of seven years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;
  - (d) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code if a period of five years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;
  - (e) Has been convicted of or pleaded guilty to multiple disqualifying offenses if the applicable period of time in accordance with paragraph (E)(2) of rule 5123:2-2-02 of the Administrative Code has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; or
  - (f) Has been included in one or more of the databases listed in paragraphs (C)(2)(a) to (C)(2)(e) of rule 5123:2-2-02 of the Administrative Code.
- (3) A conviction of or a plea of guilty to a disqualifying offense listed or described in paragraphs (E)(1)(a) to (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code shall not constitute grounds for the denial or revocation of early intervention services registration or certification if the requirements in paragraph (F) of rule 5123:2-2-02 of the Administrative Code are met.
- (4) Applicants for or holders of early intervention services registration or certification shall disclose a conviction for a disqualifying offense listed or described in paragraphs (E)(1)(a) to (E)(1)(d) of rule 5123:2-2-02 of the Administrative Code, including a conviction that has been sealed.

Effective: 7/1/2021

Five Year Review (FYR) Dates: 2/26/2021

CERTIFIED ELECTRONICALLY

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Certification

05/10/2021

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Date

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