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131st General Assembly

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Sub. S. B. No. 3

Senators Hite, Faber

Cosponsors: Senators Coley, Gardner, Lehner, Balderson, Beagle, Burke, Eklund, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Obhof, Oelslager, Patton, Peterson, Seitz, Uecker, Widener Representatives Brenner, Buchy, Green, Hambley, McColley, Reineke, Schaffer, Schuring

A BILL

To amend sections 9.833, 149.431, 311.29, 2744.081, 1
3301.079, 3301.0711, 3301.0712, 3301.0715, 2
3302.034, 3302.13, 3311.19, 3311.191, 3313.46, 3
3313.482, 3313.5311, 3313.603, 3313.6013, 4
3313.618, 3313.6110, 3314.02, 3314.03, 3314.06, 5
3319.111, 3319.223, 3319.26, 3319.271, 3326.03, 6
3326.032, 3326.11, 3328.24, 3333.93, 3345.202, 7
and 5709.084; to amend, for the purpose of 8
adopting a new section number as indicated in 9
parentheses, section 3319.271 (3319.272); to 10
enact sections 3301.0729, 3302.151, 3311.051, 11
3313.5314, 3313.6111, 3313.903, and 3345.203 of 12
the Revised Code; to amend Section 733.40 of Am. 13
Sub. H.B. 59 of the 130th General Assembly, as 14
subsequently amended; to amend Section 369.473 15
of Am. Sub. H.B. 64 of the 131st General 16
Assembly; and to amend Section 733.40 of Am. 17
Sub. H.B. 59 of the 130th General Assembly, as 18
subsequently amended, to codify it as section 19
3319.271 of the Revised Code to exempt from 20
certain education laws school districts that 21

meet specified benchmarks; to revise the 22
administration of state assessments; to make 23
other revisions regarding the operation of 24
primary and secondary schools; to authorize 25
county sheriffs to contract to provide services 26
to community schools, nonpublic schools, and 27
private higher education institutions; to revise 28
the Workforce Grant Program; to validate a tax 29
levy question the ballot for which stated an 30
erroneous term; to exempt an arena owned by a 31
convention facilities authority from property 32
taxation; and to enable state colleges and 33
universities to establish joint self-insurance 34
pools and make other changes regarding joint 35
self-insurance pools. 36

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

Section 1. That sections 9.833, 149.431, 311.29, 2744.081, 37
3301.079, 3301.0711, 3301.0712, 3301.0715, 3302.034, 3302.13, 38
3311.19, 3311.191, 3313.46, 3313.482, 3313.5311, 3313.603, 39
3313.6013, 3313.618, 3313.6110, 3314.02, 3314.03, 3314.06, 40
3319.111, 3319.223, 3319.26, 3319.271, 3326.03, 3326.032, 41
3326.11, 3328.24, 3333.93, 3345.202, and 5709.084 be amended; 42
section 3319.271 (3319.272) be amended for the purpose of 43
adopting a new section number as indicated in parentheses; and 44
sections 3301.0729, 3302.151, 3311.051, 3313.5314, 3313.6111, 45
3313.903, and 3345.203 of the Revised Code be enacted to read as 46
follows: 47

Sec. 9.833. (A) As used in this section, "political 48

subdivision" has the meaning defined in sections 2744.01 and 49
3905.36 of the Revised Code. For purposes of this section, 50
"political subdivision" includes municipal corporations as 51
defined in section 5705.01 of the Revised Code. 52

(B) Political subdivisions that provide health care 53
benefits for their officers or employees may do any of the 54
following: 55

(1) Establish and maintain an individual self-insurance 56
program with public moneys to provide authorized health care 57
benefits, including but not limited to, health care, 58
prescription drugs, dental care, and vision care, in accordance 59
with division (C) of this section; 60

(2) Establish and maintain a health savings account 61
program whereby employees or officers may establish and maintain 62
health savings accounts in accordance with section 223 of the 63
Internal Revenue Code. Public moneys may be used to pay for or 64
fund federally qualified high deductible health plans that are 65
linked to health savings accounts or to make contributions to 66
health savings accounts. A health savings account program may be 67
a part of a self-insurance program. 68

(3) After establishing an individual self-insurance 69
program, agree with other political subdivisions that have 70
established individual self-insurance programs for health care 71
benefits, that their programs will be jointly administered in a 72
manner specified in the agreement; 73

(4) Pursuant to a written agreement and in accordance with 74
division (C) of this section, join in any combination with other 75
political subdivisions to establish and maintain a joint self- 76
insurance program to provide health care benefits; 77

(5) Pursuant to a written agreement, join in any 78
combination with other political subdivisions to procure or 79
contract for policies, contracts, or plans of insurance to 80
provide health care benefits, which may include a health savings 81
account program for their officers and employees subject to the 82
agreement; 83

(6) Use in any combination any of the policies, contracts, 84
plans, or programs authorized under this division. 85

(7) Any agreement made under division (B) (3), (4), (5), or 86
(6) of this section shall be in writing, comply with division 87
(C) of this section, and contain best practices established in 88
consultation with and approved by the department of 89
administrative services. The best practices may be reviewed and 90
amended at the discretion of the political subdivisions in 91
consultation with the department. Detailed information regarding 92
the best practices shall be made available to any employee upon 93
that employee's request. 94

(8) Purchase plans containing best practices identified by 95
the department of administrative services under section 9.901 of 96
the Revised Code. 97

(C) Except as otherwise provided in division (E) of this 98
section, the following apply to individual or joint self- 99
insurance programs established pursuant to this section: 100

(1) Such funds shall be reserved as are necessary, in the 101
exercise of sound and prudent actuarial judgment, to cover 102
potential cost of health care benefits for the officers and 103
employees of the political subdivision. A ~~certified audited~~ 104
financial statement and a report of aggregate amounts so 105
reserved and aggregate disbursements made from such funds, 106

together with a written report of a member of the American 107
academy of actuaries certifying whether the amounts reserved 108
conform to the requirements of this division, are computed in 109
accordance with accepted loss reserving standards, and are 110
fairly stated in accordance with sound loss reserving 111
principles, shall be prepared and maintained, within ninety days 112
after the last day of the fiscal year of the entity for which 113
the report is provided for that fiscal year, in the office of 114
the program administrator described in division (C) (3) of this 115
section. 116

The report required by division (C) (1) of this section 117
shall include, but not be limited to, the aggregate of 118
disbursements made for the administration of the program, 119
including claims paid, costs of the legal representation of 120
political subdivisions and employees, and fees paid to 121
consultants. 122

The program administrator described in division (C) (3) of 123
this section shall make the report required by this division 124
available for inspection by any person at all reasonable times 125
during regular business hours, and, upon the request of such 126
person, shall make copies of the report available at cost within 127
a reasonable period of time. The program administrator shall 128
further provide the report to the auditor of state under Chapter 129
117. of the Revised Code. The report required by this division 130
is in lieu of the records required by division (A) of section 131
149.431 of the Revised Code. 132

(2) Each political subdivision shall reserve funds 133
necessary for an individual or joint self-insurance program in a 134
special fund that may be established for political subdivisions 135
other than an agency or instrumentality pursuant to an ordinance 136

or resolution of the political subdivision and not subject to 137
section 5705.12 of the Revised Code. An agency or 138
instrumentality shall reserve the funds necessary for an 139
individual or joint self-insurance program in a special fund 140
established pursuant to a resolution duly adopted by the 141
agency's or instrumentality's governing board. The political 142
subdivision may allocate the costs of insurance or any self- 143
insurance program, or both, among the funds or accounts 144
established under this division on the basis of relative 145
exposure and loss experience. 146

(3) A contract may be awarded, without the necessity of 147
competitive bidding, to any person, political subdivision, 148
nonprofit corporation organized under Chapter 1702. of the 149
Revised Code, or regional council of governments created under 150
Chapter 167. of the Revised Code for purposes of administration 151
of an individual or joint self-insurance program. No such 152
contract shall be entered into without full, prior, public 153
disclosure of all terms and conditions. The disclosure shall 154
include, at a minimum, a statement listing all representations 155
made in connection with any possible savings and losses 156
resulting from the contract, and potential liability of any 157
political subdivision or employee. The proposed contract and 158
statement shall be disclosed and presented at a meeting of the 159
political subdivision not less than one week prior to the 160
meeting at which the political subdivision authorizes the 161
contract. 162

A contract awarded to a nonprofit corporation or a 163
regional council of governments under this division may provide 164
that all employees of the nonprofit corporation or regional 165
council of governments, the employees of all entities related to 166
the nonprofit corporation or regional council of governments, 167

and the employees of other nonprofit corporations that have 168
fifty or fewer employees and have been organized for the primary 169
purpose of representing the interests of political subdivisions, 170
may be covered by the individual or joint self-insurance program 171
under the terms and conditions set forth in the contract. 172

(4) The individual or joint self-insurance program shall 173
include a contract with a certified public accountant and a 174
member of the American academy of actuaries for the preparation 175
of the written evaluations required under division (C) (1) of 176
this section. 177

(5) A joint self-insurance program may allocate the costs 178
of funding the program among the funds or accounts established 179
under this division to the participating political subdivisions 180
on the basis of their relative exposure and loss experience. 181

(6) An individual self-insurance program may allocate the 182
costs of funding the program among the funds or accounts 183
established under this division to the political subdivision 184
that established the program. 185

(7) Two or more political subdivisions may also authorize 186
the establishment and maintenance of a joint health care cost 187
containment program, including, but not limited to, the 188
employment of risk managers, health care cost containment 189
specialists, and consultants, for the purpose of preventing and 190
reducing health care costs covered by insurance, individual 191
self-insurance, or joint self-insurance programs. 192

(8) A political subdivision is not liable under a joint 193
self-insurance program for any amount in excess of amounts 194
payable pursuant to the written agreement for the participation 195
of the political subdivision in the joint self-insurance 196

program. Under a joint self-insurance program agreement, a 197
political subdivision may, to the extent permitted under the 198
written agreement, assume the risks of any other political 199
subdivision. A joint self-insurance program established under 200
this section is deemed a separate legal entity for the public 201
purpose of enabling the members of the joint self-insurance 202
program to obtain insurance or to provide for a formalized, 203
jointly administered self-insurance fund for its members. An 204
entity created pursuant to this section is exempt from all state 205
and local taxes. 206

(9) Any political subdivision, other than an agency or 207
instrumentality, may issue general obligation bonds, or special 208
obligation bonds that are not payable from real or personal 209
property taxes, and may also issue notes in anticipation of such 210
bonds, pursuant to an ordinance or resolution of its legislative 211
authority or other governing body for the purpose of providing 212
funds to pay expenses associated with the settlement of claims, 213
whether by way of a reserve or otherwise, and to pay the 214
political subdivision's portion of the cost of establishing and 215
maintaining an individual or joint self-insurance program or to 216
provide for the reserve in the special fund authorized by 217
division (C) (2) of this section. 218

In its ordinance or resolution authorizing bonds or notes 219
under this section, a political subdivision may elect to issue 220
such bonds or notes under the procedures set forth in Chapter 221
133. of the Revised Code. In the event of such an election, 222
notwithstanding Chapter 133. of the Revised Code, the maturity 223
of the bonds may be for any period authorized in the ordinance 224
or resolution not exceeding twenty years, which period shall be 225
the maximum maturity of the bonds for purposes of section 133.22 226
of the Revised Code. 227

Bonds and notes issued under this section shall not be 228
considered in calculating the net indebtedness of the political 229
subdivision under sections 133.04, 133.05, 133.06, and 133.07 of 230
the Revised Code. Sections 9.98 to 9.983 of the Revised Code are 231
hereby made applicable to bonds or notes authorized under this 232
section. 233

(10) A joint self-insurance program is not an insurance 234
company. Its operation does not constitute doing an insurance 235
business and is not subject to the insurance laws of this state. 236

(11) A joint self-insurance program shall pay the run-off 237
expenses of a participating political subdivision that 238
terminates its participation in the program if the political 239
subdivision has accumulated funds in the reserves for incurred 240
but not reported claims. The run-off payment, at minimum, shall 241
be limited to an actuarially determined cap or sixty days, 242
whichever is reached first. This provision shall not apply 243
during the term of a specific, separate agreement with a 244
political subdivision to maintain enrollment for a specified 245
period, not to exceed three years. 246

(D) A political subdivision may procure group life 247
insurance for its employees in conjunction with an individual or 248
joint self-insurance program authorized by this section, 249
provided that the policy of group life insurance is not self- 250
insured. 251

(E) This section does not apply to individual self- 252
insurance programs created solely by municipal corporations as 253
defined in section 5705.01 of the Revised Code. 254

(F) A public official or employee of a political 255
subdivision who is or becomes a member of the governing body of 256

the program administrator of a joint self-insurance program in 257
which the political subdivision participates is not in violation 258
of division (D) or (E) of section 102.03, division (C) of 259
section 102.04, or section 2921.42 of the Revised Code as a 260
result of either of the following: 261

(1) The political subdivision's entering under this 262
section into the written agreement to participate in the joint 263
self-insurance program; 264

(2) The political subdivision's entering under this 265
section into any other contract with the joint self-insurance 266
program. 267

Sec. 149.431. (A) Except as provided in sections 9.833 ~~and~~ 268
, 2744.081, and 3345.203 of the Revised Code, any governmental 269
entity or agency and any nonprofit corporation or association, 270
except a corporation organized pursuant to Chapter 1719. of the 271
Revised Code prior to January 1, 1980 or organized pursuant to 272
Chapter 3941. of the Revised Code, that enters into a contract 273
or other agreement with the federal government, a unit of state 274
government, or a political subdivision or taxing unit of this 275
state for the provision of services shall keep accurate and 276
complete financial records of any moneys expended in relation to 277
the performance of the services pursuant to such contract or 278
agreement according to generally accepted accounting principles. 279
Such contract or agreement and such financial records shall be 280
deemed to be public records as defined in division (A)(1) of 281
section 149.43 of the Revised Code and are subject to the 282
requirements of division (B) of that section, except that: 283

(1) Any information directly or indirectly identifying a 284
present or former individual patient or client or such an 285
individual patient's or client's diagnosis, prognosis, or 286

medical treatment, treatment for a mental or emotional disorder, 287
treatment for a developmental disability, treatment for drug 288
abuse or alcoholism, or counseling for personal or social 289
problems is not a public record; 290

(2) If disclosure of the contract or agreement or 291
financial records is requested at a time when confidential 292
professional services are being provided to a patient or client 293
whose confidentiality might be violated if disclosure were made 294
at that time, disclosure may be deferred if reasonable times are 295
established when the contract or agreement or financial records 296
will be disclosed. 297

(3) Any nonprofit corporation or association that receives 298
both public and private funds in fulfillment of any such 299
contract or other agreement is not required to keep as public 300
records the financial records of any private funds expended in 301
relation to the performance of services pursuant to the contract 302
or agreement. 303

(B) Any nonprofit corporation or association that receives 304
more than fifty per cent of its gross receipts excluding moneys 305
received pursuant to Title XVIII of the "Social Security Act," 306
49 Stat. 620 (1935), 42 U.S.C. 301, as amended, in a calendar 307
year in fulfillment of a contract or other agreement for 308
services with a governmental entity shall maintain information 309
setting forth the compensation of any individual serving the 310
nonprofit corporation or association in an executive or 311
administrative capacity. Such information shall be deemed to be 312
public records as defined in division (A) (1) of section 149.43 313
of the Revised Code and is subject to the requirements of 314
division (B) of that section. 315

Nothing in this section shall be construed to otherwise 316

limit the provisions of section 149.43 of the Revised Code. 317

Sec. 311.29. (A) As used in this section, ~~"Chautauqua~~ 318

(1) "Chartered nonpublic school" has the same meaning 319
defined in section 3310.01 of the Revised Code. 320

(2) "Chautauqua assembly" has the same meaning as in 321
section 4511.90 of the Revised Code. 322

(3) "Community preventative education program" has the 323
meaning defined in division (D) of section 2981.13 of the 324
Revised Code. 325

(4) "Community school" means a community school 326
established under Chapter 3314. of the Revised Code. 327

(B) The sheriff may, from time to time, enter into 328
contracts with any municipal corporation, township, township 329
police district, joint police district, metropolitan housing 330
authority, port authority, water or sewer district, school 331
district, community school governing authority, library 332
district, health district, park district created pursuant to 333
section 511.18 or 1545.01 of the Revised Code, soil and water 334
conservation district, water conservancy district, or other 335
taxing district or with the board of county commissioners of any 336
contiguous county with the concurrence of the sheriff of the 337
other county, and such subdivisions, authorities, and counties 338
may enter into agreements with the sheriff pursuant to which the 339
sheriff undertakes and is authorized by the contracting 340
subdivision, authority, or county to perform any police 341
function, exercise any police power, or render any police 342
service in behalf of the contracting subdivision, authority, or 343
county, or its legislative authority, that the subdivision, 344
authority, or county, or its legislative authority, may perform, 345

exercise, or render. 346

Upon the execution of an agreement under this division and 347
within the limitations prescribed by it, the sheriff may 348
exercise the same powers as the contracting subdivision, 349
authority, or county possesses with respect to such policing 350
that by the agreement the sheriff undertakes to perform or 351
render, and all powers necessary or incidental thereto, as amply 352
as such powers are possessed and exercised by the contracting 353
subdivision, authority, or county directly. 354

Any agreement authorized by division (A), (B), or (C) of 355
this section shall not suspend the possession by a contracting 356
subdivision, authority, or county of any police power performed 357
or exercised or police service rendered in pursuance to the 358
agreement nor limit the authority of the sheriff. 359

(C) The sheriff may enter into contracts with any 360
Chautauqua assembly that has grounds located within the county, 361
and the Chautauqua assembly may enter into agreements with the 362
sheriff pursuant to which the sheriff undertakes to perform any 363
police function, exercise any police power, or render any police 364
service upon the grounds of the Chautauqua assembly that the 365
sheriff is authorized by law to perform, exercise, or render in 366
any other part of the county within the sheriff's territorial 367
jurisdiction. Upon the execution of an agreement under this 368
division, the sheriff may, within the limitations prescribed by 369
the agreement, exercise such powers with respect to such 370
policing upon the grounds of the Chautauqua assembly, provided 371
that any limitation contained in the agreement shall not be 372
construed to limit the authority of the sheriff. 373

(D) Contracts entered into under division (A), (B), ~~or~~ 374
(C), or (F) of this section shall provide for the reimbursement 375

of the county for the costs incurred by the sheriff for such 376
policing including, but not limited to, the salaries of deputy 377
sheriffs assigned to such policing, the current costs of funding 378
retirement pensions and of providing workers' compensation, the 379
cost of training, and the cost of equipment and supplies used in 380
such policing, to the extent that such equipment and supplies 381
are not directly furnished by the contracting subdivision, 382
authority, county, or Chautauqua assembly. Each such contract 383
shall provide for the ascertainment of such costs and shall be 384
of any duration, not in excess of four years, and may contain 385
any other terms that may be agreed upon. All payments pursuant 386
to any such contract in reimbursement of the costs of such 387
policing shall be made to the treasurer of the county to be 388
credited to a special fund to be known as the "sheriff's 389
policing revolving fund," hereby created. Any moneys coming into 390
the fund shall be used for the purposes provided in divisions 391
(A) to (D) and (F) of this section and paid out on vouchers by 392
the county commissioners as other funds coming into their 393
possession. Any moneys credited to the fund and not obligated at 394
the termination of the contract shall be credited to the county 395
general fund. 396

