



**Senate Primary and Secondary Education Committee
SB 356 Proponent Testimony
Ohio School Boards Association
Buckeye Association of School Administrators
Ohio Association of School Business Officials
November 30, 2022**

Chair Brenner, Vice Chair Blessing, Ranking Member Hicks-Hudson, and Members of the Senate Primary and Secondary Education Committee, thank you for the opportunity to provide written testimony. On behalf of the Ohio School Boards Association, the Buckeye Association of School Administrators and the Ohio Association of School Business Officials, we would like to voice support for the passage of SB 356. This legislation would increase the eligibility age within the definition of developmental delay.

The age range in the definition of developmental delay is currently set as ages three to five. By increasing the age range to cover ages three to nine, Ohio would mirror the definition in federal law under the Individuals with Disabilities Education Act (IDEA). This would allow evaluation teams additional time to make a more thorough evaluation of a student ensuring they are provided the necessary services and supports.

A developmental delay is a special education eligibility category assigned when children do not meet the expected milestones in several development areas. When children start kindergarten, they come in with different backgrounds, experiences, and starting places. Some will have been evaluated in preschool and have an individualized educational plan (IEP) in place. With others, it will be clear they have some type of delay, but the IEP that was previously set may need to be altered as the evaluation team gets to know the student. Some children may not have had the opportunity to be evaluated at all by the time they start school. A child with a developmental delay can often make progress towards improving and may eventually overcome the delay, but that means the right interventions and supports must be in place and this takes time.

Evaluation team experiences indicate that children identified as developmentally delayed are not always "caught up" by age five. Restricting a reevaluation to occur by age five under Ohio law does not allow a school's evaluation team to clearly determine the specifics of a disability or the reason for continued delays. By increasing the developmental delay eligibility age to nine years, evaluation teams would have adequate time to conduct a more thorough reevaluation based on the child's school based progress and exposure to the elementary education experience. Ohio and federal law require that all reevaluations must be conducted by the three-year date of the initial special education determination; SB 356 does not impact this important requirement. This simple change in the code would dramatically help young students receive the appropriate, individualized services they need.

Thank you for your consideration. We urge you to support SB 356. Please feel free to contact us with questions.

Respectfully submitted,

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