3301-51-11 Preschool children eligible for special education.

(A) Preschool special education programs and related services operated by school districts, county boards of developmental disabilities (county boards of DD), and other education agencies shall be provided in accordance with this chapter of the Administrative Code. Except as otherwise specified below in this rule, the definitions in rule 3301-51-01 of the Administrative Code apply to this rule and preschool special education.

(1) “Change of placement” is defined as a change within the continuum of service options.

(2) “Coaching” means a learning process based on a collaborative relationship that is intentionally designed to promote sustainable growth in the necessary attitudes, skills, and knowledge to implement best practices.

(3) “Co-teaching” means a class taught by two licensed teachers, one general education teacher and one intervention specialist. Both teachers are assigned to the classroom for the full duration of each class session. All children in the co-taught class are on the general education teacher’s roster, and the children with disabilities are counted in the intervention specialist’s caseload. The co-taught class shall be considered a general education class for licensing and EMIS reporting.

(4) “Developmental delay” means a child of three to five years who is experiencing a delay as determined by an evaluation team, IEP team, and other qualified professionals in one or more of the following areas of development:

(a) Physical development;

(b) Cognitive development;

(c) Communication development;

(d) Social or emotional development; or

(e) Adaptive development.

A school district may choose to use the term "developmental delay" under the following conditions for children ages three through five who are experiencing developmental delays and who, by reason thereof, need special education and related services:

(a) The applicability of the term shall be based upon the individual needs of the child as determined by the evaluation team or the IEP team and other qualified professionals.

(b) In addition to the assessments required in paragraph (C) of this rule, results of appropriate diagnostic instruments and procedures may also be used to help make the determination that a child has a developmental delay. A developmental delay may be substantiated by a delay of two standard deviations below the mean in one or more of the areas of development or 1.5 standard deviations below the mean in
two or more of the areas of development listed in this rule. The results shall not be used as the sole factor in making the determination that a child has a developmental delay.

(c) The term developmental delay may be used only after considering the applicability of the categories provided in rule 3301-51-01 of the Administrative Code.

(5) “Full day class session” means a class session of four or more hours.

(6) “General education preschool class” means:

(a) Licensed by either the Ohio department of education or Ohio department of jobs and family services as a preschool or child care;

(b) Includes at least 60 percent of children without disabilities (children who do not receive IEP services in any setting) enrolled in the class;

(c) Includes instruction in the general education curriculum aligned to Ohio’s early learning and developmental standards; and

(d) Taught by a general education teacher who meets the lead teacher qualifications pursuant to rule 3301-37-04 of the Administrative Code. The lead teacher does not simultaneously serve as an intervention specialist. Children with disabilities enrolled in the general education preschool class receive specially designed instruction from someone other than the lead teacher.

(7) “Half day class session” means a class session of less than four hours.

(8) “Itinerant services” means services provided by intervention specialists or related services which occur in the setting where the child, the child and parent(s), or the child and caregiver are located. Itinerant services may be delivered in a home, in a community setting (such as a hospital or library), or in any preschool or child care program that is licensed under either Chapter 3301 or Chapter 5104 of the Revised Code. Related services provided in the service provider’s location are not itinerant services.

(9) “Kindergarten age eligible” means a child who is eligible pursuant to section 3321.01 of the Revised Code.

(10) “Preschool special education class” means a class in which the lead teacher is licensed to teach preschool special education pursuant to rule 3301-37-04 of the Administrative Code and is responsible for specially designed instruction for one or more children with an IEP enrolled in the class.

(11) “Pull out services” means specially designed instruction and/or related services that occur after the service provider removes the child from his/her regular classroom activities. Pull out services can occur either in the classroom or in another room within the building.

(12) A “related service” embedded in a child’s classroom routine and activities may be
considered specially designed instruction. Related services not embedded in a child’s classroom routine and activities shall be considered a related service and not specially designed instruction.

(13) “Service provider location” means the child travels to the building where the child receives only specially designed instruction and/or related services from the provider.

(14) “Support for school personnel services” may include modeling specially designed instruction, preparing materials for use by others, co-planning instruction or interventions, coaching, or otherwise consulting with family member, caretaker, general education teacher, intervention specialist, related services personnel, paraprofessional, or other person who provides care to the child.

