

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**S. B. No. 89**

**Senator Huffman, M.  
Cosponsors: Senators Brenner, Rulli, Huffman, S.**

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**A BILL**

To amend sections 3302.03, 3313.14, 3313.482, 1  
3313.618, 3313.903, 3317.023, 3319.226, 2  
3326.032, 3333.162, 3333.94, 3365.01, 3365.02, 3  
5709.62, 5709.63, 5709.632, 5709.82, and 4  
5709.83, to enact sections 3301.0730, 3317.037, 5  
and 3319.2211, and to repeal section 3313.6113 6  
of the Revised Code with regard to career- 7  
technical education and the compensation of 8  
joint vocational school districts located in 9  
enterprise zones. 10

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

**Section 1.** That sections 3302.03, 3313.14, 3313.482, 11  
3313.618, 3313.903, 3317.023, 3319.226, 3326.032, 3333.162, 12  
3333.94, 3365.01, 3365.02, 5709.62, 5709.63, 5709.632, 5709.82, 13  
and 5709.83 be amended and sections 3301.0730, 3317.037, and 14  
3319.2211 of the Revised Code be enacted to read as follows: 15

**Sec. 3301.0730.** (A) As used in this section: 16

(1) "Career-technical planning district" or "CTPD" has the 17  
same meaning as in section 3317.023 of the Revised Code. 18

(2) "Education management information system" means the integrated system of statewide data collecting, reporting, and compiling for school districts and schools prescribed under section 3301.0714 of the Revised Code. 19  
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(3) "EMIS guidelines" means any guidance issued by the department of education containing the student, staff, and financial information to be collected and reported, along with data-element definitions, procedures, and guidelines necessary to implement the education management information system. 23  
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(4) "Ohio career-technical associations" means all of the following: 28  
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(a) The Ohio association of career-technical education; 30

(b) The Ohio association of career-technical superintendents; 31  
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(c) The Ohio association of comprehensive and compact career-technical schools. 33  
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(B) Except as provided for in division (C) of this section, the department shall not issue new or updated EMIS guidelines for career-technical planning districts unless the following conditions are satisfied: 35  
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(1) Not later than the fifteenth of January immediately prior to the school year in which the new or updated EMIS guidelines take effect, the department shall notify all career-technical planning districts of the changes to be made to the EMIS guidelines and establish a pilot program in accordance with division (D) of this section. 39  
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(2) Not later than the first day of June immediately prior to the school year in which the new or updated EMIS guidelines 45  
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take effect, the department shall complete the pilot program and 47  
solicit input about the results of the pilot program from the 48  
Ohio career-technical associations. The associations may then 49  
submit a formal request to the department to revise or eliminate 50  
any new or updated EMIS guidelines tested in the pilot program. 51

(3) Upon the submission of a formal request from the Ohio 52  
career-technical associations under division (B) (2) of this 53  
section, the department shall either revise or eliminate any new 54  
or updated EMIS guidelines. 55

(C) (1) The department may issue new or updated EMIS 56  
guidelines for career-technical planning districts for the 57  
purposes of implementing a new law passed by the general 58  
assembly, implementing a rule adopted by the state board of 59  
education, or fixing an error in existing EMIS guidelines, 60  
provided that the department notifies all CTPDs of the new or 61  
updated EMIS guidelines at least sixty days prior to the date 62  
they take effect. 63

(2) After the department notifies career-technical 64  
planning districts under division (C) (1) of this section, but 65  
before the new or updated EMIS guidelines take effect, the Ohio 66  
career-technical associations may formally request that the 67  
department establish a pilot program for the new or updated EMIS 68  
guidelines. 69

(3) Upon receiving a request from the Ohio career- 70  
technical associations under division (C) (2) of this section, 71  
the department shall do all of the following: 72

(a) Establish a pilot program in accordance with division 73  
(D) of this section; 74

(b) Not later than thirty days after the establishment of 75

a pilot program under this division, the department shall 76  
complete the pilot program and solicit input about its results 77  
from the Ohio career-technical associations. The associations 78  
may then submit a formal request to the department to revise or 79  
eliminate any new or updated EMIS guidelines tested in the pilot 80  
program. 81

(c) Upon the submission of a formal request from the Ohio 82  
career-technical associations under division (C) (3) (b) of this 83  
section, the department shall either revise or eliminate any new 84  
or updated EMIS guidelines. 85

(D) For the purposes of division (B) or (C) of this 86  
section, the department shall establish a pilot program in 87  
career-technical planning districts to test the functionality of 88  
any new or updated EMIS guidelines for CTPDs. The department 89  
shall solicit suggestions for CTPDs to serve as the locations of 90  
the pilot program from the Ohio career-technical associations. 91  
The department shall select CTPDs from those suggestions. 92

(E) Additionally, the department shall establish both of 93  
the following: 94

(1) Uniform guidance for career-technical planning 95  
districts and information technology centers established under 96  
section 3301.075 of the Revised Code regarding the education 97  
management information system and EMIS guidelines for career- 98  
technical planning districts; 99

(2) Uniform training programs for all personnel employed 100  
by the department to administer the education management 101  
information system. 102

(F) (1) The department shall notify each career-technical 103  
planning district within twenty-four hours after new data 104

becomes available for review under the education management 105  
information system. 106

(2) After receiving the notification under division (F)(1) 107  
of this section, each CTPD shall have at least thirty days to 108  
appeal any data reported under the education management 109  
information system for the purposes of reconciling any 110  
inaccuracies or discrepancies prior to the department issuing 111  
any sanctions under division (L) of section 3301.0714 of the 112  
Revised Code. 113

(3) The department shall adopt rules to establish the 114  
appeals process required under division (F)(2) of this section. 115

**Sec. 3302.03.** Annually, not later than the fifteenth day 116  
of September or the preceding Friday when that day falls on a 117  
Saturday or Sunday, the department of education shall assign a 118  
letter grade for overall academic performance and for each 119  
separate performance measure for each school district, and each 120  
school building in a district, in accordance with this section. 121  
The state board shall adopt rules pursuant to Chapter 119. of 122  
the Revised Code to establish performance criteria for each 123  
letter grade and prescribe a method by which the department 124  
assigns each letter grade. For a school building to which any of 125  
the performance measures do not apply, due to grade levels 126  
served by the building, the state board shall designate the 127  
performance measures that are applicable to the building and 128  
that must be calculated separately and used to calculate the 129  
building's overall grade. The department shall issue annual 130  
report cards reflecting the performance of each school district, 131  
each building within each district, and for the state as a whole 132  
using the performance measures and letter grade system described 133  
in this section. The department shall include on the report card 134

for each district and each building within each district the 135  
most recent two-year trend data in student achievement for each 136  
subject and each grade. 137

(A) (1) For the 2012-2013 school year, the department shall 138  
issue grades as described in division (E) of this section for 139  
each of the following performance measures: 140

(a) Annual measurable objectives; 141

(b) Performance index score for a school district or 142  
building. Grades shall be awarded as a percentage of the total 143  
possible points on the performance index system as adopted by 144  
the state board. In adopting benchmarks for assigning letter 145  
grades under division (A) (1) (b) of this section, the state board 146  
of education shall designate ninety per cent or higher for an 147  
"A," at least seventy per cent but not more than eighty per cent 148  
for a "C," and less than fifty per cent for an "F." 149

(c) The extent to which the school district or building 150  
meets each of the applicable performance indicators established 151  
by the state board under section 3302.02 of the Revised Code and 152  
the percentage of applicable performance indicators that have 153  
been achieved. In adopting benchmarks for assigning letter 154  
grades under division (A) (1) (c) of this section, the state board 155  
shall designate ninety per cent or higher for an "A." 156

(d) The four- and five-year adjusted cohort graduation 157  
rates. 158

In adopting benchmarks for assigning letter grades under 159  
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 160  
department shall designate a four-year adjusted cohort 161  
graduation rate of ninety-three per cent or higher for an "A" 162  
and a five-year cohort graduation rate of ninety-five per cent 163

or higher for an "A." 164

(e) The overall score under the value-added progress 165  
dimension of a school district or building, for which the 166  
department shall use up to three years of value-added data as 167  
available. The letter grade assigned for this growth measure 168  
shall be as follows: 169

(i) A score that is at least two standard errors of 170  
measure above the mean score shall be designated as an "A." 171

(ii) A score that is at least one standard error of 172  
measure but less than two standard errors of measure above the 173  
mean score shall be designated as a "B." 174

(iii) A score that is less than one standard error of 175  
measure above the mean score but greater than or equal to one 176  
standard error of measure below the mean score shall be 177  
designated as a "C." 178

(iv) A score that is not greater than one standard error 179  
of measure below the mean score but is greater than or equal to 180  
two standard errors of measure below the mean score shall be 181  
designated as a "D." 182

(v) A score that is not greater than two standard errors 183  
of measure below the mean score shall be designated as an "F." 184

Whenever the value-added progress dimension is used as a 185  
graded performance measure, whether as an overall measure or as 186  
a measure of separate subgroups, the grades for the measure 187  
shall be calculated in the same manner as prescribed in division 188  
(A) (1) (e) of this section. 189

(f) The value-added progress dimension score for a school 190  
district or building disaggregated for each of the following 191

subgroups: students identified as gifted, students with 192  
disabilities, and students whose performance places them in the 193  
lowest quintile for achievement on a statewide basis. Each 194  
subgroup shall be a separate graded measure. 195

(2) Not later than April 30, 2013, the state board of 196  
education shall adopt a resolution describing the performance 197  
measures, benchmarks, and grading system for the 2012-2013 198  
school year and, not later than June 30, 2013, shall adopt rules 199  
in accordance with Chapter 119. of the Revised Code that 200  
prescribe the methods by which the performance measures under 201  
division (A)(1) of this section shall be assessed and assigned a 202  
letter grade, including performance benchmarks for each letter 203  
grade. 204

At least forty-five days prior to the state board's 205  
adoption of rules to prescribe the methods by which the 206  
performance measures under division (A)(1) of this section shall 207  
be assessed and assigned a letter grade, the department shall 208  
conduct a public presentation before the standing committees of 209  
the house of representatives and the senate that consider 210  
education legislation describing such methods, including 211  
performance benchmarks. 212

(3) There shall not be an overall letter grade for a 213  
school district or building for the 2012-2013 school year. 214

(B)(1) For the 2013-2014 and 2014-2015 school years, the 215  
department shall issue grades as described in division (E) of 216  
this section for each of the following performance measures: 217

(a) Annual measurable objectives; 218

(b) Performance index score for a school district or 219  
building. Grades shall be awarded as a percentage of the total 220



possible points on the performance index system as created by 221  
the department. In adopting benchmarks for assigning letter 222  
grades under division (B) (1) (b) of this section, the state board 223  
shall designate ninety per cent or higher for an "A," at least 224  
seventy per cent but not more than eighty per cent for a "C," 225  
and less than fifty per cent for an "F." 226

(c) The extent to which the school district or building 227  
meets each of the applicable performance indicators established 228  
by the state board under section 3302.03 of the Revised Code and 229  
the percentage of applicable performance indicators that have 230  
been achieved. In adopting benchmarks for assigning letter 231  
grades under division (B) (1) (c) of this section, the state board 232  
shall designate ninety per cent or higher for an "A." 233

(d) The four- and five-year adjusted cohort graduation 234  
rates; 235

(e) The overall score under the value-added progress 236  
dimension of a school district or building, for which the 237  
department shall use up to three years of value-added data as 238  
available. 239

(f) The value-added progress dimension score for a school 240  
district or building disaggregated for each of the following 241  
subgroups: students identified as gifted in superior cognitive 242  
ability and specific academic ability fields under Chapter 3324. 243  
of the Revised Code, students with disabilities, and students 244  
whose performance places them in the lowest quintile for 245  
achievement on a statewide basis. Each subgroup shall be a 246  
separate graded measure. 247

(g) Whether a school district or building is making 248  
progress in improving literacy in grades kindergarten through 249

three, as determined using a method prescribed by the state 250  
board. The state board shall adopt rules to prescribe benchmarks 251  
and standards for assigning grades to districts and buildings 252  
for purposes of division (B) (1) (g) of this section. In adopting 253  
benchmarks for assigning letter grades under divisions (B) (1) (g) 254  
and (C) (1) (g) of this section, the state board shall determine 255  
progress made based on the reduction in the total percentage of 256  
students scoring below grade level, or below proficient, 257  
compared from year to year on the reading and writing diagnostic 258  
assessments administered under section 3301.0715 of the Revised 259  
Code and the third grade English language arts assessment under 260  
section 3301.0710 of the Revised Code, as applicable. The state 261  
board shall designate for a "C" grade a value that is not lower 262  
than the statewide average value for this measure. No grade 263  
shall be issued under divisions (B) (1) (g) and (C) (1) (g) of this 264  
section for a district or building in which less than five per 265  
cent of students have scored below grade level on the diagnostic 266  
assessment administered to students in kindergarten under 267  
division (B) (1) of section 3313.608 of the Revised Code. 268

(h) For a high mobility school district or building, an 269  
additional value-added progress dimension score. For this 270  
measure, the department shall use value-added data from the most 271  
recent school year available and shall use assessment scores for 272  
only those students to whom the district or building has 273  
administered the assessments prescribed by section 3301.0710 of 274  
the Revised Code for each of the two most recent consecutive 275  
school years. 276

As used in this division, "high mobility school district 277  
or building" means a school district or building where at least 278  
twenty-five per cent of its total enrollment is made up of 279  
students who have attended that school district or building for 280

less than one year.	281
(2) In addition to the graded measures in division (B) (1)	282
of this section, the department shall include on a school	283
district's or building's report card all of the following	284
without an assigned letter grade:	285
(a) The percentage of students enrolled in a district or	286
building participating in advanced placement classes and the	287
percentage of those students who received a score of three or	288
better on advanced placement examinations;	289
(b) The number of a district's or building's students who	290
have earned at least three college credits through dual	291
enrollment or advanced standing programs, such as the post-	292
secondary enrollment options program under Chapter 3365. of the	293
Revised Code and state-approved career-technical courses offered	294
through dual enrollment or statewide articulation, that appear	295
on a student's transcript or other official document, either of	296
which is issued by the institution of higher education from	297
which the student earned the college credit. The credits earned	298
that are reported under divisions (B) (2) (b) and (C) (2) (c) of	299
this section shall not include any that are remedial or	300
developmental and shall include those that count toward the	301
curriculum requirements established for completion of a degree.	302
(c) The percentage of students enrolled in a district or	303
building who have taken a national standardized test used for	304
college admission determinations and the percentage of those	305
students who are determined to be remediation-free in accordance	306
with standards adopted under division (F) of section 3345.061 of	307
the Revised Code;	308
(d) The percentage of the district's or the building's	309

students who receive industry-recognized credentials ~~as approved~~ 310  
~~under section 3313.6113~~ included in the inventory under division 311  
(B) of section 3333.94 of the Revised Code. 312

