



Ohio Administrative Code

Rule 3301-13-09 Provisions for an excuse from taking any assessment required for graduation for an adult with disabilities or for providing accommodations on any assessment required for graduation for an adult with disabilities, twenty-two or more years of age, and enrolled in adult high school continuation program.

Effective: January 24, 2020

(A) For purposes of excusing an adult student from taking any assessment required for receiving a diploma under section 3313.611 of the Revised Code, or for providing accommodations on any assessment required for graduation, the provisions of this rule shall apply only to an adult student who meets all of the eligibility criteria in this rule.

(1) The adult student is a person twenty-two or more years of age and enrolled in a program pursuant to section 3313.532 of the Revised Code; and

(2) The adult student is a person with a disability based on an evaluation completed in accordance with the requirements of this rule.

(B) An adult student who meets the criteria pursuant to paragraph (A) of this rule or any applicant to a board of education for a diploma of adult education under division (B) of section 3313.611 of the Revised Code may request the board to conduct an evaluation. Upon the request, the board of education to which the request was made shall evaluate the person to determine whether the person has a disability. The evaluation shall be conducted in accordance with paragraphs (D) and (E) of this rule.

(C) For individuals enrolled in the twenty-two plus program pursuant to Chapter 3301-45 of the Administrative Code, the evaluations and requirements referenced in this rule shall be conducted by the board of education of the student's district of residence as that is the district responsible for issuing diplomas under the twenty-two plus program.

(D) An evaluation to determine if an adult student has a disability shall be accomplished in one of the following ways:



(1) By review and acceptance of the most recent evaluation team report (ETR) and individualized education program (IEP) with assessment exemptions completed by a public agency, as defined by Chapter 3301-51 of the Administrative Code if deemed appropriate; or

(2) By completing an evaluation in accordance with the requirements set forth in 20 U.S.C. section 1400 et seq. (January 2, 2006) known as the Individuals with Disabilities Education Act, as appropriate and considering the accommodations consistent with 29 U.S.C. section 794 (January 3, 2005), known as Section 504 of the Rehabilitation Act of 1973.

Evaluations and assessment exemption determinations shall be completed and approved by the board of education within one-hundred twenty days from the date of the request made under section 3313.532 of the Revised Code.

(E) Any evaluation completed by a board of education to determine whether an adult student has a disability must include a variety of assessments and be comprehensive and multidisciplinary in nature.

(F) A board of education shall maintain written documentation of all information used to determine any disability.