



## Ohio Administrative Code Rule 3301-73-20 Reports and recommendations.

Effective: July 27, 2023

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(A) Within sixty days following both the close of the record of an administrative hearing conducted pursuant to Chapter 119. and section 3319.311 of the Revised Code and of receiving the transcript from the hearing, the hearing officer will submit a written report setting forth a summary of proceedings, proposed findings of fact and conclusions of law, and a recommendation of the action to be taken by the state board. The hearing record will not be considered closed until such time as the record is complete, as determined by the hearing officer.

Any requests by the hearing officer to extend the time to file the report will be submitted in writing to the superintendent prior to the sixtieth day and will include an explanation why such extension is necessary. Such request will be decided by the superintendent.

(B) The written report will be filed with the department. The department will serve the parties as provided under Chapter 119. of the Revised Code.

(C) Pursuant to section 119.09 of the Revised Code, either party may file written objections to the report and recommendation within ten days of receipt of the hearing officer's report and recommendation. Filing of objections will comply with rule 3301-73-06 of the Administrative Code. Only those objections filed in a timely manner will be considered by the state board. Either party may file a motion to strike in response to the submission of objections. A motion to strike must be filed within ten days from the date of service of the objections. A response to the motion to strike by the parties may not be filed and will not be considered by the hearing officer. If a motion to strike is filed, the hearing officer will make a recommendation to the state board on the motion to strike.

(D) Prior to the tenth day after receipt of the report and recommendation pursuant to section 119.09 of the Revised Code or objections filed by either party and upon written request, the superintendent may grant an extension of time within which to file objections. The extension will not be for more than fourteen days.



(E) The state board will consider the hearing officer's report and recommendation and any objections thereto at the next possible regularly scheduled meeting, if the state board's agenda permits, after the time for filing objections, a motion to strike, and a recommendation on the motion to strike has passed. The state board may decide to accept, reject, or modify the report and recommendation or remand the matter to the hearing officer. The state board will memorialize the decision on the report and recommendation through a written resolution and/or order.