



Ohio Administrative Code

Rule 3301-53-03 Excess cost charges for county boards of developmental disabilities for special education programs.

Effective: [April 28, 2022](#)

(A) As used in this rule, the following definitions apply:

(1) "Excess cost" means the per-pupil educational cost for educating nonresident school-age children incurred by the educating county board of developmental disabilities that is in excess of the per-pupil amount of resident children received by the county board of developmental disabilities under Chapter 3317. of the Revised Code.

(2) "Individualized education program" (IEP) means a written statement for a child with a disability that is developed and implemented in accordance with rule 3301-51-07 of the Administrative Code.

(3) "Certified excess cost" means the cost calculated under this rule approved by the Ohio department of education which is the maximum amount of money a county board of developmental disabilities may charge a public school district responsible for tuition of a nonresident child enrolled in a county board of developmental disabilities program.

(4) "County board" means a county board of developmental disabilities.

(5) "Related Services" as defined in rule 3301-51-01 of the Administrative Code.

(B) County boards may charge the school district responsible for tuition an amount of certified excess cost calculated under this rule when the following occurs:

(1) A school district within the territory served by the county board places or has placed a child with the county board for special education, but another district outside the territory served by the county board is responsible for tuition under Chapter 3313. of the Revised Code; and

(2) The child is not a resident of the territory served by the county board.



(C) Excess cost calculations shall be the actual cost per individual pupil for special education and related services that exceeds the amount received from state sources and transfers for such pupils. District submission and review of excess cost reimbursement requests are to be completed by the end of the fiscal year subsequent to when the expenses occurred.

(D) Payment of certified excess cost by the public school district shall be made directly to the educating county board.

(E) Excess cost calculations completed by a county board shall be based on the following and shall apply only to school-age programs:

(1) Expenditures for direct services of the related service providers, teachers and aides, including teacher salary and benefits, instructional supplies, materials and equipment, administrative cost, operations support, staff support, pupil support, contracted educational cost, and related services; and

(2) Funding reported on the payment report and transportation reimbursement shall be deducted by the Ohio department of education, and the certified excess cost shall be reported to the county board.