(e) The percentage of students enrolled in a district or 313  
building who are participating in an international baccalaureate 314  
program and the percentage of those students who receive a score 315  
of four or better on the international baccalaureate 316  
examinations. 317

(f) The percentage of the district's or building's 318  
students who receive an honors diploma under division (B) of 319  
section 3313.61 of the Revised Code. 320

(3) Not later than December 31, 2013, the state board 321  
shall adopt rules in accordance with Chapter 119. of the Revised 322  
Code that prescribe the methods by which the performance 323  
measures under divisions (B) (1) (f) and (B) (1) (g) of this section 324  
will be assessed and assigned a letter grade, including 325  
performance benchmarks for each grade. 326

At least forty-five days prior to the state board's 327  
adoption of rules to prescribe the methods by which the 328  
performance measures under division (B) (1) of this section shall 329  
be assessed and assigned a letter grade, the department shall 330  
conduct a public presentation before the standing committees of 331  
the house of representatives and the senate that consider 332  
education legislation describing such methods, including 333  
performance benchmarks. 334

(4) There shall not be an overall letter grade for a 335  
school district or building for the 2013-2014, 2014-2015, 2015- 336  
2016, and 2016-2017 school years. 337

(C) (1) For the 2014-2015 school year and each school year 338

thereafter, the department shall issue grades as described in 339  
division (E) of this section for each of the performance 340  
measures prescribed in division (C) (1) of this section. The 341  
graded measures are as follows: 342

(a) Annual measurable objectives. For the 2017-2018 school 343  
year, the department shall not include any subgroup data in the 344  
annual measurable objectives that includes data from fewer than 345  
twenty-five students. For the 2018-2019 school year, the 346  
department shall not include any subgroup data in the annual 347  
measurable objectives that includes data from fewer than twenty 348  
students. Beginning with the 2019-2020 school year, the 349  
department shall not include any subgroup data in the annual 350  
measurable objectives that includes data from fewer than fifteen 351  
students. 352

(b) Performance index score for a school district or 353  
building. Grades shall be awarded as a percentage of the total 354  
possible points on the performance index system as created by 355  
the department. In adopting benchmarks for assigning letter 356  
grades under division (C) (1) (b) of this section, the state board 357  
shall designate ninety per cent or higher for an "A," at least 358  
seventy per cent but not more than eighty per cent for a "C," 359  
and less than fifty per cent for an "F." 360

(c) The extent to which the school district or building 361  
meets each of the applicable performance indicators established 362  
by the state board under section 3302.03 of the Revised Code and 363  
the percentage of applicable performance indicators that have 364  
been achieved. In adopting benchmarks for assigning letter 365  
grades under division (C) (1) (c) of this section, the state board 366  
shall designate ninety per cent or higher for an "A." 367

(d) The four- and five-year adjusted cohort graduation 368

rates; 369

(e) The overall score under the value-added progress 370  
dimension, or another measure of student academic progress if 371  
adopted by the state board, of a school district or building, 372  
for which the department shall use up to three years of value- 373  
added data as available. 374

In adopting benchmarks for assigning letter grades for 375  
overall score on value-added progress dimension under division 376  
(C) (1) (e) of this section, the state board shall prohibit the 377  
assigning of a grade of "A" for that measure unless the 378  
district's or building's grade assigned for value-added progress 379  
dimension for all subgroups under division (C) (1) (f) of this 380  
section is a "B" or higher. 381

For the metric prescribed by division (C) (1) (e) of this 382  
section, the state board may adopt a student academic progress 383  
measure to be used instead of the value-added progress 384  
dimension. If the state board adopts such a measure, it also 385  
shall prescribe a method for assigning letter grades for the new 386  
measure that is comparable to the method prescribed in division 387  
(A) (1) (e) of this section. 388

(f) The value-added progress dimension score of a school 389  
district or building disaggregated for each of the following 390  
subgroups: students identified as gifted in superior cognitive 391  
ability and specific academic ability fields under Chapter 3324. 392  
of the Revised Code, students with disabilities, and students 393  
whose performance places them in the lowest quintile for 394  
achievement on a statewide basis, as determined by a method 395  
prescribed by the state board. Each subgroup shall be a separate 396  
graded measure. 397

The state board may adopt student academic progress 398  
measures to be used instead of the value-added progress 399  
dimension. If the state board adopts such measures, it also 400  
shall prescribe a method for assigning letter grades for the new 401  
measures that is comparable to the method prescribed in division 402  
(A) (1) (e) of this section. 403

(g) Whether a school district or building is making 404  
progress in improving literacy in grades kindergarten through 405  
three, as determined using a method prescribed by the state 406  
board. The state board shall adopt rules to prescribe benchmarks 407  
and standards for assigning grades to a district or building for 408  
purposes of division (C) (1) (g) of this section. The state board 409  
shall designate for a "C" grade a value that is not lower than 410  
the statewide average value for this measure. No grade shall be 411  
issued under division (C) (1) (g) of this section for a district 412  
or building in which less than five per cent of students have 413  
scored below grade level on the kindergarten diagnostic 414  
assessment under division (B) (1) of section 3313.608 of the 415  
Revised Code. 416

(h) For a high mobility school district or building, an 417  
additional value-added progress dimension score. For this 418  
measure, the department shall use value-added data from the most 419  
recent school year available and shall use assessment scores for 420  
only those students to whom the district or building has 421  
administered the assessments prescribed by section 3301.0710 of 422  
the Revised Code for each of the two most recent consecutive 423  
school years. 424

As used in this division, "high mobility school district 425  
or building" means a school district or building where at least 426  
twenty-five per cent of its total enrollment is made up of 427

students who have attended that school district or building for 428  
less than one year. 429

(2) In addition to the graded measures in division (C) (1) 430  
of this section, the department shall include on a school 431  
district's or building's report card all of the following 432  
without an assigned letter grade: 433

(a) The percentage of students enrolled in a district or 434  
building who have taken a national standardized test used for 435  
college admission determinations and the percentage of those 436  
students who are determined to be remediation-free in accordance 437  
with the standards adopted under division (F) of section 438  
3345.061 of the Revised Code; 439

(b) The percentage of students enrolled in a district or 440  
building participating in advanced placement classes and the 441  
percentage of those students who received a score of three or 442  
better on advanced placement examinations; 443

(c) The percentage of a district's or building's students 444  
who have earned at least three college credits through advanced 445  
standing programs, such as the college credit plus program under 446  
Chapter 3365. of the Revised Code and state-approved career- 447  
technical courses offered through dual enrollment or statewide 448  
articulation, that appear on a student's college transcript 449  
issued by the institution of higher education from which the 450  
student earned the college credit. The credits earned that are 451  
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 452  
shall not include any that are remedial or developmental and 453  
shall include those that count toward the curriculum 454  
requirements established for completion of a degree. 455

(d) The percentage of the district's or building's 456



students who receive an honor's diploma under division (B) of 457  
section 3313.61 of the Revised Code; 458

(e) The percentage of the district's or building's 459  
students who receive industry-recognized credentials ~~as approved~~ 460  
~~under section 3313.6113~~ included in the inventory under division 461  
(B) of section 3333.94 of the Revised Code; 462

(f) The percentage of students enrolled in a district or 463  
building who are participating in an international baccalaureate 464  
program and the percentage of those students who receive a score 465  
of four or better on the international baccalaureate 466  
examinations; 467

(g) The results of the college and career-ready 468  
assessments administered under division (B) (1) of section 469  
3301.0712 of the Revised Code; 470

(h) Whether the school district or building has 471  
implemented a positive behavior intervention and supports 472  
framework in compliance with the requirements of section 3319.46 473  
of the Revised Code, notated as a "yes" or "no" answer. 474

(3) The state board shall adopt rules pursuant to Chapter 475  
119. of the Revised Code that establish a method to assign an 476  
overall grade for a school district or school building for the 477  
2017-2018 school year and each school year thereafter. The rules 478  
shall group the performance measures in divisions (C) (1) and (2) 479  
of this section into the following components: 480

(a) Gap closing, which shall include the performance 481  
measure in division (C) (1) (a) of this section; 482

(b) Achievement, which shall include the performance 483  
measures in divisions (C) (1) (b) and (c) of this section; 484

(c) Progress, which shall include the performance measures 485  
in divisions (C)(1)(e) and (f) of this section; 486

(d) Graduation, which shall include the performance 487  
measure in division (C)(1)(d) of this section; 488

(e) Kindergarten through third-grade literacy, which shall 489  
include the performance measure in division (C)(1)(g) of this 490  
section; 491

(f) Prepared for success, which shall include the 492  
performance measures in divisions (C)(2)(a), (b), (c), (d), (e), 493  
and (f) of this section. The state board shall develop a method 494  
to determine a grade for the component in division (C)(3)(f) of 495  
this section using the performance measures in divisions (C)(2) 496  
(a), (b), (c), (d), (e), and (f) of this section. When 497  
available, the state board may incorporate the performance 498  
measure under division (C)(2)(g) of this section into the 499  
component under division (C)(3)(f) of this section. When 500  
determining the overall grade for the prepared for success 501  
component prescribed by division (C)(3)(f) of this section, no 502  
individual student shall be counted in more than one performance 503  
measure. However, if a student qualifies for more than one 504  
performance measure in the component, the state board may, in 505  
its method to determine a grade for the component, specify an 506  
additional weight for such a student that is not greater than or 507  
equal to 1.0. In determining the overall score under division 508  
(C)(3)(f) of this section, the state board shall ensure that the 509  
pool of students included in the performance measures aggregated 510  
under that division are all of the students included in the 511  
four- and five-year adjusted graduation cohort. 512

In the rules adopted under division (C)(3) of this 513  
section, the state board shall adopt a method for determining a 514

grade for each component in divisions (C)(3)(a) to (f) of this 515  
section. The state board also shall establish a method to assign 516  
an overall grade of "A," "B," "C," "D," or "F" using the grades 517  
assigned for each component. The method the state board adopts 518  
for assigning an overall grade shall give equal weight to the 519  
components in divisions (C)(3)(b) and (c) of this section. 520

At least forty-five days prior to the state board's 521  
adoption of rules to prescribe the methods for calculating the 522  
overall grade for the report card, as required by this division, 523  
the department shall conduct a public presentation before the 524  
standing committees of the house of representatives and the 525  
senate that consider education legislation describing the format 526  
for the report card, weights that will be assigned to the 527  
components of the overall grade, and the method for calculating 528  
the overall grade. 529

(D) On or after July 1, 2015, the state board may develop 530  
a measure of student academic progress for high school students 531  
using only data from assessments in English language arts and 532  
mathematics. If the state board develops this measure, each 533  
school district and applicable school building shall be assigned 534  
a separate letter grade for it not sooner than the 2017-2018 535  
school year. The district's or building's grade for that measure 536  
shall not be included in determining the district's or 537  
building's overall letter grade. 538

(E) The letter grades assigned to a school district or 539  
building under this section shall be as follows: 540

(1) "A" for a district or school making excellent 541  
progress; 542

(2) "B" for a district or school making above average 543

progress;	544
(3) "C" for a district or school making average progress;	545
(4) "D" for a district or school making below average progress;	546 547
(5) "F" for a district or school failing to meet minimum progress.	548 549
(F) When reporting data on student achievement and progress, the department shall disaggregate that data according to the following categories:	550 551 552
(1) Performance of students by grade-level;	553
(2) Performance of students by race and ethnic group;	554
(3) Performance of students by gender;	555
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	556 557
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	558 559 560
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	561 562
(7) Performance of students grouped by those who are economically disadvantaged;	563 564
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	565 566 567
(9) Performance of students grouped by those who are classified as limited English proficient;	568 569

(10) Performance of students grouped by those who have disabilities;	570 571
(11) Performance of students grouped by those who are classified as migrants;	572 573
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	574 575 576 577 578 579 580 581 582
(13) Performance of students grouped by those who perform in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the state board.	583 584 585
The department may disaggregate data on student performance according to other categories that the department determines are appropriate. To the extent possible, the department shall disaggregate data on student performance according to any combinations of two or more of the categories listed in divisions (F) (1) to (13) of this section that it deems relevant.	586 587 588 589 590 591 592
In reporting data pursuant to division (F) of this section, the department shall not include in the report cards any data statistical in nature that is statistically unreliable or that could result in the identification of individual students. For this purpose, the department shall not report student performance data for any group identified in division	593 594 595 596 597 598

(F) of this section that contains less than ten students. If the 599  
department does not report student performance data for a group 600  
because it contains less than ten students, the department shall 601  
indicate on the report card that is why data was not reported. 602

(G) The department may include with the report cards any 603  
additional education and fiscal performance data it deems 604  
valuable. 605

(H) The department shall include on each report card a 606  
list of additional information collected by the department that 607  
is available regarding the district or building for which the 608  
report card is issued. When available, such additional 609  
information shall include student mobility data disaggregated by 610  
race and socioeconomic status, college enrollment data, and the 611  
reports prepared under section 3302.031 of the Revised Code. 612

The department shall maintain a site on the world wide 613  
web. The report card shall include the address of the site and 614  
shall specify that such additional information is available to 615  
the public at that site. The department shall also provide a 616  
copy of each item on the list to the superintendent of each 617  
school district. The district superintendent shall provide a 618  
copy of any item on the list to anyone who requests it. 619

(I) (1) (a) Except as provided in division (I) (1) (b) of this 620  
section, for any district that sponsors a conversion community 621  
school under Chapter 3314. of the Revised Code, the department 622  
shall combine data regarding the academic performance of 623  
students enrolled in the community school with comparable data 624  
from the schools of the district for the purpose of determining 625  
the performance of the district as a whole on the report card 626  
issued for the district under this section or section 3302.033 627  
of the Revised Code. 628

(b) The department shall not combine data from any 629  
conversion community school that a district sponsors if a 630  
majority of the students enrolled in the conversion community 631  
school are enrolled in a dropout prevention and recovery program 632  
that is operated by the school, as described in division (A) (4) 633  
(a) of section 3314.35 of the Revised Code. The department shall 634  
include as an addendum to the district's report card the ratings 635  
and performance measures that are required under section 636  
3314.017 of the Revised Code for any community school to which 637  
division (I) (1) (b) of this section applies. This addendum shall 638  
include, at a minimum, the data specified in divisions (C) (1) 639  
(a), (C) (2), and (C) (3) of section 3314.017 of the Revised Code. 640

(2) Any district that leases a building to a community 641  
school located in the district or that enters into an agreement 642  
with a community school located in the district whereby the 643  
district and the school endorse each other's programs may elect 644  
to have data regarding the academic performance of students 645  
enrolled in the community school combined with comparable data 646  
from the schools of the district for the purpose of determining 647  
the performance of the district as a whole on the district 648  
report card. Any district that so elects shall annually file a 649  
copy of the lease or agreement with the department. 650

