

## **Summary of Changes to the *Ohio Operating Standards for the Education of Children with Disabilities***

**Effective July 1, 2014**

Below is a brief overview of the significant changes that were made to the *Ohio Operating Standards for the Education of Children with Disabilities*. Please be advised that the purpose of this document is to highlight the major changes to the rules that govern the provision of special education and related services in Ohio and is not intended to be a complete list of all changes/revisions. For the complete rule text, please refer to the [Ohio Administrative Code](#) Rules 3301-51-01 through 3301-51-09, 3301-51-11 and 3301-51-21.

### **3301-51-01 Applicability of requirements and definitions**

- Changes cognitive disability to intellectual disability (formerly mentally retarded).
- Aligns the definition of a visual impairment to the federal definition – includes both partial sight and blindness. The term “visual impairment” does not include a disorder in one or more of the basic psychological processes, such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia.
- Clarifies and separates an initial evaluation team from a reevaluation team.
- Transition Services: Clarifies goal of employment in an integrated competitive environment and adds skills needed by personnel to coordinate and provide secondary transition services.

### **3301-51-05 Procedural Safeguards**

- Adds the requirement for an initial informed consent for districts to access insurance benefits in the provision of related services and annual notice thereafter.
- Prior written notice – removes language regarding individualized education programs (IEPs) serving as prior written notice.
- Notice of Scholarship availability must be provided upon initial evaluation and at the annual review of the IEP.
- Resolution sessions – removes the language regarding confidentiality.
- Adds additional training requirements for Impartial Hearing Officers.

### **3301-51-06 Evaluation**

- Removes a required reevaluation for children with disabilities transitioning from preschool to kindergarten, except for those identified as developmentally delayed.
- Removes additional procedures for identifying children with hearing impairment or deafness.

### **3301-51-07 Individualized education program (IEP)**

- Adds comprehensive transition services for students starting at age 14 (or earlier if determined appropriate by the IEP team).
- Adds comprehensive eye exam required notice to parents at the time of the initial IEP.

### **3301-51-08 Parentally placed nonpublic school children**

- Clarifies child find responsibilities for the district where the chartered or non-chartered nonpublic school is located.
- Clarifies that students on the Autism or Peterson Scholarship may be eligible to receive services funded through IDEA private school proportional share funds or early childhood special education flow-through benefits if the children meet the eligibility requirements pursuant to rules 3301-103 and 3301-101 of the Administrative Code.
- Clarifies the responsibilities of the district of residence with regard to the provision of a free appropriate public education (FAPE) for a child with a disability who resides in the district and is participating in either scholarship program, as well as the dispute resolution rights of a parent of a child participating in either scholarship program.

### **3301-51-09 Delivery of services**

- Adds clarifying language for the annual training of paraprofessional's specific to the knowledge and skills specific to the students they support, as well as direct supervision of paraprofessionals.
- Clarifies language for intervention specialists and related service providers regarding workload determination, includes existing ratios with clarification for school psychologists and speech/language pathologists regarding proportionate calculations when mixed caseloads.

### **3301-51-11 Preschool children eligible for special education**

- Clarification that no single source of information, such as a single measure or score, can be used to determine whether a preschool child is or is not eligible for special education.

### **3301-51-21 Providing instructional material to children with visual impairments and others with print disabilities that are listed for sale by publishers with the superintendent of public instruction.**

- Adds the requirement that for an electronic textbook (e-book) that is not fully accessible on current computer platforms, or is not available as a print instructional material, the publisher must provide National Instructional Materials Accessibility Standard (NIMAS) file sets to the National Instructional Materials Accessibility Center (NIMAC).