3301-13-09 Provisions for an excuse from taking any assessment required for graduation of an adult with disabilities, or for providing accommodations on any assessment required for graduation for an adult.

(A) For purposes of excusing an adult student from taking any assessment tests required for receiving a diploma under section 3313.61 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 an adult high school continuation program established pursuant to section 3313.53|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 3313.61 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 (DC) and (EB) of this rule.

(C) For individuals enrolled in the 22+ 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 22+ program.

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

(1) By review and acceptance of an evaluation completed by an Ohio state public agency, as defined by rule 3301-51-01 of the Administrative Code, and acceptance of the evaluation, if said evaluation was completed within the past five calendar years, and if deemed appropriate;

(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, or 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; and or

(3) By review of the evaluation data and acceptance of the evaluation, if said evaluation was completed within the past five calendar years, and if deemed appropriate, for a student who was evaluated and determined by a board of education to have a disability while enrolled in a public school or chartered non-public school in Ohio.
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.

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

For a student who has been determined to have a disability, the determination of whether to excuse the person from taking any assessment of the tests required by division (B) of section 3301.0710 of the Revised Code as a requirement for receiving a diploma under section 3313.611 of the Revised Code, or the determination of what accommodations to provide shall be made in accordance with the provisions of rule 3301-13-03 of the Administrative Code.

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