(3) Any municipal school district, as defined in section 651  
3311.71 of the Revised Code, that sponsors a community school 652  
located within the district's territory, or that enters into an 653  
agreement with a community school located within the district's 654  
territory whereby the district and the community school endorse 655  
each other's programs, may exercise either or both of the 656  
following elections: 657

(a) To have data regarding the academic performance of 658

students enrolled in that community school combined with 659  
comparable data from the schools of the district for the purpose 660  
of determining the performance of the district as a whole on the 661  
district's report card; 662

(b) To have the number of students attending that 663  
community school noted separately on the district's report card. 664

The election authorized under division (I) (3) (a) of this 665  
section is subject to approval by the governing authority of the 666  
community school. 667

Any municipal school district that exercises an election 668  
to combine or include data under division (I) (3) of this 669  
section, by the first day of October of each year, shall file 670  
with the department documentation indicating eligibility for 671  
that election, as required by the department. 672

(J) The department shall include on each report card the 673  
percentage of teachers in the district or building who are 674  
properly certified or licensed teachers, as defined in section 675  
3319.074 of the Revised Code, and a comparison of that 676  
percentage with the percentages of such teachers in similar 677  
districts and buildings. 678

(K) (1) In calculating English language arts, mathematics, 679  
or science assessment passage rates used to determine school 680  
district or building performance under this section, the 681  
department shall include all students taking an assessment with 682  
accommodation or to whom an alternate assessment is administered 683  
pursuant to division (C) (1) or (3) of section 3301.0711 of the 684  
Revised Code. 685

(2) In calculating performance index scores, rates of 686  
achievement on the performance indicators established by the 687



state board under section 3302.02 of the Revised Code, and 688  
annual measurable objectives for determining adequate yearly 689  
progress for school districts and buildings under this section, 690  
the department shall do all of the following: 691

(a) Include for each district or building only those 692  
students who are included in the ADM certified for the first 693  
full school week of October and are continuously enrolled in the 694  
district or building through the time of the spring 695  
administration of any assessment prescribed by division (A) (1) 696  
or (B) (1) of section 3301.0710 or division (B) of section 697  
3301.0712 of the Revised Code that is administered to the 698  
student's grade level; 699

(b) Include cumulative totals from both the fall and 700  
spring administrations of the third grade English language arts 701  
achievement assessment; 702

(c) Except as required by the No Child Left Behind Act of 703  
2001, exclude for each district or building any limited English 704  
proficient student who has been enrolled in United States 705  
schools for less than one full school year. 706

(L) Beginning with the 2015-2016 school year and at least 707  
once every three years thereafter, the state board of education 708  
shall review and may adjust the benchmarks for assigning letter 709  
grades to the performance measures and components prescribed 710  
under divisions (C) (3) and (D) of this section. 711

**Sec. 3313.14.** The board of education of each city, 712  
exempted village, and local school district shall meet on a day 713  
occurring during the first fifteen days of January of each year, 714  
and shall organize by electing one of its members president and 715  
another vice-president, both of whom shall serve for one year. 716

The treasurer of the board shall canvass the members of the new board no later than December thirty-first to establish the day of the organizational meeting prescribed by this section.

The board of education of a joint vocational school district shall hold its first meeting in January of each year, and shall organize by electing one of its members president and another vice-president, both of whom shall serve for one year. The treasurer of the board shall canvass the members of the new board no later than December thirty-first to establish the day of the organizational meeting prescribed by this section.

The governing board of each educational service center shall hold its first meeting in January of each year, and shall organize by electing one of its members president and another vice-president, both of whom shall serve for one year.

**Sec. 3313.482.** (A) (1) Prior to the first day of August of each school year, the board of education of any school district or the governing authority of any chartered nonpublic school may adopt a plan to require students to access and complete classroom lessons posted on the district's or nonpublic school's web portal or web site in order to make up hours in that school year on which it is necessary to close schools for disease epidemic, hazardous weather conditions, law enforcement emergencies, inoperability of school buses or other equipment necessary to the school's operation, damage to a school building, or other temporary circumstances due to utility failure rendering the school building unfit for school use.

Prior to the first day of August of each school year, the governing authority of any community school established under Chapter 3314. that is not an internet- or computer-based community school, as defined in section 3314.02 of the Revised

Code, may adopt a plan to require students to access and 747  
complete classroom lessons posted on the school's web portal or 748  
web site in order to make up hours in that school year on which 749  
it is necessary to close the school for any of the reasons 750  
specified in division (H) (4) of section 3314.08 of the Revised 751  
Code so that the school is in compliance with the minimum number 752  
of hours required under Chapter 3314. of the Revised Code. 753

A plan adopted by a school district board, chartered 754  
nonpublic school governing authority, or community school 755  
governing authority shall provide for making up any number of 756  
hours, up to a maximum of the number of hours that are the 757  
equivalent of three school days. 758

(2) Each plan adopted under this section by a school 759  
district board of education shall include the written consent of 760  
the teachers' employee representative designated under division 761  
(B) of section 4117.04 of the Revised Code. 762

(3) Each plan adopted under this section shall provide for 763  
the following: 764

(a) Not later than the first day of November of the school 765  
year, each classroom teacher shall develop a sufficient number 766  
of lessons for each course taught by the teacher that school 767  
year to cover the number of make-up hours specified in the plan. 768  
The teacher shall designate the order in which the lessons are 769  
to be posted on the district's, community school's, or nonpublic 770  
school's web portal or web site in the event of a school 771  
closure. Teachers may be granted up to one professional 772  
development day to create lesson plans for those lessons. 773

(b) To the extent possible and necessary, a classroom 774  
teacher shall update or replace, based on current instructional 775

progress, one or more of the lesson plans developed under 776  
division (A) (3) (a) of this section before they are posted on the 777  
web portal or web site under division (A) (3) (c) of this section 778  
or distributed under division (B) of this section. 779

(c) As soon as practicable after a school closure, a 780  
district or school employee responsible for web portal or web 781  
site operations shall make the designated lessons available to 782  
students on the district's, community school's, or nonpublic 783  
school's portal or site. A lesson shall be posted for each 784  
course that was scheduled to meet on the day or hours of the 785  
closure. 786

(d) Each student enrolled in a course for which a lesson 787  
is posted on the portal or site shall be granted a two-week 788  
period from the date of posting to complete the lesson. The 789  
student's classroom teacher shall grade the lesson in the same 790  
manner as other lessons. The student may receive an incomplete 791  
or failing grade if the lesson is not completed on time. 792

(e) If a student does not have access to a computer at the 793  
student's residence and the plan does not include blizzard bags 794  
under division (B) of this section, the student shall be 795  
permitted to work on the posted lessons at school after the 796  
student's school reopens. If the lessons were posted prior to 797  
the reopening, the student shall be granted a two-week period 798  
from the date of the reopening, rather than from the date of 799  
posting as otherwise required under division (A) (3) (d) of this 800  
section, to complete the lessons. The district board or 801  
community school or nonpublic school governing authority may 802  
provide the student access to a computer before, during, or 803  
after the regularly scheduled school day or may provide a 804  
substantially similar paper lesson in order to complete the 805

lessons. 806

(B) (1) In addition to posting classroom lessons online 807  
under division (A) of this section, the board of education of 808  
any school district or governing authority of any community or 809  
chartered nonpublic school may include in the plan distribution 810  
of "blizzard bags," which are paper copies of the lessons posted 811  
online. 812

(2) If a school opts to use blizzard bags, teachers shall 813  
prepare paper copies in conjunction with the lessons to be 814  
posted online and update the paper copies whenever the teacher 815  
updates the online lesson plans. 816

(3) The board of education of any school district or 817  
governing authority of any community or chartered nonpublic 818  
school that opts to use blizzard bags shall specify in the plan 819  
the method of distribution of blizzard bag lessons, which may 820  
include, but not be limited to, requiring distribution by a 821  
specific deadline or requiring distribution prior to anticipated 822  
school closure as directed by the superintendent of a school 823  
district or the principal, director, chief administrative 824  
officer, or the equivalent, of a school. 825

(4) Students shall turn in completed lessons in accordance 826  
with division (A) (3) (d) of this section. 827

(C) In addition to the hours that may be made up in 828  
accordance with divisions (A) and (B) of this section, the board 829  
of education of any joint vocational school district may include 830  
in its plan adopted under this section other options to make up 831  
any number of additional hours missed as a result of one or more 832  
of the schools of its member city, exempted village, or local 833  
school districts were closed for the reasons specified in 834

division (A) (1) of this section. Those options may include 835  
additional online lessons, planned student internships, student 836  
projects, or other options specified by the board in its plan. 837

(D)(1) No school district that implements a plan in 838  
accordance with this section shall be considered to have failed 839  
to comply with division (B) of section 3317.01 of the Revised 840  
Code with respect to the number of make-up hours specified in 841  
the plan. 842

(2) No community school that implements a plan in 843  
accordance with this section shall be considered to have failed 844  
to comply with the minimum number of hours required under 845  
Chapter 3314. of the Revised Code with respect to the number of 846  
make-up hours specified in the plan. 847

**Sec. 3313.618.** (A) In addition to the applicable 848  
curriculum requirements, each student entering ninth grade for 849  
the first time on or after July 1, 2014, shall satisfy at least 850  
one of the following conditions in order to qualify for a high 851  
school diploma: 852

(1) Be remediation-free, in accordance with standards 853  
adopted under division (F) of section 3345.061 of the Revised 854  
Code, on each of the nationally standardized assessments in 855  
English, mathematics, and reading; 856

(2) Attain a score specified under division (B) (5) (c) of 857  
section 3301.0712 of the Revised Code on the end-of-course 858  
examinations prescribed under division (B) of section 3301.0712 859  
of the Revised Code. 860

(3) ~~Attain~~Either attain a score that demonstrates 861  
workforce readiness and employability on a nationally recognized 862  
job skills assessment selected by the state board of education 863

under division (G) of section 3301.0712 of the Revised Code ~~and~~ 864  
or obtain either an industry-recognized credential, as described 865  
~~under division (B) (2) (d) of section 3302.03 included in the~~ 866  
inventory under division (B) of section 3333.94 of the Revised 867  
Code, or a license issued by a state agency or board for 868  
practice in a vocation that requires an examination for issuance 869  
of that license. 870

~~The industry-recognized credentials and licenses shall be~~ 871  
~~as approved under section 3313.6113 of the Revised Code.~~ 872

A student may choose to qualify for a high school diploma 873  
by satisfying any of the separate requirements prescribed by 874  
divisions (A) (1) to (3) of this section. If the student's school 875  
district or school does not administer the examination 876  
prescribed by one of those divisions that the student chooses to 877  
take to satisfy the requirements of this section, the school 878  
district or school may require that student to arrange for the 879  
applicable scores to be sent directly to the district or school 880  
by the company or organization that administers the examination. 881

(B) The state board of education shall not create or 882  
require any additional assessment for the granting of any type 883  
of high school diploma other than as prescribed by this section. 884  
Except as provided in sections 3313.6111 and 3313.6112 of the 885  
Revised Code, the state board or the superintendent of public 886  
instruction shall not create any endorsement or designation that 887  
may be affiliated with a high school diploma. 888

**Sec. 3313.903.** Except as otherwise required under federal 889  
law, the department of education shall consider an industry- 890  
~~recognized credential, as described under division (B) (2) (d) of~~ 891  
~~section 3302.03~~ included in the inventory under division (B) 892  
section 3333.94 of the Revised Code, or a license issued by a 893

state agency or board for practice in a vocation that requires 894  
an examination for issuance of that license as an acceptable 895  
measure of technical skill attainment and shall not require a 896  
student with such credential or license to take additional 897  
technical assessments. However, a career-technical planning 898  
district, as defined in section 3317.023 of the Revised Code, 899  
may choose to require the passage of additional technical 900  
assessments. 901

Additionally, the department shall not require a student 902  
who has participated in or will be participating in a 903  
credentialing assessment aligned to the student's career- 904  
technical education program or has participated in or will be 905  
participating in taking an examination for issuance of such a 906  
license aligned to the student's career-technical education 907  
program to take additional technical assessments. 908

However, if the student does not participate in the 909  
credentialing assessment or license examination, the student 910  
shall take the applicable technical assessments prescribed by 911  
the department. 912

~~The department shall develop, in consultation with the 913~~  
~~Ohio association for career and technical education, the Ohio 914~~  
~~association of career technical superintendents, the Ohio 915~~  
~~association of city career technical schools, and other 916~~  
~~stakeholders, procedures for identifying industry recognized 917~~  
~~credentials and licenses aligned to a student's career technical 918~~  
~~education program that can be used as an acceptable measure of 919~~  
~~technical skill, and for identifying students in the process of 920~~  
~~earning such credentials and licenses. 921~~

~~As used in this section, "technical assessments" shall not 922~~  
~~include the nationally recognized job skills assessment 923~~



~~prescribed under division (G) of section 3301.0712 of the Revised Code.~~ 924  
925

~~Nothing in this section shall exempt a student who wishes to qualify for a high school diploma under division (A) (3) of section 3313.618 of the Revised Code from the requirement to attain a specified score on that assessment in order to qualify for a high school diploma under that section.~~ 926  
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**Sec. 3317.023.** (A) The amounts required to be paid to a district under this chapter shall be adjusted by the amount of the computations made under divisions (B) to (K) of this section. 931  
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As used in this section: 935

(1) "Career-technical planning district" or "CTPD" means a school district or group of school districts designated by the department of education as being responsible for the planning for and provision of career-technical education services to students within the district or group. A community school established under Chapter 3314. of the Revised Code or a STEM school established under Chapter 3326. of the Revised Code that is serving students in any of grades seven through twelve shall be assigned to a career-technical planning district by the department. 936  
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(2) "Lead district" means a school district, including a joint vocational school district, designated by the department as a CTPD, or designated to provide primary career-technical education leadership within a CTPD composed of a group of districts, community schools assigned to the CTPD, and STEM schools assigned to the CTPD. 946  
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(B) If a local, city, or exempted village school district 952

to which a governing board of an educational service center 953  
provides services pursuant to an agreement entered into under 954  
section 3313.843 of the Revised Code, deduct the amount of the 955  
payment required for the reimbursement of the governing board 956  
under that section. 957

(C) (1) If the district is required to pay to or entitled 958  
to receive tuition from another school district under division 959  
(C) (2) or (3) of section 3313.64 or section 3313.65 of the 960  
Revised Code, or if the superintendent of public instruction is 961  
required to determine the correct amount of tuition and make a 962  
deduction or credit under section 3317.08 of the Revised Code, 963  
deduct and credit such amounts as provided in division (J) of 964  
section 3313.64 or section 3317.08 of the Revised Code. 965

(2) For each child for whom the district is responsible 966  
for tuition or payment under division (A) (1) of section 3317.082 967  
or section 3323.091 of the Revised Code, deduct the amount of 968  
tuition or payment for which the district is responsible. 969

