



Ohio Revised Code

Section 3310.58 Registration with department.

Effective: September 30, 2025

Legislation: House Bill 96

No nonpublic school or entity shall receive payments from an eligible applicant for services for a qualified special education child under the Jon Peterson special needs scholarship program until the school or entity registers with the department of education and workforce. The department shall maintain a list of each registered private provider and the location of that provider on its publicly accessible web site. The department shall register and designate as a registered private provider any nonpublic school or entity that meets the following requirements:

(A) The school or entity complies with the antidiscrimination provisions of 42 U.S.C. 2000d, regardless of whether the school or entity receives federal financial assistance.

(B) If the school or entity is not chartered by the director of education and workforce under section 3301.16 of the Revised Code, the school or entity agrees to comply with sections 3319.39, 3319.391, and 3319.392 of the Revised Code as if it were a school district.

(C) The teaching and nonteaching professionals employed by the school or entity, or employed by any subcontractors of the school or entity, hold appropriate credentials for the qualified special education children enrolled in and the services provided through the special education program it operates. The list of professionals who hold appropriate credentials to provide services under a special education program include all of the following:

(1) A behavior analyst certified by a nationally recognized organization that certifies behavior analysts;

(2) A psychologist licensed to practice in this state under Chapter 4732. of the Revised Code;

(3) An independent school psychologist or school psychologist licensed to practice in this state under Chapter 4732. of the Revised Code;



- (4) Any person employed by a licensed psychologist, licensed independent school psychologist, or licensed school psychologist, while carrying out specific tasks, under the licensee's supervision, as an extension of the licensee's legal and ethical authority as specified under Chapter 4732. of the Revised Code who is ascribed as "psychology trainee," "psychology assistant," "psychology intern," or other appropriate term that clearly implies their supervised or training status;
- (5) An unlicensed person holding a doctoral degree in psychology or special education from a program approved by the department;
- (6) A registered behavior technician as described in rule 5123-9-41 of the Administrative Code working under the supervision and following the intervention plan of a certified Ohio behavior analyst or behavior analyst certified by a nationally recognized organization that certifies behavior analysts;
- (7) A certified Ohio behavior analyst under Chapter 4783. of the Revised Code;
- (8) An occupational therapist or physical therapist licensed to practice in this state under Chapter 4755. of the Revised Code;
- (9) A speech-language pathologist licensed to practice in this state under Chapter 4753. of the Revised Code;
- (10) An intervention specialist who holds a valid license issued by the state board;
- (11) A literacy intervention specialist certified through pathways recognized by the Ohio dyslexia committee established by section 3323.25 of the Revised Code. To the extent that certification for any of the following positions is approved by the Ohio dyslexia committee under section 3323.25 of the Revised Code, literacy intervention specialists may include:
 - (a) A structured literacy dyslexia interventionist;
 - (b) A structured literacy dyslexia specialist;



(c) A certified academic language practitioner;

(d) A certified academic language therapist.

(12) An educational aide or assistant with a valid permit issued under section 3319.088 of the Revised Code;

(13) An instructional assistant with a valid permit issued in accordance with section 3310.43 of the Revised Code;

(14) Any other qualified individual as determined by the department.

(D) For billing purposes under the Jon Peterson special needs scholarship program, services provided by a teacher or substitute teacher licensed by the state board of education shall be classified as academic services and shall not be classified as aide services. The department shall use this differentiation to simplify monthly audit procedures.

(E) The school's or entity's educational program shall be approved by the department.

(F) The school or entity meets applicable health and safety standards established by law.

(G) The school or entity agrees to retain on file documentation as required by the department.

(H) The school or entity agrees to provide a record of the implementation of the individualized education program for each qualified special education child enrolled in the school's or entity's special education program, including evaluation of the child's progress, to the school district in which the child is entitled to attend school, in the form and manner prescribed by the department.

(I) The school or entity agrees that, if it declines to enroll a particular qualified special education child, it will notify in writing the eligible applicant of its reasons for declining to enroll the child.