The sheriff shall assign the number of deputies as may be 397
provided for in any contract made pursuant to division (A), (B), 398
~~or (C),~~ or (F) of this section. The number of deputies regularly 399
assigned to such policing shall be in addition to and an 400
enlargement of the sheriff's regular number of deputies. Nothing 401
in divisions (A) to (D) or (F) of this section shall preclude 402
the sheriff from temporarily increasing or decreasing the 403
deputies so assigned as emergencies indicate a need for shifting 404
assignments to the extent provided by the contracts. 405

All such deputies shall have the same powers and duties, 406

the same qualifications, and be appointed and paid and receive 407
the same benefits and provisions and be governed by the same 408
laws as all other deputy sheriffs. 409

Contracts under division (A), (B), ~~or (C)~~, or (F) of this 410
section may be entered into jointly with the board of county 411
commissioners, and sections 307.14 to 307.19 of the Revised Code 412
apply to this section insofar as they may be applicable. 413

(E) (1) As used in division (E) of this section: 414

(a) "Ohio prisoner" has the same meaning as in section 415
5120.64 of the Revised Code. 416

(b) "Out-of-state prisoner" and "private contractor" have 417
the same meanings as in section 9.07 of the Revised Code. 418

(2) The sheriff may enter into a contract with a private 419
person or entity for the return of Ohio prisoners who are the 420
responsibility of the sheriff from outside of this state to a 421
location in this state specified by the sheriff, if there are 422
adequate funds appropriated by the board of county commissioners 423
and there is a certification pursuant to division (D) of section 424
5705.41 of the Revised Code that the funds are available for 425
this purpose. A contract entered into under this division is 426
within the coverage of section 325.07 of the Revised Code. If a 427
sheriff enters into a contract as described in this division, 428
subject to division (E) (3) of this section, the private person 429
or entity in accordance with the contract may return Ohio 430
prisoners from outside of this state to locations in this state 431
specified by the sheriff. A contract entered into under this 432
division shall include all of the following: 433

(a) Specific provisions that assign the responsibility for 434
costs related to medical care of prisoners while they are being 435

returned that is not covered by insurance of the private person 436
or entity; 437

(b) Specific provisions that set forth the number of days, 438
not exceeding ten, within which the private person or entity, 439
after it receives the prisoner in the other state, must deliver 440
the prisoner to the location in this state specified by the 441
sheriff, subject to the exceptions adopted as described in 442
division (E) (2) (c) of this section; 443

(c) Any exceptions to the specified number of days for 444
delivery specified as described in division (E) (2) (b) of this 445
section; 446

(d) A requirement that the private person or entity 447
immediately report all escapes of prisoners who are being 448
returned to this state, and the apprehension of all prisoners 449
who are being returned and who have escaped, to the sheriff and 450
to the local law enforcement agency of this state or another 451
state that has jurisdiction over the place at which the escape 452
occurs; 453

(e) A schedule of fines that the sheriff shall impose upon 454
the private person or entity if the private person or entity 455
fails to perform its contractual duties, and a requirement that, 456
if the private person or entity fails to perform its contractual 457
duties, the sheriff shall impose a fine on the private person or 458
entity from the schedule of fines and, in addition, may exercise 459
any other rights the sheriff has under the contract. 460

(f) If the contract is entered into on or after the 461
effective date of the rules adopted by the department of 462
rehabilitation and correction under section 5120.64 of the 463
Revised Code, specific provisions that comport with all 464

applicable standards that are contained in those rules. 465

(3) If the private person or entity that enters into the 466
contract fails to perform its contractual duties, the sheriff 467
shall impose upon the private person or entity a fine from the 468
schedule, the money paid in satisfaction of the fine shall be 469
paid into the county treasury, and the sheriff may exercise any 470
other rights the sheriff has under the contract. If a fine is 471
imposed under this division, the sheriff may reduce the payment 472
owed to the private person or entity pursuant to any invoice in 473
the amount of the fine. 474

(4) Upon the effective date of the rules adopted by the 475
department of rehabilitation and correction under section 476
5120.64 of the Revised Code, notwithstanding the existence of a 477
contract entered into under division (E) (2) of this section, in 478
no case shall the private person or entity that is a party to 479
the contract return Ohio prisoners from outside of this state 480
into this state for a sheriff unless the private person or 481
entity complies with all applicable standards that are contained 482
in the rules. 483

(5) Divisions (E) (1) to (4) of this section do not apply 484
regarding any out-of-state prisoner who is brought into this 485
state to be housed pursuant to section 9.07 of the Revised Code 486
in a correctional facility in this state that is managed and 487
operated by a private contractor. 488

(F) (1) A sheriff may enter into contracts with a chartered 489
nonpublic school, located in the sheriff's territorial 490
jurisdiction, to provide community preventive education 491
programs. 492

(2) A sheriff may enter into contracts with a private 493

institution of higher education, located in the sheriff's 494
territorial jurisdiction, to provide police services. 495

Under these contracts, the sheriff may undertake to 496
perform any police function, exercise any police power, or 497
render any police service upon the grounds of the chartered 498
nonpublic school or private institution of higher education that 499
the sheriff is authorized by law to perform, exercise, or render 500
in any other part of the county within the sheriff's territorial 501
jurisdiction. Upon the execution of a contract under this 502
division, the sheriff may, within the limitations prescribed by 503
the contract, exercise such powers with respect to such policing 504
provided that any limitation contained in the contract shall not 505
be construed to limit the authority of the sheriff. 506

Sec. 2744.081. (A) Regardless of whether a political 507
subdivision, under section 2744.08 of the Revised Code, secures 508
a policy or policies of liability insurance, establishes and 509
maintains a self-insurance program, or enters into an agreement 510
for the joint administration of a self-insurance program, the 511
political subdivision may, pursuant to a written agreement and 512
to the extent that it considers necessary, join with other 513
political subdivisions in establishing and maintaining a joint 514
self-insurance pool to provide for the payment of judgments, 515
settlement of claims, expense, loss, and damage that arises, or 516
is claimed to have arisen, from an act or omission of the 517
political subdivision or any of its employees in connection with 518
a governmental or proprietary function and to indemnify or hold 519
harmless the subdivision's employees against such loss or 520
damage. 521

All of the following apply to a joint self-insurance pool 522
under this section: 523

(1) Such funds shall be reserved as are necessary, in the 524
exercise of sound and prudent actuarial judgment, to cover 525
potential political subdivision and employee liability, expense, 526
loss, and damage. A report of aggregate amounts so reserved and 527
aggregate disbursements made from such funds, together with a 528
written report of a member of the American academy of actuaries 529
certifying whether the amounts reserved conform to the 530
requirements of this division, are computed in accordance with 531
accepted loss reserving standards, and are fairly stated in 532
accordance with sound loss reserving principles, shall be 533
prepared and maintained in the office of the pool administrator 534
described in division (A) (2) of this section. The report shall 535
be prepared and maintained on or before the last day of March 536
for the preceding calendar year or, if the joint self-insurance 537
pool's fiscal year is other than a calendar year, not later than 538
ninety days after the close of the pool's fiscal year. 539

The report required by this division shall include, but 540
not be limited to, the aggregate of disbursements made for the 541
administration of the pool, including claims paid, costs of the 542
legal representation of political subdivisions and employees, 543
and fees paid to consultants. 544

The pool administrator described in division (A) (2) of 545
this section shall make the report required by this division 546
available for inspection by any person at all reasonable times 547
during regular business hours, and, upon the request of such 548
person, shall make copies of the report available at cost within 549
a reasonable period of time. ~~The~~ The pool administrator also 550
shall submit a copy of the report to the auditor of state. 551

The report required by this division is in lieu of the 552
records required by division (A) of section 149.431 of the 553

Revised Code. 554

(2) A contract may be awarded, without the necessity of 555
competitive bidding, to any person, political subdivision, 556
nonprofit corporation organized under Chapter 1702. of the 557
Revised Code, or regional council of governments created under 558
Chapter 167. of the Revised Code for purposes of administration 559
of a joint self-insurance pool. No such contract shall be 560
entered into without full, prior, public disclosure of all terms 561
and conditions. Such disclosure shall include, at a minimum, a 562
statement listing all representations made in connection with 563
any possible savings and losses resulting from such contract, 564
and potential liability of any political subdivision or 565
employee. The proposed contract and statement shall be disclosed 566
and presented at a meeting of the political subdivision not less 567
than one week prior to the meeting at which the political 568
subdivision authorizes the contract. 569

(3) A joint self-insurance pool shall include a contract 570
with a member of the American academy of actuaries for the 571
preparation of the written evaluation of the reserve funds 572
required under division (A) (1) of this section. 573

(4) A joint self-insurance pool may allocate the costs of 574
funding the pool among the funds or accounts in the treasuries 575
of the political subdivisions on the basis of their relative 576
exposure and loss experience. A joint self-insurance program may 577
require any deductible under the program to be paid from funds 578
or accounts in the treasury of the political subdivision from 579
which a loss was directly attributable. 580

(B) Two or more political subdivisions may also authorize 581
the establishment and maintenance of a joint risk-management 582
program, including but not limited to the employment of risk 583

managers and consultants, for the purpose of preventing and 584
reducing the risks covered by insurance, self-insurance, or 585
joint self-insurance programs. 586

(C) A political subdivision is not liable under a joint 587
self-insurance pool for any amount in excess of amounts payable 588
pursuant to the written agreement for the participation of the 589
political subdivision in the joint self-insurance pool. Under a 590
joint self-insurance pool agreement a political subdivision may, 591
to the extent permitted under the written agreement, assume the 592
risks of any other political subdivision, including the 593
indemnification of its employees. A joint self-insurance pool, 594
established under this section, is deemed a separate legal 595
entity for the public purpose of enabling the members of the 596
joint self-insurance pool to obtain insurance or to provide for 597
a formalized, jointly administered self-insurance fund for its 598
members. An entity created pursuant to this section is exempt 599
from all state and local taxes. 600

(D) Any political subdivision may issue general obligation 601
bonds, or special obligation bonds which are not payable from 602
real or personal property taxes, and may also issue notes in 603
anticipation of such bonds, pursuant to an ordinance or 604
resolution of its legislative authority or other governing body 605
for the purpose of providing funds to pay judgments, losses, 606
damages, and the expenses of litigation or settlement of claims, 607
whether by way of a reserve or otherwise, and to pay the 608
political subdivision's portion of the cost of establishing and 609
maintaining a joint self-insurance pool or to provide for the 610
reserve in the special fund authorized by division (A) (2) (a) of 611
section 2744.08 of the Revised Code. 612

In its ordinance or resolution authorizing bonds or notes 613

under this section, a political subdivision may elect to issue 614
such bonds or notes under the procedures set forth in Chapter 615
133. of the Revised Code. In the event of such an election, 616
notwithstanding Chapter 133. of the Revised Code, the maturity 617
of the bonds may be for any period authorized in the ordinance 618
or resolution not exceeding twenty years, which period shall be 619
the maximum maturity of the bonds for purposes of section 133.22 620
of the Revised Code. 621

Bonds and notes issued under this section shall not be 622
considered in calculating the net indebtedness of the political 623
subdivision under sections 133.04, 133.05, 133.06, and 133.07 of 624
the Revised Code. Sections 9.98 to 9.983 of the Revised Code 625
apply to bonds or notes authorized under this section. 626

(E) (1) A joint self-insurance pool, in addition to its 627
powers to provide self-insurance against any and all liabilities 628
under this chapter, may also include any one or more of the 629
following forms of property or casualty self-insurance for the 630
purpose of covering any other liabilities or risks of the 631
members of the pool: 632

(a) Public general liability, professional liability, or 633
employees liability; 634

(b) Individual or fleet motor vehicle or automobile 635
liability and protection against other liability and loss 636
associated with the ownership, maintenance, and use of motor 637
vehicles; 638

(c) Aircraft liability and protection against other 639
liability and loss associated with the ownership, maintenance, 640
and use of aircraft; 641

(d) Fidelity, surety, and guarantee; 642

(e) Loss or damage to property and loss of use and 643
occupancy of property by fire, lightning, hail, tempest, flood, 644
earthquake, or snow, explosion, accident, or other risk; 645

(f) Marine, inland transportation and navigation, boiler, 646
containers, pipes, engines, flywheels, elevators, and machinery; 647

(g) Environmental impairment; 648

(h) Loss or damage by any hazard upon any other risk to 649
which political subdivisions are subject, which is not 650
prohibited by statute or at common law from being the subject of 651
casualty or property insurance. 652

(2) A joint self-insurance pool is not an insurance 653
company. Its operation does not constitute doing an insurance 654
business and is not subject to the insurance laws of this state. 655

(F) A public official or employee of a political 656
subdivision who is or becomes a member of the governing body of 657
a joint self-insurance pool in which the political subdivision 658
participates is not in violation of division (D) or (E) of 659
section 102.03, division (C) of section 102.04, or section 660
2921.42 of the Revised Code as a result of the political 661
subdivision's entering under this section into the written 662
agreement to participate in the pool or into any contract with 663
the pool. 664

(G) This section shall not be construed to affect the 665
ability of any political subdivision to self-insure under the 666
authority conferred by any other section of the Revised Code. 667

Sec. 3301.079. (A) (1) The state board of education 668
periodically shall adopt statewide academic standards with 669
emphasis on coherence, focus, and essential knowledge and that 670
are more challenging and demanding when compared to 671

international standards for each of grades kindergarten through 672
twelve in English language arts, mathematics, science, and 673
social studies. 674

(a) The state board shall ensure that the standards do all 675
of the following: 676

(i) Include the essential academic content and skills that 677
students are expected to know and be able to do at each grade 678
level that will allow each student to be prepared for 679
postsecondary instruction and the workplace for success in the 680
twenty-first century; 681

(ii) Include the development of skill sets that promote 682
information, media, and technological literacy; 683

(iii) Include interdisciplinary, project-based, real-world 684
learning opportunities; 685

(iv) Instill life-long learning by providing essential 686
knowledge and skills based in the liberal arts tradition, as 687
well as science, technology, engineering, mathematics, and 688
career-technical education; 689

(v) Be clearly written, transparent, and understandable by 690
parents, educators, and the general public. 691

(b) Not later than July 1, 2012, the state board shall 692
incorporate into the social studies standards for grades four to 693
twelve academic content regarding the original texts of the 694
Declaration of Independence, the Northwest Ordinance, the 695
Constitution of the United States and its amendments, with 696
emphasis on the Bill of Rights, and the Ohio Constitution, and 697
their original context. The state board shall revise the model 698
curricula and achievement assessments adopted under divisions 699
(B) and (C) of this section as necessary to reflect the 700

additional American history and American government content. The 701
state board shall make available a list of suggested grade- 702
appropriate supplemental readings that place the documents 703
prescribed by this division in their historical context, which 704
teachers may use as a resource to assist students in reading the 705
documents within that context. 706

(c) When the state board adopts or revises academic 707
content standards in social studies, American history, American 708
government, or science under division (A) (1) of this section, 709
the state board shall develop such standards independently and 710
not as part of a multistate consortium. 711

(2) After completing the standards required by division 712
(A) (1) of this section, the state board shall adopt standards 713
and model curricula for instruction in technology, financial 714
literacy and entrepreneurship, fine arts, and foreign language 715
for grades kindergarten through twelve. The standards shall meet 716
the same requirements prescribed in division (A) (1) (a) of this 717
section. 718

(3) The state board shall adopt the most recent standards 719
developed by the national association for sport and physical 720
education for physical education in grades kindergarten through 721
twelve or shall adopt its own standards for physical education 722
in those grades and revise and update them periodically. 723

The department of education shall employ a full-time 724
physical education coordinator to provide guidance and technical 725
assistance to districts, community schools, and STEM schools in 726
implementing the physical education standards adopted under this 727
division. The superintendent of public instruction shall 728
determine that the person employed as coordinator is qualified 729
for the position, as demonstrated by possessing an adequate 730

combination of education, license, and experience. 731

(4) When academic standards have been completed for any 732
subject area required by this section, the state board shall 733
inform all school districts, all community schools established 734
under Chapter 3314. of the Revised Code, all STEM schools 735
established under Chapter 3326. of the Revised Code, and all 736
nonpublic schools required to administer the assessments 737
prescribed by sections 3301.0710 and 3301.0712 of the Revised 738
Code of the content of those standards. Additionally, upon 739
completion of any academic standards under this section, the 740
department shall post those standards on the department's web 741
site. 742

(B) (1) The state board shall adopt a model curriculum for 743
instruction in each subject area for which updated academic 744
standards are required by division (A) (1) of this section and 745
for each of grades kindergarten through twelve that is 746
sufficient to meet the needs of students in every community. The 747
model curriculum shall be aligned with the standards, to ensure 748
that the academic content and skills specified for each grade 749
level are taught to students, and shall demonstrate vertical 750
articulation and emphasize coherence, focus, and rigor. When any 751
model curriculum has been completed, the state board shall 752
inform all school districts, community schools, and STEM schools 753
of the content of that model curriculum. 754

(2) Not later than June 30, 2013, the state board, in 755
consultation with any office housed in the governor's office 756
that deals with workforce development, shall adopt model 757
curricula for grades kindergarten through twelve that embed 758
career connection learning strategies into regular classroom 759
instruction. 760

(3) All school districts, community schools, and STEM schools may utilize the state standards and the model curriculum established by the state board, together with other relevant resources, examples, or models to ensure that students have the opportunity to attain the academic standards. Upon request, the department shall provide technical assistance to any district, community school, or STEM school in implementing the model curriculum.

Nothing in this section requires any school district to utilize all or any part of a model curriculum developed under this section.

(C) The state board shall develop achievement assessments aligned with the academic standards and model curriculum for each of the subject areas and grade levels required by divisions (A) (1) and (B) (1) of section 3301.0710 of the Revised Code.

When any achievement assessment has been completed, the state board shall inform all school districts, community schools, STEM schools, and nonpublic schools required to administer the assessment of its completion, and the department shall make the achievement assessment available to the districts and schools.