(D) If the district has been certified by the 970  
superintendent of public instruction under section 3313.90 of 971  
the Revised Code as not in compliance with the requirements of 972  
that section, deduct an amount equal to ten per cent of the 973  
amount computed for the district under this chapter. 974

(E) If the district has received a loan from a commercial 975  
lending institution for which payments are made by the 976  
superintendent of public instruction pursuant to division (E) (3) 977  
of section 3313.483 of the Revised Code, deduct an amount equal 978  
to such payments. 979

(F) (1) If the district is a party to an agreement entered 980  
into under division (D), (E), or (F) of section 3311.06 or 981

division (B) of section 3311.24 of the Revised Code and is 982  
obligated to make payments to another district under such an 983  
agreement, deduct an amount equal to such payments if the 984  
district school board notifies the department in writing that it 985  
wishes to have such payments deducted. 986

(2) If the district is entitled to receive payments from 987  
another district that has notified the department to deduct such 988  
payments under division (F)(1) of this section, add the amount 989  
of such payments. 990

(G) If the district is required to pay an amount of funds 991  
to a cooperative education district pursuant to a provision 992  
described by division (B)(4) of section 3311.52 or division (B) 993  
(8) of section 3311.521 of the Revised Code, deduct such amounts 994  
as provided under that provision and credit those amounts to the 995  
cooperative education district for payment to the district under 996  
division (B)(1) of section 3317.19 of the Revised Code. 997

(H)(1) If a district is educating a student entitled to 998  
attend school in another district pursuant to a shared education 999  
contract, compact, or cooperative education agreement other than 1000  
an agreement entered into pursuant to section 3313.842 of the 1001  
Revised Code, credit to that educating district on an FTE basis 1002  
both of the following: 1003

(a) An amount equal to the formula amount. 1004

(b) Any amount applicable to the student pursuant to 1005  
section 3317.013 or 3317.014 of the Revised Code. 1006

(2) Deduct any amount credited pursuant to division (H)(1) 1007  
of this section from amounts paid to the school district in 1008  
which the student is entitled to attend school pursuant to 1009  
section 3313.64 or 3313.65 of the Revised Code. 1010

(3) If the district is required by a shared education contract, compact, or cooperative education agreement to make payments to an educational service center, deduct the amounts from payments to the district and add them to the amounts paid to the service center ~~pursuant to section 3317.11 of the Revised Code.~~

(I) (1) If a district, including a joint vocational school district, is a lead district of a CTPD, credit to that district the amount calculated for each school district within that CTPD under division (A) (9) of section 3317.022 of the Revised Code or division (A) (6) of section 3317.16 of the Revised Code, as applicable.

(2) Deduct from each appropriate district that is not a lead district, the amount attributable to that district that is credited to a lead district under division (I) (1) of this section.

(J) If the department pays a joint vocational school district under division (C) (3) of section 3317.16 of the Revised Code for excess costs of providing special education and related services to a student with a disability, as calculated under division (C) (1) of that section, the department shall deduct the amount of that payment from the city, local, or exempted village school district that is responsible as specified in that section for the excess costs.

(K) (1) If the district reports an amount of excess cost for special education services for a child under division (C) of section 3323.14 of the Revised Code, the department shall pay that amount to the district.

(2) If the district reports an amount of excess cost for

special education services for a child under division (C) of 1040  
section 3323.14 of the Revised Code, the department shall deduct 1041  
that amount from the district of residence of that child. 1042

**Sec. 3317.037.** (A) As used in this section: 1043

(1) "Contracting district" means a school district that 1044  
has entered into a contract to provide career-technical 1045  
education services that meet standards set by the state board of 1046  
education to one or more other school districts. 1047

(2) "Career-technical planning district" has the same 1048  
meaning as in section 3317.023 of the Revised Code. 1049

(3) "Home district" means any city, local, or exempted 1050  
village school district that is also not a lead district or a 1051  
contracting district. 1052

(4) "Lead district" means a lead district, as defined in 1053  
section 3317.023 of the Revised Code, which is designated by the 1054  
department of education to provide primary career-technical 1055  
education leadership within a career-technical planning 1056  
district. 1057

(B) For the purposes of maintaining student enrollment 1058  
records under section 3317.03 of the Revised Code, the 1059  
superintendent of each home district shall provide to the lead 1060  
district or contracting district the attendance records for each 1061  
student who receives career-technical education services 1062  
provided by the lead district or contracting district in 1063  
facilities operated by the student's home district. 1064

(C) Any lead district of a career-technical planning 1065  
district may enter into an agreement with another school 1066  
district within that career-technical planning district under 1067  
which the lead district and the other school district may 1068

establish a method to determine the full-time equivalency for 1069  
each student attending school in both districts for the purposes 1070  
of calculating each district's enrollment under section 3317.03 1071  
of the Revised Code. Any agreement entered into under this 1072  
division shall not be subject to review or approval by the 1073  
department of education. 1074

**Sec. 3319.226.** (A) Beginning July 1, 2019, the state board 1075  
of education shall issue educator licenses for substitute 1076  
teaching only under this section. 1077

(B) The state board shall adopt rules establishing 1078  
standards and requirements for obtaining a license under this 1079  
section and for renewal of the license. Except as provided in 1080  
division (F) of section 3319.229 of the Revised Code, the rules 1081  
shall require an applicant to hold a post-secondary degree, but 1082  
not in any specified subject area. The rules also shall allow 1083  
the holder of a license issued under this section to work: 1084

(1) For an unlimited number of school days if the license 1085  
holder has a post-secondary degree in either education or a 1086  
subject area directly related to the subject of the class the 1087  
license holder will teach; 1088

(2) For one full semester, subject to the approval of the 1089  
employing school district board of education, if the license 1090  
holder has a post-secondary degree in a subject area that is not 1091  
directly related to the subject of the class that the license 1092  
holder will teach. 1093

The district superintendent may request that the board 1094  
approve one or more additional subsequent semester-long periods 1095  
of teaching for the license holder. 1096

(C) The rules adopted under division (B) of this section 1097

shall permit a substitute career-technical teaching license 1098  
holder to teach outside the license holder's certified career 1099  
field for up to sixty days, subject to approval of the employing 1100  
school district superintendent. 1101

(D) Any license issued or renewed under former section 1102  
3319.226 of the Revised Code that was still in force on ~~the~~ 1103  
~~effective date of this section~~ November 2, 2018, shall remain in 1104  
force for the remainder of the term for which it was issued or 1105  
renewed. Upon the expiration of that term, the holder of that 1106  
license shall be subject to licensure under the rules adopted 1107  
under this section. 1108

**Sec. 3319.2211.** (A) An individual who holds an adult 1109  
education permit may be employed by any school district and 1110  
shall not be limited to employment solely by the district that 1111  
recommended and employed that individual at the time of the 1112  
initial issuance of the individual's permit. 1113

(B) Notwithstanding anything to the contrary in section 1114  
3319.226 of the Revised Code, an individual who holds an adult 1115  
education permit may be assigned as a substitute teacher for any 1116  
of grades nine through twelve, in the same manner as the holder 1117  
of a substitute career-technical teaching license issued under 1118  
section 3319.226 of the Revised Code, for up to eighty days each 1119  
school year to teach courses offered by the individual's 1120  
employing district. 1121

**Sec. 3326.032.** (A) The STEM committee may grant a 1122  
designation of STEM school equivalent to a community school 1123  
established under Chapter 3314. of the Revised Code, a career- 1124  
technical planning district, or to a chartered nonpublic school. 1125  
In order to be eligible for this designation, a community 1126  
school, a CTPD, or chartered nonpublic school shall submit a 1127

proposal that satisfies the requirements of this section. 1128

The committee shall determine the criteria for proposals, 1129  
establish procedures for the submission of proposals, accept and 1130  
evaluate proposals, and choose which proposals warrant a 1131  
community school, a CTPD, or chartered nonpublic school to be 1132  
designated as a STEM school equivalent. 1133

(B) A proposal for designation as a STEM school equivalent 1134  
shall include at least the following: 1135

(1) Assurances that the community school, a career- 1136  
technical planning district, or chartered nonpublic school 1137  
submitting the proposal has a working partnership with both 1138  
public and private entities, including higher education entities 1139  
and business organizations. If the proposal is for a STEAM 1140  
school equivalent, it also shall include evidence that this 1141  
partnership includes arts organizations. 1142

(2) Assurances that the school or CTPD submitting the 1143  
proposal will operate in compliance with this section and the 1144  
provisions of the proposal as accepted by the committee; 1145

(3) Evidence that the school or CTPD submitting the 1146  
proposal will offer a rigorous, diverse, integrated, and 1147  
project-based curriculum to students in any of grades 1148  
kindergarten through twelve, with the goal to prepare those 1149  
students for college, the workforce, and citizenship, and that 1150  
does all of the following: 1151

(a) Emphasizes the role of science, technology, 1152  
engineering, and mathematics in promoting innovation and 1153  
economic progress; 1154

(b) Incorporates scientific inquiry and technological 1155  
design; 1156



(c) Includes the arts and humanities. If the proposal is 1157  
for a STEAM school equivalent, it also shall include evidence 1158  
that the curriculum will integrate arts and design into the 1159  
study of science, technology, engineering, and mathematics to 1160  
foster creative thinking, problem-solving, and new approaches to 1161  
scientific invention. 1162

(d) Emphasizes personalized learning and teamwork skills. 1163

(4) Evidence that the school or CTPD submitting the 1164  
proposal will attract school leaders who support the curriculum 1165  
principles of division (B) (3) of this section; 1166

(5) A description of how each school's or CTPD's 1167  
curriculum will be developed and approved in accordance with 1168  
section 3326.09 of the Revised Code; 1169

(6) Evidence that the school or CTPD submitting the 1170  
proposal will utilize an established capacity to capture and 1171  
share knowledge for best practices and innovative professional 1172  
development; 1173

(7) Assurances that the school or CTPD submitting the 1174  
proposal has received commitments of sustained and verifiable 1175  
fiscal and in-kind support from regional education and business 1176  
entities. If the proposal is for a STEAM school equivalent, it 1177  
also shall include assurances that the school or CTPD has 1178  
received commitments of sustained and verifiable fiscal and in- 1179  
kind support from arts organizations. 1180

(C) (1) A community school, a career-technical planning 1181  
district, or chartered nonpublic school that is designated as a 1182  
STEM school equivalent under this section shall not be subject 1183  
to the requirements of Chapter 3326. of the Revised Code, except 1184  
that the school or CTPD shall be subject to the requirements of 1185

this section and to the curriculum requirements of section 1186  
3326.09 of the Revised Code. 1187

Nothing in this section, however, shall relieve a 1188  
community school of the applicable requirements of Chapter 3314. 1189  
of the Revised Code. Nor shall anything in this section relieve 1190  
a chartered nonpublic school of any provisions of law outside of 1191  
this chapter that are applicable to chartered nonpublic schools. 1192

(2) A community school, a CTPD, or chartered nonpublic 1193  
school that is designated as a STEM school equivalent under this 1194  
section shall not be eligible for operating funding under 1195  
sections 3326.31 to 3326.37, 3326.39 to 3326.40, and 3326.51 of 1196  
the Revised Code. 1197

(3) A community school, a CTPD, or chartered nonpublic 1198  
school that is designated as a STEM school equivalent under this 1199  
section may apply for any of the grants and additional funds 1200  
described in section 3326.38 of the Revised Code for which the 1201  
school or CTPD is eligible. 1202

(D) If a community school, a career-technical planning 1203  
district, or chartered nonpublic school that is designated as a 1204  
STEM school equivalent under this section intends to close or 1205  
intends to no longer be designated as a STEM school equivalent, 1206  
it shall notify the STEM committee of that fact. 1207

(E) If a community school, a career-technical planning 1208  
district, or chartered nonpublic school that is designated as a 1209  
STEM school equivalent wishes to be designated as a STEAM school 1210  
equivalent, it may change its existing proposal to include the 1211  
items required under divisions (B) (1), (B) (3) (c), and (B) (7) of 1212  
this section and submit the revised proposal to the STEM 1213  
committee for approval. 1214

(F) As used in this section, "career-technical planning district" and "CTPD" have the same meanings as in section 3317.023 of the Revised Code. 1215  
1216  
1217

**Sec. 3333.162.** (A) As used in this section, ~~"state~~: 1218

(1) "Career-technical assurance guides" or "CTAG" means guides developed by the chancellor of higher education that list approved courses offered by a career-technical planning district for which a student may earn postsecondary credit. 1219  
1220  
1221  
1222

(2) "Career-technical planning district" has the same meaning as in section 3317.023 of the Revised Code. 1223  
1224

(3) "Local articulation agreement" means an articulation agreement that one or more career-technical planning districts has entered into with one or more state institutions of higher education for the purposes of granting students postsecondary credit for coursework completed by students in a career-technical planning district. 1225  
1226  
1227  
1228  
1229  
1230

(4) "State institution of higher education" means an institution of higher education as defined in section 3345.12 of the Revised Code. 1231  
1232  
1233

(5) "Transcribed credit" has the same meaning as in section 3365.01 of the Revised Code. 1234  
1235

(B) By April 15, 2007, the chancellor of higher education, 1236  
in consultation with the department of education, public adult 1237  
and secondary career-technical education institutions, and state 1238  
institutions of higher education, shall establish criteria, 1239  
policies, and procedures that enable students to transfer agreed 1240  
upon technical courses completed through an adult career- 1241  
technical education institution, a public secondary career- 1242  
technical institution, or a state institution of higher 1243

education to a state institution of higher education without 1244  
unnecessary duplication or institutional barriers. The courses 1245  
to which the criteria, policies, and procedures apply shall be 1246  
those that adhere to recognized industry standards and 1247  
equivalent coursework common to the secondary career pathway and 1248  
adult career-technical education system and regionally 1249  
accredited state institutions of higher education. Where 1250  
applicable, the policies and procedures shall build upon the 1251  
articulation agreement and transfer initiative course 1252  
equivalency system required by section 3333.16 of the Revised 1253  
Code. 1254

(C) (1) A state institution of higher education with which 1255  
a career-technical planning district has a local articulation 1256  
agreement shall provide a student with transcribed credit for a 1257  
course completed through any career-technical planning district 1258  
if all of the following apply: 1259

(a) The course is either approved under the career- 1260  
technical assurance guides or through a local articulation 1261  
agreement; 1262

(b) The student passes or receives the required score on 1263  
any assessment related to the course. 1264

(2) A career-technical planning district shall enter into 1265  
an agreement with not less than one state institution of higher 1266  
education to grant transcribed credit on the student's 1267  
transcript for CTAG approved courses completed under this 1268  
section. 1269

(3) No state institution of higher education shall charge 1270  
a fee of more than ten dollars per course for administrative 1271  
costs related to providing the transcribed credit under 1272

<u>division (C) of this section.</u>	1273
<b>Sec. 3333.94.</b> (A) As used in this section:	1274
(1) "In-demand job" means a job that is determined to be in demand in this state and its regions under section 6301.11 of the Revised Code.	1275 1276 1277
(2) "Ohio technical center" means a center that provides adult technical education services and is recognized by the chancellor of higher education.	1278 1279 1280
(3) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.	1281 1282
(B) <del>Not later than January 1, 2018, the</del> <u>The</u> chancellor of higher education shall create an inventory of both credit and non-credit certificate programs and industry-recognized credentials offered at state institutions of higher education and Ohio technical centers that align with in-demand jobs in the state.	1283 1284 1285 1286 1287 1288
(C) <u>The chancellor shall solicit comments from career- technical superintendents, faculty, teachers, and other representatives of career-technical education programs about which industry-recognized credentials to include in the inventory under division (B) of this section. For this purpose, the chancellor shall hold at least four meetings each year, with at least one meeting in each quarter of the year. The chancellor shall ensure that the Ohio association of career-technical education, the Ohio association of career-technical superintendents, and the Ohio association of comprehensive and compact career-technical schools each has at least one representative in attendance at each meeting held under this division.</u>	1289 1290 1291 1292 1293 1294 1295 1296 1297 1298 1299 1300 1301

(D) When awarding funds from the OhioMeansJobs workforce development revolving loan fund established under section 6301.14 of the Revised Code, the chancellor shall give preference to certificate programs that support adult learners and are included in the inventory.

