

A CONCURRENT RESOLUTION

To invalidate the proposed amendments to rule 3301-35-04 of the Administrative Code, the latest version of which was filed by the Department of Education with the Joint Committee on Agency Rule Review on August 20, 2021.

Be it resolved by the House of Representatives of the State of Ohio (the Senate concurring):

WHEREAS, The General Assembly may adopt a concurrent resolution invalidating a proposed rule, amendment, rescission, or part thereof under section 106.021 of the Revised Code; and

WHEREAS, The Department of Education, for purposes of legislative review under section 106.021 of the Revised Code, filed with the Joint Committee on Agency Rule Review on August 20, 2021, the latest version of proposed amendments to rule 3301-35-04 of the Administrative Code, which relates to curriculum and instructional programs in schools; and

WHEREAS, The proposed amendments to rule 3301-35-04 of the Administrative Code conflict with the legislative intent of the statute under which it was proposed; and

WHEREAS, The proposed amendments to rule 3301-35-04 of the Administrative Code conflict with another rule; and

WHEREAS, The Department of Education has failed to prepare a complete and accurate rule summary and fiscal analysis of the proposed amendments to rule 3301-35-04 of the Administrative Code as required; and

WHEREAS, The Department of Education has failed to demonstrate through the business impact analysis, recommendations from the Common Sense Initiative Office, and the memorandum of response that the regulatory intent of the proposed amendments to rule 3301-35-04 of the Administrative Code justify their adverse impact on businesses in this state; now therefore be it

RESOLVED, That the proposed amendments to rule 3301-35-04 of the Administrative Code, are hereby invalidated; and be it further

RESOLVED, That within five days after the adoption of this resolution, the Clerk of the House of Representatives shall send a certified copy to the Department of Education, the Secretary of State, and the Director of the Legislative Service Commission, together with a certification stating the date on which this resolution was adopted.

Speaker _____ of the House of Representatives.

President _____ of the Senate.

Adopted _____, 20____