(D) (1) The state board shall adopt a diagnostic assessment aligned with the academic standards and model curriculum for each of grades kindergarten through two in reading, writing, and mathematics and for grade three in reading and writing. The diagnostic assessment shall be designed to measure student comprehension of academic content and mastery of related skills for the relevant subject area and grade level. Any diagnostic assessment shall not include components to identify gifted students. Blank copies of diagnostic assessments shall be public

records. 791

(2) When each diagnostic assessment has been completed, 792
the state board shall inform all school districts of its 793
completion and the department shall make the diagnostic 794
assessment available to the districts at no cost to the 795
district. ~~School~~ 796

(3) School districts shall administer the diagnostic 797
assessment pursuant to section 3301.0715 of the Revised Code 798
beginning the first school year following the development of the 799
assessment. 800

However, beginning with the 2017-2018 school year, both of 801
the following shall apply: 802

(a) In the case of the diagnostic assessments for grades 803
one or two in writing or mathematics or for grade three in 804
writing, a school district shall not be required to administer 805
any such assessment, but may do so at the discretion of the 806
district board; 807

(b) In the case of any diagnostic assessment that is not 808
for the grade levels and subject areas specified in division (D) 809
(3)(a) of this section, each school district shall administer 810
the assessment in the manner prescribed by section 3301.0715 of 811
the Revised Code. 812

(E) The state board shall not adopt a diagnostic or 813
achievement assessment for any grade level or subject area other 814
than those specified in this section. 815

(F) Whenever the state board or the department consults 816
with persons for the purpose of drafting or reviewing any 817
standards, diagnostic assessments, achievement assessments, or 818
model curriculum required under this section, the state board or 819

the department shall first consult with parents of students in 820
kindergarten through twelfth grade and with active Ohio 821
classroom teachers, other school personnel, and administrators 822
with expertise in the appropriate subject area. Whenever 823
practicable, the state board and department shall consult with 824
teachers recognized as outstanding in their fields. 825

If the department contracts with more than one outside 826
entity for the development of the achievement assessments 827
required by this section, the department shall ensure the 828
interchangeability of those assessments. 829

(G) Whenever the state board adopts standards or model 830
curricula under this section, the department also shall provide 831
information on the use of blended or digital learning in the 832
delivery of the standards or curricula to students in accordance 833
with division (A) (4) of this section. 834

(H) The fairness sensitivity review committee, established 835
by rule of the state board of education, shall not allow any 836
question on any achievement or diagnostic assessment developed 837
under this section or any proficiency test prescribed by former 838
section 3301.0710 of the Revised Code, as it existed prior to 839
September 11, 2001, to include, be written to promote, or 840
inquire as to individual moral or social values or beliefs. The 841
decision of the committee shall be final. This section does not 842
create a private cause of action. 843

(I) (1) (a) The English language arts academic standards 844
review committee is hereby created to review academic content 845
standards in the subject of English language arts. The committee 846
shall consist of the following members: 847

(i) Three experts who are residents of this state and who 848

primarily conduct research, provide instruction, currently work 849
in, or possess an advanced degree in the subject area. One 850
expert shall be appointed by each of the president of the 851
senate, the speaker of the house of representatives, and the 852
governor; 853

(ii) One parent or guardian appointed by the president of 854
the senate; 855

(iii) One educator who is currently teaching in a 856
classroom, appointed by the speaker of the house of 857
representatives; 858

(iv) The chancellor of the Ohio board of regents, or the 859
chancellor's designee; 860

(v) The state superintendent, or the superintendent's 861
designee, who shall serve as the chairperson of the committee. 862

(b) The mathematics academic standards review committee is 863
hereby created to review academic content standards in the 864
subject of mathematics. The committee shall consist of the 865
following members: 866

(i) Three experts who are residents of this state and who 867
primarily conduct research, provide instruction, currently work 868
in, or possess an advanced degree in the subject area. One 869
expert shall be appointed by each of the president of the 870
senate, the speaker of the house of representatives, and the 871
governor; 872

(ii) One parent or guardian appointed by the speaker of 873
the house of representatives; 874

(iii) One educator who is currently teaching in a 875
classroom, appointed by the president of the senate; 876

- (iv) The chancellor, or the chancellor's designee; 877
- (v) The state superintendent, or the superintendent's 878
designee, who shall serve as the chairperson of the committee. 879
- (c) The science academic standards review committee is 880
hereby created to review academic content standards in the 881
subject of science. The committee shall consist of the following 882
members: 883
- (i) Three experts who are residents of this state and who 884
primarily conduct research, provide instruction, currently work 885
in, or possess an advanced degree in the subject area. One 886
expert shall be appointed by each of the president of the 887
senate, the speaker of the house of representatives, and the 888
governor; 889
- (ii) One parent or guardian appointed by the president of 890
the senate; 891
- (iii) One educator who is currently teaching in a 892
classroom, appointed by the speaker of the house of 893
representatives; 894
- (iv) The chancellor, or the chancellor's designee; 895
- (v) The state superintendent, or the superintendent's 896
designee, who shall serve as the chairperson of the committee. 897
- (d) The social studies academic standards review committee 898
is hereby created to review academic content standards in the 899
subject of social studies. The committee shall consist of the 900
following members: 901
- (i) Three experts who are residents of this state and who 902
primarily conduct research, provide instruction, currently work 903
in, or possess an advanced degree in the subject area. One 904

expert shall be appointed by each of the president of the senate, the speaker of the house of representatives, and the governor;

(ii) One parent or guardian appointed by the speaker of the house of representatives;

(iii) One educator who is currently teaching in a classroom, appointed by the president of the senate;

(iv) The chancellor, or the chancellor's designee;

(v) The state superintendent, or the superintendent's designee, who shall serve as the chairperson of the committee.

(2) (a) Each committee created in division (I) (1) of this section shall review the academic content standards for its respective subject area to ensure that such standards are clear, concise, and appropriate for each grade level and promote higher student performance, learning, subject matter comprehension, and improved student achievement. Each committee also shall review whether the standards for its respective subject area promote essential knowledge in the subject, lifelong learning, the liberal arts tradition, and college and career readiness and whether the standards reduce remediation.

(b) Each committee shall determine whether the assessments submitted to that committee under division (I) (4) of this section are appropriate for the committee's respective subject area and meet the academic content standards adopted under this section and community expectations.

(3) The department of education shall provide administrative support for each committee created in division (I) (1) of this section. Members of each committee shall be reimbursed for reasonable and necessary expenses related to the

operations of the committee. Members of each committee shall 934
serve at the pleasure of the appointing authority. 935

(4) Notwithstanding anything to the contrary in division 936
(O) of section 3301.0711 of the Revised Code, the department 937
shall submit to the appropriate committee created under division 938
(I) (1) of this section copies of the questions and corresponding 939
answers on the relevant assessments required by section 940
3301.0710 of the Revised Code on the first day of July following 941
the school year that the assessments were administered. The 942
department shall provide each committee with the entire content 943
of each relevant assessment, including corresponding answers. 944

The assessments received by the committees are not public 945
records of the committees and are not subject to release by the 946
committees to any other person or entity under section 149.43 of 947
the Revised Code. However, the assessments shall become public 948
records in accordance with division (O) of section 3301.0711 of 949
the Revised Code. 950

(J) Not later than sixty days prior to the adoption by the 951
state board of updated academic standards under division (A) (1) 952
of this section or updated model curricula under division (B) (1) 953
of this section, the superintendent of public instruction shall 954
present the academic standards or model curricula, as 955
applicable, in person at a public hearing of the respective 956
committees of the house of representatives and senate that 957
consider education legislation. 958

(K) As used in this section: 959

(1) "Blended learning" means the delivery of instruction 960
in a combination of time in a supervised physical location away 961
from home and online delivery whereby the student has some 962

element of control over time, place, path, or pace of learning. 963

(2) "Coherence" means a reflection of the structure of the 964
discipline being taught. 965

(3) "Digital learning" means learning facilitated by 966
technology that gives students some element of control over 967
time, place, path, or pace of learning. 968

(4) "Focus" means limiting the number of items included in 969
a curriculum to allow for deeper exploration of the subject 970
matter. 971

(5) "Vertical articulation" means key academic concepts 972
and skills associated with mastery in particular content areas 973
should be articulated and reinforced in a developmentally 974
appropriate manner at each grade level so that over time 975
students acquire a depth of knowledge and understanding in the 976
core academic disciplines. 977

Sec. 3301.0711. (A) The department of education shall: 978

(1) Annually furnish to, grade, and score all assessments 979
required by divisions (A) (1) and (B) (1) of section 3301.0710 of 980
the Revised Code to be administered by city, local, exempted 981
village, and joint vocational school districts, except that each 982
district shall score any assessment administered pursuant to 983
division (B) (10) of this section. Each assessment so furnished 984
shall include the data verification code of the student to whom 985
the assessment will be administered, as assigned pursuant to 986
division (D) (2) of section 3301.0714 of the Revised Code. In 987
furnishing the practice versions of Ohio graduation tests 988
prescribed by division (D) of section 3301.0710 of the Revised 989
Code, the department shall make the tests available on its web 990
site for reproduction by districts. In awarding contracts for 991

grading assessments, the department shall give preference to 992
Ohio-based entities employing Ohio residents. 993

(2) Adopt rules for the ethical use of assessments and 994
prescribing the manner in which the assessments prescribed by 995
section 3301.0710 of the Revised Code shall be administered to 996
students. 997

(B) Except as provided in divisions (C) and (J) of this 998
section, the board of education of each city, local, and 999
exempted village school district shall, in accordance with rules 1000
adopted under division (A) of this section: 1001

(1) Administer the English language arts assessments 1002
prescribed under division (A) (1) (a) of section 3301.0710 of the 1003
Revised Code twice annually to all students in the third grade 1004
who have not attained the score designated for that assessment 1005
under division (A) (2) (c) of section 3301.0710 of the Revised 1006
Code. 1007

(2) Administer the mathematics assessment prescribed under 1008
division (A) (1) (a) of section 3301.0710 of the Revised Code at 1009
least once annually to all students in the third grade. 1010

(3) Administer the assessments prescribed under division 1011
(A) (1) (b) of section 3301.0710 of the Revised Code at least once 1012
annually to all students in the fourth grade. 1013

(4) Administer the assessments prescribed under division 1014
(A) (1) (c) of section 3301.0710 of the Revised Code at least once 1015
annually to all students in the fifth grade. 1016

(5) Administer the assessments prescribed under division 1017
(A) (1) (d) of section 3301.0710 of the Revised Code at least once 1018
annually to all students in the sixth grade. 1019

(6) Administer the assessments prescribed under division 1020
(A) (1) (e) of section 3301.0710 of the Revised Code at least once 1021
annually to all students in the seventh grade. 1022

(7) Administer the assessments prescribed under division 1023
(A) (1) (f) of section 3301.0710 of the Revised Code at least once 1024
annually to all students in the eighth grade. 1025

(8) Except as provided in division (B) (9) of this section, 1026
administer any assessment prescribed under division (B) (1) of 1027
section 3301.0710 of the Revised Code as follows: 1028

(a) At least once annually to all tenth grade students and 1029
at least twice annually to all students in eleventh or twelfth 1030
grade who have not yet attained the score on that assessment 1031
designated under that division; 1032

(b) To any person who has successfully completed the 1033
curriculum in any high school or the individualized education 1034
program developed for the person by any high school pursuant to 1035
section 3323.08 of the Revised Code but has not received a high 1036
school diploma and who requests to take such assessment, at any 1037
time such assessment is administered in the district. 1038

(9) In lieu of the board of education of any city, local, 1039
or exempted village school district in which the student is also 1040
enrolled, the board of a joint vocational school district shall 1041
administer any assessment prescribed under division (B) (1) of 1042
section 3301.0710 of the Revised Code at least twice annually to 1043
any student enrolled in the joint vocational school district who 1044
has not yet attained the score on that assessment designated 1045
under that division. A board of a joint vocational school 1046
district may also administer such an assessment to any student 1047
described in division (B) (8) (b) of this section. 1048

(10) If the district has a three-year average graduation rate of not more than seventy-five per cent, administer each assessment prescribed by division (D) of section 3301.0710 of the Revised Code in September to all ninth grade students who entered ninth grade prior to July 1, 2014.

Except as provided in section 3313.614 of the Revised Code for administration of an assessment to a person who has fulfilled the curriculum requirement for a high school diploma but has not passed one or more of the required assessments, the assessments prescribed under division (B) (1) of section 3301.0710 of the Revised Code shall not be administered after the date specified in the rules adopted by the state board of education under division (D) (1) of section 3301.0712 of the Revised Code.

~~(11) Administer~~ (a) Except as provided in division (B) (11) (b) of this section, administer the assessments prescribed by division (B) (2) of section 3301.0710 and section 3301.0712 of the Revised Code in accordance with the timeline and plan for implementation of those assessments prescribed by rule of the state board adopted under division (D) (1) of section 3301.0712 of the Revised Code;

(b) A student who has presented evidence to the district or school of having satisfied the condition prescribed by division (A) (1) of section 3313.618 of the Revised Code to qualify for a high school diploma prior to the date of the administration of the assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code shall not be required to take that assessment. However, no board shall prohibit a student who is not required to take such assessment from taking the assessment.

(C) (1) (a) In the case of a student receiving special 1079
education services under Chapter 3323. of the Revised Code, the 1080
individualized education program developed for the student under 1081
that chapter shall specify the manner in which the student will 1082
participate in the assessments administered under this section, 1083
except that a student with significant cognitive disabilities to 1084
whom an alternate assessment is administered in accordance with 1085
division (C) (1) of this section and a student determined to have 1086
a disability that includes an intellectual disability as 1087
outlined in guidance issued by the department shall not be 1088
required to take the assessment prescribed under division (B) (1) 1089
of section 3301.0712 of the Revised Code. The individualized 1090
education program may excuse the student from taking any 1091
particular assessment required to be administered under this 1092
section if it instead specifies an alternate assessment method 1093
approved by the department of education as conforming to 1094
requirements of federal law for receipt of federal funds for 1095
disadvantaged pupils. To the extent possible, the individualized 1096
education program shall not excuse the student from taking an 1097
assessment unless no reasonable accommodation can be made to 1098
enable the student to take the assessment. No board shall 1099
prohibit a student who is not required to take an assessment 1100
under division (C) (1) of this section from taking the 1101
assessment. 1102

(b) Any alternate assessment approved by the department 1103
for a student under this division shall produce measurable 1104
results comparable to those produced by the assessment it 1105
replaces in order to allow for the student's results to be 1106
included in the data compiled for a school district or building 1107
under section 3302.03 of the Revised Code. 1108

(c) (i) Any student enrolled in a chartered nonpublic 1109

school who has been identified, based on an evaluation conducted 1110
in accordance with section 3323.03 of the Revised Code or 1111
section 504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 1112
29 U.S.C.A. 794, as amended, as a child with a disability shall 1113
be excused from taking any particular assessment required to be 1114
administered under this section if a plan developed for the 1115
student pursuant to rules adopted by the state board excuses the 1116
student from taking that assessment. ~~fn~~ 1117

(ii) A student with significant cognitive disabilities to 1118
whom an alternate assessment is administered in accordance with 1119
division (C)(1) of this section and a student determined to have 1120
a disability that includes an intellectual disability as 1121
outlined in guidance issued by the department shall not be 1122
required to take the assessment prescribed under division (B)(1) 1123
of section 3301.0712 of the Revised Code. 1124

(iii) In the case of any student so excused from taking an 1125
assessment under division (C)(1)(c) of this section, the 1126
chartered nonpublic school shall not prohibit the student from 1127
taking the assessment. 1128

(2) A district board may, for medical reasons or other 1129
good cause, excuse a student from taking an assessment 1130
administered under this section on the date scheduled, but that 1131
assessment shall be administered to the excused student not 1132
later than nine days following the scheduled date. The district 1133
board shall annually report the number of students who have not 1134
taken one or more of the assessments required by this section to 1135
the state board not later than the thirtieth day of June. 1136

(3) As used in this division, "limited English proficient 1137
student" has the same meaning as in 20 U.S.C. 7801. 1138

No school district board shall excuse any limited English
proficient student from taking any particular assessment
required to be administered under this section, except ~~that any~~
as follows:

(a) Any limited English proficient student who has been
enrolled in United States schools for less than two years and
for whom no appropriate accommodations are available based on
guidance issued by the department shall not be required to take
the assessment prescribed under division (B)(1) of section
3301.0712 of the Revised Code.

(b) Any limited English proficient student who has been
enrolled in United States schools for less than one full school
year shall not be required to take any reading, writing, or
English language arts assessment. ~~However~~

However, no board shall prohibit a limited English
proficient student who is not required to take an assessment
under ~~this~~ division (C)(3) of this section from taking the
assessment. A board may permit any limited English proficient
student to take an assessment required to be administered under
this section with appropriate accommodations, as determined by
the department. For each limited English proficient student,
each school district shall annually assess that student's
progress in learning English, in accordance with procedures
approved by the department.

