A BILL

To amend sections 3301.0712, 3301.0729, 3313.61, 3313.612, and 3313.6114 of the Revised Code to remove the requirement that students take a nationally standardized assessment for graduation, to revise the law on end-of-course examinations, to prohibit student retention under the Third Grade Reading Guarantee for the 2020-2021 school year, and to require each school district to form a work group to evaluate the amount of time students spend on testing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3301.0712, 3301.0729, 3313.61, 3313.612, and 3313.6114 of the Revised Code be amended to read as follows:

Sec. 3301.0712. (A) The state board of education, the superintendent of public instruction, and the chancellor of higher education shall develop a system of college and work ready assessments as described in division (B) of this section...
to assess whether each student upon graduating from high school is ready to enter college or the workforce. Beginning with students who enter the ninth grade for the first time on or after July 1, 2014, the system shall replace the Ohio graduation tests prescribed in division (B)(1) of section 3301.0710 of the Revised Code as a measure of student academic performance and one determinant of eligibility for a high school diploma in the manner prescribed by rule of the state board adopted under division (D) of this section.

(B) The college and work ready assessment system shall consist of the following:

(1) Nationally
(a) Except as provided in division (B)(1) of this section, nationally standardized assessments that measure college and career readiness and are used for college admission. The assessments shall be selected jointly by the state superintendent and the chancellor, and one of which shall be selected by each school district or school to administer to its students. The assessments prescribed under division (B)(1) of this section shall be administered to all eleventh-grade students in the spring of the school year.

(b) Beginning with students who enter the ninth grade for the first time on or after July 1, 2018, the nationally standardized assessment selected under division (B)(1)(a) of this section shall not be required for graduation. The assessment shall be administered to any eleventh-grade student in the spring of each school year, in accordance with procedures prescribed by the department of education, whose parent or guardian gives permission to the principal or chief administrative officer of the student's school to administer the assessment described under division (B)(1)(a) of this section to
(2)(a) Except as provided in division (B)(2)(b) of this section, seven end-of-course examinations, one in each of the areas of English language arts I, English language arts II, science, Algebra I, geometry, American history, and American government. The end-of-course examinations shall be selected jointly by the state superintendent and the chancellor in consultation with faculty in the appropriate subject areas at institutions of higher education of the university system of Ohio. Advanced placement examinations and international baccalaureate examinations, as prescribed under section 3313.6013 of the Revised Code, in the areas of science, American history, and American government may be used as end-of-course examinations in accordance with division (B)(4)(a)(i) of this section. Final course grades for courses taken under any other advanced standing program, as prescribed under section 3313.6013 of the Revised Code, in the areas of science, American history, and American government may be used in lieu of end-of-course examinations in accordance with division (B)(4)(a)(ii) of this section.

(b) Beginning with students who enter ninth grade for the first time on or after July 1, 2019, five end-of-course examinations, one in each areas of English language arts II, science, Algebra I, and American history, and American government. However, only the end-of-course examinations in English language arts II and Algebra I shall be required for graduation.

The department of education shall, as necessary to implement division (B)(2)(b) of this section, seek a waiver from the United States secretary of education for testing.
requirements prescribed under federal law to allow for the use and implementation of Algebra I as the primary assessment of high school mathematics. If the department does not receive a waiver under this division, the end-of-course examinations for students described in division (B)(2)(b) of this section also shall include an end-of-course examination in the area of geometry. However, the geometry end-of-course examination shall not be required for graduation.

(3)(a) Not later than July 1, 2013, each school district board of education shall adopt interim end-of-course examinations that comply with the requirements of divisions (B)(3)(b)(i) and (ii) of this section to assess mastery of American history and American government standards adopted under division (A)(1)(b) of section 3301.079 of the Revised Code and the topics required under division (M) of section 3313.603 of the Revised Code. Each high school of the district shall use the interim examinations until the state superintendent and chancellor select end-of-course examinations in American history and American government under division (B)(2) of this section.

(b) Not later than July 1, 2014, the state superintendent and the chancellor shall select the end-of-course examinations in American history and American government.

(i) The end-of-course examinations in American history and American government shall require demonstration of mastery of the American history and American government content for social studies standards adopted under division (A)(1)(b) of section 3301.079 of the Revised Code and the topics required under division (M) of section 3313.603 of the Revised Code.