(B) Interagency agreements

Each school district shall develop and annually review interagency agreements with all partners to ensure a free appropriate public education (FAPE) is provided to all preschool children who are eligible for special education services between the ages of three through five residing in the school district. At a minimum, agreements with the following partners are required:

(1) “Head Start” programs within the school district’s service delivery area that provide for:

(a) Service coordination for preschool children who are eligible for special education services, three through five years of age, in a manner consistent with the state interagency agreement for service coordination with “Head Start”; and

(b) Transition of children eligible for special education and related services as a preschool child at age three.

(2) The county agency responsible for the “Help Me Grow” part C early intervention service delivery system that provides for the transition of children from early intervention services to preschool special education and related services at age three in a manner consistent with the state interagency agreement for service coordination with “Head Start.” The agreement must include, but is not limited to, the following requirements:

(a) A process by which strategies are evaluated for effectiveness and appropriate revisions to the agreement are made;

(b) A process by which “Help Me Grow” early intervention refers children who are forty-five days or less from their third birthdays and are suspected of having a disability. These children must have an evaluation completed within sixty days of parental consent for evaluation, but an individualized education program (IEP) is not required by their third birthdays;

(c) Shared responsibilities for evaluating children suspected of having a disability referred through “Help Me Grow” early intervention at least forty-six days before their third birthdays but not more than ninety days before their third birthdays;
(d) Shared responsibilities for child find, including locating, evaluating, and identifying children with disabilities birth through age five; and

(e) Timelines and processes for sharing information about children who may be transitioning as a preschool child eligible for special education services from "Help Me Grow"-early intervention services to special education and related services.

(3) County boards of DD for identification, service delivery, and funding to adequately serve preschool children who are eligible for special education services three through five years of age.

(C) Eligibility Each school district of residence must conduct a full and individual evaluation in accordance with rule 3301-51-06 of the Administrative Code before the initial provision of special education and related services to a preschool child eligible for special education services residing in the district. Evaluations. Unless otherwise specified below, rule 3301-51-06 of the Administrative Code applies to preschool special education.

(1) Sufficient information shall be obtained using a variety of information sources to confirm that a disability exists.

(2) No single source of information, such as a single measure or score, shall be used to determine if a preschool child is eligible or not eligible for special education and related services. Eligibility for special education and related services as a preschool child shall be determined on the basis of multiple sources of information, including, but not limited to:

(a) Information from part C for children transitioning from early intervention services and information from any current community or preschool program providers;

(b) Observations in more than one setting and in multiple activities shall be conducted after obtaining parental consent for such observations;

(c) Information provided by the parent or caregiver; and

(d) Results of at least one criterion-referenced and norm-referenced evaluations assessment; and

(e) Results of at least one norm-referenced assessment.

(23) Based on the variety of sources of information listed in paragraphs (C)(1)(a) to (C)(1)(d) of this rule, a group of qualified professionals and the parent of the child shall determine if the child has a disability and is eligible for special education and related services as a preschool child. At a minimum, the group of qualified professionals must include:

(a) A representative of the school district who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; is knowledgeable about the general education curriculum; and is knowledgeable about the availability of resources of the school district; and
(b) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in rule 3301-51-07 of the Administrative Code.

(34) The following developmental areas must be assessed with at least one source of information listed in paragraphs (C)(42)(a) to (C)(42)(d) of this rule:

(a) Adaptive behavior;
(b) Cognition;
(c) Communication;
(d) Hearing;
(e) Vision;
(f) Sensory/motor function;
(g) Social-emotional functioning; and
(h) Behavioral functioning.

(45) A school district must ensure that sufficient resources are available to conduct evaluations during the summer months.

(5) A preschool child who is eligible for special education services is a child who has one of the following disabilities, as defined in rule 3301-51-01 of the Administrative Code, based upon the evidence required in paragraphs (C)(1) to (C)(3) of this rule, and who, by reason thereof, needs special education and related services:

(a) Autism;
(b) Cognitive disability;
(c) Deaf-blindness;
(d) Deafness;
(e) Emotional disturbance;
(f) Hearing impairment;
(g) Multiple disabilities;
(h) Orthopedic impairment;
(j) Other health impairment;

(k) Specific learning impairment;

(l) Speech or language impairment;

(m) Traumatic brain injury;

(n) Visual impairment; or

(n) Developmental delay, as defined in paragraph (C)(6) of this rule.