(4) (a) The governing authority of a chartered nonpublic
school may excuse a limited English proficient student from
taking any assessment administered under this section. ~~However,~~
~~no~~

(b) No governing authority shall require a limited English

proficient student who has been enrolled in United States 1168
schools for less than two years and for whom no appropriate 1169
accommodations are available based on guidance issued by the 1170
department to take the assessment prescribed under division (B) 1171
(1) of section 3301.0712 of the Revised Code. 1172

(c) No governing authority shall prohibit a limited 1173
English proficient student from taking ~~the~~ an assessment from 1174
which the student was excused under division (C) (4) of this 1175
section. 1176

(D) (1) In the school year next succeeding the school year 1177
in which the assessments prescribed by division (A) (1) or (B) (1) 1178
of section 3301.0710 of the Revised Code or former division (A) 1179
(1), (A) (2), or (B) of section 3301.0710 of the Revised Code as 1180
it existed prior to September 11, 2001, are administered to any 1181
student, the board of education of any school district in which 1182
the student is enrolled in that year shall provide to the 1183
student intervention services commensurate with the student's 1184
performance, including any intensive intervention required under 1185
section 3313.608 of the Revised Code, in any skill in which the 1186
student failed to demonstrate at least a score at the proficient 1187
level on the assessment. 1188

(2) Following any administration of the assessments 1189
prescribed by division (D) of section 3301.0710 of the Revised 1190
Code to ninth grade students, each school district that has a 1191
three-year average graduation rate of not more than seventy-five 1192
per cent shall determine for each high school in the district 1193
whether the school shall be required to provide intervention 1194
services to any students who took the assessments. In 1195
determining which high schools shall provide intervention 1196
services based on the resources available, the district shall 1197

consider each school's graduation rate and scores on the 1198
practice assessments. The district also shall consider the 1199
scores received by ninth grade students on the English language 1200
arts and mathematics assessments prescribed under division (A) 1201
(1)(f) of section 3301.0710 of the Revised Code in the eighth 1202
grade in determining which high schools shall provide 1203
intervention services. 1204

Each high school selected to provide intervention services 1205
under this division shall provide intervention services to any 1206
student whose results indicate that the student is failing to 1207
make satisfactory progress toward being able to attain scores at 1208
the proficient level on the Ohio graduation tests. Intervention 1209
services shall be provided in any skill in which a student 1210
demonstrates unsatisfactory progress and shall be commensurate 1211
with the student's performance. Schools shall provide the 1212
intervention services prior to the end of the school year, 1213
during the summer following the ninth grade, in the next 1214
succeeding school year, or at any combination of those times. 1215

(E) Except as provided in section 3313.608 of the Revised 1216
Code and division (N) of this section, no school district board 1217
of education shall utilize any student's failure to attain a 1218
specified score on an assessment administered under this section 1219
as a factor in any decision to deny the student promotion to a 1220
higher grade level. However, a district board may choose not to 1221
promote to the next grade level any student who does not take an 1222
assessment administered under this section or make up an 1223
assessment as provided by division (C)(2) of this section and 1224
who is not exempt from the requirement to take the assessment 1225
under division (C)(3) of this section. 1226

(F) No person shall be charged a fee for taking any 1227

assessment administered under this section. 1228

(G) (1) Each school district board shall designate one 1229
location for the collection of assessments administered in the 1230
spring under division (B) (1) of this section and those 1231
administered under divisions (B) (2) to (7) of this section. Each 1232
district board shall submit the assessments to the entity with 1233
which the department contracts for the scoring of the 1234
assessments as follows: 1235

(a) If the district's total enrollment in grades 1236
kindergarten through twelve during the first full school week of 1237
October was less than two thousand five hundred, not later than 1238
the Friday after all of the assessments have been administered; 1239

(b) If the district's total enrollment in grades 1240
kindergarten through twelve during the first full school week of 1241
October was two thousand five hundred or more, but less than 1242
seven thousand, not later than the Monday after all of the 1243
assessments have been administered; 1244

(c) If the district's total enrollment in grades 1245
kindergarten through twelve during the first full school week of 1246
October was seven thousand or more, not later than the Tuesday 1247
after all of the assessments have been administered. 1248

However, any assessment that a student takes during the 1249
make-up period described in division (C) (2) of this section 1250
shall be submitted not later than the Friday following the day 1251
the student takes the assessment. 1252

(2) The department or an entity with which the department 1253
contracts for the scoring of the assessment shall send to each 1254
school district board a list of the individual scores of all 1255
persons taking a state achievement assessment as follows: 1256

(a) Except as provided in division (G) (2) (b) or (c) of 1257
this section, within forty-five days after the administration of 1258
the assessments prescribed by sections 3301.0710 and 3301.0712 1259
of the Revised Code, but in no case shall the scores be returned 1260
later than the thirtieth day of June following the 1261
administration; 1262

(b) In the case of the third-grade English language arts 1263
assessment, within forty-five days after the administration of 1264
that assessment, but in no case shall the scores be returned 1265
later than the fifteenth day of June following the 1266
administration; 1267

(c) In the case of the writing component of an assessment 1268
or end-of-course examination in the area of English language 1269
arts, except for the third-grade English language arts 1270
assessment, the results may be sent after forty-five days of the 1271
administration of the writing component, but in no case shall 1272
the scores be returned later than the thirtieth day of June 1273
following the administration. 1274

(3) For assessments administered under this section by a 1275
joint vocational school district, the department or entity shall 1276
also send to each city, local, or exempted village school 1277
district a list of the individual scores of any students of such 1278
city, local, or exempted village school district who are 1279
attending school in the joint vocational school district. 1280

(H) Individual scores on any assessments administered 1281
under this section shall be released by a district board only in 1282
accordance with section 3319.321 of the Revised Code and the 1283
rules adopted under division (A) of this section. No district 1284
board or its employees shall utilize individual or aggregate 1285
results in any manner that conflicts with rules for the ethical 1286

use of assessments adopted pursuant to division (A) of this section. 1287
1288

(I) Except as provided in division (G) of this section, 1289
the department or an entity with which the department contracts 1290
for the scoring of the assessment shall not release any 1291
individual scores on any assessment administered under this 1292
section. The state board shall adopt rules to ensure the 1293
protection of student confidentiality at all times. The rules 1294
may require the use of the data verification codes assigned to 1295
students pursuant to division (D) (2) of section 3301.0714 of the 1296
Revised Code to protect the confidentiality of student scores. 1297

(J) Notwithstanding division (D) of section 3311.52 of the 1298
Revised Code, this section does not apply to the board of 1299
education of any cooperative education school district except as 1300
provided under rules adopted pursuant to this division. 1301

(1) In accordance with rules that the state board shall 1302
adopt, the board of education of any city, exempted village, or 1303
local school district with territory in a cooperative education 1304
school district established pursuant to divisions (A) to (C) of 1305
section 3311.52 of the Revised Code may enter into an agreement 1306
with the board of education of the cooperative education school 1307
district for administering any assessment prescribed under this 1308
section to students of the city, exempted village, or local 1309
school district who are attending school in the cooperative 1310
education school district. 1311

(2) In accordance with rules that the state board shall 1312
adopt, the board of education of any city, exempted village, or 1313
local school district with territory in a cooperative education 1314
school district established pursuant to section 3311.521 of the 1315
Revised Code shall enter into an agreement with the cooperative 1316

district that provides for the administration of any assessment 1317
prescribed under this section to both of the following: 1318

(a) Students who are attending school in the cooperative 1319
district and who, if the cooperative district were not 1320
established, would be entitled to attend school in the city, 1321
local, or exempted village school district pursuant to section 1322
3313.64 or 3313.65 of the Revised Code; 1323

(b) Persons described in division (B) (8) (b) of this 1324
section. 1325

Any assessment of students pursuant to such an agreement 1326
shall be in lieu of any assessment of such students or persons 1327
pursuant to this section. 1328

(K) (1) Except as otherwise provided in division (K) (1) or 1329
(2) of this section, each chartered nonpublic school for which 1330
at least sixty-five per cent of its total enrollment is made up 1331
of students who are participating in state scholarship programs 1332
shall administer the elementary assessments prescribed by 1333
section 3301.0710 of the Revised Code. In accordance with 1334
procedures and deadlines prescribed by the department, the 1335
parent or guardian of a student enrolled in the school who is 1336
not participating in a state scholarship program may submit 1337
notice to the chief administrative officer of the school that 1338
the parent or guardian does not wish to have the student take 1339
the elementary assessments prescribed for the student's grade 1340
level under division (A) of section 3301.0710 of the Revised 1341
Code. If a parent or guardian submits an opt-out notice, the 1342
school shall not administer the assessments to that student. 1343
This option does not apply to any assessment required for a high 1344
school diploma under section 3313.612 of the Revised Code. 1345

(2) A chartered nonpublic school may submit to the 1346
superintendent of public instruction a request for a waiver from 1347
administering the elementary assessments prescribed by division 1348
(A) of section 3301.0710 of the Revised Code. The state 1349
superintendent shall approve or disapprove a request for a 1350
waiver submitted under division (K) (2) of this section. No 1351
waiver shall be approved for any school year prior to the 2015- 1352
2016 school year. 1353

To be eligible to submit a request for a waiver, a 1354
chartered nonpublic school shall meet the following conditions: 1355

(a) At least ninety-five per cent of the students enrolled 1356
in the school are children with disabilities, as defined under 1357
section 3323.01 of the Revised Code, or have received a 1358
diagnosis by a school district or from a physician, including a 1359
neuropsychiatrist or psychiatrist, or a psychologist who is 1360
authorized to practice in this or another state as having a 1361
condition that impairs academic performance, such as dyslexia, 1362
dyscalculia, attention deficit hyperactivity disorder, or 1363
Asperger's syndrome. 1364

(b) The school has solely served a student population 1365
described in division (K) (1) (a) of this section for at least ten 1366
years. 1367

(c) The school provides to the department at least five 1368
years of records of internal testing conducted by the school 1369
that affords the department data required for accountability 1370
purposes, including diagnostic assessments and nationally 1371
standardized norm-referenced achievement assessments that 1372
measure reading and math skills. 1373

(3) Any chartered nonpublic school that is not subject to 1374

division (K) (1) of this section may participate in the 1375
assessment program by administering any of the assessments 1376
prescribed by division (A) of section 3301.0710 of the Revised 1377
Code. The chief administrator of the school shall specify which 1378
assessments the school will administer. Such specification shall 1379
be made in writing to the superintendent of public instruction 1380
prior to the first day of August of any school year in which 1381
assessments are administered and shall include a pledge that the 1382
nonpublic school will administer the specified assessments in 1383
the same manner as public schools are required to do under this 1384
section and rules adopted by the department. 1385

(4) The department of education shall furnish the 1386
assessments prescribed by section 3301.0710 of the Revised Code 1387
to each chartered nonpublic school that is subject to division 1388
(K) (1) of this section or participates under division (K) (3) of 1389
this section. 1390

(L) If a chartered nonpublic school is educating students 1391
in grades nine through twelve, the following shall apply: 1392

(1) For a student who is enrolled in a chartered nonpublic 1393
school that is accredited through the independent schools 1394
association of the central states and who is attending the 1395
school under a state scholarship program, the student shall 1396
either take all of the assessments prescribed by division (B) of 1397
section 3301.0712 of the Revised Code or take an alternative 1398
assessment approved by the department under section 3313.619 of 1399
the Revised Code. However, a student who is excused from taking 1400
an assessment under division (C) of this section or has 1401
presented evidence to the chartered nonpublic school of having 1402
satisfied the condition prescribed by division (A) (1) of section 1403
3313.618 of the Revised Code to qualify for a high school 1404

diploma prior to the date of the administration of the 1405
assessment prescribed under division (B) (1) of section 3301.0712 1406
of the Revised Code shall not be required to take that 1407
assessment. No governing authority of a chartered nonpublic 1408
school shall prohibit a student who is not required to take such 1409
assessment from taking the assessment. 1410

(2) For a student who is enrolled in a chartered nonpublic 1411
school that is accredited through the independent schools 1412
association of the central states, and who is not attending the 1413
school under a state scholarship program, the student shall not 1414
be required to take any assessment prescribed under section 1415
3301.0712 or 3313.619 of the Revised Code. 1416

(3) ~~For~~ (a) Except as provided in division (L) (3) (b) of 1417
this section, for a student who is enrolled in a chartered 1418
nonpublic school that is not accredited through the independent 1419
schools association of the central states, regardless of whether 1420
the student is attending or is not attending the school under a 1421
state scholarship program, the student shall do one of the 1422
following: 1423

~~(a)~~ (i) Take all of the assessments prescribed by division 1424
(B) of section 3301.0712 of the Revised Code; 1425

~~(b)~~ (ii) Take only the assessment prescribed by division 1426
(B) (1) of section 3301.0712 of the Revised Code, provided that 1427
the student's school publishes the results of that assessment 1428
for each graduating class. The published results of that 1429
assessment shall include the overall composite scores, mean 1430
scores, twenty-fifth percentile scores, and seventy-fifth 1431
percentile scores for each subject area of the assessment. 1432

~~(c)~~ (iii) Take an alternative assessment approved by the 1433

department under section 3313.619 of the Revised Code. 1434

(b) A student who is excused from taking an assessment 1435
under division (C) of this section or has presented evidence to 1436
the chartered nonpublic school of having satisfied the condition 1437
prescribed by division (A) (1) of section 3313.618 of the Revised 1438
Code to qualify for a high school diploma prior to the date of 1439
the administration of the assessment prescribed under division 1440
(B) (1) of section 3301.0712 of the Revised Code shall not be 1441
required to take that assessment. No governing authority of a 1442
chartered nonpublic school shall prohibit a student who is not 1443
required to take such assessment from taking the assessment. 1444

(M) (1) The superintendent of the state school for the 1445
blind and the superintendent of the state school for the deaf 1446
shall administer the assessments described by sections 3301.0710 1447
and 3301.0712 of the Revised Code. Each superintendent shall 1448
administer the assessments in the same manner as district boards 1449
are required to do under this section and rules adopted by the 1450
department of education and in conformity with division (C) (1) 1451
(a) of this section. 1452

(2) The department of education shall furnish the 1453
assessments described by sections 3301.0710 and 3301.0712 of the 1454
Revised Code to each superintendent. 1455

(N) Notwithstanding division (E) of this section, a school 1456
district may use a student's failure to attain a score in at 1457
least the proficient range on the mathematics assessment 1458
described by division (A) (1) (a) of section 3301.0710 of the 1459
Revised Code or on an assessment described by division (A) (1) 1460
(b), (c), (d), (e), or (f) of section 3301.0710 of the Revised 1461
Code as a factor in retaining that student in the current grade 1462
level. 1463

(O) (1) In the manner specified in divisions (O) (3), (4), 1464
and (6) of this section, the assessments required by division 1465
(A) (1) of section 3301.0710 of the Revised Code shall become 1466
public records pursuant to section 149.43 of the Revised Code on 1467
the thirty-first day of July following the school year that the 1468
assessments were administered. 1469

(2) The department may field test proposed questions with 1470
samples of students to determine the validity, reliability, or 1471
appropriateness of questions for possible inclusion in a future 1472
year's assessment. The department also may use anchor questions 1473
on assessments to ensure that different versions of the same 1474
assessment are of comparable difficulty. 1475

Field test questions and anchor questions shall not be 1476
considered in computing scores for individual students. Field 1477
test questions and anchor questions may be included as part of 1478
the administration of any assessment required by division (A) (1) 1479
or (B) of section 3301.0710 and division (B) of section 1480
3301.0712 of the Revised Code. 1481

(3) Any field test question or anchor question 1482
administered under division (O) (2) of this section shall not be 1483
a public record. Such field test questions and anchor questions 1484
shall be redacted from any assessments which are released as a 1485
public record pursuant to division (O) (1) of this section. 1486

(4) This division applies to the assessments prescribed by 1487
division (A) of section 3301.0710 of the Revised Code. 1488

(a) The first administration of each assessment, as 1489
specified in former section 3301.0712 of the Revised Code, shall 1490
be a public record. 1491

(b) For subsequent administrations of each assessment 1492

prior to the 2011-2012 school year, not less than forty per cent 1493
of the questions on the assessment that are used to compute a 1494
student's score shall be a public record. The department shall 1495
determine which questions will be needed for reuse on a future 1496
assessment and those questions shall not be public records and 1497
shall be redacted from the assessment prior to its release as a 1498
public record. However, for each redacted question, the 1499
department shall inform each city, local, and exempted village 1500
school district of the statewide academic standard adopted by 1501
the state board under section 3301.079 of the Revised Code and 1502
the corresponding benchmark to which the question relates. The 1503
preceding sentence does not apply to field test questions that 1504
are redacted under division (O) (3) of this section. 1505

(c) The administrations of each assessment in the 2011- 1506
2012, 2012-2013, and 2013-2014 school years shall not be a 1507
public record. 1508

(5) Each assessment prescribed by division (B) (1) of 1509
section 3301.0710 of the Revised Code shall not be a public 1510
record. 1511

(6) Beginning with the spring administration for the 2014- 1512
2015 school year, questions on the assessments prescribed under 1513
division (A) of section 3301.0710 and division (B) (2) of section 1514
3301.0712 of the Revised Code and the corresponding preferred 1515
answers that are used to compute a student's score shall become 1516
a public record as follows: 1517

(a) Forty per cent of the questions and preferred answers 1518
on the assessments on the thirty-first day of July following the 1519
administration of the assessment; 1520

(b) Twenty per cent of the questions and preferred answers 1521

on the assessment on the thirty-first day of July one year after 1522
the administration of the assessment; 1523

(c) The remaining forty per cent of the questions and 1524
preferred answers on the assessment on the thirty-first day of 1525
July two years after the administration of the assessment. 1526

The entire content of an assessment shall become a public 1527
record within three years of its administration. 1528

The department shall make the questions that become a 1529
public record under this division readily accessible to the 1530
public on the department's web site. Questions on the spring 1531
administration of each assessment shall be released on an annual 1532
basis, in accordance with this division. 1533

(P) As used in this section: 1534

(1) "Three-year average" means the average of the most 1535
recent consecutive three school years of data. 1536

(2) "Dropout" means a student who withdraws from school 1537
before completing course requirements for graduation and who is 1538
not enrolled in an education program approved by the state board 1539
of education or an education program outside the state. 1540
"Dropout" does not include a student who has departed the 1541
country. 1542

(3) "Graduation rate" means the ratio of students 1543
receiving a diploma to the number of students who entered ninth 1544
grade four years earlier. Students who transfer into the 1545
district are added to the calculation. Students who transfer out 1546
of the district for reasons other than dropout are subtracted 1547
from the calculation. If a student who was a dropout in any 1548
previous year returns to the same school district, that student 1549
shall be entered into the calculation as if the student had 1550

entered ninth grade four years before the graduation year of the 1551
graduating class that the student joins. 1552

(4) "State scholarship programs" means the educational 1553
choice scholarship pilot program established under sections 1554
3310.01 to 3310.17 of the Revised Code, the autism scholarship 1555
program established under section 3310.41 of the Revised Code, 1556
the Jon Peterson special needs scholarship program established 1557
under sections 3310.51 to 3310.64 of the Revised Code, and the 1558
pilot project scholarship program established under sections 1559
3313.974 to 3313.979 of the Revised Code. 1560

Sec. 3301.0712. (A) The state board of education, the 1561
superintendent of public instruction, and the chancellor of 1562
higher education shall develop a system of college and work 1563
ready assessments as described in division (B) of this section 1564
to assess whether each student upon graduating from high school 1565
is ready to enter college or the workforce. Beginning with 1566
students who enter the ninth grade for the first time on or 1567
after July 1, 2014, the system shall replace the Ohio graduation 1568
tests prescribed in division (B)(1) of section 3301.0710 of the 1569
Revised Code as a measure of student academic performance and 1570
one determinant of eligibility for a high school diploma in the 1571
manner prescribed by rule of the state board adopted under 1572
division (D) of this section. 1573

(B) The college and work ready assessment system shall 1574
consist of the following: 1575

(1) Nationally standardized assessments that measure 1576
college and career readiness and are used for college admission. 1577
The assessments shall be selected jointly by the state 1578
superintendent and the chancellor, and one of which shall be 1579
selected by each school district or school to administer to its 1580

students. The assessments prescribed under division (B) (1) of 1581
this section shall be administered to all eleventh-grade 1582
students in the spring of the school year. 1583

(2) Seven end-of-course examinations, one in each of the 1584
areas of English language arts I, English language arts II, 1585
science, Algebra I, geometry, American history, and American 1586
government. The end-of-course examinations shall be selected 1587
jointly by the state superintendent and the chancellor in 1588
consultation with faculty in the appropriate subject areas at 1589
institutions of higher education of the university system of 1590
Ohio. Advanced placement examinations and international 1591
baccalaureate examinations, as prescribed under section 1592
3313.6013 of the Revised Code, in the areas of science, American 1593
history, and American government may be used as end-of-course 1594
examinations in accordance with division (B) (4) (a) (i) of this 1595
section. Final course grades for courses taken under any other 1596
advanced standing program, as prescribed under section 3313.6013 1597
of the Revised Code, in the areas of science, American history, 1598
and American government may be used in lieu of end-of-course 1599
examinations in accordance with division (B) (4) (a) (ii) of this 1600
section. 1601

(3) (a) Not later than July 1, 2013, each school district 1602
board of education shall adopt interim end-of-course 1603
examinations that comply with the requirements of divisions (B) 1604
(3) (b) (i) and (ii) of this section to assess mastery of American 1605
history and American government standards adopted under division 1606
(A) (1) (b) of section 3301.079 of the Revised Code and the topics 1607
required under division (M) of section 3313.603 of the Revised 1608
Code. Each high school of the district shall use the interim 1609
examinations until the state superintendent and chancellor 1610
select end-of-course examinations in American history and 1611

