



## Ohio Administrative Code

### Rule 3301-52-01 Appropriate uses of early child education screening and assessment information.

Effective: June 23, 2013

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(A) Standards included in this section are intended to provide guidance for determining whether or not a practice related to use of child education assessment information is consistent with the purposes and intentions directing the collection of information. Except as otherwise specified, the following definitions are used in this rule:

(1) "Assessment" shall include educational information gathered for the purposes of demonstrating child progress, standardized achievement tests, competency based education assessments, and any age-level assessments conducted program wide.

(2) "Screening" shall include information gathered for the purpose of determining whether a child should be referred for further assessment.

(3) "Program" shall mean all head start and early learning programs including, but not limited to early childhood education programs, and preschool special education programs.

(4) "Appropriate staff" shall include any employee or volunteer who has access to the screening and assessment information, or participates in activities related to administering the screening instrument or assessment or interpreting results of the screening instrument or assessment.

(5) "Parent" shall mean parent as defined in section 3321.01 of the Revised Code.

(B) Each program shall assure that all parents' rights as specified in the Federal Education Rights and Privacy Act (FERPA), 20 U.S.C. 1232g (January 2010); FERPA regulations, 34 CFR Part 99 (January 2012); state of Ohio special education regulations, Chapter 3301-51 of the Administrative Code; and section 5126.044 of the Revised Code are afforded at each site. Each program shall:

(1) Document annual training of appropriate staff related to:



- (a) Confidential nature of child records;
  - (b) Location of records and who may have access;
  - (c) Procedures for notice of destruction of information;
  - (d) Prior parent written consent for records release; and
  - (e) Out of program identification safeguards.
- (2) Provide written information to parents regarding:
- (a) The nature of the screening and assessment, the methods used to assess children and the timeline for the screening and assessment process;
  - (b) The uses of screening and assessment data and the decisions based on screening and assessment information; and
  - (c) The parents' right to request someone who is qualified but does not work for the program to review the screening and assessment information.
- (3) Provide written information to parents regarding kindergarten entrance including:
- (a) That a child's screening and assessment data cannot be used to determine eligibility to enter kindergarten, and
  - (b) The only criterion for entrance into kindergarten is age eligibility as specified in section 3321.01 of the Revised Code.
- (C) This rule shall not be exempted for "excellent" or "effective" districts pursuant to rule 3301-15-02 of the Administrative Code.