**Sec. 3365.01.** As used in this chapter:

~~(A) "Articulated credit" means post-secondary credit that is reflected on the official record of a student at an institution of higher education only upon enrollment at that institution after graduation from a secondary school.~~

~~(B)~~ "Default ceiling amount" means one of the following amounts, whichever is applicable:

(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula:

$((0.83 \times \text{formula amount}) / 30)$

X number of enrolled credit hours

(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following formula:

$((0.83 \times \text{formula amount}) / 45)$

X number of enrolled credit hours

~~(C)~~ (B) "Default floor amount" means twenty-five per cent of the default ceiling amount.

~~(D)~~ (C) "Eligible out-of-state college" means any institution of higher education that is located outside of Ohio and is approved by the chancellor of higher education to

participate in the college credit plus program. 1329

~~(E)~~(D) "Fee" means any course-related fee and any other 1330  
fee imposed by the college, but not included in tuition, for 1331  
participation in the program established by this chapter. 1332

~~(F)~~(E) "Formula amount" has the same meaning as in 1333  
section 3317.02 of the Revised Code. 1334

~~(G)~~(F) "Governing entity" means a board of education of a 1335  
school district, a governing authority of a community school 1336  
established under Chapter 3314., a governing body of a STEM 1337  
school established under Chapter 3326., or a board of trustees 1338  
of a college-preparatory boarding school established under 1339  
Chapter 3328. of the Revised Code. 1340

~~(H)~~(G) "Home-instructed participant" means a student who 1341  
has been excused from the compulsory attendance law for the 1342  
purpose of home instruction under section 3321.04 of the Revised 1343  
Code, and is participating in the program established by this 1344  
chapter. 1345

~~(I)~~(H) "Maximum per participant charge amount" means one 1346  
of the following amounts, whichever is applicable: 1347

(1) For a participant enrolled in a college operating on a 1348  
semester schedule, the amount calculated according to the 1349  
following formula: 1350

((formula amount / 30) 1351

X number of enrolled credit hours) 1352

(2) For a participant enrolled in a college operating on a 1353  
quarter schedule, the amount calculated according to the 1354  
following formula: 1355

((formula amount / 45) 1356

X number of enrolled credit hours) 1357

~~(J)~~ (I) "Nonpublic secondary school" means a chartered 1358  
school for which minimum standards are prescribed by the state 1359  
board of education pursuant to division (D) of section 3301.07 1360  
of the Revised Code. 1361

~~(K)~~ (J) "Number of enrolled credit hours" means the number 1362  
of credit hours for a course in which a participant is enrolled 1363  
during the previous term after the date on which a withdrawal 1364  
from a course would have negatively affected the participant's 1365  
transcripted grade, as prescribed by the college's established 1366  
withdrawal policy. 1367

~~(L)~~ (K) "Parent" has the same meaning as in section 1368  
3313.64 of the Revised Code. 1369

~~(M)~~ (L) "Participant" means any student enrolled in a 1370  
college under the program established by this chapter. 1371

~~(N)~~ (M) "Partnering college" means a college with which a 1372  
public or nonpublic secondary school has entered into an 1373  
agreement in order to offer the program established by this 1374  
chapter. 1375

~~(O)~~ (N) "Partnering secondary school" means a public or 1376  
nonpublic secondary school with which a college has entered into 1377  
an agreement in order to offer the program established by this 1378  
chapter. 1379

~~(P)~~ (O) "Private college" means any of the following: 1380

(1) A nonprofit institution holding a certificate of 1381  
authorization pursuant to Chapter 1713. of the Revised Code; 1382



(2) An institution holding a certificate of registration 1383  
from the state board of career colleges and schools and program 1384  
authorization for an associate or bachelor's degree program 1385  
issued under section 3332.05 of the Revised Code; 1386

(3) A private institution exempt from regulation under 1387  
Chapter 3332. of the Revised Code as prescribed in section 1388  
3333.046 of the Revised Code. 1389

~~(Q)~~(P) "Public college" means a "state institution of 1390  
higher education" in section 3345.011 of the Revised Code, 1391  
excluding the northeast Ohio medical university. 1392

~~(R)~~(Q) "Public secondary school" means a school serving 1393  
grades nine through twelve in a city, local, or exempted village 1394  
school district, a joint vocational school district, a community 1395  
school established under Chapter 3314., a STEM school 1396  
established under Chapter 3326., or a college-preparatory 1397  
boarding school established under Chapter 3328. of the Revised 1398  
Code. 1399

~~(S)~~(R) "School year" has the same meaning as in section 1400  
3313.62 of the Revised Code. 1401

~~(T)~~(S) "Secondary grade" means any of grades nine through 1402  
twelve. 1403

~~(U)~~(T) "Standard rate" means the amount per credit hour 1404  
assessed by the college for an in-state student who is enrolled 1405  
in an undergraduate course at that college, but who is not 1406  
participating in the college credit plus program, as prescribed 1407  
by the college's established tuition policy. 1408

~~(V)~~(U) "Transcripted credit" means post-secondary credit 1409  
that is conferred by an institution of higher education and is 1410  
reflected on a student's official record at that institution 1411

upon completion of a course. 1412

**Sec. 3365.02.** (A) There is hereby established the college 1413  
credit plus program under which, beginning with the 2015-2016 1414  
school year, a secondary grade student who is a resident of this 1415  
state may enroll at a college, on a full- or part-time basis, 1416  
and complete nonsectarian, nonremedial courses for high school 1417  
and college credit. The program shall govern arrangements in 1418  
which a secondary grade student enrolls in a college and, upon 1419  
successful completion of coursework taken under the program, 1420  
receives transcribed credit from the college. The following are 1421  
not governed by the college credit plus program: 1422

(1) An agreement governing an early college high school 1423  
program, provided the program meets the definition set forth in 1424  
division (F)(2) of section 3313.6013 of the Revised Code and is 1425  
approved by the superintendent of public instruction and the 1426  
chancellor of higher education; 1427

(2) An advanced placement course or international 1428  
baccalaureate diploma course, as described in divisions (A)(2) 1429  
and (3) of section 3313.6013 of the Revised Code; 1430

(3) A career-technical education program that is approved 1431  
by the department of education under section 3317.161 of the 1432  
Revised Code and grants articulated credit to students 1433  
participating in that program under section 3333.162 of the 1434  
Revised Code. ~~However, any portion of an approved program that~~ 1435  
~~results in the conferral of transcribed credit upon the~~ 1436  
~~completion of the course shall be governed by the college credit~~ 1437  
~~plus program.~~ 1438

(B) Any student enrolled in a public or nonpublic 1439  
secondary school in the student's ninth, tenth, eleventh, or 1440

twelfth grade; any student enrolled in a nonchartered nonpublic secondary school in the student's ninth, tenth, eleventh, or twelfth grade; and any student who has been excused from the compulsory attendance law for the purpose of home instruction under section 3321.04 of the Revised Code and is the equivalent of a ninth, tenth, eleventh, or twelfth grade student, may participate in the program, if the student meets the applicable eligibility criteria in section 3365.03 of the Revised Code. If a nonchartered nonpublic secondary school student chooses to participate in the program, that student shall be subject to the same requirements as a home-instructed student who chooses to participate in the program under this chapter.

(C) All public secondary schools and all public colleges shall participate in the program and are subject to the requirements of this chapter. Any nonpublic secondary school or private college that chooses to participate in the program shall also be subject to the requirements of this chapter.

(D) The chancellor, in accordance with Chapter 119. of the Revised Code and in consultation with the state superintendent, shall adopt rules governing the program.

**Sec. 5709.62.** (A) In any municipal corporation that is defined by the United States office of management and budget as a principal city of a metropolitan statistical area, the legislative authority of the municipal corporation may designate one or more areas within its municipal corporation as proposed enterprise zones. Upon designating an area, the legislative authority shall petition the director of development services for certification of the area as having the characteristics set forth in division (A)(1) of section 5709.61 of the Revised Code as amended by Substitute Senate Bill No. 19 of the 120th general

assembly. Except as otherwise provided in division (E) of this 1471  
section, on and after July 1, 1994, legislative authorities 1472  
shall not enter into agreements under this section unless the 1473  
legislative authority has petitioned the director and the 1474  
director has certified the zone under this section as amended by 1475  
that act; however, all agreements entered into under this 1476  
section as it existed prior to July 1, 1994, and the incentives 1477  
granted under those agreements shall remain in effect for the 1478  
period agreed to under those agreements. Within sixty days after 1479  
receiving such a petition, the director shall determine whether 1480  
the area has the characteristics set forth in division (A) (1) of 1481  
section 5709.61 of the Revised Code, and shall forward the 1482  
findings to the legislative authority of the municipal 1483  
corporation. If the director certifies the area as having those 1484  
characteristics, and thereby certifies it as a zone, the 1485  
legislative authority may enter into an agreement with an 1486  
enterprise under division (C) of this section. 1487

(B) Any enterprise that wishes to enter into an agreement 1488  
with a municipal corporation under division (C) of this section 1489  
shall submit a proposal to the legislative authority of the 1490  
municipal corporation on a form prescribed by the director of 1491  
development services, together with the application fee 1492  
established under section 5709.68 of the Revised Code. The form 1493  
shall require the following information: 1494

(1) An estimate of the number of new employees whom the 1495  
enterprise intends to hire, or of the number of employees whom 1496  
the enterprise intends to retain, within the zone at a facility 1497  
that is a project site, and an estimate of the amount of payroll 1498  
of the enterprise attributable to these employees; 1499

(2) An estimate of the amount to be invested by the 1500

enterprise to establish, expand, renovate, or occupy a facility, 1501  
including investment in new buildings, additions or improvements 1502  
to existing buildings, machinery, equipment, furniture, 1503  
fixtures, and inventory; 1504

(3) A listing of the enterprise's current investment, if 1505  
any, in a facility as of the date of the proposal's submission. 1506

The enterprise shall review and update the listings 1507  
required under this division to reflect material changes, and 1508  
any agreement entered into under division (C) of this section 1509  
shall set forth final estimates and listings as of the time the 1510  
agreement is entered into. The legislative authority may, on a 1511  
separate form and at any time, require any additional 1512  
information necessary to determine whether an enterprise is in 1513  
compliance with an agreement and to collect the information 1514  
required to be reported under section 5709.68 of the Revised 1515  
Code. 1516

(C) Upon receipt and investigation of a proposal under 1517  
division (B) of this section, if the legislative authority finds 1518  
that the enterprise submitting the proposal is qualified by 1519  
financial responsibility and business experience to create and 1520  
preserve employment opportunities in the zone and improve the 1521  
economic climate of the municipal corporation, the legislative 1522  
authority may do one of the following: 1523

(1) Enter into an agreement with the enterprise under 1524  
which the enterprise agrees to establish, expand, renovate, or 1525  
occupy a facility and hire new employees, or preserve employment 1526  
opportunities for existing employees, in return for one or more 1527  
of the following incentives: 1528

(a) Exemption for a specified number of years, not to 1529

exceed fifteen, of a specified portion, up to seventy-five per 1530  
cent, of the assessed value of tangible personal property first 1531  
used in business at the project site as a result of the 1532  
agreement. If an exemption for inventory is specifically granted 1533  
in the agreement pursuant to this division, the exemption 1534  
applies to inventory required to be listed pursuant to sections 1535  
5711.15 and 5711.16 of the Revised Code, except that, in the 1536  
instance of an expansion or other situations in which an 1537  
enterprise was in business at the facility prior to the 1538  
establishment of the zone, the inventory that is exempt is that 1539  
amount or value of inventory in excess of the amount or value of 1540  
inventory required to be listed in the personal property tax 1541  
return of the enterprise in the return for the tax year in which 1542  
the agreement is entered into. 1543

(b) Exemption for a specified number of years, not to 1544  
exceed fifteen, of a specified portion, up to seventy-five per 1545  
cent, of the increase in the assessed valuation of real property 1546  
constituting the project site subsequent to formal approval of 1547  
the agreement by the legislative authority; 1548

(c) Provision for a specified number of years, not to 1549  
exceed fifteen, of any optional services or assistance that the 1550  
municipal corporation is authorized to provide with regard to 1551  
the project site. 1552

(2) Enter into an agreement under which the enterprise 1553  
agrees to remediate an environmentally contaminated facility, to 1554  
spend an amount equal to at least two hundred fifty per cent of 1555  
the true value in money of the real property of the facility 1556  
prior to remediation as determined for the purposes of property 1557  
taxation to establish, expand, renovate, or occupy the 1558  
remediated facility, and to hire new employees or preserve 1559

employment opportunities for existing employees at the 1560  
remediated facility, in return for one or more of the following 1561  
incentives: 1562

(a) Exemption for a specified number of years, not to 1563  
exceed fifteen, of a specified portion, not to exceed fifty per 1564  
cent, of the assessed valuation of the real property of the 1565  
facility prior to remediation; 1566

(b) Exemption for a specified number of years, not to 1567  
exceed fifteen, of a specified portion, not to exceed one 1568  
hundred per cent, of the increase in the assessed valuation of 1569  
the real property of the facility during or after remediation; 1570

(c) The incentive under division (C) (1) (a) of this 1571  
section, except that the percentage of the assessed value of 1572  
such property exempted from taxation shall not exceed one 1573  
hundred per cent; 1574