American government under division (B) (2) of this section. 1612

(b) Not later than July 1, 2014, the state superintendent 1613
and the chancellor shall select the end-of-course examinations 1614
in American history and American government. 1615

(i) The end-of-course examinations in American history and 1616
American government shall require demonstration of mastery of 1617
the American history and American government content for social 1618
studies standards adopted under division (A) (1) (b) of section 1619
3301.079 of the Revised Code and the topics required under 1620
division (M) of section 3313.603 of the Revised Code. 1621

(ii) At least twenty per cent of the end-of-course 1622
examination in American government shall address the topics on 1623
American history and American government described in division 1624
(M) of section 3313.603 of the Revised Code. 1625

(4) (a) Notwithstanding anything to the contrary in this 1626
section, beginning with the 2014-2015 school year, both of the 1627
following shall apply: 1628

(i) If a student is enrolled in an appropriate advanced 1629
placement or international baccalaureate course, that student 1630
shall take the advanced placement or international baccalaureate 1631
examination in lieu of the science, American history, or 1632
American government end-of-course examinations prescribed under 1633
division (B) (2) of this section. The state board shall specify 1634
the score levels for each advanced placement examination and 1635
international baccalaureate examination for purposes of 1636
calculating the minimum cumulative performance score that 1637
demonstrates the level of academic achievement necessary to earn 1638
a high school diploma. 1639

(ii) If a student is enrolled in an appropriate course 1640

under any other advanced standing program, as described in 1641
section 3313.6013 of the Revised Code, that student shall not be 1642
required to take the science, American history, or American 1643
government end-of-course examination, whichever is applicable, 1644
prescribed under division (B)(2) of this section. Instead, that 1645
student's final course grade shall be used in lieu of the 1646
applicable end-of-course examination prescribed under that 1647
section. The state superintendent, in consultation with the 1648
chancellor, shall adopt guidelines for purposes of calculating 1649
the corresponding final course grades that demonstrate the level 1650
of academic achievement necessary to earn a highschool diploma. 1651

Division (B)(4)(a)(ii) of this section shall apply only to 1652
courses for which students receive transcribed credit, as 1653
defined in division (U) of section 3365.01 of the Revised Code. 1654
It shall not apply to remedial or developmental courses. 1655

(b) No student shall take a substitute examination or 1656
examination prescribed under division (B)(4)(a) of this section 1657
in place of the end-of-course examinations in English language 1658
arts I, English language arts II, Algebra I, or geometry 1659
prescribed under division (B)(2) of this section. 1660

(c) The state board shall consider additional assessments 1661
that may be used, beginning with the 2016-2017 school year, as 1662
substitute examinations in lieu of the end-of-course 1663
examinations prescribed under division (B)(2) of this section. 1664

(5) The state board shall do all of the following: 1665

(a) Determine and designate at least five ranges of scores 1666
on each of the end-of-course examinations prescribed under 1667
division (B)(2) of this section, and substitute examinations 1668
prescribed under division (B)(4) of this section. Each range of 1669

scores shall be considered to demonstrate a level of achievement 1670
so that any student attaining a score within such range has 1671
achieved one of the following: 1672

(i) An advanced level of skill; 1673

(ii) An accelerated level of skill; 1674

(iii) A proficient level of skill; 1675

(iv) A basic level of skill; 1676

(v) A limited level of skill. 1677

(b) Determine a method by which to calculate a cumulative 1678
performance score based on the results of a student's end-of- 1679
course examinations or substitute examinations; 1680

(c) Determine the minimum cumulative performance score 1681
that demonstrates the level of academic achievement necessary to 1682
earn a high school diploma; 1683

(d) Develop a table of corresponding score equivalents for 1684
the end-of-course examinations and substitute examinations in 1685
order to calculate student performance consistently across the 1686
different examinations. 1687

A score of two on an advanced placement examination or a 1688
score of two or three on an international baccalaureate 1689
examination shall be considered equivalent to a proficient level 1690
of skill as specified under division (B) (5) (a) (iii) of this 1691
section. 1692

(6) (a) A student who meets both of the following 1693
conditions shall not be required to take an end-of-course 1694
examination: 1695

(i) The student received high school credit prior to July 1696

1, 2015, for a course for which the end-of-course examination is prescribed. 1697
1698

(ii) The examination was not available for administration prior to July 1, 2015. 1699
1700

Receipt of credit for the course described in division (B) 1701
(6) (a) (i) of this section shall satisfy the requirement to take 1702
the end-of-course examination. A student exempted under division 1703
(B) (6) (a) of this section may take the applicable end-of-course 1704
examination at a later date. 1705

(b) For purposes of determining whether a student who is 1706
exempt from taking an end-of-course examination under division 1707
(B) (6) (a) of this section has attained the cumulative score 1708
prescribed by division (B) (5) (c) of this section, such student 1709
shall select either of the following: 1710

(i) The student is considered to have attained a 1711
proficient score on the end-of-course examination from which the 1712
student is exempt; 1713

(ii) The student's final course grade shall be used in 1714
lieu of a score on the end-of-course examination from which the 1715
student is exempt. 1716

The state superintendent, in consultation with the 1717
chancellor, shall adopt guidelines for purposes of calculating 1718
the corresponding final course grades and the minimum cumulative 1719
performance score that demonstrates the level of academic 1720
achievement necessary to earn a high school diploma. 1721

(7) (a) Notwithstanding anything to the contrary in this 1722
section, the state board may replace the algebra I end-of-course 1723
examination prescribed under division (B) (2) of this section 1724
with an algebra II end-of-course examination, beginning with the 1725

2016-2017 school year for students who enter ninth grade on or after July 1, 2016. 1726
1727

(b) If the state board replaces the algebra I end-of-course examination with an algebra II end-of-course examination as authorized under division (B)(7)(a) of this section, both of the following shall apply: 1728
1729
1730
1731

(i) A student who is enrolled in an advanced placement or international baccalaureate course in algebra II shall take the advanced placement or international baccalaureate examination in lieu of the algebra II end-of-course examination. 1732
1733
1734
1735

(ii) A student who is enrolled in an algebra II course under any other advanced standing program, as described in section 3313.6013 of the Revised Code, shall not be required to take the algebra II end-of-course examination. Instead, that student's final course grade shall be used in lieu of the examination. 1736
1737
1738
1739
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1741

(c) If a school district or school utilizes an integrated approach to mathematics instruction, the district or school may do either or both of the following: 1742
1743
1744

(i) Administer an integrated mathematics I end-of-course examination in lieu of the prescribed algebra I end-of-course examination; 1745
1746
1747

(ii) Administer an integrated mathematics II end-of-course examination in lieu of the prescribed geometry end-of-course examination. 1748
1749
1750

(8)(a) For students entering the ninth grade for the first time on or after July 1, 2014, but prior to July 1, 2015, the assessment in the area of science shall be physical science or biology. For students entering the ninth grade for the first 1751
1752
1753
1754

time on or after July 1, 2015, the assessment in the area of 1755
science shall be biology. 1756

(b) Until July 1, 2019, the department of education shall 1757
make available the end-of-course examination in physical science 1758
for students who entered the ninth grade for the first time on 1759
or after July 1, 2014, but prior to July 1, 2015, and who wish 1760
to retake the examination. 1761

(c) Not later than July 1, 2016, the state board shall 1762
adopt rules prescribing the requirements for the end-of-course 1763
examination in science for students who entered the ninth grade 1764
for the first time on or after July 1, 2014, but prior to July 1765
1, 2015, and who have not met the requirement prescribed by 1766
section 3313.618 of the Revised Code by July 1, 2019, due to a 1767
student's failure to satisfy division (A) (2) of section 3313.618 1768
of the Revised Code. 1769

(9) Neither the state board nor the department of 1770
education shall develop or administer an end-of-course 1771
examination in the area of world history. 1772

(C) The state board shall convene a group of national 1773
experts, state experts, and local practitioners to provide 1774
advice, guidance, and recommendations for the alignment of 1775
standards and model curricula to the assessments and in the 1776
design of the end-of-course examinations prescribed by this 1777
section. 1778

(D) Upon completion of the development of the assessment 1779
system, the state board shall adopt rules prescribing all of the 1780
following: 1781

(1) A timeline and plan for implementation of the 1782
assessment system, including a phased implementation if the 1783

state board determines such a phase-in is warranted; 1784

(2) The date after which a person shall meet the 1785
requirements of the entire assessment system as a prerequisite 1786
for a diploma of adult education under section 3313.611 of the 1787
Revised Code; 1788

(3) Whether and the extent to which a person may be 1789
excused from an American history end-of-course examination and 1790
an American government end-of-course examination under division 1791
(H) of section 3313.61 and division (B) (3) of section 3313.612 1792
of the Revised Code; 1793

(4) The date after which a person who has fulfilled the 1794
curriculum requirement for a diploma but has not passed one or 1795
more of the required assessments at the time the person 1796
fulfilled the curriculum requirement shall meet the requirements 1797
of the entire assessment system as a prerequisite for a high 1798
school diploma under division (B) of section 3313.614 of the 1799
Revised Code; 1800

(5) The extent to which the assessment system applies to 1801
students enrolled in a dropout recovery and prevention program 1802
for purposes of division (F) of section 3313.603 and section 1803
3314.36 of the Revised Code. 1804

(E) Not later than forty-five days prior to the state 1805
board's adoption of a resolution directing the department to 1806
file the rules prescribed by division (D) of this section in 1807
final form under section 119.04 of the Revised Code, the 1808
superintendent of public instruction shall present the 1809
assessment system developed under this section to the respective 1810
committees of the house of representatives and senate that 1811
consider education legislation. 1812

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

(2) The department shall adopt rules for the administration and scoring of any assessments under division (F) (1) of this section.

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

Sec. 3301.0715. (A) Except as ~~otherwise~~ required under division (B) (1) of section 3313.608 or as specified in division (D) (3) of section 3301.079 of the Revised Code, the board of education of each city, local, and exempted village school district shall administer each applicable diagnostic assessment developed and provided to the district in accordance with section 3301.079 of the Revised Code to the following:

(1) Any student who transfers into the district or to a

different school within the district if each applicable 1843
diagnostic assessment was not administered by the district or 1844
school the student previously attended in the current school 1845
year, within thirty days after the date of transfer. If the 1846
district or school into which the student transfers cannot 1847
determine whether the student has taken any applicable 1848
diagnostic assessment in the current school year, the district 1849
or school may administer the diagnostic assessment to the 1850
student. However, if a student transfers into the district prior 1851
to the administration of the diagnostic assessments to all 1852
students under division (B) of this section, the district may 1853
administer the diagnostic assessments to that student on the 1854
date or dates determined under that division. 1855

(2) Each kindergarten student, not earlier than the first 1856
day of the school year and not later than the first day of 1857
November. 1858

For the purpose of division (A) (2) of this section, the 1859
district shall administer the kindergarten readiness assessment 1860
provided by the department of education. In no case shall the 1861
results of the readiness assessment be used to prohibit a 1862
student from enrolling in kindergarten. 1863

(3) Each student enrolled in first, second, or third 1864
grade. 1865

Division (A) of this section does not apply to students 1866
with significant cognitive disabilities, as defined by the 1867
department of education. 1868

(B) Each district board shall administer each diagnostic 1869
assessment when the board deems appropriate, provided the 1870
administration complies with section 3313.608 of the Revised 1871

Code. However, the board shall administer any diagnostic 1872
assessment at least once annually to all students in the 1873
appropriate grade level. A district board may administer any 1874
diagnostic assessment in the fall and spring of a school year to 1875
measure the amount of academic growth attributable to the 1876
instruction received by students during that school year. 1877

(C) Any district that received a grade of "A" or "B" for 1878
the performance index score under division (A) (1) (b), (B) (1) (b), 1879
or (C) (1) (b) of section 3302.03 of the Revised Code or for the 1880
value-added progress dimension under division (A) (1) (e), (B) (1) 1881
(e), or (C) (1) (e) of section 3302.03 of the Revised Code for the 1882
immediately preceding school year may use different diagnostic 1883
assessments from those adopted under division (D) of section 1884
3301.079 of the Revised Code in order to satisfy the 1885
requirements of division (A) (3) of this section. 1886

(D) Each district board shall utilize and score any 1887
diagnostic assessment administered under division (A) of this 1888
section in accordance with rules established by the department. 1889
After the administration of any diagnostic assessment, each 1890
district shall provide a student's completed diagnostic 1891
assessment, the results of such assessment, and any other 1892
accompanying documents used during the administration of the 1893
assessment to the parent of that student, and shall include all 1894
such documents and information in any plan developed for the 1895
student under division (C) of section 3313.608 of the Revised 1896
Code. Each district shall submit to the department, in the 1897
manner the department prescribes, the results of the diagnostic 1898
assessments administered under this section, regardless of the 1899
type of assessment used under section 3313.608 of the Revised 1900
Code. The department may issue reports with respect to the data 1901
collected. The department may report school and district level 1902

kindergarten diagnostic assessment data and use diagnostic 1903
assessment data to calculate the measure prescribed by divisions 1904
(B) (1) (g) and (C) (1) (g) of section 3302.03 of the Revised Code. 1905

(E) Each district board shall provide intervention 1906
services to students whose diagnostic assessments show that they 1907
are failing to make satisfactory progress toward attaining the 1908
academic standards for their grade level. 1909

(F) Beginning in the 2018-2019 school year, any chartered 1910
nonpublic school may elect to administer the kindergarten 1911
readiness assessment to all kindergarten students enrolled in 1912
the school. If the school so elects, the chief administrator of 1913
the school shall notify the superintendent of public instruction 1914
not later than the thirty-first day of March prior to any school 1915
year in which the school will administer the assessment. The 1916
department shall furnish the assessment to the school at no cost 1917
to the school. In administering the assessment, the school shall 1918
do all of the following: 1919

(1) Enter into a written agreement with the department 1920
specifying that the school will share each participating 1921
student's assessment data with the department and, that for the 1922
purpose of reporting the data to the department, each 1923
participating student will be assigned a data verification code 1924
as described in division (D) (2) of section 3301.0714 of the 1925
Revised Code; 1926

(2) Require the assessment to be administered by a teacher 1927
certified under section 3301.071 of the Revised Code who either 1928
has completed training on administering the kindergarten 1929
readiness assessment provided by the department or has been 1930
trained by another person who has completed such training; 1931

(3) Administer the assessment in the same manner as school districts are required to do under this section and the rules established under division (D) of this section. 1932
1933
1934

Sec. 3301.0729. (A) Except as provided for in divisions (B) and (C) of this section, beginning with assessments administered on or after July 1, 2017, the board of education of each city, local, and exempted village school district shall ensure that no student is required to do either of the following: 1935
1936
1937
1938
1939
1940

(1) Spend a cumulative amount of time in excess of two per cent of the school year taking the following assessments combined: 1941
1942
1943

(a) The applicable state assessments prescribed by division (A) of section 3301.0710 and division (B)(2) of section 3301.0712 of the Revised Code; 1944
1945
1946

(b) Any assessment required by the district board to be administered district-wide to all students in a specified subject area or grade level. 1947
1948
1949

(2) Spend a cumulative amount of time in excess of one per cent of the school year taking practice or diagnostic assessments used to prepare for assessments described in divisions (A)(1)(a) and (b) of this section. 1950
1951
1952
1953

(B) The limitations prescribed by division (A) of this section shall not apply to assessments for students with disabilities, any related diagnostic assessment for students who failed to attain a passing score on the English language arts achievement assessment prescribed by division (A)(1)(a) of section 3301.0710 of the Revised Code, substitute examinations as prescribed by division (B)(4) of section 3301.0712 of the 1954
1955
1956
1957
1958
1959
1960

Revised Code, or additional assessments administered to identify 1961
a student as gifted under Chapter 3324. of the Revised Code. 1962

(C) The board of education of each city, exempted village, 1963
and local school district may exceed the limitations prescribed 1964
by division (A) of this section by resolution of the district 1965
board. However, prior to the adoption of such a resolution, the 1966
board shall conduct at least one public hearing on the proposed 1967
resolution. 1968

Sec. 3302.034. (A) Not later than December 31, 2013, the 1969
state board of education shall adopt and specify measures in 1970
addition to those included on the report card issued under 1971
section 3302.03 of the Revised Code. The measures adopted under 1972
this section shall be reported separately, as specified under 1973
division (B) of this section, for each school district, each 1974
building in a district, each community school established under 1975
Chapter 3314., each STEM school established under Chapter 3326., 1976
and each college-preparatory boarding school established under 1977
Chapter 3328. of the Revised Code. The measures shall include at 1978
least the following: 1979

(1) Data for students who have passed over a grade or 1980
subject area under an acceleration policy prescribed under 1981
section 3324.10 of the Revised Code; 1982

(2) The number of students who are economically 1983
disadvantaged as determined by the department of education; 1984

(3) The number of lead teachers employed by each district 1985
and each building once the data is available through the 1986
education management information system established under 1987
section 3301.0714 of the Revised Code; 1988

(4) The amount of students screened and identified as 1989

gifted under Chapter 3324. of the Revised Code;	1990
(5) Postgraduate student outcome data as described under	1991
division (E) (2) (d) (ii) of section 3314.017 of the Revised Code;	1992
(6) Availability of courses in fine arts;	1993
(7) Participation with other school districts to provide	1994
career-technical education services to students;	1995
(8) The amount of extracurricular services offered to	1996
students.	1997
(B) The department shall report this information annually	1998
beginning with the 2013-2014 school year and make this	1999
information available on its web site for comparison purposes.	2000
Sec. 3302.13. (A) This section applies to any school	2001
district or community school that meets both of the following	2002
criteria, as reported on the past two consecutive report cards	2003
issued for that district or school under section 3302.03 of the	2004
Revised Code:	2005
(1) The district or school received a grade of "D" or "F"	2006
on the kindergarten through third-grade literacy progress	2007
measure under division (C) (3) (e) of section 3302.03 of the	2008
Revised Code.	2009
(2) Less than sixty per cent of the district's students	2010
who took the third grade English language arts assessment	2011
prescribed under section 3301.0710 of the Revised Code during	2012
the most recent fall and spring administrations of that	2013
assessment <u>for that school year</u> attained at least a proficient	2014
score on that assessment.	2015
(B) By December 31, 2016, and by the thirty-first day of	2016
each December thereafter, any school district or community	2017

school that meets the criteria set forth in division (A) of this section shall submit to the department of education a school or district reading achievement improvement plan, which shall include all requirements prescribed by the state board of education pursuant to division (C) of this section.

(C) Not later than December 31, 2014, the state board shall adopt rules in accordance with Chapter 119. of the Revised Code prescribing the content of and deadlines for the reading achievement improvement plans required under division (B) of this section. The rules shall prescribe that each plan include, at a minimum, an analysis of relevant student performance data, measurable student performance goals, strategies to meet specific student needs, a staffing and professional development plan, and instructional strategies for improving literacy.