(ii) At least twenty per cent of the end-of-course examination in American government shall address the topics on
American history and American government described in division (M) of section 3313.603 of the Revised Code.

(c) Beginning with students who enter ninth grade for the first time on or after July 1, 2019, students shall take one end-of-course examination in American history and government that complies with the requirements of division (B)(3)(b)(ii) of this section to assess mastery of American history and American government standards adopted under division (A)(1)(b) of section 3301.079 of the Revised Code and the topics required under division (M) of section 3313.603 of the Revised Code.

The department of education shall take the steps necessary to develop the American history and government end-of-course examination so that it is available for the students to which divisions (B)(2)(b) and (3)(c) of this section apply. The department shall develop the examination in a manner so that it is comparable to other end-of-course examinations in both administration and length.

(4)(a) Notwithstanding anything to the contrary in this section, beginning with the 2014-2015 school year, both of the following shall apply:

(i) If a student is enrolled in an appropriate advanced placement or international baccalaureate course, that student shall take the advanced placement or international baccalaureate examination in lieu of the science, American history, or American government end-of-course examinations prescribed under division (B)(2) of this section. The state board shall specify the score levels for each advanced placement examination and international baccalaureate examination for purposes of calculating the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn
a high school diploma.

However, beginning with students who enter ninth grade for the first time on or after July 1, 2019, a student shall take the advanced placement or international baccalaureate examinations in both American history and American government to qualify for an alternative to the American history and government end-of-course examination prescribed under division (B)(2)(b) of this section.

(ii) If a student is enrolled in an appropriate course under any other advanced standing program, as described in section 3313.6013 of the Revised Code, that student shall not be required to take the science, American history, or American government end-of-course examination, whichever is applicable, prescribed under division (B)(2) of this section. Instead, that student's final course grade shall be used in lieu of the applicable end-of-course examination prescribed under that section. The state superintendent, in consultation with the chancellor, shall adopt guidelines for purposes of calculating the corresponding final course grades that demonstrate the level of academic achievement necessary to earn a high school diploma.

Division (B)(4)(a)(ii) of this section shall apply only to courses for which students receive transcripted credit, as defined in section 3365.01 of the Revised Code. It shall not apply to remedial or developmental courses.

(b) No student shall take a substitute examination or examination prescribed under division (B)(4)(a) of this section in place of the end-of-course examinations in English language arts I, English language arts II, Algebra I, or geometry prescribed under division (B)(2) of this section.
(c) The state board shall consider additional assessments that may be used, beginning with the 2016-2017 school year, as substitute examinations in lieu of the end-of-course examinations prescribed under division (B)(2) of this section.

(5) The state board shall do all of the following:

(a) Determine and designate at least five ranges of scores on each of the end-of-course examinations prescribed under division (B)(2) of this section, and substitute examinations prescribed under division (B)(4) of this section. Not later than sixty days after the designation of ranges of scores, the state superintendent, or the state superintendent's designee, shall conduct a public presentation before the standing committees of the house of representatives and the senate that consider primary and secondary education legislation regarding the designated range of scores. Each range of scores shall be considered to demonstrate a level of achievement so that any student attaining a score within such range has achieved one of the following:

(i) An advanced level of skill;

(ii) An accelerated level of skill;

(iii) A proficient level of skill;

(iv) A basic level of skill;

(v) A limited level of skill.

(b) Determine a method by which to calculate a cumulative performance score based on the results of a student's end-of-course examinations or substitute examinations;

(c) Determine the minimum cumulative performance score that demonstrates the level of academic achievement necessary to
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 earn a high school diploma under division (A)(2) of section 3313.618 of the Revised Code. However, the state board shall not determine a new minimum cumulative performance score after the effective date of this amendment October 17, 2019.

 (d) Develop a table of corresponding score equivalents for the end-of-course examinations and substitute examinations in order to calculate student performance consistently across the different examinations.

 A score of two on an advanced placement examination or a score of two or three on an international baccalaureate examination shall be considered equivalent to a proficient level of skill as specified under division (B)(5)(a)(iii) of this section.

