



Senator Andrew O. Brenner – 19th District
Senate Primary and Secondary Education Committee
November 29th, 2022
Senate Bill 356 – Sponsor Testimony

Vice Chair Blessing, Ranking Member Hicks-Hudson, and members of the Senate Primary and Secondary Education Committee, thank you for this opportunity to present sponsor testimony on Senate Bill 356. This legislation will extend the age range in which a child may be evaluated as having a developmental delay.

A developmental delay is a special education eligibility condition assigned when children do not meet the expected milestones in physical, mental, or emotional development. This can manifest in a number of ways. It may present as difficulty in developing language or speech, motor skills, cognitive ability, or social skills. A child with a developmental delay can often make progress towards improving, and eventually overcome the delay if the right interventions and supports are in place and available to them.

Current state law limits the age range in which a child may be determined to have a developmental delay from at least three to less than six years old. As a result, students entering kindergarten at the age of six must be evaluated as having a separate qualifying condition in order to continue eligibility to receive special education funding. In some cases, those students who have been identified as developmentally delayed do not have any other conditions, and therefore no longer qualify to receive any special education funds.

Senate Bill 356 will address this issue by extending the maximum age at which a student may be evaluated as having a developmental delay to less than ten years of age. This would match the range found in federal law. Consequently, schools would be able to continue working with children who have a developmental delay once the student enters elementary school.

It is important that children receive the support necessary to progress and develop with their peers. By increasing the developmental delay eligibility age to nine years, student support professionals will be able to help young students in primary schools receive appropriate and individualized services they need to achieve their full potential.

Members, thank you for allowing me to present sponsor testimony today on Senate Bill 356. I would also like to thank Ann Brennan of the Ohio School Psychologists Association for bringing this issue to my attention. Tomorrow, this committee will hear proponent testimony from

members of the Ohio School Psychologists Association and other support service professionals who work with these students every day. While their testimony may be better suited to address the technical side of this issue, I am happy to answer any questions you may have as I am able.