(D) Any school district or community school to which this section applies shall no longer be required to submit an improvement plan pursuant to division (B) of this section when that district or school meets either of the following criteria, as reported on the most recent report card issued for that district or school under section 3302.03 of the Revised Code:

(1) The district or school received a grade of "C" or higher on the kindergarten through third-grade literacy progress measure under division (C) (3) (e) of section 3302.03 of the Revised Code.

(2) Not less than sixty per cent of the district's students who took the third grade English language arts assessment prescribed under section 3301.0710 of the Revised Code ~~during the most recent fall and spring administrations of that assessment~~ attain for that school year attained at least a proficient score on that assessment.

(E) The department of education shall post in a prominent location on its web site all plans submitted pursuant to this section.

Sec. 3302.151. (A) Notwithstanding anything to the contrary in the Revised Code, a school district that qualifies under division (D) of this section shall be exempt from all of the following:

(1) The teacher qualification requirements under the third-grade reading guarantee, as prescribed under divisions (B) (3) (c) and (H) of section 3313.608 of the Revised Code. This exemption does not relieve a teacher from holding a valid Ohio license in a subject area and grade level determined appropriate by the board of education of that district.

(2) The mentoring component of the Ohio teacher residency program established under division (A) (1) of section 3319.223 of the Revised Code, so long as the district utilizes a local approach to train and support new teachers;

(3) Any provision of the Revised Code or rule or standard of the state board of education prescribing a minimum or maximum class size;

(4) Any provision of the Revised Code or rule or standard of the state board requiring teachers to be licensed specifically in the grade level in which they are teaching, except unless otherwise prescribed by federal law. This exemption does not apply to special education teachers. Nor does this exemption relieve a teacher from holding a valid Ohio license in the subject area in which that teacher is teaching and at least some grade level determined appropriate by the district board.

(B) (1) Notwithstanding anything to the contrary in the 2077
Revised Code, including sections 3319.30 and 3319.36 of the 2078
Revised Code, the superintendent of a school district that 2079
qualifies under division (D) of this section may employ an 2080
individual who is not licensed as required by sections 3319.22 2081
to 3319.30 of the Revised Code, but who is otherwise qualified 2082
based on experience, to teach classes in the district, so long 2083
as the board of education of the school district approves the 2084
individual's employment and provides mentoring and professional 2085
development opportunities to that individual, as determined 2086
necessary by the board. 2087

(2) As a condition of employment under this section, an 2088
individual shall be subject to a criminal records check as 2089
prescribed by section 3319.391 of the Revised Code. In the 2090
manner prescribed by the department of education, the individual 2091
shall submit the criminal records check to the department and 2092
shall register with the department during the period in which 2093
the individual is employed by the district. The department shall 2094
use the information submitted to enroll the individual in the 2095
retained applicant fingerprint database, established under 2096
section 109.5721 of the Revised Code, in the same manner as any 2097
teacher licensed under sections 3319.22 to 3319.31 of the 2098
Revised Code. 2099

(3) An individual employed pursuant to this division is 2100
subject to Chapter 3307. of the Revised Code. 2101

If the department receives notification of the arrest or 2102
conviction of an individual employed under division (B) of this 2103
section, the department shall promptly notify the employing 2104
district and may take any action authorized under sections 2105
3319.31 and 3319.311 of the Revised Code that it considers 2106

appropriate. No district shall employ any individual under 2107
division (B) of this section if the district learns that the 2108
individual has plead guilty to, has been found guilty by a jury 2109
or court of, or has been convicted of any of the offenses listed 2110
in division (C) of section 3319.31 of the Revised Code. 2111

(C) Notwithstanding anything to the contrary in the 2112
Revised Code, noncompliance with any of the requirements listed 2113
in divisions (A) or (B) of this section shall not disqualify a 2114
school district that qualifies under division (D) of this 2115
section from receiving funds under Chapter 3317. of the Revised 2116
Code. 2117

(D) In order for a city, local, or exempted village school 2118
district to qualify for the exemptions described in this 2119
section, the school district shall meet all of the following 2120
benchmarks on the most recent report card issued for that 2121
district under section 3302.03 of the Revised Code: 2122

(1) The district received at least eighty-five per cent of 2123
the total possible points for the performance index score 2124
calculated under division (C) (1) (b) of that section; 2125

(2) The district received a grade of an "A" for 2126
performance indicators met under division (C) (1) (c) of that 2127
section; 2128

(3) The district has a four-year adjusted cohort 2129
graduation rate of at least ninety-three per cent and a five- 2130
year adjusted cohort graduation rate of at least ninety-five per 2131
cent, as calculated under division (C) (1) (d) of that section. 2132

(E) A school district that meets the requirements 2133
prescribed by division (D) of this section shall be qualified 2134
for the exemptions prescribed by this section for three school 2135

years, beginning with the school year in which the qualifying 2136
report card is issued. 2137

(F) As used in this section, "license" has the same 2138
meaning as in section 3319.31 of the Revised Code. 2139

Sec. 3311.051. The auditor of state, on the auditor of 2140
state's initiative, may conduct a performance audit of an 2141
educational service center. 2142

Sec. 3311.19. (A) The management and control of a joint 2143
vocational school district shall be vested in the joint 2144
vocational school district board of education which, beginning 2145
on September 29, 2013, shall be appointed under division (C) of 2146
this section. 2147

All members of a joint vocational school district board 2148
serving unexpired terms on September 29, 2013, may continue in 2149
office until the expiration of their terms. If a member leaves 2150
office for any reason prior to the expiration of that member's 2151
term, the vacancy shall be filled only in the manner provided in 2152
division (C) of this section. 2153

(B) Except as provided in section 3311.191 of the Revised 2154
Code, members of the joint vocational school district board 2155
appointed on or after September 29, 2013, shall serve for three- 2156
year terms of office. ~~No member shall hold office for a period~~ 2157
~~of longer than two consecutive terms. Terms shall be considered~~ 2158
~~consecutive unless separated by three or more years.~~ 2159

~~Members of the board shall be selected based on the~~ 2160
~~diversity of the employers from the geographical region of the~~ 2161
~~state in which the territory of the joint vocational school~~ 2162
~~district is located represented by the members. Not less than~~ 2163
~~three fifths of the members of the board shall reside in or be~~ 2164

~~employed within the territory of the joint vocational school-~~ 2165
~~district board upon which the member serves.~~ 2166

(C) The manner of appointment and the total number of 2167
members appointed to the joint vocational school district board 2168
shall be in accordance with the most recent plan for the joint 2169
vocational school district on file with the department of 2170
education. ~~An individual shall not be a member of an appointing-~~ 2171
~~board, unless the individual meets the criteria in division (C)~~ 2172
~~(2) of this section.~~ 2173

(1) Appointments under this section shall be made as the 2174
terms of members of each joint vocational school district board 2175
who are serving unexpired terms on September 29, 2013, expire or 2176
as those offices are otherwise vacated prior to the expiration 2177
date. 2178

(2) Members of the joint vocational board shall ~~have-~~ 2179
~~experience as chief financial officers, chief executive-~~ 2180
~~officers, human resources managers, or other business, industry,~~ 2181
~~or career counseling professionals who are qualified to discuss-~~ 2182
~~the labor needs of the region with respect to the regional-~~ 2183
~~economy. The appointing board shall appoint individuals who-~~ 2184
~~represent employers in the region served by the joint vocational-~~ 2185
~~school district who are qualified to consider the state's-~~ 2186
~~workforce needs be appointed by the member school district~~ 2187
boards of education. Members of a joint vocational school 2188
district board may either be a current elected board member of a 2189
school district board that is a member of the joint vocational 2190
school district or an individual who has experience or knowledge 2191
regarding the labor needs of the state and region with an 2192
understanding of the skills, training, and education needed for 2193
current and future employment opportunities in the state. The 2194

appointing board may give preference to individuals who have 2195
served as members on a joint vocational school business advisory 2196
committee ~~who meet the qualifications in division (C) (2) of this~~ 2197
~~section.~~ 2198

(D) The vocational schools in the joint vocational school 2199
district shall be available to all youth of school age within 2200
the joint vocational school district subject to the rules 2201
adopted by the joint vocational school district board of 2202
education in regard to the standards requisite to admission. A 2203
joint vocational school district board of education shall have 2204
the same powers, duties, and authority for the management and 2205
operation of such joint vocational school district as is granted 2206
by law, except by this chapter and Chapters 124., 3317., 3323., 2207
and 3331. of the Revised Code, to a board of education of a city 2208
school district, and shall be subject to all the provisions of 2209
law that apply to a city school district, except such provisions 2210
in this chapter and Chapters 124., 3317., 3323., and 3331. of 2211
the Revised Code. 2212

(E) The superintendent of schools of a joint vocational 2213
school district shall exercise the duties and authority vested 2214
by law in a superintendent of schools pertaining to the 2215
operation of a school district and the employment and 2216
supervision of its personnel. The joint vocational school 2217
district board of education shall appoint a treasurer of the 2218
joint vocational school district who shall be the fiscal officer 2219
for such district and who shall have all the powers, duties, and 2220
authority vested by law in a treasurer of a board of education. 2221

(F) Each member of a joint vocational school district 2222
board of education may be paid such compensation as the board 2223
provides by resolution, but it shall not exceed one hundred 2224

twenty-five dollars per member for each meeting attended plus 2225
mileage, at the rate per mile provided by resolution of the 2226
board, to and from meetings of the board. 2227

The board may provide by resolution for the deduction of 2228
amounts payable for benefits under section 3313.202 of the 2229
Revised Code. 2230

Each member of a joint vocational school district board 2231
may be paid such compensation as the board provides by 2232
resolution for attendance at an approved training program, 2233
provided that such compensation shall not exceed sixty dollars 2234
per day for attendance at a training program three hours or 2235
fewer in length and one hundred twenty-five dollars a day for 2236
attendance at a training program longer than three hours in 2237
length. However, no board member shall be compensated for the 2238
same training program under this section and section 3313.12 of 2239
the Revised Code. 2240

Sec. 3311.191. (A) (1) Subject to division (A) (2) of this 2241
section, if a joint vocational school district has an even 2242
number of member districts each appointing a member to the joint 2243
vocational school district board of education and the joint 2244
vocational school district's plan on file with the department of 2245
education provides for one additional board member to be 2246
appointed on a rotating basis by one of the appointing boards, 2247
the term of that additional member shall be for one year. The 2248
additional member shall otherwise meet the requirements for 2249
joint vocational school board members prescribed by section 2250
3311.19 of the Revised Code. 2251

(2) If an additional member of a joint vocational school 2252
district board appointed on a rotating basis, as described in 2253
division (A) (1) of this section, was appointed on or after 2254

September 29, 2013, but prior to September 29, 2015, that member 2255
may continue in office until the expiration of the member's 2256
current term of office. If such member vacates that office for 2257
any reason prior to the expiration of that member's term, a new 2258
additional member shall be appointed according to the rotational 2259
basis prescribed by the district's plan, and that member shall 2260
serve for the remainder of the vacating member's term. 2261
Thereafter, the term of office of the additional member shall be 2262
as prescribed by division (A) (1) of this section. 2263

(B) ~~If a~~ A joint vocational school district board of 2264
education ~~has more than thirty members, the board~~ may submit an 2265
application to the superintendent of public instruction for 2266
approval to revise its membership plan to stagger the members' 2267
terms of office. Each board ~~eligible to submit an application~~ 2268
~~under this section,~~ may do so only one time. The application 2269
shall include the revisions proposed to be made to members' 2270
terms, the manner by which the terms shall be staggered, and any 2271
other information the state superintendent requires. 2272

Sec. 3313.46. (A) In addition to any other law governing 2273
the bidding for contracts by the board of education of any 2274
school district, when any such board determines to build, 2275
repair, enlarge, improve, or demolish any school building, the 2276
cost of which will exceed ~~twenty five~~ fifty thousand dollars, 2277
except in cases of urgent necessity, or for the security and 2278
protection of school property, and except as otherwise provided 2279
in division (D) of section 713.23 and in section 125.04 of the 2280
Revised Code, all of the following shall apply: 2281

(1) The board shall cause to be prepared the plans, 2282
specifications, and related information as required in divisions 2283
(A) (1), (2), and (3) of section 153.01 of the Revised Code 2284

unless the board determines that other information is sufficient 2285
to inform any bidders of the board's requirements. However, if 2286
the board determines that such other information is sufficient 2287
for bidding a project, the board shall not engage in the 2288
construction of any such project involving the practice of 2289
professional engineering, professional surveying, or 2290
architecture, for which plans, specifications, and estimates 2291
have not been made by, and the construction thereof inspected 2292
by, a licensed professional engineer, licensed professional 2293
surveyor, or registered architect. 2294

(2) The board shall advertise for bids once each week for 2295
a period of not less than two consecutive weeks, or as provided 2296
in section 7.16 of the Revised Code, in a newspaper of general 2297
circulation in the district before the date specified by the 2298
board for receiving bids. The board may also cause notice to be 2299
inserted in trade papers or other publications designated by it 2300
or to be distributed by electronic means, including posting the 2301
notice on the board's internet web site. If the board posts the 2302
notice on its web site, it may eliminate the second notice 2303
otherwise required to be published in a newspaper of general 2304
circulation within the school district, provided that the first 2305
notice published in such newspaper meets all of the following 2306
requirements: 2307

(a) It is published at least two weeks before the opening 2308
of bids. 2309

(b) It includes a statement that the notice is posted on 2310
the board of education's internet web site. 2311

(c) It includes the internet address of the board's 2312
internet web site. 2313

- (d) It includes instructions describing how the notice may be accessed on the board's internet web site. 2314
2315
- (3) Unless the board extends the time for the opening of bids they shall be opened at the time and place specified by the board in the advertisement for the bids. 2316
2317
2318
- (4) Each bid shall contain the name of every person interested therein. Each bid shall meet the requirements of section 153.54 of the Revised Code. 2319
2320
2321
- (5) When both labor and materials are embraced in the work bid for, the board may require that each be separately stated in the bid, with the price thereof, or may require that bids be submitted without such separation. 2322
2323
2324
2325
- (6) None but the lowest responsible bid shall be accepted. The board may reject all the bids, or accept any bid for both labor and material for such improvement or repair, which is the lowest in the aggregate. In all other respects, the award of contracts for improvement or repair, but not for purchases made under section 3327.08 of the Revised Code, shall be pursuant to section 153.12 of the Revised Code. 2326
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- (7) The contract shall be between the board and the bidders. The board shall pay the contract price for the work pursuant to sections 153.13 and 153.14 of the Revised Code. The board shall approve and retain the estimates referred to in section 153.13 of the Revised Code and make them available to the auditor of state upon request. 2333
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- (8) When two or more bids are equal, in the whole, or in any part thereof, and are lower than any others, either may be accepted, but in no case shall the work be divided between such bidders. 2339
2340
2341
2342

(9) When there is reason to believe there is collusion or 2343
combination among the bidders, or any number of them, the bids 2344
of those concerned therein shall be rejected. 2345

(B) Division (A) of this section does not apply to the 2346
board of education of any school district in any of the 2347
following situations: 2348

(1) The acquisition of educational materials used in 2349
teaching. 2350

(2) If the board determines and declares by resolution 2351
adopted by two-thirds of all its members that any item is 2352
available and can be acquired only from a single source. 2353

(3) If the board declares by resolution adopted by two- 2354
thirds of all its members that division (A) of this section does 2355
not apply to any installation, modification, or remodeling 2356
involved in any energy conservation measure undertaken through 2357
an installment payment contract under section 3313.372 of the 2358
Revised Code or undertaken pursuant to division (G) of section 2359
133.06 of the Revised Code. 2360

(4) The acquisition of computer software for instructional 2361
purposes and computer hardware for instructional purposes 2362
pursuant to division (B) (4) of section 3313.37 of the Revised 2363
Code. 2364

(C) No resolution adopted pursuant to division (B) (2) or 2365
(3) of this section shall have any effect on whether sections 2366
153.12 to 153.14 and 153.54 of the Revised Code apply to the 2367
board of education of any school district with regard to any 2368
item. 2369

Sec. 3313.482. (A) (1) Prior to the first day of August of 2370
each school year, the board of education of any school district 2371

or the governing authority of any chartered nonpublic school may 2372
~~submit to the department of education~~ adopt a plan to require 2373
students to access and complete classroom lessons posted on the 2374
district's or nonpublic school's web portal or web site in order 2375
to make up hours in that school year on which it is necessary to 2376
close schools for disease epidemic, hazardous weather 2377
conditions, law enforcement emergencies, inoperability of school 2378
buses or other equipment necessary to the school's operation, 2379
damage to a school building, or other temporary circumstances 2380
due to utility failure rendering the school building unfit for 2381
school use. 2382

Prior to the first day of August of each school year, the 2383
governing authority of any community school established under 2384
Chapter 3314. that is not an internet- or computer-based 2385
community school, as defined in section 3314.02 of the Revised 2386
Code, may ~~submit to the department~~ adopt a plan to require 2387
students to access and complete classroom lessons posted on the 2388
school's web portal or web site in order to make up hours in 2389
that school year on which it is necessary to close the school 2390
for any of the reasons specified in division (H) (4) of section 2391
3314.08 of the Revised Code so that the school is in compliance 2392
with the minimum number of hours required under Chapter 3314. of 2393
the Revised Code. 2394

A plan ~~submitted~~ adopted by a school district board, 2395
chartered nonpublic school governing authority, or community 2396
school governing authority shall provide for making up any 2397
number of hours, up to a maximum of the number of hours that are 2398
the equivalent of three school days. ~~Provided the plan meets all~~ 2399
~~requirements of this section, the department shall permit the~~ 2400
~~board or governing authority to implement the plan for the~~ 2401
~~applicable school year.~~ 2402

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

(3) Each plan ~~submitted~~adopted under this section shall provide for the following:

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

(b) To the extent possible and necessary, a classroom teacher shall update or replace, based on current instructional progress, one or more of the lesson plans developed under division (A) (3) (a) of this section before they are posted on the web portal or web site under division (A) (3) (c) of this section or distributed under division (B) of this section.