 (6)(a) A student who meets both of the following conditions shall not be required to take an end-of-course examination:

 (i) The student received high school credit prior to July 1, 2015, for a course for which the end-of-course examination is prescribed.

 (ii) The examination was not available for administration prior to July 1, 2015.

 Receipt of credit for the course described in division (B) (6)(a)(i) of this section shall satisfy the requirement to take the end-of-course examination. A student exempted under division (B)(6)(a) of this section may take the applicable end-of-course examination at a later date.

 (b) For purposes of determining whether a student who is exempt from taking an end-of-course examination under division (B)(6)(a) of this section has attained the cumulative score


prescribed by division (B)(5)(c) of this section, such student shall select either of the following:

(i) The student is considered to have attained a proficient score on the end-of-course examination from which the student is exempt;

(ii) The student's final course grade shall be used in lieu of a score on the end-of-course examination from which the student is exempt.

The state superintendent, in consultation with the chancellor, shall adopt guidelines for purposes of calculating the corresponding final course grades and the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma.

(7)(a) Notwithstanding anything to the contrary in this section, the state board may replace the algebra I end-of-course examination prescribed under division (B)(2) of this section with an algebra II end-of-course examination, beginning with the 2016-2017 school year for students who enter ninth grade on or after July 1, 2016.

(b) If the state board replaces the algebra I end-of-course examination with an algebra II end-of-course examination as authorized under division (B)(7)(a) of this section, both of the following shall apply:

(i) A student who is enrolled in an advanced placement or international baccalaureate course in algebra II shall take the advanced placement or international baccalaureate examination in lieu of the algebra II end-of-course examination.

(ii) A student who is enrolled in an algebra II course under any other advanced standing program, as described in
section 3313.6013 of the Revised Code, shall not be required to

take the algebra II end-of-course examination. Instead, that

student's final course grade shall be used in lieu of the

examination.

(c) If a school district or school utilizes an integrated

approach to mathematics instruction, the district or school may
do either or both of the following:

(i) Administer an integrated mathematics I end-of-course

examination in lieu of the prescribed algebra I end-of-course

examination;

(ii) Administer an integrated mathematics II end-of-course

examination in lieu of the prescribed geometry end-of-course

examination.

(b) For students entering the ninth grade for the first
time on or after July 1, 2014, but prior to July 1, 2015, the
assessment in the area of science shall be physical science or
biology. For students entering the ninth grade for the first
time on or after July 1, 2015, the assessment in the area of
science shall be biology.

(b) Until July 1, 2019, the department shall make
available the end-of-course examination in physical science for
students who entered the ninth grade for the first time on or
after July 1, 2014, but prior to July 1, 2015, and who wish to
retake the examination.

(c) Not later than July 1, 2016, the state board shall
adopt rules prescribing the requirements for the end-of-course
examination in science for students who entered the ninth grade
for the first time on or after July 1, 2014, but prior to July
1, 2015, and who have not met the requirement prescribed by
section 3313.618 of the Revised Code by July 1, 2019, due to a student's failure to satisfy division (A)(2) of section 3313.618 of the Revised Code.

(9) Neither the state board nor the department of education shall develop or administer an end-of-course examination in the area of world history.

(10) Not later than March 1, 2020, the department, in consultation with the chancellor and the governor's office of workforce transformation, shall determine a competency score for both of the Algebra I and English language arts II end-of-course examinations for the purpose of graduation eligibility.

(C) The state board shall convene a group of national experts, state experts, and local practitioners to provide advice, guidance, and recommendations for the alignment of standards and model curricula to the assessments and in the design of the end-of-course examinations prescribed by this section.

(D) Upon completion of the development of the assessment system, the state board shall adopt rules prescribing all of the following:

(1) A timeline and plan for implementation of the assessment system, including a phased implementation if the state board determines such a phase-in is warranted;

(2) The date after which a person shall meet the requirements of the entire assessment system as a prerequisite for a diploma of adult education under section 3313.611 of the Revised Code;

(3) Whether and the extent to which a person may be excused from an American history end-of-course examination and
an in American history or American government end of course
examination or both under division (H) of section 3313.61 and
division (B)(3) of section 3313.612 of the Revised Code;

(4) The date after which a person who has fulfilled the
curriculum requirement for a diploma but has not passed one or
more of the required assessments at the time the person
fulfilled the curriculum requirement shall meet the requirements
of the entire assessment system as a prerequisite for a high
school diploma under division (B) of section 3313.614 of the
Revised Code;

(5) The extent to which the assessment system applies to
students enrolled in a dropout recovery and prevention program
for purposes of division (F) of section 3313.603 and section
3314.36 of the Revised Code.

