

## Legal Notice

The Ohio Department of Education and Workforce will hold a public hearing regarding the rule actions listed below, on Tuesday, November 19, 2024, at 11:00 a.m. at the Ohio Department of Education and Workforce, Room B-001, 25 South Front Street, Columbus, Ohio, 43215.

Any person may e-mail written testimony to [rulecomments@education.ohio.gov](mailto:rulecomments@education.ohio.gov) before the day of the hearing in lieu of presenting testimony at the hearing. Please direct any questions regarding the hearing to [Brittney.kneisel@education.ohio.gov](mailto:Brittney.kneisel@education.ohio.gov).

- **OAC Chapter 3301-13 Proficiency Tests (3 rules)**

OAC 3301-13-04: Establishing provisions for a waiver by the superintendent of public instruction. (Amend)

OAC 3301-13-09: Provisions for an excuse from taking any assessment required for graduation for an adult with disabilities or for providing accommodations on any assessment required for graduation for an adult with disabilities, twenty-two or more years of age, and enrolled in adult high school continuation program. (Amend)

OAC 3301-13-10: Standard to develop a plan for any accommodation for or an excuse from statewide tests for students with disabilities in chartered nonpublic schools. (Amend)

These rules are being amended to perform a five-year review in accordance with Ohio Revised Code section 106.03 and to update the agency name from the Department of Education to the Department of Education and Workforce due to House Bill 33 of the 135<sup>th</sup> General Assembly.

- **OAC Chapter 3301-32 School Child Program (10 rules)**

OAC 3301-32-01: Definitions. (Amend)

OAC 3301-32-03: Staff requirements and ratios. (Amend)

OAC 3301-32-04: Indoor and outdoor health and safety. (Amend)

OAC 3301-32-05: Curriculum. (Amend)

OAC 3301-32-06: Child information. (Amend)

OAC 3301-32-07: Snack and meal requirements. (Amend)

OAC 3301-32-08: Management of communicable disease. (Amend)

OAC 3301-32-09: Discipline. (Amend)

OAC 3301-32-10: Policies and procedures, recordkeeping, and administration. (Amend)  
OAC 3301-32-11: Licensure and monitoring. (Amend)

These rules are being amended to reduce regulatory restrictions in accordance with Ohio Revised Code section 121.951, and to conform to section 423.140(K)(1) of HB 33 of the 135th GA which requires the Department to reduce regulatory restrictions in rules related to children's services programs prior to transferring them to the Department of Children and Youth. The name of the agency is also being updated from the Department of Education to the Department of Education and Workforce due to House Bill 33 of the 135th General Assembly.

- **OAC Chapter 3301-51 Education of Students with Special Needs (1 rule)**  
OAC 3301-51-05: Procedural safeguards. (Amend)

The rule is being amended to update dispute resolution procedures and conform with the federal Individuals with Disabilities Education Act (IDEA). References to the Department of Education are being updated to Department of Education and Workforce due to House Bill 33 of the 135<sup>th</sup> General Assembly.

- **OAC Chapter 3301-102 Community Schools (1 rule)**

OAC 3301-102-09: Approving applications for new internet-or computer-based community schools. (Amend)

The rule is being amended to perform a five-year review in accordance with Ohio Revised Code section 106.03 and to update the agency name from the Department of Education to the Department of Education and Workforce due to House Bill 33 of the 135th General Assembly.

***To obtain copies of the rules, please visit the [registerofohio.state.oh.us](http://registerofohio.state.oh.us)***

*The Ohio Department of Education and Workforce is committed to providing access and inclusion and reasonable accommodation in its services, activities, programs and employment opportunities in accordance with the Americans with Disabilities Act (ADA) and other applicable laws. To request reasonable accommodation due to a disability, please contact Katie Barnes,*

ADA coordinator, at [ADAaccommodation@education.ohio.gov](mailto:ADAaccommodation@education.ohio.gov) or (614) 387-2200 (voice) no later than November 12, 2024.