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

(d) Each student enrolled in a course for which a lesson

is posted on the portal or site shall be granted a two-week 2432
period from the date of posting to complete the lesson. The 2433
student's classroom teacher shall grade the lesson in the same 2434
manner as other lessons. The student may receive an incomplete 2435
or failing grade if the lesson is not completed on time. 2436

(e) If a student does not have access to a computer at the 2437
student's residence and the plan does not include blizzard bags 2438
under division (B) of this section, the student shall be 2439
permitted to work on the posted lessons at school after the 2440
student's school reopens. If the lessons were posted prior to 2441
the reopening, the student shall be granted a two-week period 2442
from the date of the reopening, rather than from the date of 2443
posting as otherwise required under division (A) (3) (d) of this 2444
section, to complete the lessons. The district board or 2445
community school or nonpublic school governing authority may 2446
provide the student access to a computer before, during, or 2447
after the regularly scheduled school day or may provide a 2448
substantially similar paper lesson in order to complete the 2449
lessons. 2450

(B) (1) In addition to posting classroom lessons online 2451
under division (A) of this section, the board of education of 2452
any school district or governing authority of any community or 2453
chartered nonpublic school may include in the plan distribution 2454
of "blizzard bags," which are paper copies of the lessons posted 2455
online. 2456

(2) If a school opts to use blizzard bags, teachers shall 2457
prepare paper copies in conjunction with the lessons to be 2458
posted online and update the paper copies whenever the teacher 2459
updates the online lesson plans. 2460

(3) The board of education of any school district or 2461

governing authority of any community or chartered nonpublic 2462
school that opts to use blizzard bags shall specify in the plan 2463
the method of distribution of blizzard bag lessons, which may 2464
include, but not be limited to, requiring distribution by a 2465
specific deadline or requiring distribution prior to anticipated 2466
school closure as directed by the superintendent of a school 2467
district or the principal, director, chief administrative 2468
officer, or the equivalent, of a school. 2469

(4) Students shall turn in completed lessons in accordance 2470
with division (A) (3) (d) of this section. 2471

(C) (1) No school district that implements a plan in 2472
accordance with this section shall be considered to have failed 2473
to comply with division (B) of section 3317.01 of the Revised 2474
Code with respect to the number of make-up hours specified in 2475
the plan. 2476

(2) No community school that implements a plan in 2477
accordance with this section shall be considered to have failed 2478
to comply with the minimum number of hours required under 2479
Chapter 3314. of the Revised Code with respect to the number of 2480
make-up hours specified in the plan. 2481

Sec. 3313.5311. (A) As used in this section and in section 2482
3313.5312 of the Revised Code, "extracurricular activity" has 2483
the same meaning as in section 3313.537 of the Revised Code. 2484

(B) If the nonpublic school in which the student is 2485
enrolled does not offer the extracurricular activity, a student 2486
enrolled in a chartered or nonchartered nonpublic school shall 2487
be afforded, by the superintendent of the school district in 2488
which the student is entitled to attend school under section 2489
3313.64 or 3313.65 of the Revised Code, the opportunity to 2490

participate in that extracurricular activity at the district 2491
school to which the student otherwise would be assigned during 2492
that school year. If more than one school operated by the school 2493
district serves the student's grade level, as determined by the 2494
district superintendent based on the student's age and academic 2495
performance, the student shall be afforded the opportunity to 2496
participate in that extracurricular activity at the school to 2497
which the student would be assigned by the superintendent under 2498
section 3319.01 of the Revised Code. 2499

(C) The superintendent of any school district may afford 2500
any student enrolled in a nonpublic school, and who is not 2501
entitled to attend school in the district under section 3313.64 2502
or 3313.65 of the Revised Code, the opportunity to participate 2503
in an extracurricular activity offered by a school of the 2504
district, if ~~both of the following apply:~~ 2505

~~(1) The the nonpublic school in which the student is 2506
enrolled does not offer the extracurricular activity.~~ 2507

~~(2) and either of the following apply:~~ 2508

(1) The extracurricular activity is not interscholastic 2509
athletics or interscholastic contests or competition in music, 2510
drama, or forensics. 2511

(2) The extracurricular activity is in an interscholastic 2512
athletic or interscholastic contest or competition in music, 2513
drama, or forensics. In order to participate under division (C) 2514
(2) of this section, the student shall seek to participate at 2515
either the school district in which the student's nonpublic 2516
school is located or the school district in which the student is 2517
entitled to attend school under section 3313.64 or 3313.65 of 2518
the Revised Code, so long as the chosen district offers the 2519

extracurricular activity. 2520

If the student seeks to participate under division (C) (2) 2521
of this section at the school district in which the student's 2522
nonpublic school is located, both of the following shall apply: 2523

(a) The superintendent of the school district in which the 2524
student is entitled to attend school shall certify that the 2525
student has not participated in any extracurricular activity 2526
that is in an interscholastic athletic or interscholastic 2527
contest or competition in music, drama, or forensics at that 2528
school district during that school year. If the student has 2529
participated in such an extracurricular activity at that school 2530
district during the school year, the student shall be ineligible 2531
to participate at the school district in which the student's 2532
nonpublic school is located for that school year. 2533

(b) The superintendent of the school district in which the 2534
student is entitled to attend school and the superintendent of 2535
the school district in which the student is seeking to 2536
participate shall mutually agree, in writing, to allow the 2537
student to participate in the extracurricular activity at the 2538
school district in which the student's nonpublic school is 2539
located. 2540

(D) In order to participate in an extracurricular activity 2541
under this section, the student shall be of the appropriate age 2542
and grade level, as determined by the superintendent of the 2543
district, for the school that offers the extracurricular 2544
activity, and shall fulfill the same academic, nonacademic, and 2545
financial requirements as any other participant. 2546

(E) No school district shall impose additional rules on a 2547
student to participate under this section that do not apply to 2548

other students participating in the same extracurricular 2549
activity. No district shall impose additional fees for a student 2550
to participate under this section that exceed any fees charged 2551
to other students participating in the same extracurricular 2552
activity. 2553

(F) No school district, interscholastic conference, or 2554
organization that regulates interscholastic conferences or 2555
events shall require a student who is eligible to participate in 2556
interscholastic extracurricular activities under this section to 2557
meet eligibility requirements that conflict with this section. 2558

Sec. 3313.5314. No student who is enrolled in a public or 2559
nonpublic school shall be denied the opportunity to participate 2560
in interscholastic athletics offered by that school solely 2561
because the student is participating or has participated in the 2562
college credit plus program under Chapter 3365. of the Revised 2563
Code, so long as the student fulfills all other academic, 2564
nonacademic, and financial requirements that are not related to 2565
participation in the program. 2566

Additionally, no student who is enrolled in a community 2567
school, STEM school, or nonpublic school or who is receiving 2568
home instruction shall be denied the opportunity to participate 2569
in interscholastic athletics at the school in which the student 2570
is entitled to attend school under section 3313.64 or 3313.65 of 2571
the Revised Code solely because of participation in the college 2572
credit plus program, so long as the student meets the applicable 2573
requirements under section 3313.537, 3313.5311, or 3313.5312 of 2574
the Revised Code and fulfills all other academic, nonacademic, 2575
and financial requirements that are not related to participation 2576
in the program. 2577

As used in this section, "community school" means a 2578

community school established under Chapter 3314. of the Revised 2579
Code, and "STEM school" means a science, technology, 2580
engineering, and mathematics school established under Chapter 2581
3326. of the Revised Code. 2582

Sec. 3313.603. (A) As used in this section: 2583

(1) "One unit" means a minimum of one hundred twenty hours 2584
of course instruction, except that for a laboratory course, "one 2585
unit" means a minimum of one hundred fifty hours of course 2586
instruction. 2587

(2) "One-half unit" means a minimum of sixty hours of 2588
course instruction, except that for physical education courses, 2589
"one-half unit" means a minimum of one hundred twenty hours of 2590
course instruction. 2591

(B) Beginning September 15, 2001, except as required in 2592
division (C) of this section and division (C) of section 2593
3313.614 of the Revised Code, the requirements for graduation 2594
from every high school shall include twenty units earned in 2595
grades nine through twelve and shall be distributed as follows: 2596

(1) English language arts, four units; 2597

(2) Health, one-half unit; 2598

(3) Mathematics, three units; 2599

(4) Physical education, one-half unit; 2600

(5) Science, two units until September 15, 2003, and three 2601
units thereafter, which at all times shall include both of the 2602
following: 2603

(a) Biological sciences, one unit; 2604

(b) Physical sciences, one unit. 2605

(6) History and government, one unit, which shall comply 2606
with division (M) of this section and shall include both of the 2607
following: 2608

(a) American history, one-half unit; 2609

(b) American government, one-half unit. 2610

(7) Social studies, two units. 2611

Beginning with students who enter ninth grade for the 2612
first time on or after July 1, 2017, the two units of 2613
instruction prescribed by division (B) (7) of this section shall 2614
include at least one-half unit of instruction in the study of 2615
world history and civilizations. 2616

(8) Elective units, seven units until September 15, 2003, 2617
and six units thereafter. 2618

Each student's electives shall include at least one unit, 2619
or two half units, chosen from among the areas of 2620
business/technology, fine arts, and/or foreign language. 2621

(C) Beginning with students who enter ninth grade for the 2622
first time on or after July 1, 2010, except as provided in 2623
divisions (D) to (F) of this section, the requirements for 2624
graduation from every public and chartered nonpublic high school 2625
shall include twenty units that are designed to prepare students 2626
for the workforce and college. The units shall be distributed as 2627
follows: 2628

(1) English language arts, four units; 2629

(2) Health, one-half unit, which shall include instruction 2630
in nutrition and the benefits of nutritious foods and physical 2631
activity for overall health; 2632

(3) Mathematics, four units, which shall include one unit of algebra II or the equivalent of algebra II. However, students who enter ninth grade for the first time on or after July 1, 2015, and who are pursuing a career-technical instructional track shall not be required to take algebra II, and instead may complete a career-based pathway mathematics course approved by the department of education as an alternative.

(4) Physical education, one-half unit;

(5) Science, three units with inquiry-based laboratory experience that engages students in asking valid scientific questions and gathering and analyzing information, which shall include the following, or their equivalent:

(a) Physical sciences, one unit;

(b) Life sciences, one unit;

(c) Advanced study in one or more of the following sciences, one unit:

(i) Chemistry, physics, or other physical science;

(ii) Advanced biology or other life science;

(iii) Astronomy, physical geology, or other earth or space science.

(6) History and government, one unit, which shall comply with division (M) of this section and shall include both of the following:

(a) American history, one-half unit;

(b) American government, one-half unit.

(7) Social studies, two units.

Each school shall integrate the study of economics and 2659
financial literacy, as expressed in the social studies academic 2660
content standards adopted by the state board of education under 2661
division (A) (1) of section 3301.079 of the Revised Code and the 2662
academic content standards for financial literacy and 2663
entrepreneurship adopted under division (A) (2) of that section, 2664
into one or more existing social studies credits required under 2665
division (C) (7) of this section, or into the content of another 2666
class, so that every high school student receives instruction in 2667
those concepts. In developing the curriculum required by this 2668
paragraph, schools shall use available public-private 2669
partnerships and resources and materials that exist in business, 2670
industry, and through the centers for economics education at 2671
institutions of higher education in the state. 2672

Beginning with students who enter ninth grade for the 2673
first time on or after July 1, 2017, the two units of 2674
instruction prescribed by division (C) (7) of this section shall 2675
include at least one-half unit of instruction in the study of 2676
world history and civilizations. 2677

(8) Five units consisting of one or any combination of 2678
foreign language, fine arts, business, career-technical 2679
education, family and consumer sciences, technology, 2680
agricultural education, a junior reserve officer training corps 2681
(JROTC) program approved by the congress of the United States 2682
under title 10 of the United States Code, or English language 2683
arts, mathematics, science, or social studies courses not 2684
otherwise required under division (C) of this section. 2685

Ohioans must be prepared to apply increased knowledge and 2686
skills in the workplace and to adapt their knowledge and skills 2687
quickly to meet the rapidly changing conditions of the twenty- 2688

first century. National studies indicate that all high school 2689
graduates need the same academic foundation, regardless of the 2690
opportunities they pursue after graduation. The goal of Ohio's 2691
system of elementary and secondary education is to prepare all 2692
students for and seamlessly connect all students to success in 2693
life beyond high school graduation, regardless of whether the 2694
next step is entering the workforce, beginning an 2695
apprenticeship, engaging in post-secondary training, serving in 2696
the military, or pursuing a college degree. 2697

The requirements for graduation prescribed in division (C) 2698
of this section are the standard expectation for all students 2699
entering ninth grade for the first time at a public or chartered 2700
nonpublic high school on or after July 1, 2010. A student may 2701
satisfy this expectation through a variety of methods, 2702
including, but not limited to, integrated, applied, career- 2703
technical, and traditional coursework. 2704

Whereas teacher quality is essential for student success 2705
when completing the requirements for graduation, the general 2706
assembly shall appropriate funds for strategic initiatives 2707
designed to strengthen schools' capacities to hire and retain 2708
highly qualified teachers in the subject areas required by the 2709
curriculum. Such initiatives are expected to require an 2710
investment of \$120,000,000 over five years. 2711

Stronger coordination between high schools and 2712
institutions of higher education is necessary to prepare 2713
students for more challenging academic endeavors and to lessen 2714
the need for academic remediation in college, thereby reducing 2715
the costs of higher education for Ohio's students, families, and 2716
the state. The state board and the chancellor of higher 2717
education shall develop policies to ensure that only in rare 2718

instances will students who complete the requirements for 2719
graduation prescribed in division (C) of this section require 2720
academic remediation after high school. 2721

School districts, community schools, and chartered 2722
nonpublic schools shall integrate technology into learning 2723
experiences across the curriculum in order to maximize 2724
efficiency, enhance learning, and prepare students for success 2725
in the technology-driven twenty-first century. Districts and 2726
schools shall use distance and web-based course delivery as a 2727
method of providing or augmenting all instruction required under 2728
this division, including laboratory experience in science. 2729
Districts and schools shall utilize technology access and 2730
electronic learning opportunities provided by the broadcast 2731
educational media commission, chancellor, the Ohio learning 2732
network, education technology centers, public television 2733
stations, and other public and private providers. 2734

(D) Except as provided in division (E) of this section, a 2735
student who enters ninth grade on or after July 1, 2010, and 2736
before July 1, 2016, may qualify for graduation from a public or 2737
chartered nonpublic high school even though the student has not 2738
completed the requirements for graduation prescribed in division 2739
(C) of this section if all of the following conditions are 2740
satisfied: 2741

(1) During the student's third year of attending high 2742
school, as determined by the school, the student and the 2743
student's parent, guardian, or custodian sign and file with the 2744
school a written statement asserting the parent's, guardian's, 2745
or custodian's consent to the student's graduating without 2746
completing the requirements for graduation prescribed in 2747
division (C) of this section and acknowledging that one 2748

consequence of not completing those requirements is 2749
ineligibility to enroll in most state universities in Ohio 2750
without further coursework. 2751

(2) The student and parent, guardian, or custodian fulfill 2752
any procedural requirements the school stipulates to ensure the 2753
student's and parent's, guardian's, or custodian's informed 2754
consent and to facilitate orderly filing of statements under 2755
division (D) (1) of this section. Annually, each district or 2756
school shall notify the department ~~of education~~ of the number of 2757
students who choose to qualify for graduation under division (D) 2758
of this section and the number of students who complete the 2759
student's success plan and graduate from high school. 2760

(3) The student and the student's parent, guardian, or 2761
custodian and a representative of the student's high school 2762
jointly develop a student success plan for the student in the 2763
manner described in division (C) (1) of section 3313.6020 of the 2764
Revised Code that specifies the student matriculating to a two- 2765
year degree program, acquiring a business and industry- 2766
recognized credential, or entering an apprenticeship. 2767

(4) The student's high school provides counseling and 2768
support for the student related to the plan developed under 2769
division (D) (3) of this section during the remainder of the 2770
student's high school experience. 2771

(5) (a) Except as provided in division (D) (5) (b) of this 2772
section, the student successfully completes, at a minimum, the 2773
curriculum prescribed in division (B) of this section. 2774

(b) Beginning with students who enter ninth grade for the 2775
first time on or after July 1, 2014, a student shall be required 2776
to complete successfully, at the minimum, the curriculum 2777

prescribed in division (B) of this section, except as follows:	2778
(i) Mathematics, four units, one unit which shall be one of the following:	2779 2780
(I) Probability and statistics;	2781
(II) Computer programming;	2782
(III) Applied mathematics or quantitative reasoning;	2783
(IV) Any other course approved by the department using standards established by the superintendent not later than October 1, 2014.	2784 2785 2786
(ii) Elective units, five units;	2787
(iii) Science, three units as prescribed by division (B) of this section which shall include inquiry-based laboratory experience that engages students in asking valid scientific questions and gathering and analyzing information.	2788 2789 2790 2791
The department, in collaboration with the chancellor, shall analyze student performance data to determine if there are mitigating factors that warrant extending the exception permitted by division (D) of this section to high school classes beyond those entering ninth grade before July 1, 2016. The department shall submit its findings and any recommendations not later than December 1, 2015, to the speaker and minority leader of the house of representatives, the president and minority leader of the senate, the chairpersons and ranking minority members of the standing committees of the house of representatives and the senate that consider education legislation, the state board of education, and the superintendent of public instruction.	2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804
(E) Each school district and chartered nonpublic school	2805

retains the authority to require an even more challenging 2806
minimum curriculum for high school graduation than specified in 2807
division (B) or (C) of this section. A school district board of 2808
education, through the adoption of a resolution, or the 2809
governing authority of a chartered nonpublic school may 2810
stipulate any of the following: 2811

(1) A minimum high school curriculum that requires more 2812
than twenty units of academic credit to graduate; 2813

(2) An exception to the district's or school's minimum 2814
high school curriculum that is comparable to the exception 2815
provided in division (D) of this section but with additional 2816
requirements, which may include a requirement that the student 2817
successfully complete more than the minimum curriculum 2818
prescribed in division (B) of this section; 2819

(3) That no exception comparable to that provided in 2820
division (D) of this section is available. 2821

(F) A student enrolled in a dropout prevention and 2822
recovery program, which program has received a waiver from the 2823
department, may qualify for graduation from high school by 2824
successfully completing a competency-based instructional program 2825
administered by the dropout prevention and recovery program in 2826
lieu of completing the requirements for graduation prescribed in 2827
division (C) of this section. The department shall grant a 2828
waiver to a dropout prevention and recovery program, within 2829
sixty days after the program applies for the waiver, if the 2830
program meets all of the following conditions: 2831

(1) The program serves only students not younger than 2832
sixteen years of age and not older than twenty-one years of age. 2833

(2) The program enrolls students who, at the time of their 2834

initial enrollment, either, or both, are at least one grade 2835
level behind their cohort age groups or experience crises that 2836
significantly interfere with their academic progress such that 2837
they are prevented from continuing their traditional programs. 2838

(3) The program requires students to attain at least the 2839
applicable score designated for each of the assessments 2840
prescribed under division (B) (1) of section 3301.0710 of the 2841
Revised Code or, to the extent prescribed by rule of the state 2842
board under division (D) (5) of section 3301.0712 of the Revised 2843
Code, division (B) (2) of that section. 2844

(4) The program develops a student success plan for the 2845
student in the manner described in division (C) (1) of section 2846
3313.6020 of the Revised Code that specifies the student's 2847
matriculating to a two-year degree program, acquiring a business 2848
and industry-recognized credential, or entering an 2849
apprenticeship. 2850

(5) The program provides counseling and support for the 2851
student related to the plan developed under division (F) (4) of 2852
this section during the remainder of the student's high school 2853
experience. 2854

(6) The program requires the student and the student's 2855
parent, guardian, or custodian to sign and file, in accordance 2856
with procedural requirements stipulated by the program, a 2857
written statement asserting the parent's, guardian's, or 2858
custodian's consent to the student's graduating without 2859
completing the requirements for graduation prescribed in 2860
division (C) of this section and acknowledging that one 2861
consequence of not completing those requirements is 2862
ineligibility to enroll in most state universities in Ohio 2863
without further coursework. 2864