(E) Not later than forty-five days prior to the state
board’s adoption of a resolution directing the department to
file the rules prescribed by division (D) of this section in
final form under section 119.04 of the Revised Code, the
superintendent of public instruction shall present the
assessment system developed under this section to the respective
committees of the house of representatives and senate that
consider education legislation.

(F)(1) Any person enrolled in a nonchartered nonpublic
school or any person who has been excused from attendance at
school for the purpose of home instruction under section 3321.04
of the Revised Code may choose to participate in the system of
assessments administered under divisions (B)(1) and (2) of this
section. However, no such person shall be required to
participate in the system of assessments.
(2) The department shall adopt rules for the administration and scoring of any assessments under division (F) of this section.

(G) Not later than December 31, 2014, the state board shall select at least one nationally recognized job skills assessment. Each school district shall administer that assessment to those students who opt to take it. The state shall reimburse a school district for the costs of administering that assessment. The state board shall establish the minimum score a student must attain on the job skills assessment in order to demonstrate a student's workforce readiness and employability. The administration of the job skills assessment to a student under this division shall not exempt a school district from administering the assessments prescribed in division (B) of this section to that student.

Sec. 3301.0729. (A) Except as provided for in divisions (B) and (C) of this section, beginning with assessments administered on or after July 1, 2017, the board of education of each city, local, and exempted village school district shall ensure that no student is required to do either of the following:

(1) Spend a cumulative amount of time in excess of two percent of the school year taking the following assessments combined:

(a) The applicable state assessments prescribed by division (A) of section 3301.0710 and division (B)(2) of section 3301.0712 of the Revised Code;

(b) Any assessment required by the district board to be administered district-wide to all students in a specified
subject area or grade level.

(2) Spend a cumulative amount of time in excess of one percent of the school year taking practice or diagnostic assessments used to prepare for assessments described in divisions (A)(1)(a) and (b) of this section.

(B) The limitations prescribed by division (A) of this section shall not apply to assessments for students with disabilities, any related diagnostic assessment for students who failed to attain a passing score on the English language arts achievement assessment prescribed by division (A)(1)(a) of section 3301.0710 of the Revised Code, substitute examinations as prescribed by division (B)(4) of section 3301.0712 of the Revised Code, or additional assessments administered to identify a student as gifted under Chapter 3324. of the Revised Code.

(C) The board of education of each city, exempted village, and local school district may exceed the limitations prescribed by division (A) of this section by annual resolution of the district board. However, prior to the adoption of such a resolution, the board shall conduct at least one public hearing on the proposed resolution and consider recommendations from the testing work group formed under division (D) of this section. Resolutions adopted under division (C) of this section shall be reported to the department of education and made available to the public.

(D)(1) Within ninety days of the effective date of this amendment, each school district shall form a work group to examine the amount of time students spend on district-required testing and make recommendations to the district board of education on how to reduce testing amounts. The work group shall consist of the following members:
(a) The district superintendent;

(b) A district curriculum or testing administrator or designee of the superintendent;

(c) Three building principals, one each from an elementary, middle, and high school;

(d) Three classroom teachers selected by the local teacher’s association, one each from an elementary, middle, and high school;

(e) Three parents of students enrolled in the district selected by the local parent-teacher organization or similar organization, one each from an elementary, middle, and high school.

If a district does not employ enough individuals to meet the membership requirements under division (D)(1) of this section, the district is exempt from those requirements it cannot meet.

(2) In order to make testing reduction recommendations, the work group described in division (D)(1) of this section shall consider the following:

(a) Time students spend on district required testing;

(b) The current district testing calendar;

(c) Identifying if there are groups of students being tested at a greater rate than others;

(d) The purpose of testing and if that purpose has been achieved;

(e) The use of testing data to drive instructional decisions;
(f) The financial cost of testing;

(g) If tests are duplicative;

(h) Any previous testing audit or examination of testing the district may have.

