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S.B. 356
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Brenner

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SUMMARY

- Includes *all* children identified as “developmentally delayed” into Category 2 of the special education funding formula for districts and schools, expanding the current law rule that includes only preschool children with developmental delays.
- Expands the definition of a “child with a disability” to include children ages three through nine who are experiencing a developmental delay, rather than the current law definition that includes developmentally delayed children ages three through five.

DETAILED ANALYSIS

Special education funding for developmentally delayed children

Under current law, funding for special education is divided into six categories. Each category is assigned its own weight coefficient, or multiple. That multiple is used to calculate the amount of additional funding paid to a school district or other public school for each identified student with a disability receiving special education and related services. A higher multiple corresponds with more funding per student to account for an assumed higher cost of providing services to the student. Under the current funding formula in place for FY 2022 and 2023, it is multiplied by “statewide average base cost per pupil” (\$7,352 for FY 2022), and in the case of a school district further multiplied by its “state share percentage.”¹ In addition, the special education funding is subject to the phase-in percentage prescribed by the school funding formula (16.67% for FY 2022 and 33.33% for FY 2023).²

The current categories and their multiples are the following:

¹ R.C. 3317.022 and 3317.16, neither in the bill.

² Section 265.215 of H.B. 110 of the 134th General Assembly.

1. Students with only a speech and language disability, 0.2435;
2. Any students with a specific learning disability, a developmental disability, or other health impairment-minor and preschool students with a developmental delay, 0.6179;
3. Students with a hearing disability or a severe behavioral disability, 1.4845;
4. Students with a vision impairment or other major health impairment-major, 1.9812;
5. Students with an orthopedic disability or multiple disabilities, 2.6830;
6. Students with autism, a traumatic brain injury, or both vision and hearing impairment, 3.9554.

The bill amends Category 2 to include all students identified as having a developmental delay, rather than only preschool students, thus assigning such students a funding multiple of 0.6179.³

Definition of a “child with a disability”

The bill extends the upper age limit for a developmentally delayed child to be identified under state law as a “child with a disability” from six to ten years of age. Thus, under the bill, children ages three through nine may be identified as developmentally delayed and thereby placed into Category 2 for special education funding.⁴

The bill’s extended age range aligns with the federal law definition of “child with a disability” that includes children ages three through nine who are experiencing developmental delays. However, the federal law permits a state or a local educational agency (that is, a school district or other public school) to recognize “any subset of that age range, including ages 3 through 5” for identifying children with developmental delays.⁵

HISTORY

Action	Date
Introduced	07-27-22

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³ R.C. 3317.013.

⁴ R.C. 3323.01.

⁵ 20 United States Code 1401(3).