(6) A school district may choose to use the term "developmental delay" under the following conditions for children ages three through five who are experiencing developmental delays and who, by reason thereof, need special education and related services:

(a) The applicability of the term shall be based upon the individual needs of the child as determined by the evaluation team or the IEP team and other qualified professionals;

(b) In addition to the assessments required in paragraph (C)(1) of this rule, results of appropriate diagnostic instruments and procedures may also be used to help make the determination that a child has a "developmental delay." A developmental delay may be substantiated by a delay of two standard deviations below the mean in one or more of the areas of development or 1.5 standard deviations below the mean in two or more of the areas of development listed in paragraphs (C)(6)(b)(i) to (C)(6)(b)(v) of this rule. The results shall not be used as the sole factor in making the determination that a child has a developmental delay.

"Developmental delay" means a child of three to five years who is experiencing a delay as determined by an evaluation team, IEP team, and other qualified professionals in one or more of the following areas of development:

(i) Physical development;

(ii) Cognitive development;

(iii) Communication development;

(iv) Social or emotional development; or

(v) Adaptive development.

(c) The term "developmental delay" may be used only after considering the applicability of the categories provided in paragraphs (C)(5)(a) to (C)(5)(m) of this rule; and

(d) The term "developmental delay" may be used in place of the following disability categories:
(i) Cognitive disability;

(ii) Emotional disturbance;

(iii) Speech or language impairment.

(A child with a developmental delay that requires special education and related services may be determined in accordance with this rule to be a child.)

(76) A preschool child eligible for special education services shall be at least age three and not age six.

(a) School-age services must be considered during the IEP process for a child who will be age six by December first of the current calendar year, eligible for kindergarten in the following school year.

(b) A preschool child eligible for special education services shall have a grade level of preschool. A child enrolled in kindergarten shall be considered to be a school-age child and not a preschool child.

(c) A child younger than three years of age may meet the age requirement if the child will be three by December first of the current calendar year and may participate in special education and related services as a preschool child before December first of the current calendar year, turn three within three months of his/her start date and may participate in special education and related services as a preschool child before turning three.

(D) Transition from part C early intervention

A school district is responsible for the following activities related to transition for a child receiving "Help Me Grow" early intervention services under part C of the Individuals with Disabilities Education Act, as amended by the Individuals with Disabilities Education Improvement Act of 2004, December 2004 (IDEA):

(1) If invited by a representative of the part C system, a school district representative shall attend a conference to discuss transition from early intervention services to preschool for a child suspected of having a disability. This conference may occur up to nine months before a child's third birthday. The school district shall document participation in the conference.

(a) The school district may not delay or refuse participation in the transition conference because of residency disputes or the absence of a birth certificate. A school district may use the thirty days following the transition conference to confirm residency and gather other enrollment documentation, or document attempts to gather such evidence.

(b) The transition conference may occur up to nine months before a child’s third birthday.

(c) The school district shall document participation in the conference.
(d) The date of referral shall be the date of the transition planning conference; or in the event the district was not invited to transition planning conference. The date of referral shall be the date the part C representative first notifies the district about the child.

(2) At the parent’s request, the school district shall invite the part C service coordinator to the initial IEP meeting.

(3) If there is a suspected disability and the child is eligible for special education and related services as a preschool child, the school district shall work with the family to ensure an IEP is in place and implemented by the child’s third birthday. The dates for the initiation and duration of services shall be determined by the evaluation team or the IEP team and other qualified professionals. If the child’s birthday occurs during the regular school year, services must begin by the child’s third birthday.

(4) A school district determined by the Ohio department of education to be noncompliant with the transition timeline to have an IEP in place by an eligible child’s third birthday:

(a) Shall develop a corrective action plan in addition to the interagency agreement. The corrective action plan must include the signature of a representative of the agency responsible for “Help Me Grow” part C early intervention services; and

(b) May have funds reduced or terminated by the Ohio department of education.

(E) Measuring child progress. Procedural safeguards. A school district shall measure a child’s progress using multiple sources of information. Information must be obtained across multiple settings, representing a variety of interactions and input from parents and staff involved with the child. Rule 3301-51-05 of the Administrative Code applies to preschool special education.

(1) Information shall be analyzed to evaluate the conditions under which desired behaviors occur, and if the desired behavior is not demonstrated, an analysis of contributing factors shall be conducted, and changes in the environment, curriculum, and instruction shall be considered.

