

## [ORC Ann. 3323.07](#)

Current with Legislation passed by the 131st General Assembly and filed with the Secretary of State through file 123 (HB 483).

[Page's Ohio Revised Code Annotated](#) > [Title 33: Education — Libraries](#) > [Chapter 3323: Education of Children With Disabilities](#)

### **§ 3323.07 Establishment and maintenance of special education and related services.**

The state board of education shall authorize the establishment and maintenance of special education and related services for all children with disabilities who are at least three years of age and less than twenty-two years of age, including children with disabilities who have been suspended or expelled from school, and may authorize special education and related services for children with disabilities who are less than three years of age in accordance with rules adopted by the state board. The state board shall require the boards of education of school districts, shall authorize the department of mental health and addiction services and the department of developmental disabilities, and may authorize any other educational agency, to establish and maintain such special education and related services in accordance with standards adopted by the state board.

### **History**

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136 v H 455 (Eff 8-27-76); 138 v H 900 (Eff 7-1-80); 143 v H 248. Eff 7-1-91; [152 v H 119](#), § [101.01](#), eff. 9-29-07; 153 v S 79, § 1, eff. 10-6-09; [2013 HB 59](#), § [101.01](#), eff. Sept. 29, 2013.

### **Annotations**

### **Notes**

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#### **Amendment Notes**

The 2013 amendment inserted “and addiction services” in the second sentence.

153 v S 79, effective October 6, 2009, deleted “mental retardation and” preceding “developmental disabilities” throughout.

[152 v H 119](#), effective September 29, 2007, rewrote the section.

### **Notes to Decisions**

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#### **Generally**

The term “school,” in the context of [R.C. 3321.03](#) and [3321.04](#), refers to a school chartered by the state, pursuant to [R.C. 3301.16](#), and the term “special education program,” in the context of [R.C. 3321.03](#) and

[3321.04](#), refers to a special education program operated pursuant to State Board of Education standards and authorization, see [R.C. 3323.06](#) and [3323.07: Akron v. Lane, 65 Ohio App. 2d 90, 19 Ohio Op. 3d 56, 416 N.E.2d 642, 1979 Ohio App. LEXIS 8456 \(Ohio Ct. App., Summit County 1979\)](#).

## Research References & Practice Aids

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### Cross-References to Related Sections

Educational facilities for children in hospital or institution, RC § [3313.55](#).

### Ohio Administrative Code

Cooperation with other organizations to coordinate service delivery to multineed children—

Mental health division. [OAC 5122:2-1-10](#).

Mental retardation and developmental disabilities programs. [OAC 5123:2-1-10](#).

Schools and school districts. **3 Ohio Sch. Law:** [OAC 3301-51-27](#).

Page's Ohio Revised Code Annotated

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