



## Ohio Administrative Code Rule 3301-34-03 Notification.

Effective: July 1, 2019

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(A) Consistent application of procedures and practices throughout the state by superintendents and parents is essential for children receiving home education and helps to safeguard the primary right of parents to determine the appropriate education for their child(ren).

A parent who elects to provide home education shall supply the following information to the superintendent no later than the first week of the start of the public school building the child would attend in the school district of residence or within one week of the date on which the child begins to reside in the district or within one week from the child's withdrawal from a school:

(1) School year for which notification is made;

(2) Name of parent, address, email and telephone number (email and telephone number optional);

(3) Name, address, and telephone number (telephone number optional) of person(s) who will be teaching the child the subjects set forth in paragraph (A)(5) of this rule, if other than the parent;

(4) Full name and birthdate of child to be educated at home;

(5) Assurance that home education will include the following, except that home education shall not be required to include any concept, topic, or practice that is in conflict with the sincerely held religious beliefs of the parent:

(a) Language, reading, spelling, and writing;

(b) Geography, history of the United States and Ohio; and national, state, and local government;

(c) Mathematics;



(d) Science;

(e) Health;

(f) Physical education;

(g) Fine arts, including music; and

(h) First aid, safety, and fire prevention.

(6) Brief outline of the intended curriculum for the current year. Such outline is for informational purposes only.

(7) List of textbooks, correspondence courses, commercial curricula, or other basic teaching materials that the parent intends to use for home education. Such list is for informational purposes only.

(8) Assurance that the child will be provided a minimum of nine hundred hours of home education each school year.

(9) Assurance that the home teacher has one of the following qualifications:

(a) A high school diploma; or

(b) The certificate of high school equivalence; or

(c) Standardized test scores that demonstrate high school equivalence; or

(d) Other equivalent credential found appropriate by the superintendent; or

(e) Lacking the above, the home teacher must work under the direction of a person holding a baccalaureate degree from a recognized college until the child's or children's test results demonstrate reasonable proficiency or until the home teacher obtains a high school diploma or the certificate of



high school equivalence.

(10) The parent(s) shall affirm the information supplied with his or her signature prior to providing it to the superintendent.

(B) The information required in paragraph (A) of this rule may be provided on a form prescribed by the superintendent of public instruction.

(C) The superintendent shall review the information submitted within fourteen calendar days of receipt thereof and shall determine if it is in compliance with the provisions of paragraph (A) of this rule.

(1) If the superintendent, upon review of the information, determines that it is in compliance with all requirements set forth in paragraph (A) of this rule, the superintendent shall notify the parent(s) in writing that the child is excused from school attendance for the remainder of the current school year.

(2) If the superintendent, upon review of the information, determines that it is not in compliance with all of the requirements set forth in paragraph (A) of this rule, the superintendent shall state in writing the specific respects in which the information is incomplete. The superintendent shall provide the parent an option within fourteen calendar days, to:

(a) Supply additional information in writing, or

(b) Arrange a conference at which the requested information can be supplied.

(D) If the additional information supplied either in writing or in conference is not in accordance with the requirements set forth in paragraph (A) of this rule; or notwithstanding the fact that the parent has complied with the provisions of this rule, if the superintendent has substantial evidence that the minimum educational requirements of paragraph (A) of this rule will not be met, the superintendent shall declare his or her intent to deny the excuse.

(1) The superintendent shall so notify the parent(s) in writing within fourteen calendar days, stating the following:



- (a) The reason(s) for the intent to deny the excuse, and
  - (b) The right to a due process hearing before the superintendent on the reasons set forth.
- (2) If a due process hearing before the superintendent is held, the superintendent shall be responsible for providing a record of the proceedings, including the oral testimony of witnesses and any documentary evidence referred to in the hearing.
- (3) Based on the evidence presented at the hearing, the superintendent may grant or deny an excuse from attendance. If the excuse from attendance is denied, the superintendent shall notify the parent(s) of the following:
- (a) That the parent(s) has the right to appeal the superintendent's decision to the juvenile judge of the county, within ten calendar days, in accordance with section 3331.08 of the Revised Code; and
  - (b) That the parent(s) may be in violation of sections 3321.03 and 3321.04 of the Revised Code.
- (E) The superintendent shall file in his office a copy of the information supplied; a copy of the excuse, if any; papers showing how the qualification of the person instructing the child was determined; and all other documents relating to the information and the actions thereon.
- (F) Upon transfer from a district in which the child has been excused from compulsory school attendance for the purpose of home education, the last district of residence shall, upon the request of the parent(s), forward to the new district of residence a copy of the information supplied and related documents. If the transfer and request of information occurs during the school year excused by the last district of residence, the forward of information request shall satisfy the notice requirements outlined in paragraphs (A) and (C) of this rule and should be honored by the new district of residence for the remainder of that school year.
- (G) At the request of a parent, a child who has been excused from compulsory school attendance for the purpose of home education may be enrolled in a chartered public school in the school district of residence as determined under section 3313.64 of the Revised Code on a part-time basis.



(H) Upon substantial evidence of cessation of home education in accordance with this chapter, the superintendent shall notify the parent(s) of the intent to revoke the excuse from attendance and the parent's right to a due process hearing pursuant to paragraph (D) of this rule. If, after the due process hearing, the excuse is withdrawn the superintendent shall notify the parent(s) in writing to enroll the child in a school that is in compliance with Chapter 3301-35 of the Administrative Code. The superintendent shall also notify the parent(s) in writing that the parent(s) has the right to appeal the superintendent's decision to the juvenile judge of the county, within ten calendar days, in accordance with section 3331.08 of the Revised Code.