(3) The work group shall report any findings and recommendations to the district board of education not later than six months after formation. Upon completion of this report, the work group may be dissolved, continue to meet, or be reconstituted in the future based on local need.

(E) The department annually shall publish a report on the amount of time students spent on required state and district testing. The report shall include all of the following:

(1) Information disaggregated by required state testing and by additional testing required by a district;

(2) Efforts to reduce testing time and increase instructional time;

(3) Caps on testing time as described in division (A) of this section and a list of any district that exceeded them;

(4) The purpose and use of the required state and district tests;

(5) Resources for parents to ask questions regarding testing of their child.

The report shall be published on the department's web site and delivered to the governor and the respective standing committees of the house of representatives and senate that consider primary and secondary education legislation.

(F) It is the intent of the general assembly to reduce the
time students spend on standardized testing and restore classroom instructional time. The department of education or other state entity should not require local school districts to increase testing for Ohio students or create policies that result in further testing as part of an improvement plan.

Sec. 3313.61. (A) A diploma shall be granted by the board of education of any city, exempted village, or local school district that operates a high school to any person to whom all of the following apply:

(1) The person has successfully completed the curriculum in any high school or the individualized education program developed for the person by any high school pursuant to section 3323.08 of the Revised Code, or has qualified under division (D) or (F) of section 3313.603 of the Revised Code, provided that no school district shall require a student to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early;

(2) Subject to section 3313.614 of the Revised Code, the person has met the assessment requirements of division (A)(2)(a) or (b) of this section, as applicable.

(a) If the person entered the ninth grade prior to July 1, 2014, the person either:

(i) Has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments required by that division unless the person was excused from taking any such assessment pursuant to section 3313.532 of the Revised Code or unless division (H) or (L) of this section applies to the person;

(ii) Has satisfied the alternative conditions prescribed
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in section 3313.615 of the Revised Code.

(b) If the person entered the ninth grade on or after July 1, 2014, the person has met the requirement prescribed by section 3313.618 of the Revised Code, except to the extent that the person is excused from an assessment prescribed by that section pursuant to section 3313.532 of the Revised Code or division (H) or (L) of this section.

(3) The person is not eligible to receive an honors diploma granted pursuant to division (B) of this section.

Except as provided in divisions (C), (E), (J), and (L) of this section, no diploma shall be granted under this division to anyone except as provided under this division.

(B) In lieu of a diploma granted under division (A) of this section, an honors diploma shall be granted, in accordance with rules of the state board, by any such district board to anyone who accomplishes all of the following:

(1) Successfully completes the curriculum in any high school or the individualized education program developed for the person by any high school pursuant to section 3323.08 of the Revised Code;

(2) Subject to section 3313.614 of the Revised Code, has met the assessment requirements of division (B)(2)(a) or (b) of this section, as applicable.

(a) If the person entered the ninth grade prior to July 1, 2014, the person either:

(i) Has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments required by that division;
(ii) Has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(b) If the person entered the ninth grade on or after July 1, 2014, the person has met the requirement prescribed under section 3313.618 of the Revised Code.

(3) Has met additional criteria established by the state board for the granting of such a diploma.

An honors diploma shall not be granted to a student who is subject to the requirements prescribed in division (C) of section 3313.603 of the Revised Code but elects the option of division (D) or (F) of that section. Except as provided in divisions (C), (E), and (J) of this section, no honors diploma shall be granted to anyone failing to comply with this division and no more than one honors diploma shall be granted to any student under this division.

The state board shall adopt rules prescribing the granting of honors diplomas under this division. These rules may prescribe the granting of honors diplomas that recognize a student's achievement as a whole or that recognize a student's achievement in one or more specific subjects or both. The rules may prescribe the granting of an honors diploma recognizing technical expertise for a career-technical student. In any case, the rules shall designate two or more criteria for the granting of each type of honors diploma the board establishes under this division and the number of such criteria that must be met for the granting of that type of diploma. The number of such criteria for any type of honors diploma shall be at least one less than the total number of criteria designated for that type and no one or more particular criteria shall be required of all persons who are to be granted that type of diploma.
(C) Any district board administering any of the assessments required by section 3301.0710 of the Revised Code to any person requesting to take such assessment pursuant to division (B)(8)(b) of section 3301.0711 of the Revised Code shall award a diploma to such person if the person attains at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments administered and if the person has previously attained the applicable scores on all the other assessments required by division (B)(1) of that section or has been exempted or excused from attaining the applicable score on any such assessment pursuant to division (H) or (L) of this section or from taking any such assessment pursuant to section 3313.532 of the Revised Code.

