



Ohio Revised Code

Section 3323.06 Supervision plan - enforcement - advisory panel.

Effective: October 3, 2023

Legislation: House Bill 33

(A) The department of education and workforce shall develop, implement, provide general supervision of, and assure compliance with a state plan for the following:

- (1) The identification, location, and evaluation of all children with disabilities in the state;
- (2) The provision of special education and related services to ensure a free appropriate public education for all children with disabilities at least three years of age and less than twenty-two years of age, including children with disabilities who have been suspended or expelled from school;
- (3) The availability of special education and related services for children with disabilities under three years of age, as authorized by division (C) of this section and as specified in rules of the department.

The state plan shall provide assurances that the department has in effect policies and procedures to ensure that the state meets the conditions specified in section 612 of the "Individuals with Disabilities Education Improvement Act of 2004," 20 U.S.C. 1412.

(B) The department shall establish and maintain an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the state. A majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities representing all ages, birth through twenty-six years of age. The advisory panel shall meet the requirements of section 612(a)(21) of the "Individuals with Disabilities Education Improvement Act of 2004," 20 U.S.C. 1412(a)(21), and related provisions of the Code of Federal Regulations. The panel shall advise the Ohio department of education and workforce of unmet needs within the state in the education of children with disabilities; comment publicly on rules proposed by that department regarding the education of children with disabilities; advise that department in developing evaluations and reporting on data to the United States secretary of education under section 618 of the act, 20 U.S.C. 1418; advise the Ohio department in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the



act; and advise the Ohio department in developing and implementing policies relating to the coordination of services for children with disabilities.

(C) In addition to the policies and procedures authorized under division (A) of this section, the department may authorize school districts to establish and maintain special education and related services for children less than three years of age as specified in rules of the department.

(D) In the exercise of its general supervisory responsibility, the department shall monitor the implementation of Part B of the "Individuals with Disabilities Education Improvement Act of 2004" by school districts. Monitoring activities shall include, but are not limited to, focused monitoring, investigations of complaints, and technical assistance. The primary focus of the department's monitoring activities shall be improving educational results and functional outcomes for all children with disabilities and ensuring that the department meets the program requirements under Part B, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.