(2) Information on a child’s progress shall be reported in the manner prescribed by the Ohio department of education.

(F) Center-based and itinerant teacher services

A continuum of service delivery options that includes the options of center-based or itinerant teacher services shall be considered when determining the least restrictive environment.
(1) Adapted physical education (APE) or related services, as appropriate, shall be considered in conjunction with center-based or itinerant teacher services. When determining services, the school district shall consider the following factors:

(a) The child's ability to participate and progress in the general early childhood curriculum; and

(b) The child's socialization needs; and

(c) The child's educational and developmental progress.

(2) Itinerant services may be delivered in the home, in a preschool program administered by a public school, or in a community-based preschool or child care program that meets the requirements of Chapter 5104. of the Revised Code.

(3) Center-based classroom services may be delivered in an integrated facility, such as team teaching within a community-based program, or a separate facility.

(4) Center-based options must include opportunities for services in settings that are considered to be early childhood settings as the term is used by the United States department of education.

(5) A "change of placement" is defined as a change in the service delivery option (center-based or itinerant teacher).

(6) Center-based environments meeting the federal definition of an early childhood setting shall be considered during the IEP meeting.

(7) Up to eight age-eligible, nondisabled peers may be enrolled in a preschool special education classroom. In such cases, no more than sixteen children shall be present at any one time. The maximum number of children enrolled in any class shall be appropriate for the severity of disabilities and needs of the children enrolled.

(F) Individualized education program (IEP). Rule 3301-51-07 of the Administrative Code applies to preschool special education.

(G) Preschool services

Special education and related services shall be provided in accordance with the following:

(1) Unless otherwise specified in the IEP, preschool children eligible for special education are considered to be receiving full-day center-based services if twenty or more hours of center-based services are provided per week;

(2) Unless otherwise specified in the IEP, a minimum of four hours of services per month shall be provided for each child by an itinerant teacher and a minimum of ten hours of services per week shall be provided for each child served by a center-based teacher;
(a) Preschool children eligible for special education are considered to be .50 full-time equivalency (FTE) if ten hours of center-based preschool special education services are provided per week.

(b) Preschool children eligible for special education receiving itinerant teacher services are considered to be .50 FTE. Services may be provided directly to the child or provided to the child using a consultative model. Consultative services may include all staff involved with the preschool child who is eligible for special education services; (4) All staff involved in service delivery shall contribute to planning instruction and monitoring progress;

(5) Service delivery may be done through a team teaching or transdisciplinary model in conjunction with "Head Start", public preschools, community preschools, or child care; and

(6) A school year consistent with section 3313.48 of the Revised Code shall be provided to preschool children who are eligible for special education.

(1) When determining services, a school district shall consider the requirements in rule 3301-51-09 of the Administrative Code, as well as the following factors:

(a) The child’s ability to participate and progress in the general early childhood curriculum;

(b) The child’s socialization needs; and

(c) The child’s educational and developmental progress.

(2) Services shall be provided for all preschool children eligible for special education services in accordance with the following:

(a) Least restrictive environment presumes that the first placement option considered for each preschool child with a disability is the general education setting the child would attend if he/she did not have a disability;

(b) A continuum of service delivery options must include general education preschool class, special education preschool class, special schools, and itinerant services in the home, a hospital, or an institution;

(c) For a child served in the home or service provider location, a minimum of one hour of instruction per week in the general education curriculum and a minimum of one hour of specially designed instruction and/or related services per week;

(d) For children served in any other setting, a minimum of 455 hours of programming per year, which must include instruction in the general education curriculum, and a minimum of one hour of specially designed instruction, related services per week, or a combination of specially designed instruction and related services; and
For all preschool children eligible for special education services, a minimum of thirty minutes every six weeks during the school year of support for school personnel services provided by an intervention specialist or related services personnel to a family member, caretaker, general education teacher, intervention specialist, related services personnel, paraprofessional, or other person who provides care to the child.

A child with a visual and/or hearing impairment who receives services in a non-categorical classroom shall have a minimum of support for school personnel services provided by a specialist licensed in the area for the sensory impairment(s).

At a minimum, preschool special education services shall be provided during the weeks that the school district elementary buildings are open for instruction consistent with section 3313.48 of the Revised Code.

