



Ohio Administrative Code

Rule 3301-53-01 Minimum standards for establishing county board of developmental disabilities special education programs.

Effective: April 28, 2022

(A) Definitions. All terms used in this rule shall be considered as defined in rules 3301-35-01 and 3301-51-01 of the Administrative Code.

(B) Responsibilities of the county board of developmental disabilities. The county board of developmental disabilities shall provide a special education program for eligible children appropriately placed in such programs pursuant to rules 3301-51-01 to 3301-51-11 of the Administrative Code.

(C) Eligible children. The county board of developmental disabilities shall provide a program to serve:

(1) Children with disabilities who have been determined eligible for special education services in accordance with rule 3301-51-06 of the Administrative Code regarding evaluations.

(2) Preschool children who are eligible for preschool special education services under rule 3301-51-11 of the Administrative Code.

(D) Special education program requirements.

(1) All programs shall comply with the following statutes and related rules:

(a) Confidentiality and personal information systems in section 3319.321 and Chapter 1347. of the Revised Code, regarding safeguards of student records.

(b) Scope of obligation in section 3321.04 of the Revised Code, regarding student attendance strategies.

(c) Education of children with disabilities in Chapter 3323. of the Revised Code.



- (d) All applicable state and local health and safety codes.
- (e) Section 3737.73 of the Revised Code, drills and rapid dismissals.
- (f) Chapter 3301-51 of the Administrative Code, Ohio operating standards for the education of children with disabilities.
- (E) School district of residence requirements.
- (1) The school district of residence that placed a child in a special education program run by a county board of developmental disabilities shall ensure compliance with the following:
 - (a) A free education to be provided; hours in a school year, pursuant to section 3313.48 of the Revised Code.
 - (b) Policy regarding suspension, expulsion, removal, and permanent exclusion, pursuant to section 3313.661 of the Revised Code, policy regarding suspension or expulsion specifies the types of misconduct for which a pupil may be suspended, expelled, or removed, except that if the section is inconsistent with the Individuals with Disabilities Education Act (2006), then the Individuals with Disabilities Education Act shall control.
 - (c) Immunization of pupils, immunization record, annual summary, pursuant to section 3313.67 of the Revised Code, required immunizations.
 - (d) Emergency Medical Authorization pursuant to section 3313.712 of the Revised Code, emergency medical authorization.
 - (e) Contract with health district for services of physician, dentist, or nurse pursuant to section 3313.72 of the Revised Code.
 - (f) Purpose and definitions pursuant to rule 3301-35-01 of the Administrative Code, the purpose and definitions for the operating standards for kindergarten to twelfth grade.



(g) Governance, leadership, and strategic planning pursuant to rule 3301-35-02 of the Administrative Code, services that identify student health and safety concerns and opportunities for access to appropriate related resources.

(h) Board of health shall inspect schools and may close them pursuant to section 3707.26 of the Revised Code, regarding inspection of schools by the board of health.

(F) Evaluation and establishing.

(1) The program shall be evaluated by the department of education to determine if such program is in compliance with this rule. Following the initial evaluation of the program, the program shall be monitored by the department of education as determined appropriate by the department.

(2) The program shall be recommended by the department of education to the state board of education for establishing if the program meets the requirements specified in this rule and those set forth in Chapter 3301-51 of the Administrative Code regarding the education of children with disabilities.