(D) Each diploma awarded under this section shall be signed by the president and treasurer of the issuing board, the superintendent of schools, and the principal of the high school. Each diploma shall bear the date of its issue, be in such form as the district board prescribes, and be paid for out of the district's general fund.

(E) A person who is a resident of Ohio and is eligible under state board of education minimum standards to receive a high school diploma based in whole or in part on credits earned while an inmate of a correctional institution operated by the state or any political subdivision thereof, shall be granted such diploma by the correctional institution operating the programs in which such credits were earned, and by the board of education of the school district in which the inmate resided immediately prior to the inmate's placement in the institution. The diploma granted by the correctional institution shall be signed by the director of the institution, and by the person
serving as principal of the institution's high school and shall bear the date of issue.

(F) Persons who are not residents of Ohio but who are inmates of correctional institutions operated by the state or any political subdivision thereof, and who are eligible under state board of education minimum standards to receive a high school diploma based in whole or in part on credits earned while an inmate of the correctional institution, shall be granted a diploma by the correctional institution offering the program in which the credits were earned. The diploma granted by the correctional institution shall be signed by the director of the institution and by the person serving as principal of the institution's high school and shall bear the date of issue.

(G) The state board of education shall provide by rule for the administration of the assessments required by sections 3301.0710 and 3301.0712 of the Revised Code to inmates of correctional institutions.

(H) Any person to whom all of the following apply shall be exempted from attaining the applicable score on the assessment in social studies designated under division (B)(1) of section 3301.0710 of the Revised Code, any American history end-of-course examination and any American history or American government end-of-course examination or both as required under division (B) of section 3301.0712 of the Revised Code if such an exemption is prescribed by rule of the state board under division (D)(3) of section 3301.0712 of the Revised Code, or the test in citizenship designated under former division (B) of section 3301.0710 of the Revised Code as it existed prior to September 11, 2001:

(1) The person is not a citizen of the United States;
(2) The person is not a permanent resident of the United States;

(3) The person indicates no intention to reside in the United States after the completion of high school.

(I) Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section and section 3313.611 of the Revised Code do not apply to the board of education of any joint vocational school district or any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.

(J) Upon receipt of a notice under division (D) of section 3325.08 or division (D) of section 3328.25 of the Revised Code that a student has received a diploma under either section, the board of education receiving the notice may grant a high school diploma under this section to the student, except that such board shall grant the student a diploma if the student meets the graduation requirements that the student would otherwise have had to meet to receive a diploma from the district. The diploma granted under this section shall be of the same type the notice indicates the student received under section 3325.08 or 3328.25 of the Revised Code.

(K) As used in this division, "English learner" has the same meaning as in division (C)(3) of section 3301.0711 of the Revised Code.

Notwithstanding division (C)(3) of section 3301.0711 of the Revised Code, no English learner who has not either attained the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments...
required by that division, or met the requirement prescribed by section 3313.618 of the Revised Code, shall be awarded a diploma under this section.

(L) Any student described by division (A)(1) of this section may be awarded a diploma without meeting the requirement prescribed by section 3313.618 of the Revised Code provided an individualized education program specifically exempts the student from meeting such requirement. This division does not negate the requirement for a student to take the assessments prescribed by section 3301.0710 or under division (B) of section 3301.0712 of the Revised Code, or alternate assessments required by division (C)(1) of section 3301.0711 of the Revised Code, for the purpose of assessing student progress as required by federal law.

Sec. 3313.612. (A) No nonpublic school chartered by the state board of education shall grant a high school diploma to any person unless, subject to section 3313.614 of the Revised Code, the person has met the assessment requirements of division (A)(1) or (2) of this section, as applicable.