(d) The incentive under division (C) (1) (c) of this 1575  
section. 1576

(3) Enter into an agreement with an enterprise that plans 1577  
to purchase and operate a large manufacturing facility that has 1578  
ceased operation or announced its intention to cease operation, 1579  
in return for exemption for a specified number of years, not to 1580  
exceed fifteen, of a specified portion, up to one hundred per 1581  
cent, of the assessed value of tangible personal property used 1582  
in business at the project site as a result of the agreement, or 1583  
of the assessed valuation of real property constituting the 1584  
project site, or both. 1585

(D) (1) Notwithstanding divisions (C) (1) (a) and (b) of this 1586  
section, the portion of the assessed value of tangible personal 1587  
property or of the increase in the assessed valuation of real 1588

property exempted from taxation under those divisions may exceed 1589  
seventy-five per cent in any year for which that portion is 1590  
exempted if the average percentage exempted for all years in 1591  
which the agreement is in effect does not exceed sixty per cent, 1592  
or if the board of education of the city, local, or exempted 1593  
village school district within the territory of which the 1594  
property is or will be located approves a percentage in excess 1595  
of seventy-five per cent. 1596

(2) Notwithstanding any provision of the Revised Code to 1597  
the contrary, the exemptions described in divisions (C) (1) (a), 1598  
(b), and (c), (C) (2) (a), (b), and (c), and (C) (3) of this 1599  
section may be for up to fifteen years if the board of education 1600  
of the city, local, or exempted village school district within 1601  
the territory of which the property is or will be located 1602  
approves a number of years in excess of ten. 1603

(3) For the purpose of obtaining the approval of a city, 1604  
local, or exempted village school district under division (D) (1) 1605  
or (2) of this section, the legislative authority shall deliver 1606  
to the board of education a notice not later than forty-five 1607  
days prior to approving the agreement, excluding Saturdays, 1608  
Sundays, and legal holidays as defined in section 1.14 of the 1609  
Revised Code. The notice shall state the percentage to be 1610  
exempted, an estimate of the true value of the property to be 1611  
exempted, and the number of years the property is to be 1612  
exempted. The board of education, by resolution adopted by a 1613  
majority of the board, shall approve or disapprove the agreement 1614  
and certify a copy of the resolution to the legislative 1615  
authority not later than fourteen days prior to the date 1616  
stipulated by the legislative authority as the date upon which 1617  
approval of the agreement is to be formally considered by the 1618  
legislative authority. The board of education may include in the 1619



resolution conditions under which the board would approve the 1620  
agreement, including the execution of an agreement to compensate 1621  
the school district under division (B) of section 5709.82 of the 1622  
Revised Code. The legislative authority may approve the 1623  
agreement at any time after the board of education certifies its 1624  
resolution approving the agreement to the legislative authority, 1625  
or, if the board approves the agreement conditionally, at any 1626  
time after the conditions are agreed to by the board and the 1627  
legislative authority. If an agreement is negotiated between the 1628  
legislative authority and the board to compensate the school 1629  
district for all or part of the taxes exempted, the legislative 1630  
authority shall compensate the joint vocational school district 1631  
within which the property is located at the same rate and under 1632  
the same terms received by the city, local, or exempted village 1633  
school district. 1634

If a board of education has adopted a resolution waiving 1635  
its right to approve agreements and the resolution remains in 1636  
effect, approval of an agreement by the board is not required 1637  
under this division. If a board of education has adopted a 1638  
resolution allowing a legislative authority to deliver the 1639  
notice required under this division fewer than forty-five 1640  
business days prior to the legislative authority's approval of 1641  
the agreement, the legislative authority shall deliver the 1642  
notice to the board not later than the number of days prior to 1643  
such approval as prescribed by the board in its resolution. If a 1644  
board of education adopts a resolution waiving its right to 1645  
approve agreements or shortening the notification period, the 1646  
board shall certify a copy of the resolution to the legislative 1647  
authority. If the board of education rescinds such a resolution, 1648  
it shall certify notice of the rescission to the legislative 1649  
authority. 1650

(4) The legislative authority shall comply with section 1651  
5709.83 of the Revised Code unless the board of education has 1652  
adopted a resolution under that section waiving its right to 1653  
receive such notice. 1654

(E) This division applies to zones certified by the 1655  
director of development services under this section prior to 1656  
July 22, 1994. 1657

The legislative authority that designated a zone to which 1658  
this division applies may enter into an agreement with an 1659  
enterprise if the legislative authority finds that the 1660  
enterprise satisfies one of the criteria described in divisions 1661  
(E) (1) to (5) of this section: 1662

(1) The enterprise currently has no operations in this 1663  
state and, subject to approval of the agreement, intends to 1664  
establish operations in the zone; 1665

(2) The enterprise currently has operations in this state 1666  
and, subject to approval of the agreement, intends to establish 1667  
operations at a new location in the zone that would not result 1668  
in a reduction in the number of employee positions at any of the 1669  
enterprise's other locations in this state; 1670

(3) The enterprise, subject to approval of the agreement, 1671  
intends to relocate operations, currently located in another 1672  
state, to the zone; 1673

(4) The enterprise, subject to approval of the agreement, 1674  
intends to expand operations at an existing site in the zone 1675  
that the enterprise currently operates; 1676

(5) The enterprise, subject to approval of the agreement, 1677  
intends to relocate operations, currently located in this state, 1678  
to the zone, and the director of development services has issued 1679

a waiver for the enterprise under division (B) of section 1680  
5709.633 of the Revised Code. 1681

The agreement shall require the enterprise to agree to 1682  
establish, expand, renovate, or occupy a facility in the zone 1683  
and hire new employees, or preserve employment opportunities for 1684  
existing employees, in return for one or more of the incentives 1685  
described in division (C) of this section. 1686

(F) All agreements entered into under this section shall 1687  
be in the form prescribed under section 5709.631 of the Revised 1688  
Code. After an agreement is entered into under this section, if 1689  
the legislative authority revokes its designation of a zone, or 1690  
if the director of development services revokes a zone's 1691  
certification, any entitlements granted under the agreement 1692  
shall continue for the number of years specified in the 1693  
agreement. 1694

(G) Except as otherwise provided in this division, an 1695  
agreement entered into under this section shall require that the 1696  
enterprise pay an annual fee equal to the greater of one per 1697  
cent of the dollar value of incentives offered under the 1698  
agreement or five hundred dollars; provided, however, that if 1699  
the value of the incentives exceeds two hundred fifty thousand 1700  
dollars, the fee shall not exceed two thousand five hundred 1701  
dollars. The fee shall be payable to the legislative authority 1702  
once per year for each year the agreement is effective on the 1703  
days and in the form specified in the agreement. Fees paid shall 1704  
be deposited in a special fund created for such purpose by the 1705  
legislative authority and shall be used by the legislative 1706  
authority exclusively for the purpose of complying with section 1707  
5709.68 of the Revised Code and by the tax incentive review 1708  
council created under section 5709.85 of the Revised Code 1709

exclusively for the purposes of performing the duties prescribed 1710  
under that section. The legislative authority may waive or 1711  
reduce the amount of the fee charged against an enterprise, but 1712  
such a waiver or reduction does not affect the obligations of 1713  
the legislative authority or the tax incentive review council to 1714  
comply with section 5709.68 or 5709.85 of the Revised Code. 1715

(H) When an agreement is entered into pursuant to this 1716  
section, the legislative authority authorizing the agreement 1717  
shall forward a copy of the agreement to the director of 1718  
development services and to the tax commissioner within fifteen 1719  
days after the agreement is entered into. If any agreement 1720  
includes terms not provided for in section 5709.631 of the 1721  
Revised Code affecting the revenue of a city, local, ~~or~~ exempted 1722  
village, or joint vocational school district or causing revenue 1723  
to be forgone by the district, including any compensation to be 1724  
paid to the school district pursuant to section 5709.82 of the 1725  
Revised Code, those terms also shall be forwarded in writing to 1726  
the director of development services along with the copy of the 1727  
agreement forwarded under this division. 1728

(I) After an agreement is entered into, the enterprise 1729  
shall file with each personal property tax return required to be 1730  
filed, or annual report required to be filed under section 1731  
5727.08 of the Revised Code, while the agreement is in effect, 1732  
an informational return, on a form prescribed by the tax 1733  
commissioner for that purpose, setting forth separately the 1734  
property, and related costs and values, exempted from taxation 1735  
under the agreement. 1736

(J) Enterprises may agree to give preference to residents 1737  
of the zone within which the agreement applies relative to 1738  
residents of this state who do not reside in the zone when 1739

hiring new employees under the agreement. 1740

(K) An agreement entered into under this section may 1741  
include a provision requiring the enterprise to create one or 1742  
more temporary internship positions for students enrolled in a 1743  
course of study at a school or other educational institution in 1744  
the vicinity, and to create a scholarship or provide another 1745  
form of educational financial assistance for students holding 1746  
such a position in exchange for the student's commitment to work 1747  
for the enterprise at the completion of the internship. 1748

(L) The tax commissioner's authority in determining the 1749  
accuracy of any exemption granted by an agreement entered into 1750  
under this section is limited to divisions (C) (1) (a) and (b), 1751  
(C) (2) (a), (b), and (c), (C) (3), (D), and (I) of this section 1752  
and divisions (B) (1) to (10) of section 5709.631 of the Revised 1753  
Code and, as authorized by law, to enforcing any modification 1754  
to, or revocation of, that agreement by the legislative 1755  
authority of a municipal corporation or the director of 1756  
development services. 1757

**Sec. 5709.63.** (A) With the consent of the legislative 1758  
authority of each affected municipal corporation or of a board 1759  
of township trustees, a board of county commissioners may, in 1760  
the manner set forth in section 5709.62 of the Revised Code, 1761  
designate one or more areas in one or more municipal 1762  
corporations or in unincorporated areas of the county as 1763  
proposed enterprise zones. A board of county commissioners may 1764  
designate no more than one area within a township, or within 1765  
adjacent townships, as a proposed enterprise zone. The board 1766  
shall petition the director of development services for 1767  
certification of the area as having the characteristics set 1768  
forth in division (A) (1) or (2) of section 5709.61 of the 1769

Revised Code as amended by Substitute Senate Bill No. 19 of the 1770  
120th general assembly. Except as otherwise provided in division 1771  
(D) of this section, on and after July 1, 1994, boards of county 1772  
commissioners shall not enter into agreements under this section 1773  
unless the board has petitioned the director and the director 1774  
has certified the zone under this section as amended by that 1775  
act; however, all agreements entered into under this section as 1776  
it existed prior to July 1, 1994, and the incentives granted 1777  
under those agreements shall remain in effect for the period 1778  
agreed to under those agreements. The director shall make the 1779  
determination in the manner provided under section 5709.62 of 1780  
the Revised Code. 1781

Any enterprise wishing to enter into an agreement with the 1782  
board under division (B) or (D) of this section shall submit a 1783  
proposal to the board on the form and accompanied by the 1784  
application fee prescribed under division (B) of section 5709.62 1785  
of the Revised Code. The enterprise shall review and update the 1786  
estimates and listings required by the form in the manner 1787  
required under that division. The board may, on a separate form 1788  
and at any time, require any additional information necessary to 1789  
determine whether an enterprise is in compliance with an 1790  
agreement and to collect the information required to be reported 1791  
under section 5709.68 of the Revised Code. 1792

(B) If the board of county commissioners finds that an 1793  
enterprise submitting a proposal is qualified by financial 1794  
responsibility and business experience to create and preserve 1795  
employment opportunities in the zone and to improve the economic 1796  
climate of the municipal corporation or municipal corporations 1797  
or the unincorporated areas in which the zone is located and to 1798  
which the proposal applies, the board, with the consent of the 1799  
legislative authority of each affected municipal corporation or 1800

of the board of township trustees, may do either of the 1801  
following: 1802

(1) Enter into an agreement with the enterprise under 1803  
which the enterprise agrees to establish, expand, renovate, or 1804  
occupy a facility in the zone and hire new employees, or 1805  
preserve employment opportunities for existing employees, in 1806  
return for the following incentives: 1807

(a) When the facility is located in a municipal 1808  
corporation, the board may enter into an agreement for one or 1809  
more of the incentives provided in division (C) of section 1810  
5709.62 of the Revised Code, subject to division (D) of that 1811  
section; 1812

(b) When the facility is located in an unincorporated 1813  
area, the board may enter into an agreement for one or more of 1814  
the following incentives: 1815

(i) Exemption for a specified number of years, not to 1816  
exceed fifteen, of a specified portion, up to sixty per cent, of 1817  
the assessed value of tangible personal property first used in 1818  
business at a project site as a result of the agreement. If an 1819  
exemption for inventory is specifically granted in the agreement 1820  
pursuant to this division, the exemption applies to inventory 1821  
required to be listed pursuant to sections 5711.15 and 5711.16 1822  
of the Revised Code, except, in the instance of an expansion or 1823  
other situations in which an enterprise was in business at the 1824  
facility prior to the establishment of the zone, the inventory 1825  
that is exempt is that amount or value of inventory in excess of 1826  
the amount or value of inventory required to be listed in the 1827  
personal property tax return of the enterprise in the return for 1828  
the tax year in which the agreement is entered into. 1829

(ii) Exemption for a specified number of years, not to exceed fifteen, of a specified portion, up to sixty per cent, of the increase in the assessed valuation of real property constituting the project site subsequent to formal approval of the agreement by the board;

(iii) Provision for a specified number of years, not to exceed fifteen, of any optional services or assistance the board is authorized to provide with regard to the project site;

(iv) The incentive described in division (C) (2) of section 5709.62 of the Revised Code.

(2) Enter into an agreement with an enterprise that plans to purchase and operate a large manufacturing facility that has ceased operation or has announced its intention to cease operation, in return for exemption for a specified number of years, not to exceed fifteen, of a specified portion, up to one hundred per cent, of tangible personal property used in business at the project site as a result of the agreement, or of real property constituting the project site, or both.

(C) (1) (a) Notwithstanding divisions (B) (1) (b) (i) and (ii) of this section, the portion of the assessed value of tangible personal property or of the increase in the assessed valuation of real property exempted from taxation under those divisions may exceed sixty per cent in any year for which that portion is exempted if the average percentage exempted for all years in which the agreement is in effect does not exceed fifty per cent, or if the board of education of the city, local, or exempted village school district within the territory of which the property is or will be located approves a percentage in excess of sixty per cent.



