



## Ohio Administrative Code Rule 3301-101-01 Definitions.

Effective: June 27, 2024

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The following terms are defined as they are used in this chapter of the Administrative Code:

- (A) "Administrative or judicial mediations or proceedings" includes, but is not limited to, pending written complaints, mediations, or due process hearings with respect to the content of the individualized education program (IEP) that an alternative public provider or registered private provider would implement if a special needs scholarship is awarded to a child whose parent has applied for a scholarship for his or her child; or is implementing if a child was awarded a scholarship and is participating in the special needs scholarship program;
- (B) "Alternative public provider" has the same meaning as in section 3310.51 of the Revised Code;
- (C) "Special needs scholarship program" has the same meaning as the Jon Peterson special needs scholarship program established in section 3310.52 of the Revised Code;
- (D) "Category one" child is a child who has been identified with a disability of speech or language impairment as defined in rule 3301-51-01 of the Administrative Code;
- (E) "Category two" child is a child who has been identified as specific learning disabled as that term is defined in rule 3301-51-01 of the Administrative Code, a child who has an intellectual disability as that term is defined in rule 3301-51-01 of the Administrative Code, or a child who has other health impairment-minor as defined in section 3317.02 of the Revised Code;
- (F) "Category three" child is a child who has been identified with a hearing impairment or an emotional disturbance as that term is defined in rule 3301-51-01 of the Administrative Code or as severe behavior disabled;
- (G) "Category four" child is a child who has been identified with a visual impairment as that term is defined in rule 3301-51-01 of the Administrative Code or as having another health impairment-



major, as defined in section 3317.02 of the Revised Code;

(H) "Category five" child is a child who has been identified with an orthopedic impairment or as having multiple disabilities as those terms are defined in rule 3301-51-01 of the Administrative Code;

(I) "Category six" child is a child who has been identified as having autism as that term is defined in rule 3301-51-01 of the Administrative Code, as having traumatic brain injuries as that term is defined in rule 3301-51-01 of the Administrative Code, or as deaf-blindness as that term is defined in rule 3301-51-01 of the Administrative Code;

(J) "Child find" has the same meaning as in rule 3301-51-03 of the Administrative Code;

(K) "Department" means the department of education and workforce;

(L) "IDEA" means the Individuals with Disabilities Education Improvement Act of 2004 at 20 U.S.C. 1400, Public Law 108-446 of the 108th Congress, December 3, 2004;

(M) "Entitled to attend school" has the same meaning as in section 3310.51 of the Revised Code;

(N) "FAPE" means free and appropriate public education under the Rehabilitation Act of 1973 and the Individual with Disabilities Education Act;

(O) "IEP" means an individualized education program and has the same meaning as in section 3310.51 of the Revised Code;

(P) "Eligible applicant" has the same meaning as in section 3310.51 of the Revised Code ;

(Q) "Modify services" means to provide services identified on the IEP at a different frequency or in a different amount than specified on the IEP, as measured by goals and objectives, or to provide services other than those identified on the IEP, but associated with educating the child. A parent and provider do not have the ability to independently amend or alter the IEP as written by the school district;



(R) "Qualified special education child" has the same meaning as in section 3310.51 of the Revised Code;

(S) "Registered private provider" has the same meaning as in section 3310.51 of the Revised Code;

(T) "Primary Provider," for a child with more than one provider, means the provider responsible for submission and maintenance of the child's scholarship application and the administration of the state assessment to the child;

(U) "Scholarship" has the same meaning as in section 3310.51 of the Revised Code;

(V) "School district of residence" has the same meaning as in section . 3310.51 of the Revised Code;

(W) "Special education program" has the same meaning as in section 3310.51 of the Revised Code.