(1) If the person entered the ninth grade prior to July 1, 2014, the person has attained at least the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments required by that division, or has satisfied the alternative conditions prescribed in section 3313.615 of the Revised Code.

(2) If the person entered the ninth grade on or after July 1, 2014, the person has met the requirement prescribed by section 3313.618 or 3313.619 of the Revised Code.

(B) This section does not apply to any of the following:
(1) Any person with regard to any assessment from which the person was excused pursuant to division (C)(1)(c) of section 3301.0711 of the Revised Code;

(2) Except as provided in division (B)(4) of this section, any person who attends a nonpublic school accredited through the independent schools association of the central states, except for a student attending the school under a state scholarship program as defined in section 3301.0711 of the Revised Code;

(3) Any person with regard to the social studies assessment under division (B)(1) of section 3301.0710 of the Revised Code, any American history end-of-course examination and any American history or American government end-of-course examination or both as required under division (B) of section 3301.0712 of the Revised Code if such an exemption is prescribed by rule of the state board of education under division (D)(3) of section 3301.0712 of the Revised Code, or the citizenship test under former division (B) of section 3301.0710 of the Revised Code as it existed prior to September 11, 2001, if all of the following apply:

(a) The person is not a citizen of the United States;

(b) The person is not a permanent resident of the United States;

(c) The person indicates no intention to reside in the United States after completion of high school.

(4) Any person who attends a chartered nonpublic school that satisfies the requirements of division (L)(4) of section 3301.0711 of the Revised Code. In the case of such a student, the student's chartered nonpublic school shall determine the student's eligibility for graduation based on the standards of
the school's accrediting body.

(C) As used in this division, "English learner" has the same meaning as in division (C)(3) of section 3301.0711 of the Revised Code.

Notwithstanding division (C)(3) of section 3301.0711 of the Revised Code, no English learner who has not either attained the applicable scores designated under division (B)(1) of section 3301.0710 of the Revised Code on all the assessments required by that division, or met the requirement prescribed by section 3313.618 or 3313.619 of the Revised Code, shall be awarded a diploma under this section.

(D) The state board shall not impose additional requirements or assessments for the granting of a high school diploma under this section that are not prescribed by this section.

(E) The department of education shall furnish the assessment administered by a nonpublic school pursuant to division (B)(1) of section 3301.0712 of the Revised Code.

Sec. 3313.6114. (A) The state board of education shall establish a system of state diploma seals for the purposes of allowing a student to qualify for graduation under section 3313.618 of the Revised Code. State diploma seals may be attached or affixed to the high school diploma of a student enrolled in a public or chartered nonpublic school. The system of state diploma seals shall consist of all of the following:

(1) The state seal of biliteracy established under section 3313.6111 of the Revised Code;

(2) The OhioMeansJobs-readiness seal established under section 3313.6112 of the Revised Code;
(3) The state diploma seals prescribed under division (C) of this section.

(B) A school district, community school established under Chapter 3314. of the Revised Code, STEM school established under Chapter 3326. of the Revised Code, college-preparatory boarding school established under Chapter 3328. of the Revised Code, or chartered nonpublic school shall attach or affix the state seals prescribed under division (C) of this section to the diploma and transcript of a student enrolled in the district or school who meets the requirements established under that division.

(C) The state board shall establish all of the following state diploma seals:

(1) An industry-recognized credential seal. A student shall meet the requirement for this seal by earning an industry-recognized credential approved under section 3313.6113 of the Revised Code that is aligned to a job that is determined to be in demand in this state and its regions under section 6301.11 of the Revised Code.

(2) A college-ready seal. A student shall meet the requirement for this seal by attaining a score that is remediation-free, in accordance with standards adopted under division (F) of section 3345.061 of the Revised Code, on a nationally standardized assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code.

(3) A military enlistment seal. A student shall meet the requirement for this seal by doing either of the following:

(a) Providing evidence that the student has enlisted in a branch of the armed services of the United States as defined in section 5910.01 of the Revised Code;
(b) Participating in a junior reserve officer training program approved by the congress of the United States under title 10 of the United States Code.