Preschool service provider ratios. Preschool service providers will provide direct or consultative services, including sufficient supervision, during all activities in accordance with the following ratios: in addition to caseload requirements, districts must consider the overall workload of each staff member in accordance with rule 3301-51-09 of the Administrative Code and the licensing ratio requirements for preschool programs defined in rule 3301-37-04 of the Administrative Code.

Center-based preschool special education classrooms shall serve no more than eight preschool children with disabilities in any one class session. If a teacher is responsible for two half-day class sessions, no more than sixteen children shall be served per teacher. A full-time staff member early intervention specialist shall be provided when there are six-eight full-day or twelve-sixteen half-day preschool children eligible for special education enrolled in a center-based program special education class;

An teacher intervention specialist providing both center-based and itinerant services shall serve no more than twenty children, and each child will be considered .50 FTE responsible for a full-day class session shall serve no more than eight children with a disability;

An intervention specialist responsible for two half-day class sessions shall serve no more than sixteen children with disabilities.

An intervention specialist classroom teacher responsible for two half-day class sessions (i.e., a.m. and p.m.), or four full day class sessions, shall not carry an additional itinerant caseload.

An intervention specialist classroom teacher responsible for one half-day class session, or up to three full-day class sessions, may serve up to 8 additional children on an itinerant caseload.

An itinerant teacher intervention specialist at one FTE shall serve no more than twenty children, and each child will be considered .50 FTE eligible preschool children;

A preschool attendant at one FTE shall have a caseload of no more than three eligible preschool children.
(6) Sufficient staff shall be available at all times when preschool children eligible for special education are enrolled so that in emergency situations when help must be summoned, ratios shall be maintained, and children shall be sufficiently supervised during all activities;

(7) APE and related services shall be counted as one FTE based upon the following number of eligible preschool children served:

(a) An APE staff member at one FTE shall have a caseload of no more than one hundred eligible preschool children;

(b) A preschool attendant at one FTE shall have a caseload of no more than three eligible preschool children;

(c) An audiologist at one FTE shall have a caseload of no more than seventy-five eligible preschool children with hearing impairments;

(d) An occupational therapist at one FTE shall have a caseload of no more than forty eligible preschool children;

(e) An orientation and mobility specialist at one FTE shall have a caseload of no more than forty eligible preschool children with visual impairments;

(f) A physical therapist at one FTE shall have a caseload of no more than forty eligible preschool children;

(g) A school psychologist at one FTE shall have a caseload of no more than seventy-five eligible preschool children or on the basis of one thousand children, ages three through five, an average daily membership as authorized by section 3317.15 of the Revised Code; and

(h) A speech and language pathologist at one FTE shall have a caseload of no more than fifty eligible preschool children.

(8) Staff serving children with disabilities ages three through five and six through twenty-one will have FTE apportioned on the basis of the number of children served in each age category and the percentages totaling one hundred per cent.

(9) The number of hours for FTE shall not exceed the total number of days per year that the preschool special education program is legally in session.

(P) Preschool personnel qualifications

Personnel providing preschool services shall be appropriately credentialed.

(1) Personnel providing preschool services shall hold one of the following licenses—be appropriately credentialed—in accordance with Chapter 3301-24 and rule 3301.37.04 of the Administrative Code.
(a) A valid Ohio special education teaching certificate or license with an endorsement for preschool special needs or pre-kindergarten;

(b) A valid pre-kindergarten teaching certificate with an endorsement for preschool special needs;

(c) A valid early childhood intervention specialist license;

(d) A valid intervention specialist license in accordance with paragraph (A)(5)(b) or (A)(5)(c) of rule 3301-24-05 of the Administrative Code if the only children served are preschool children eligible for special education who are at least five years of age;

(e) A valid intervention specialist license in accordance with paragraph (A)(5)(d) of rule 3301-24-05 of the Administrative Code if the children served are preschool children with visual impairments; or

(f) A valid intervention specialist license in accordance with paragraph (A)(5)(e) of rule 3301-24-05 of the Administrative Code if the children served are preschool children with hearing impairments.

(2) Preschool special education teachers or intervention specialists who are assigned to categorical preschool classrooms for children with visual or hearing impairments must have the special education certificate required for the categorical area.

(3) Preschool special education teachers whose caseloads include children with visual and/or hearing impairments shall be provided assistance from a teacher or other specialist licensed in the area for that sensory impairment.