(b) Notwithstanding any provision of the Revised Code to 1859  
the contrary, the exemptions described in divisions (B) (1) (b) 1860  
(i), (ii), (iii), and (iv) and (B) (2) of this section may be for 1861  
up to fifteen years if the board of education of the city, 1862  
local, or exempted village school district within the territory 1863  
of which the property is or will be located approves a number of 1864  
years in excess of ten. 1865

(c) For the purpose of obtaining the approval of a city, 1866  
local, or exempted village school district under division (C) (1) 1867  
(a) or (b) of this section, the board of county commissioners 1868  
shall deliver to the board of education a notice not later than 1869  
forty-five days prior to approving the agreement, excluding 1870  
Saturdays, Sundays, and legal holidays as defined in section 1871  
1.14 of the Revised Code. The notice shall state the percentage 1872  
to be exempted, an estimate of the true value of the property to 1873  
be exempted, and the number of years the property is to be 1874  
exempted. The board of education, by resolution adopted by a 1875  
majority of the board, shall approve or disapprove the agreement 1876  
and certify a copy of the resolution to the board of county 1877  
commissioners not later than fourteen days prior to the date 1878  
stipulated by the board of county commissioners as the date upon 1879  
which approval of the agreement is to be formally considered by 1880  
the board of county commissioners. The board of education may 1881  
include in the resolution conditions under which the board would 1882  
approve the agreement, including the execution of an agreement 1883  
to compensate the school district under division (B) of section 1884  
5709.82 of the Revised Code. The board of county commissioners 1885  
may approve the agreement at any time after the board of 1886  
education certifies its resolution approving the agreement to 1887  
the board of county commissioners, or, if the board of education 1888  
approves the agreement conditionally, at any time after the 1889

conditions are agreed to by the board of education and the board 1890  
of county commissioners. If an agreement is negotiated between 1891  
the legislative authority and the board to compensate the school 1892  
district for all or part of the taxes exempted, the legislative 1893  
authority shall compensate the joint vocational school district 1894  
within which the property is located at the same rate and under 1895  
the same terms received by the city, local, or exempted village 1896  
school district. 1897

If a board of education has adopted a resolution waiving 1898  
its right to approve agreements and the resolution remains in 1899  
effect, approval of an agreement by the board of education is 1900  
not required under division (C) of this section. If a board of 1901  
education has adopted a resolution allowing a board of county 1902  
commissioners to deliver the notice required under this division 1903  
fewer than forty-five business days prior to approval of the 1904  
agreement by the board of county commissioners, the board of 1905  
county commissioners shall deliver the notice to the board of 1906  
education not later than the number of days prior to such 1907  
approval as prescribed by the board of education in its 1908  
resolution. If a board of education adopts a resolution waiving 1909  
its right to approve agreements or shortening the notification 1910  
period, the board of education shall certify a copy of the 1911  
resolution to the board of county commissioners. If the board of 1912  
education rescinds such a resolution, it shall certify notice of 1913  
the rescission to the board of county commissioners. 1914

(2) The board of county commissioners shall comply with 1915  
section 5709.83 of the Revised Code unless the board of 1916  
education has adopted a resolution under that section waiving 1917  
its right to receive such notice. 1918

(D) This division applies to zones certified by the 1919

director of development services under this section prior to 1920  
July 22, 1994. 1921

With the consent of the legislative authority of each 1922  
affected municipal corporation or board of township trustees of 1923  
each affected township, the board of county commissioners that 1924  
designated a zone to which this division applies may enter into 1925  
an agreement with an enterprise if the board finds that the 1926  
enterprise satisfies one of the criteria described in divisions 1927  
(D) (1) to (5) of this section: 1928

(1) The enterprise currently has no operations in this 1929  
state and, subject to approval of the agreement, intends to 1930  
establish operations in the zone; 1931

(2) The enterprise currently has operations in this state 1932  
and, subject to approval of the agreement, intends to establish 1933  
operations at a new location in the zone that would not result 1934  
in a reduction in the number of employee positions at any of the 1935  
enterprise's other locations in this state; 1936

(3) The enterprise, subject to approval of the agreement, 1937  
intends to relocate operations, currently located in another 1938  
state, to the zone; 1939

(4) The enterprise, subject to approval of the agreement, 1940  
intends to expand operations at an existing site in the zone 1941  
that the enterprise currently operates; 1942

(5) The enterprise, subject to approval of the agreement, 1943  
intends to relocate operations, currently located in this state, 1944  
to the zone, and the director of development services has issued 1945  
a waiver for the enterprise under division (B) of section 1946  
5709.633 of the Revised Code. 1947

The agreement shall require the enterprise to agree to 1948

establish, expand, renovate, or occupy a facility in the zone 1949  
and hire new employees, or preserve employment opportunities for 1950  
existing employees, in return for one or more of the incentives 1951  
described in division (B) of this section. 1952

(E) All agreements entered into under this section shall 1953  
be in the form prescribed under section 5709.631 of the Revised 1954  
Code. After an agreement under this section is entered into, if 1955  
the board of county commissioners revokes its designation of a 1956  
zone, or if the director of development services revokes a 1957  
zone's certification, any entitlements granted under the 1958  
agreement shall continue for the number of years specified in 1959  
the agreement. 1960

(F) Except as otherwise provided in this division, an 1961  
agreement entered into under this section shall require that the 1962  
enterprise pay an annual fee equal to the greater of one per 1963  
cent of the dollar value of incentives offered under the 1964  
agreement or five hundred dollars; provided, however, that if 1965  
the value of the incentives exceeds two hundred fifty thousand 1966  
dollars, the fee shall not exceed two thousand five hundred 1967  
dollars. The fee shall be payable to the board of county 1968  
commissioners once per year for each year the agreement is 1969  
effective on the days and in the form specified in the 1970  
agreement. Fees paid shall be deposited in a special fund 1971  
created for such purpose by the board and shall be used by the 1972  
board exclusively for the purpose of complying with section 1973  
5709.68 of the Revised Code and by the tax incentive review 1974  
council created under section 5709.85 of the Revised Code 1975  
exclusively for the purposes of performing the duties prescribed 1976  
under that section. The board may waive or reduce the amount of 1977  
the fee charged against an enterprise, but such waiver or 1978  
reduction does not affect the obligations of the board or the 1979

tax incentive review council to comply with section 5709.68 or 1980  
5709.85 of the Revised Code, respectively. 1981

(G) With the approval of the legislative authority of a 1982  
municipal corporation or the board of township trustees of a 1983  
township in which a zone is designated under division (A) of 1984  
this section, the board of county commissioners may delegate to 1985  
that legislative authority or board any powers and duties of the 1986  
board of county commissioners to negotiate and administer 1987  
agreements with regard to that zone under this section. 1988

(H) When an agreement is entered into pursuant to this 1989  
section, the board of county commissioners authorizing the 1990  
agreement or the legislative authority or board of township 1991  
trustees that negotiates and administers the agreement shall 1992  
forward a copy of the agreement to the director of development 1993  
services and to the tax commissioner within fifteen days after 1994  
the agreement is entered into. If any agreement includes terms 1995  
not provided for in section 5709.631 of the Revised Code 1996  
affecting the revenue of a city, local, ~~or~~ exempted village, or 1997  
joint vocational school district or causing revenue to be 1998  
foregone by the district, including any compensation to be paid 1999  
to the school district pursuant to section 5709.82 of the 2000  
Revised Code, those terms also shall be forwarded in writing to 2001  
the director of development services along with the copy of the 2002  
agreement forwarded under this division. 2003

(I) After an agreement is entered into, the enterprise 2004  
shall file with each personal property tax return required to be 2005  
filed, or annual report that is required to be filed under 2006  
section 5727.08 of the Revised Code, while the agreement is in 2007  
effect, an informational return, on a form prescribed by the tax 2008  
commissioner for that purpose, setting forth separately the 2009

property, and related costs and values, exempted from taxation 2010  
under the agreement. 2011

(J) Enterprises may agree to give preference to residents 2012  
of the zone within which the agreement applies relative to 2013  
residents of this state who do not reside in the zone when 2014  
hiring new employees under the agreement. 2015

(K) An agreement entered into under this section may 2016  
include a provision requiring the enterprise to create one or 2017  
more temporary internship positions for students enrolled in a 2018  
course of study at a school or other educational institution in 2019  
the vicinity, and to create a scholarship or provide another 2020  
form of educational financial assistance for students holding 2021  
such a position in exchange for the student's commitment to work 2022  
for the enterprise at the completion of the internship. 2023

(L) The tax commissioner's authority in determining the 2024  
accuracy of any exemption granted by an agreement entered into 2025  
under this section is limited to divisions (B) (1) (b) (i) and 2026  
(ii), (B) (2), (C), and (I) of this section, division (B) (1) (b) 2027  
(iv) of this section as it pertains to divisions (C) (2) (a), (b), 2028  
and (c) of section 5709.62 of the Revised Code, and divisions 2029  
(B) (1) to (10) of section 5709.631 of the Revised Code and, as 2030  
authorized by law, to enforcing any modification to, or 2031  
revocation of, that agreement by the board of county 2032  
commissioners or the director of development services or, if the 2033  
board's powers and duties are delegated under division (G) of 2034  
this section, by the legislative authority of a municipal 2035  
corporation or board of township trustees. 2036

**Sec. 5709.632.** (A) (1) The legislative authority of a 2037  
municipal corporation defined by the United States office of 2038  
management and budget as a principal city of a metropolitan 2039

statistical area may, in the manner set forth in section 5709.62 2040  
of the Revised Code, designate one or more areas in the 2041  
municipal corporation as a proposed enterprise zone. 2042

(2) With the consent of the legislative authority of each 2043  
affected municipal corporation or of a board of township 2044  
trustees, a board of county commissioners may, in the manner set 2045  
forth in section 5709.62 of the Revised Code, designate one or 2046  
more areas in one or more municipal corporations or in 2047  
unincorporated areas of the county as proposed urban jobs and 2048  
enterprise zones, except that a board of county commissioners 2049  
may designate no more than one area within a township, or within 2050  
adjacent townships, as a proposed urban jobs and enterprise 2051  
zone. 2052

(3) The legislative authority or board of county 2053  
commissioners may petition the director of development services 2054  
for certification of the area as having the characteristics set 2055  
forth in division (A)(3) of section 5709.61 of the Revised Code. 2056  
Within sixty days after receiving such a petition, the director 2057  
shall determine whether the area has the characteristics set 2058  
forth in that division and forward the findings to the 2059  
legislative authority or board of county commissioners. If the 2060  
director certifies the area as having those characteristics and 2061  
thereby certifies it as a zone, the legislative authority or 2062  
board may enter into agreements with enterprises under division 2063  
(B) of this section. Any enterprise wishing to enter into an 2064  
agreement with a legislative authority or board of county 2065  
commissioners under this section and satisfying one of the 2066  
criteria described in divisions (B)(1) to (5) of this section 2067  
shall submit a proposal to the legislative authority or board on 2068  
the form prescribed under division (B) of section 5709.62 of the 2069  
Revised Code and shall review and update the estimates and 2070

listings required by the form in the manner required under that 2071  
division. The legislative authority or board may, on a separate 2072  
form and at any time, require any additional information 2073  
necessary to determine whether an enterprise is in compliance 2074  
with an agreement and to collect the information required to be 2075  
reported under section 5709.68 of the Revised Code. 2076

(B) Prior to entering into an agreement with an 2077  
enterprise, the legislative authority or board of county 2078  
commissioners shall determine whether the enterprise submitting 2079  
the proposal is qualified by financial responsibility and 2080  
business experience to create and preserve employment 2081  
opportunities in the zone and to improve the economic climate of 2082  
the municipal corporation or municipal corporations or the 2083  
unincorporated areas in which the zone is located and to which 2084  
the proposal applies, and whether the enterprise satisfies one 2085  
of the following criteria: 2086

(1) The enterprise currently has no operations in this 2087  
state and, subject to approval of the agreement, intends to 2088  
establish operations in the zone; 2089

(2) The enterprise currently has operations in this state 2090  
and, subject to approval of the agreement, intends to establish 2091  
operations at a new location in the zone that would not result 2092  
in a reduction in the number of employee positions at any of the 2093  
enterprise's other locations in this state; 2094

(3) The enterprise, subject to approval of the agreement, 2095  
intends to relocate operations, currently located in another 2096  
state, to the zone; 2097

(4) The enterprise, subject to approval of the agreement, 2098  
intends to expand operations at an existing site in the zone 2099



that the enterprise currently operates; 2100

(5) The enterprise, subject to approval of the agreement, 2101  
intends to relocate operations, currently located in this state, 2102  
to the zone, and the director of development services has issued 2103  
a waiver for the enterprise under division (B) of section 2104  
5709.633 of the Revised Code. 2105

(C) If the legislative authority or board determines that 2106  
the enterprise is so qualified and satisfies one of the criteria 2107  
described in divisions (B)(1) to (5) of this section, the 2108  
legislative authority or board may, after complying with section 2109  
5709.83 of the Revised Code and, in the case of a board of 2110  
commissioners, with the consent of the legislative authority of 2111  
each affected municipal corporation or of the board of township 2112  
trustees, enter into an agreement with the enterprise under 2113  
which the enterprise agrees to establish, expand, renovate, or 2114  
occupy a facility in the zone and hire new employees, or 2115  
preserve employment opportunities for existing employees, in 2116  
return for the following incentives: 2117

(1) When the facility is located in a municipal 2118  
corporation, a legislative authority or board of commissioners 2119  
may enter into an agreement for one or more of the incentives 2120  
provided in division (C) of section 5709.62 of the Revised Code, 2121  
subject to division (D) of that section; 2122

(2) When the facility is located in an unincorporated 2123  
area, a board of commissioners may enter into an agreement for 2124  
one or more of the incentives provided in divisions (B)(1)(b), 2125  
(B)(2), and (B)(3) of section 5709.63 of the Revised Code, 2126  
subject to division (C) of that section. 2127

(D) All agreements entered into under this section shall 2128

be in the form prescribed under section 5709.631 of the Revised 2129  
Code. After an agreement under this section is entered into, if 2130  
the legislative authority or board of county commissioners 2131  
revokes its designation of the zone, or if the director of 2132  
development services revokes the zone's certification, any 2133  
entitlements granted under the agreement shall continue for the 2134  
number of years specified in the agreement. 2135

(E) Except as otherwise provided in this division, an 2136  
agreement entered into under this section shall require that the 2137  
enterprise pay an annual fee equal to the greater of one per 2138  
cent of the dollar value of incentives offered under the 2139  
agreement or five hundred dollars; provided, however, that if 2140  
the value of the incentives exceeds two hundred fifty thousand 2141  
dollars, the fee shall not exceed two thousand five hundred 2142  
dollars. The fee shall be payable to the legislative authority 2143  
or board of commissioners once per year for each year the 2144  
agreement is effective on the days and in the form specified in 2145  
the agreement. Fees paid shall be deposited in a special fund 2146  
created for such purpose by the legislative authority or board 2147  
and shall be used by the legislative authority or board 2148  
exclusively for the purpose of complying with section 5709.68 of 2149  
the Revised Code and by the tax incentive review council created 2150  
under section 5709.85 of the Revised Code exclusively for the 2151  
purposes of performing the duties prescribed under that section. 2152  
The legislative authority or board may waive or reduce the 2153  
amount of the fee charged against an enterprise, but such waiver 2154  
or reduction does not affect the obligations of the legislative 2155  
authority or board or the tax incentive review council to comply 2156  
with section 5709.68 or 5709.85 of the Revised Code, 2157  
respectively. 2158