(4) A citizenship seal. A student shall meet the requirement for this seal by doing any of the following:

(a) Demonstrating at least a proficient level of skill as prescribed under division (B)(5)(a) of section 3301.0712 of the Revised Code on both the American history and American government end-of-course examinations prescribed under division (B)(2)(B)(2)(a) of section 3301.0712 of the Revised Code or, for students who enter the ninth grade for the first time on or after July 1, 2019, demonstrating at least a proficient level of skill as prescribed under division (B)(5)(a) of that section on the American history and government end-of-course examination prescribed under division (B)(2)(b) of that section;

(b) Attaining a score level prescribed under division (B)(5)(d) of section 3301.0712 of the Revised Code that is at least the equivalent of a proficient level of skill in appropriate advanced placement or international baccalaureate examinations in lieu of the American history and American government end-of-course examinations or the American history and government end-of-course examination;

(c) Attaining a final course grade that is the equivalent of a "B" or higher in appropriate courses taken through the college credit plus program established under Chapter 3365. of the Revised Code in lieu of the American history and American government end-of-course examinations.

(5) A science seal. A student shall meet the requirement for this seal by doing any of the following:
(a) Demonstrating at least a proficient level of skill as prescribed under division (B)(5)(a) of section 3301.0712 of the Revised Code on the science end-of-course examination prescribed under division (B)(2) of section 3301.0712 of the Revised Code;

(b) Attaining a score level prescribed under division (B) (5)(d) of section 3301.0712 of the Revised Code that is at least the equivalent of a proficient level of skill in an appropriate advanced placement or international baccalaureate examination in lieu of the science end-of-course examination;

(c) Attaining a final course grade that is the equivalent of a "B" or higher in an appropriate course taken through the college credit plus program established under Chapter 3365. of the Revised Code in lieu of the science end-of-course examination.

(6) An honors diploma seal. A student shall meet the requirement for this seal by meeting the additional criteria for an honors diploma under division (B) of section 3313.61 of the Revised Code.

(7) A technology seal. A student shall meet the requirement for this seal by doing any of the following:

(a) Subject to division (B)(5)(d) of section 3301.0712 of the Revised Code, attaining a score level that is at least the equivalent of a proficient level of skill in an appropriate advanced placement or international baccalaureate examination;

(b) Attaining a final course grade that is the equivalent of a "B" or higher in an appropriate course taken through the college credit plus program established under Chapter 3365. of the Revised Code;

(c) Completing a course offered through the student's
district or school that meets guidelines developed by the department of education. However, a district or school shall not be required to offer a course that meets guidelines developed by the department.  

(8) A community service seal. A student shall meet the requirement for this seal by completing a community service project that is aligned with guidelines adopted by the student's district board or school governing authority.  

(9) A fine and performing arts seal. A student shall meet the requirement for this seal by demonstrating skill in the fine or performing arts according to an evaluation that is aligned with guidelines adopted by the student's district board or school governing authority.  

(10) A student engagement seal. A student shall meet the requirement for this seal by participating in extracurricular activities such as athletics, clubs, or student government to a meaningful extent, as determined by guidelines adopted by the student's district board or school governing authority.  

(D) Each district or school shall develop guidelines for at least one of the state seals prescribed under divisions (C)(8) to (10) of this section.  

(E) Each district or school shall maintain appropriate records to identify students who have met the requirements prescribed under division (C) of this section for earning the state seals established under that division.  

(F) The department shall prepare and deliver to each district or school an appropriate mechanism for assigning a state diploma seal established under division (C) of this section.
(G) A student shall not be charged a fee to be assigned a state seal prescribed under division (C) of this section on the student's diploma and transcript.

Section 2. That existing sections 3301.0712, 3301.0729, 3313.61, 3313.612, and 3313.6114 of the Revised Code are hereby repealed.

Section 3. Notwithstanding section 3301.163, 3313.608, or any other section of the Revised Code, for the 2020-2021 school year, no school district, community school, or STEM school and no chartered nonpublic school that is subject to section 3301.163 of the Revised Code shall retain a student in the third grade under that section or section 3313.608 of the Revised Code who fails to attain at least the equivalent level of achievement designated under division (A)(3) of section 3301.0710 of the Revised Code on the third grade English language arts assessment as prescribed under that section for the 2020-2021 school year.