(J) Preschool supervisory services

(1) A preschool special education supervisor’s services shall include but are not limited to:

(a) Providing assistance to early childhood personnel in the provision of developmentally and exceptionality appropriate practices for preschool children who are eligible for special education services;

(b) Ensuring the development and implementation of an interagency agreement, as outlined in this rule;

(c) Ensuring sufficient staff are available at all times when preschool children eligible for special education are present so that in emergency situations when help must be summoned children shall be sufficiently supervised during all activities;

(bd) Facilitating the provision of comprehensive early childhood delivery systems for young children with disabilities including the integration of:

(i) Education;

(ii) Health;
(iii) Social services; and

(iv) Parent education components.

(see) Participating in the development and evaluation of professional development plans and induction programs that apply to early childhood personnel and as outlined in proposed teacher education and licensure standards, and participating step up to quality program established pursuant to section 5104.29 of the Revised Code;

(df) Assisting with the implementation and evaluation of proposed state standards that apply to early childhood programs;

(eg) Collaborating with area early childhood providers including Head Start programs, part C early intervention providers, county boards of developmental disabilities, local family and children first councils, community childcare programs, and community preschools, in activities as outlined in the interagency agreement to ensure continuity of care for dual enrolled children and the availability of a full least restrictive environment continuum;

(f) Collaborating with local family and children first councils in activities that apply to both early intervention and preschool programs as outlined in the interagency agreement;

(gh) Collaborating with the regional state support team in the provision of training and technical assistance responsive to the needs of early learning personnel within the assigned service region; preschool special education staff; and

(hi) Collaborating with the Ohio department of education, office of early learning and school readiness, as appropriate; and

(i) Providing leadership to early childhood educators within the assigned service region.

(2) The early childhood supervisor shall meet the following minimum qualifications:

(a) Have at least three years of experience teaching young children birth through age eight and one of the following licenses or certificates:

   (i) A valid professional early childhood intervention specialist license (ECIS);

   (ii) A valid professional early childhood education teacher license (ECE); or

   (iii) A valid teaching certificate/license with early education of the handicapped or preschool special needs as a teaching area; or

(b) Have at least three years’ experience teaching special education and one of the following licenses or certificates:

   (i) A valid administrative specialist license;
(ii) A valid supervisor certificate/license;

(iii) A valid principal certificate/license; or

(iv) A valid superintendent certificate/license.

(K) Preschool transportation. Transportation of children with disabilities. Unless otherwise specified, rule 3301-51-04 of the Administrative Code applies to preschool special education. Transportation shall be listed as a related service on a preschooler's IEP if the IEP team determines that transportation is required for the child to access and benefit from special education.

(L) Delivery of services. Unless otherwise specified in this rule below, rule 3301-51-09 of the Administrative Code applies to preschool special education.

(1) Least restrictive environment for preschool special education has the same meaning as rule 3301-51-09 of the Administrative Code.

(2) Least restrictive environment presumes that the first placement option considered for each child with a disability is the general education class the child would attend if he/she did not have a disability.

(3) A continuum of service delivery options must include general education preschool class, special education preschool class, special schools; and itinerant services in the home, a hospital, an institution, or general education class.

(M) Free appropriate public education. Rule 3301-51-02 of the Administrative Code applies to preschool special education.

(N) Child find. Unless otherwise specified below, rule 3301-51-03 of the Administrative Code applies to preschool education. A school district may choose to use the term developmental delay for children ages three through five who are experiencing developmental delays and who, by reason thereof, need special education and related services:

(1) The applicability of the term shall be based upon the individual needs of the child as determined by the evaluation team or the IEP team and other qualified professionals.

(2) In addition to the assessments required in paragraph (C) of this rule, results of appropriate diagnostic instruments and procedures, may also be used to help make the determination that a child has a developmental delay. A developmental delay may be substantiated by a delay of two standard deviations below the mean in one or more of the areas of development or 1.5 standard deviations below the mean in two or more of the areas of development listed in paragraphs (A) of this rule. The results shall not be used as the sole factor in making the determination that a child has a developmental delay.

(3) The term developmental delay may be used only after considering the applicability of the categories provided in rule 3301-51-01 of the Administrative Code.

(P) Parentally placed nonpublic school children. Rule 3301-51-08 of the Administrative Code does not apply to children enrolled in preschool.