Ohio Department of Education

Mike DeWine, Governor
Paolo DeMaria, Superintendent of Public Instruction

Legal Notice

The State Board of Education will hold a public hearing regarding the rule actions listed below, on May 11, 2021, at 9:00 a.m. Due to COVID-19 precautions, this hearing will be held via video/ teleconference. If you would like to submit oral testimony, at the above-mentioned date and time, you can access the meeting the following ways:

Meeting link:
https://ohio.webex.com/ohio/j.php?MTID=m710506d44ad55fabd188a47f41f073f0
Meeting number: 129 899 6429
Password: PiTXtJ9EA33
Host key: 119539
More ways to join
Join by video system
Dial 1298996429@webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Join by phone
+1-408-418-9388 United States Toll
Access code: 129 899 6429

Written testimony may be submitted electronically to SBOE@education.ohio.gov.

- OAC 3301-35-15 Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion. Operating Standards for K-12th grade (Rescind/New)

Ohio Administrative Code Rule 3301-35-15 are the Standards for the implementation of positive behavior intervention supports and the use of restraint and seclusion. The rule provides requirements for schools to implement positive behavioral interventions and supports and parameters regarding the use of restraint and seclusion. The rule is being amended to provide for additional definitions; to provide for professional development requirements for the implementation of positive behavior intervention and supports; to account for students with multiple incidents of restraint and/or seclusion; and to provide a restraint and seclusion complaint process for parents who believe a school district has violated certain provisions of the rule.

- OAC Chapter 3301-32 School Child Program (13 rules)
  OAC 3301-32-01 Definitions (Amend)
  OAC 3301-32-02 Staff (Rescind)
  OAC 3301-32-03 Staff ratios and volunteers (Rescind/New)
  OAC 3301-32-04 Facilities (Amend)
  OAC 3301-32-05 Program and curriculum (Amend)
  OAC 3301-32-06 Health and safety (Rescind/New)
  OAC 3301-32-06.1 Pandemic requirements for a licensed school child program (New)
  OAC 3301-32-07 Nutrition (Amend)
  OAC 3301-32-08 Management of communicable disease (Rescind/New)

OAC 3301-32-09 Discipline (Amend)
OAC 3301-32-10 Policies and procedures, recordkeeping, and administration (Rescind/New)
OAC 3301-32-11 Licensure and monitoring (Rescind/New)
OAC 3301-32-12 Complaint investigation (Rescind)

Ohio Revised Code Section 3301.53(C) requires the State Board of Education, in consultation with the Director of Job and Family Services, to adopt rules for school child programs that are consistent with and meet or exceed the requirements of the rules adopted for child day-care centers that serve school-age children under Chapter 5104. of the Revised Code. The rules are being amended for clarity and to better align definitions and terms in the rules to definitions of the terms in Revised Code. OAC 3301-32-06.1 is proposed to be in compliance with ORC 3301.52-59 which includes the requirement to meet or exceed child care rules put into place by the Ohio Department of Job and Family Services.

- OAC Chapter 3301-37 Child Day-Care Programs (13 rules)
  OAC 3301-37-01 Definitions (Amend)
  OAC 3301-37-02 Compliance and investigation (Rescind/New)
  OAC 3301-37-03 Program (Amend)
  OAC 3301-37-03.1 Pandemic requirements for a licensed child day-care program (New)
  OAC 3301-37-04 Staff (Rescind/New)
  OAC 3301-37-05 Facility (Amend)
  OAC 3301-37-06 Equipment and supplies (Amend)
  OAC 3301-37-07 Policies and procedures (Amend)
  OAC 3301-37-08 Child information (Amend)
  OAC 3301-37-09 School food services (Amend)
  OAC 3301-37-10 Behavior management/discipline (Amend)
  OAC 3301-37-11 Management of communicable disease (Amend)
  OAC 3301-37-12 Diapering (Amend)

These rules address the program operating standards for Child Day-Care Programs, which are applicable to preschool programs operated by school district boards of education, county boards of developmental disabilities, community schools, or eligible nonpublic schools. The rules are being amended for clarity and to better align definitions to the definitions of terms in the Revised Code. OAC 3301-37-03.1 is being proposed to be in compliance with ORC 3301.52-59 which includes the requirement to meet or exceed child care rules put into place by the Ohio Department of Job and Family Services.

- OAC 3301-51-11 Preschool children eligible for special education (Rescind/New)

The rule is being amended as a result of stakeholder feedback and changes in HB 49, 132nd General Assembly.

To obtain copies of the rules, please visit the registerofohio.state.oh.us