(F) With the approval of the legislative authority of a 2159

municipal corporation or the board of township trustees of a 2160  
township in which a zone is designated under division (A) (2) of 2161  
this section, the board of county commissioners may delegate to 2162  
that legislative authority or board any powers and duties of the 2163  
board to negotiate and administer agreements with regard to that 2164  
zone under this section. 2165

(G) When an agreement is entered into pursuant to this 2166  
section, the legislative authority or board of commissioners 2167  
authorizing the agreement shall forward a copy of the agreement 2168  
to the director of development services and to the tax 2169  
commissioner within fifteen days after the agreement is entered 2170  
into. If any agreement includes terms not provided for in 2171  
section 5709.631 of the Revised Code affecting the revenue of a 2172  
city, local, ~~or~~-exempted village, or joint vocational school 2173  
district or causing revenue to be forgone by the district, 2174  
including any compensation to be paid to the school district 2175  
pursuant to section 5709.82 of the Revised Code, those terms 2176  
also shall be forwarded in writing to the director of 2177  
development services along with the copy of the agreement 2178  
forwarded under this division. 2179

(H) After an agreement is entered into, the enterprise 2180  
shall file with each personal property tax return required to be 2181  
filed while the agreement is in effect, an informational return, 2182  
on a form prescribed by the tax commissioner for that purpose, 2183  
setting forth separately the property, and related costs and 2184  
values, exempted from taxation under the agreement. 2185

(I) An agreement entered into under this section may 2186  
include a provision requiring the enterprise to create one or 2187  
more temporary internship positions for students enrolled in a 2188  
course of study at a school or other educational institution in 2189

the vicinity, and to create a scholarship or provide another 2190  
form of educational financial assistance for students holding 2191  
such a position in exchange for the student's commitment to work 2192  
for the enterprise at the completion of the internship. 2193

**Sec. 5709.82.** (A) As used in this section: 2194

(1) "New employee" means both of the following: 2195

(a) Persons employed in the construction of real property 2196  
exempted from taxation under the chapters or sections of the 2197  
Revised Code enumerated in division (B) of this section; 2198

(b) Persons not described by division (A)(1)(a) of this 2199  
section who are first employed at the site of such property and 2200  
who within the two previous years have not been subject, prior 2201  
to being employed at that site, to income taxation by the 2202  
municipal corporation within whose territory the site is located 2203  
on income derived from employment for the person's current 2204  
employer. "New employee" does not include any person who 2205  
replaces a person who is not a new employee under division (A) 2206  
(1) of this section. 2207

(2) "Infrastructure costs" means costs incurred by a 2208  
municipal corporation in a calendar year to acquire, construct, 2209  
reconstruct, improve, plan, or equip real or tangible personal 2210  
property that directly benefits or will directly benefit the 2211  
exempted property. If the municipal corporation finances the 2212  
acquisition, construction, reconstruction, improvement, 2213  
planning, or equipping of real or tangible personal property 2214  
that directly benefits the exempted property by issuing debt, 2215  
"infrastructure costs" means the annual debt charges incurred by 2216  
the municipal corporation from the issuance of such debt. Real 2217  
or tangible personal property directly benefits exempted 2218

property only if the exempted property places or will place 2219  
direct, additional demand on the real or tangible personal 2220  
property for which such costs were or will be incurred. 2221

(3) "Taxing unit" has the same meaning as in division (H) 2222  
of section 5705.01 of the Revised Code. 2223

(B) (1) Except as otherwise provided under division (C) of 2224  
this section, the legislative authority of any political 2225  
subdivision that has acted under the authority of Chapter 725. 2226  
or 1728., sections 3735.65 to 3735.70, or section 5709.40, 2227  
5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 2228  
5709.84, or 5709.88 of the Revised Code to grant an exemption 2229  
from taxation for real or tangible personal property may 2230  
negotiate with the board of education of each city, local, 2231  
exempted village, or joint vocational school district or other 2232  
taxing unit within the territory of which the exempted property 2233  
is located, and enter into an agreement whereby the school 2234  
district or taxing unit is compensated for tax revenue foregone 2235  
by the school district or taxing unit as a result of the 2236  
exemption. Except as otherwise provided in division (B) (1) of 2237  
this section, if a political subdivision enters into more than 2238  
one agreement under this section with respect to a tax 2239  
exemption, the political subdivision shall provide to each 2240  
school district or taxing unit with which it contracts the same 2241  
percentage of tax revenue foregone by the school district or 2242  
taxing unit, which may be based on a good faith projection made 2243  
at the time the exemption is granted. Such percentage shall be 2244  
calculated on the basis of amounts paid by the political 2245  
subdivision and any amounts paid by an owner under division (B) 2246  
(2) of this section. A political subdivision may provide a 2247  
school district or other taxing unit with a smaller percentage 2248  
of foregone tax revenue than that provided to other school 2249

districts or taxing units only if the school district or taxing 2250  
unit expressly consents in the agreement to receiving a smaller 2251  
percentage. If a subdivision has acted under the authority of 2252  
section 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 2253  
5709.73, or 5709.78 of the Revised Code and enters into a 2254  
compensation agreement with a city, local, or exempted village 2255  
school district, the subdivision shall provide compensation to 2256  
the joint vocational school district within the territory of 2257  
which the exempted property is located at the same rate and 2258  
under the same terms as received by the city, local, or exempted 2259  
village school district. 2260

(2) An owner of property exempted from taxation under the 2261  
authority described in division (B)(1) of this section may, by 2262  
becoming a party to an agreement described in division (B)(1) of 2263  
this section or by entering into a separate agreement with a 2264  
school district or other taxing unit, agree to compensate the 2265  
school district or taxing unit by paying cash or by providing 2266  
property or services by gift, loan, or otherwise. If the owner's 2267  
property is exempted under the authority of section 5709.40, 2268  
5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, or 2269  
5709.78 of the Revised Code and the owner enters into a 2270  
compensation agreement with a city, local, or exempted village 2271  
school district, the owner shall provide compensation to the 2272  
joint vocational school district within the territory of which 2273  
the owner's property is located at the same rate and under the 2274  
same terms as received by the city, local, or exempted village 2275  
school district. 2276

(C) This division does not apply to the following: 2277

(1) The legislative authority of a municipal corporation 2278  
that has acted under the authority of division (H) of section 2279

715.70 or division (U) of section 715.72 of the Revised Code to 2280  
consent to the granting of an exemption from taxation for real 2281  
or tangible personal property in a joint economic development 2282  
district. 2283

(2) The legislative authority of a municipal corporation 2284  
that has specified in an ordinance adopted under section 2285  
5709.40, 5709.41, or 5709.45 of the Revised Code that payments 2286  
in lieu of taxes provided for under section 5709.42 or 5709.46 2287  
of the Revised Code shall be paid to the city, local, or 2288  
exempted village school district in which the improvements are 2289  
located in the amount of taxes that would have been payable to 2290  
the school district if the improvements had not been exempted 2291  
from taxation, as directed in the ordinance. 2292

If the legislative authority of any municipal corporation 2293  
has acted under the authority of Chapter 725. or 1728. or 2294  
section 3735.671, 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 2295  
5709.632, or 5709.88, or a housing officer under section 3735.67 2296  
of the Revised Code, to grant or consent to the granting of an 2297  
exemption from taxation for real or tangible personal property 2298  
on or after July 1, 1994, the municipal corporation imposes a 2299  
tax on incomes, and the payroll of new employees resulting from 2300  
the exercise of that authority equals or exceeds one million 2301  
dollars in any tax year for which such property is exempted, the 2302  
legislative authority and the board of education of each city, 2303  
local, or exempted village school district within the territory 2304  
of which the exempted property is located shall attempt to 2305  
negotiate an agreement providing for compensation to the school 2306  
district for all or a portion of the tax revenue the school 2307  
district would have received had the property not been exempted 2308  
from taxation. The agreement may include as a party the owner of 2309  
the property exempted or to be exempted from taxation and may 2310

include provisions obligating the owner to compensate the school 2311  
district by paying cash or providing property or services by 2312  
gift, loan, or otherwise. Such an obligation is enforceable by 2313  
the board of education of the school district pursuant to the 2314  
terms of the agreement. 2315

If the legislative authority and board of education fail 2316  
to negotiate an agreement that is mutually acceptable within six 2317  
months of formal approval by the legislative authority of the 2318  
instrument granting the exemption, the legislative authority 2319  
shall compensate the school district in the amount and manner 2320  
prescribed by division (D) of this section. 2321

(D) Annually, the legislative authority of a municipal 2322  
corporation subject to this division shall pay to the city, 2323  
local, or exempted village school district within the territory 2324  
of which the exempted property is located an amount equal to 2325  
fifty per cent of the difference between the amount of taxes 2326  
levied and collected by the municipal corporation on the incomes 2327  
of new employees in the calendar year ending on the day the 2328  
payment is required to be made, and the amount of any 2329  
infrastructure costs incurred in that calendar year. For 2330  
purposes of such computation, the amount of infrastructure costs 2331  
shall not exceed thirty-five per cent of the amount of those 2332  
taxes unless the board of education of the school district, by 2333  
resolution adopted by a majority of the board, approves an 2334  
amount in excess of that percentage. If the amount of those 2335  
taxes or infrastructure costs must be estimated at the time the 2336  
payment is made, payments in subsequent years shall be adjusted 2337  
to compensate for any departure of those estimates from the 2338  
actual amount of those taxes. 2339

A municipal corporation required to make a payment under 2340



this section shall make the payment from its general fund or a 2341  
special fund established for the purpose. The payment is payable 2342  
on the thirty-first day of December of the tax year for or in 2343  
which the exemption from taxation commences and on that day for 2344  
each subsequent tax year property is exempted and the 2345  
legislative authority and board fail to negotiate an acceptable 2346  
agreement under division (C) of this section. 2347

**Sec. 5709.83.** (A) Except as otherwise provided in division 2348  
(B) or (C) of this section, prior to taking formal action to 2349  
adopt or enter into any instrument granting a tax exemption 2350  
under section 725.02, 1728.06, 5709.40, 5709.41, 5709.45, 2351  
5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 5709.84, or 2352  
5709.88 of the Revised Code or formally approving an agreement 2353  
under section 3735.671 of the Revised Code, or prior to 2354  
forwarding an application for a tax exemption for residential 2355  
property under section 3735.67 of the Revised Code to the county 2356  
auditor, the legislative authority of the political subdivision 2357  
or housing officer shall notify the board of education of each 2358  
city, local, exempted village, or joint vocational school 2359  
district in which the proposed tax-exempted property is located. 2360  
The notice shall include a copy of the instrument or 2361  
application. The notice shall be delivered not later than 2362  
fourteen days prior to the day the legislative authority takes 2363  
formal action to adopt or enter into the instrument, or not 2364  
later than fourteen days prior to the day the housing officer 2365  
forwards the application to the county auditor. If the board of 2366  
education comments on the instrument or application to the 2367  
legislative authority or housing officer, the legislative 2368  
authority or housing officer shall consider the comments. If the 2369  
board of education of the city, local, exempted village, or 2370  
joint vocational school district so requests, the legislative 2371

authority or the housing officer shall meet in person with a 2372  
representative designated by the board of education to discuss 2373  
the terms of the instrument or application. 2374

(B) The notice otherwise required to be provided to boards 2375  
of education under division (A) of this section is not required 2376  
if the board has adopted a resolution waiving its right to 2377  
receive such notices, and that resolution remains in effect. If 2378  
a board of education adopts such a resolution, the board shall 2379  
cause a copy of the resolution to be certified to the 2380  
legislative authority. If the board of education rescinds such a 2381  
resolution, it shall certify notice of the rescission to the 2382  
legislative authority. A board of education may adopt such a 2383  
resolution with respect to any one or more counties, townships, 2384  
or municipal corporations situated in whole or in part within 2385  
the school district. 2386

(C) If a legislative authority is required to provide 2387  
notice to a city, local, or exempted village school district of 2388  
its intent to grant such an exemption as required by section 2389  
5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 2390  
or 5709.78 of the Revised Code, the legislative authority, 2391  
before adopting a resolution or ordinance under that section, 2392  
shall notify the board of education of each joint vocational 2393  
school district in which the property to be exempted is located 2394  
using the same time requirements for the notice that applies to 2395  
notices to city, local, and exempted village school districts. 2396  
The content of the notice and procedures for responding to the 2397  
notice are the same as required in division (A) of this section. 2398

**Section 2.** That existing sections 3302.03, 3313.14, 2399  
3313.482, 3313.618, 3313.903, 3317.023, 3319.226, 3326.032, 2400  
3333.162, 3333.94, 3365.01, 3365.02, 5709.62, 5709.63, 5709.632, 2401

5709.82, and 5709.83 of the Revised Code are hereby repealed. 2402

**Section 3.** That section 3313.6113 of the Revised Code is 2403  
hereby repealed. 2404

**Section 4.** (A) As used in this section: 2405

(1) "Career-technical planning district" has the same 2406  
meaning as in section 3317.023 of the Revised Code. 2407

(2) "State institution of higher education" has the same 2408  
meaning as in section 3345.011 of the Revised Code. 2409

(B) On the effective date of this section, any career- 2410  
technical planning district and state institution of higher 2411  
education that is part of an articulation agreement shall 2412  
convert such an agreement to grant students with transcribed 2413  
credit under section 3333.162 of the Revised Code, as amended by 2414  
this act, or any courses completed on and after the effective 2415  
date of this section. 2416

(C) The amendments to section 3333.162 of the Revised Code 2417  
by this act and this section shall take effect at the beginning 2418  
of the first day of the first full academic year that begins 2419  
after the effective date of this section. 2420

(D) This section shall have no effect on any courses 2421  
completed under such an articulation agreement prior to the 2422  
effective date of this section. 2423

**Section 5.** The amendment by this act of sections 5709.62, 2424  
5709.63, 5709.632, 5709.82, and 5709.83 of the Revised Code 2425  
applies to agreements entered into under sections 5709.62, 2426  
5709.63, and 5709.632 of the Revised Code on or after the 2427  
effective date of this act. 2428

**Section 6.** The General Assembly, applying the principle 2429

stated in division (B) of section 1.52 of the Revised Code that 2430  
amendments are to be harmonized if reasonably capable of 2431  
simultaneous operation, finds that the following sections, 2432  
presented in this act as composites of the sections as amended 2433  
by the acts indicated, are the resulting versions of the 2434  
sections in effect prior to the effective date of the sections 2435  
as presented in this act: 2436

Section 3302.03 of the Revised Code as amended by both 2437  
Sub. H.B. 318 and Am. Sub. S.B. 216 of the 132nd General 2438  
Assembly. 2439

Section 5709.82 of the Revised Code as amended by both 2440  
Sub. H.B. 182 and Am. Sub. H.B. 233 of the 131st General 2441  
Assembly. 2442