(7) Prior to receiving the waiver, the program has 2865
submitted to the department an instructional plan that 2866
demonstrates how the academic content standards adopted by the 2867
state board under section 3301.079 of the Revised Code will be 2868
taught and assessed. 2869

(8) Prior to receiving the waiver, the program has 2870
submitted to the department a policy on career advising that 2871
satisfies the requirements of section 3313.6020 of the Revised 2872
Code, with an emphasis on how every student will receive career 2873
advising. 2874

(9) Prior to receiving the waiver, the program has 2875
submitted to the department a written agreement outlining the 2876
future cooperation between the program and any combination of 2877
local job training, postsecondary education, nonprofit, and 2878
health and social service organizations to provide services for 2879
students in the program and their families. 2880

Divisions (F) (8) and (9) of this section apply only to 2881
waivers granted on or after July 1, 2015. 2882

If the department does not act either to grant the waiver 2883
or to reject the program application for the waiver within sixty 2884
days as required under this section, the waiver shall be 2885
considered to be granted. 2886

(G) Every high school may permit students below the ninth 2887
grade to take advanced work. If a high school so permits, it 2888
shall award high school credit for successful completion of the 2889
advanced work and shall count such advanced work toward the 2890
graduation requirements of division (B) or (C) of this section 2891
if the advanced work was both: 2892

(1) Taught by a person who possesses a license or 2893

certificate issued under section 3301.071, 3319.22, or 3319.222 2894
of the Revised Code that is valid for teaching high school; 2895

(2) Designated by the board of education of the city, 2896
local, or exempted village school district, the board of the 2897
cooperative education school district, or the governing 2898
authority of the chartered nonpublic school as meeting the high 2899
school curriculum requirements. 2900

Each high school shall record on the student's high school 2901
transcript all high school credit awarded under division (G) of 2902
this section. In addition, if the student completed a seventh- 2903
or eighth-grade fine arts course described in division (K) of 2904
this section and the course qualified for high school credit 2905
under that division, the high school shall record that course on 2906
the student's high school transcript. 2907

(H) The department shall make its individual academic 2908
career plan available through its Ohio career information system 2909
web site for districts and schools to use as a tool for 2910
communicating with and providing guidance to students and 2911
families in selecting high school courses. 2912

(I) Units earned in English language arts, mathematics, 2913
science, and social studies that are delivered through 2914
integrated academic and career-technical instruction are 2915
eligible to meet the graduation requirements of division (B) or 2916
(C) of this section. 2917

(J) (1) The state board, in consultation with the 2918
chancellor, shall adopt a statewide plan implementing methods 2919
for students to earn units of high school credit based on a 2920
demonstration of subject area competency, instead of or in 2921
combination with completing hours of classroom instruction. The 2922

state board shall adopt the plan not later than March 31, 2009, 2923
and commence phasing in the plan during the 2009-2010 school 2924
year. The plan shall include a standard method for recording 2925
demonstrated proficiency on high school transcripts. Each school 2926
district and community school shall comply with the state 2927
board's plan adopted under this division and award units of high 2928
school credit in accordance with the plan. The state board may 2929
adopt existing methods for earning high school credit based on a 2930
demonstration of subject area competency as necessary prior to 2931
the 2009-2010 school year. 2932

(2) Not later than December 31, 2015, the state board 2933
shall update the statewide plan adopted pursuant to division (J) 2934
(1) of this section to also include methods for students 2935
enrolled in seventh and eighth grade to meet curriculum 2936
requirements based on a demonstration of subject area 2937
competency, instead of or in combination with completing hours 2938
of classroom instruction. Beginning with the 2017-2018 school 2939
year, each school district and community school also shall 2940
comply with the updated plan adopted pursuant to this division 2941
and permit students enrolled in seventh and eighth grade to meet 2942
curriculum requirements based on subject area competency in 2943
accordance with the plan. 2944

(K) This division does not apply to students who qualify 2945
for graduation from high school under division (D) or (F) of 2946
this section, or to students pursuing a career-technical 2947
instructional track as determined by the school district board 2948
of education or the chartered nonpublic school's governing 2949
authority. Nevertheless, the general assembly encourages such 2950
students to consider enrolling in a fine arts course as an 2951
elective. 2952

Beginning with students who enter ninth grade for the 2953
first time on or after July 1, 2010, each student enrolled in a 2954
public or chartered nonpublic high school shall complete two 2955
semesters or the equivalent of fine arts to graduate from high 2956
school. The coursework may be completed in any of grades seven 2957
to twelve. Each student who completes a fine arts course in 2958
grade seven or eight may elect to count that course toward the 2959
five units of electives required for graduation under division 2960
(C) (8) of this section, if the course satisfied the requirements 2961
of division (G) of this section. In that case, the high school 2962
shall award the student high school credit for the course and 2963
count the course toward the five units required under division 2964
(C) (8) of this section. If the course in grade seven or eight 2965
did not satisfy the requirements of division (G) of this 2966
section, the high school shall not award the student high school 2967
credit for the course but shall count the course toward the two 2968
semesters or the equivalent of fine arts required by this 2969
division. 2970

(L) Notwithstanding anything to the contrary in this 2971
section, the board of education of each school district and the 2972
governing authority of each chartered nonpublic school may adopt 2973
a policy to excuse from the high school physical education 2974
requirement each student who, during high school, has 2975
participated in interscholastic athletics, marching band, or 2976
cheerleading for at least two full seasons or in the junior 2977
reserve officer training corps for at least two full school 2978
years. If the board or authority adopts such a policy, the board 2979
or authority shall not require the student to complete any 2980
physical education course as a condition to graduate. However, 2981
the student shall be required to complete one-half unit, 2982
consisting of at least sixty hours of instruction, in another 2983

course of study. In the case of a student who has participated 2984
in the junior reserve officer training corps for at least two 2985
full school years, credit received for that participation may be 2986
used to satisfy the requirement to complete one-half unit in 2987
another course of study. 2988

(M) It is important that high school students learn and 2989
understand United States history and the governments of both the 2990
United States and the state of Ohio. Therefore, beginning with 2991
students who enter ninth grade for the first time on or after 2992
July 1, 2012, the study of American history and American 2993
government required by divisions (B) (6) and (C) (6) of this 2994
section shall include the study of all of the following 2995
documents: 2996

(1) The Declaration of Independence; 2997

(2) The Northwest Ordinance; 2998

(3) The Constitution of the United States with emphasis on 2999
the Bill of Rights; 3000

(4) The Ohio Constitution. 3001

The study of each of the documents prescribed in divisions 3002
(M) (1) to (4) of this section shall include study of that 3003
document in its original context. 3004

The study of American history and government required by 3005
divisions (B) (6) and (C) (6) of this section shall include the 3006
historical evidence of the role of documents such as the 3007
Federalist Papers and the Anti-Federalist Papers to firmly 3008
establish the historical background leading to the establishment 3009
of the provisions of the Constitution and Bill of Rights. 3010

Sec. 3313.6013. (A) As used in this section, "advanced 3011

standing program" means a program that enables a student to earn 3012
credit toward a degree from an institution of higher education 3013
while enrolled in high school or that enables a student to 3014
complete coursework while enrolled in high school that may earn 3015
credit toward a degree from an institution of higher education 3016
upon the student's attainment of a specified score on an 3017
examination covering the coursework. Advanced standing programs 3018
may include any of the following: 3019

(1) The college credit plus program established under 3020
Chapter 3365. of the Revised Code; 3021

(2) Advanced placement courses; 3022

(3) International baccalaureate diploma courses; 3023

(4) Early college high school programs. 3024

(B) Each city, local, exempted village, and joint 3025
vocational school district and each chartered nonpublic high 3026
school shall provide students enrolled in grades nine through 3027
twelve with the opportunity to participate in an advanced 3028
standing program. For this purpose, each school district and 3029
chartered nonpublic high school shall offer at least one 3030
advanced standing program in accordance with division (B) (1) or 3031
(2) of this section, as applicable. 3032

(1) A city, local, or exempted village school district 3033
meets the requirements of this division through its mandatory 3034
participation in the college credit plus program established 3035
under Chapter 3365. of the Revised Code. However, a city, local, 3036
or exempted village school district may offer any other advanced 3037
standing program, in addition to the college credit plus 3038
program, and each joint vocational school district shall offer 3039
at least one other advanced standing program, to students in 3040

good standing, as defined by the partnership for continued 3041
learning under section 3301.42 of the Revised Code as it existed 3042
prior to October 16, 2009, or as subsequently defined by the 3043
department of education. 3044

(2) A chartered nonpublic high school that elects to 3045
participate in the college credit plus program established under 3046
Chapter 3365. of the Revised Code meets the requirements of this 3047
division. Each chartered nonpublic high school that elects not 3048
to participate in the college credit plus program instead shall 3049
offer at least one other advanced standing program to students 3050
in good standing, as defined by the partnership for continued 3051
learning under section 3301.42 of the Revised Code as it existed 3052
prior to October 16, 2009, or as subsequently defined by the 3053
department of education. 3054

(C) Each school district and each chartered nonpublic high 3055
school shall provide information about the advanced standing 3056
programs offered by the district or school to all students 3057
enrolled in grades ~~eight~~ six through eleven. The district or 3058
school shall include information about all of the following: 3059

(1) The process colleges and universities use in awarding 3060
credit for advanced placement and international baccalaureate 3061
courses and examinations, including minimum scores required by 3062
state institutions of higher education, as defined in section 3063
3345.011 of the Revised Code, for a student to receive college 3064
credit; 3065

(2) The availability of tuition and fee waivers for 3066
advanced placement and international baccalaureate courses and 3067
examinations; 3068

(3) The availability of online advanced placement or 3069

international baccalaureate courses, including those that may be 3070
available at no cost; 3071

(4) The benefits of earning postsecondary credit through 3072
advanced placement or international baccalaureate courses; 3073

(5) The availability of advanced placement or 3074
international baccalaureate courses offered throughout the 3075
district. 3076

The district or school may include additional information 3077
as determined appropriate by the district or school. 3078

(D) Except as provided for in Chapter 3365. of the Revised 3079
Code, no city, local, exempted village, and joint vocational 3080
school district shall charge an enrolled student an additional 3081
fee or tuition for participation in any advanced standing 3082
program offered by the district. Students may be required to pay 3083
the costs associated with taking an advanced placement or 3084
international baccalaureate examination. 3085

(E) Any agreement between a school district or school and 3086
an associated college governing the operation of an early 3087
college high school program shall be subject to the requirements 3088
of the college credit plus program, with the following 3089
exceptions: 3090

(1) Any aspect of the agreement that does not relate to 3091
the conferral of transcribed credit, as defined in section 3092
3365.01 of the Revised Code, shall not be subject to the 3093
requirements of the college credit plus program. 3094

(2) If the early college high school program began 3095
operating prior to July 1, 2014, the agreement shall not be 3096
subject to the requirements of the college credit plus program 3097
until the later of the date on which the existing agreement 3098

expires or July 1, 2015. 3099

(3) If the district, school, or associated college 3100
operating the early college high school program was granted an 3101
award under Section 263.325 of Am. Sub. H.B. 59 of the 130th 3102
general assembly for the 2014-2015 school year, as the lead 3103
applicant on the grant or as part of a consortium, for a project 3104
involving the establishment or expansion of an early college 3105
high school, the agreement shall not be subject to the 3106
requirements of the college credit plus program during the 3107
period of time for which the project is funded by the grant 3108
award under that section. 3109

(4) If the district, school, or associated college obtains 3110
a waiver for the agreement under section 3365.10 of the Revised 3111
Code, the agreement shall not be subject to the requirements of 3112
the college credit plus program as expressed in and excused by 3113
the waiver. 3114

The college credit plus program shall not govern any 3115
advanced placement course or international baccalaureate diploma 3116
course as described under this section. 3117

(F) As used in this section: 3118

(1) "Associated college" means a public or private 3119
college, as defined in section 3365.01 of the Revised Code, 3120
which has entered into an agreement with a school district or 3121
school to establish an early college high school program, as 3122
described in division (F) (2) of this section, and awards 3123
transcripted credit, as defined in section 3365.01 of the 3124
Revised Code, to students through that program. 3125

(2) "Early college high school program" means a program 3126
operated by a school district or school and an associated 3127

college that provides a personalized learning plan, which is 3128
based on accelerated curriculum and includes both high school 3129
and college-level coursework, and enables the following students 3130
to earn a high school diploma and an associate degree, or the 3131
equivalent number of transcribed credits, upon successful 3132
completion of the program: 3133

(a) Students who are underrepresented in regard to 3134
completing post-secondary education; 3135

(b) Students who are economically disadvantaged, as 3136
defined by the department of education; 3137

(c) Students whose parents did not earn a college degree. 3138

Sec. 3313.618. (A) In addition to the applicable 3139
curriculum requirements, each student entering ninth grade for 3140
the first time on or after July 1, 2014, shall satisfy at least 3141
one of the following conditions in order to qualify for a high 3142
school diploma: 3143

(1) Be remediation-free, in accordance with standards 3144
adopted under division (F) of section 3345.061 of the Revised 3145
Code, on each of the nationally standardized assessments in 3146
English, mathematics, and reading; 3147

(2) Attain a score specified under division (B) (5) (c) of 3148
section 3301.0712 of the Revised Code on the end-of-course 3149
examinations prescribed under division (B) of section 3301.0712 3150
of the Revised Code. 3151

(3) Attain a score that demonstrates workforce readiness 3152
and employability on a nationally recognized job skills 3153
assessment selected by the state board of education under 3154
division (G) of section 3301.0712 of the Revised Code and obtain 3155
either an industry-recognized credential, as described under 3156

division (B) (2) (d) of section 3302.03 of the Revised Code, or a 3157
license issued by a state agency or board for practice in a 3158
vocation that requires an examination for issuance of that 3159
license. 3160

The state board shall approve the industry-recognized 3161
credentials and licenses that may qualify a student for a high 3162
school diploma under division (A) (3) of this section. 3163

A student may choose to qualify for a high school diploma 3164
by satisfying any of the separate requirements prescribed by 3165
divisions (A) (1) to (3) of this section. If the student's school 3166
district or school does not administer the examination 3167
prescribed by one of those divisions that the student chooses to 3168
take to satisfy the requirements of this section, the school 3169
district or school may require that student to arrange for the 3170
applicable scores to be sent directly to the district or school 3171
by the company or organization that administers the examination. 3172

(B) The state board of education shall not create or 3173
require any additional assessment for the granting of any type 3174
of high school diploma other than as prescribed by this section. 3175
~~The Except as provided in section 3313.6111 of the Revised Code,~~ 3176
the state board shall not create any endorsement or designation 3177
that may be affiliated with a high school diploma. 3178

Sec. 3313.6110. (A) A person who has completed the final 3179
year of instruction at home, as authorized under section 3321.04 3180
of the Revised Code, and has successfully fulfilled the high 3181
school curriculum applicable to that person may be granted a 3182
high school diploma by the person's parent, guardian, or other 3183
person having charge or care of a child, as defined in division 3184
(A) (1) of section 3321.01 of the Revised Code. 3185

(B) Beginning with diplomas issued on or after July 1, 3186
2015, each diploma granted under division (A) of this section 3187
shall ~~contain either of the following:~~ 3188

~~(1) Certification signed by the superintendent of the 3189
school district in which the student is entitled to attend 3190
school in a school district under section 3313.64 or 3313.65 of 3191
the Revised Code that the student and the student's parent have 3192
complied with state law regarding home instruction. The 3193
statement of certification shall read as follows: 3194~~

~~"I certify that the student named in this diploma and the 3195
student's parent have complied with division (A) (2) of section 3196
3321.04 of the Ohio Revised Code regarding instruction at home 3197
and the related rules of the Ohio State Board of Education." 3198~~

~~A superintendent presented with such diploma for signature 3199
shall sign the diploma if the student and the parent have 3200
complied with division (A) (2) of section 3321.04 of the Revised 3201
Code. 3202~~

~~(2) The be accompanied by the official letter of excuse 3203
issued by the district superintendent for the student's final 3204
year of home education. 3205~~

(C) A person who has graduated from a nonchartered 3206
nonpublic school in Ohio and who has successfully fulfilled that 3207
school's high school curriculum may be granted a high school 3208
diploma by the governing authority of that school. 3209

(D) Notwithstanding anything in the Revised Code to the 3210
contrary, a diploma granted under this section shall serve as 3211
proof of the successful completion of that person's applicable 3212
high school curriculum and satisfactory to fulfill any legal 3213
requirement to show such proof. 3214

(E) For the purposes of an application for employment, a diploma granted under this section shall be considered proof of completion of a high school education, regardless of whether the person to which the diploma was granted participated in the assessments prescribed by division (A) (1) or (B) (1) or (2) of section 3301.0710 and section 3301.0712 of the Revised Code.

(F) A diploma granted under division (A) of this section may include a state seal of biliteracy that may be assigned to the student's diploma, by the parent, guardian, or other person having charge or care of the student, in the same manner as prescribed for transcripts issued by school districts and chartered nonpublic schools under section 3313.6111 of the Revised Code.

Sec. 3313.6111. (A) The state board of education shall establish the state seal of biliteracy, which may be attached or affixed to the high school transcript of a student enrolled in a public or chartered nonpublic school. The state seal of biliteracy shall demonstrate the attainment of a high level of proficiency by a graduate of a public or chartered nonpublic high school in one or more languages in addition to English, sufficient for meaningful use in college and a career. The purpose of the state seal of biliteracy shall be to:

(1) Encourage students to study languages;

(2) Certify the attainment of biliteracy;

(3) Provide employers with a method of identifying individuals with language and biliteracy skills;

(4) Provide institutions of higher education with an additional method to recognize applicants for admission;

(5) Prepare students with twenty-first century skills;

<u>(6) Recognize the value of foreign language and native</u>	3244
<u>language instruction in public schools; and</u>	3245
<u>(7) Strengthen inter-group relationships, affirm the value</u>	3246
<u>of diversity, and honor the multiple cultures and languages of a</u>	3247
<u>community.</u>	3248
<u>(B) (1) A school district, community school established</u>	3249
<u>under Chapter 3314. of the Revised Code, STEM school established</u>	3250
<u>under Chapter 3326. of the Revised Code, college-preparatory</u>	3251
<u>boarding school established under Chapter 3328. of the Revised</u>	3252
<u>Code, or chartered nonpublic school may attach or affix the</u>	3253
<u>state seal of biliteracy to the transcript of a student enrolled</u>	3254
<u>in the school who meets the requirements prescribed under</u>	3255
<u>division (C) (1) of this section. A district or school shall not</u>	3256
<u>be required to attach or affix the state seal of biliteracy on</u>	3257
<u>the transcript of a student enrolled in the school.</u>	3258
<u>(2) Each school district, community school, STEM school,</u>	3259
<u>college-preparatory boarding school, and chartered nonpublic</u>	3260
<u>school shall maintain appropriate records to identify students</u>	3261
<u>who have completed the requirements for earning a state seal of</u>	3262
<u>biliteracy as prescribed under division (C) (1) of this section,</u>	3263
<u>and if the district or school has a policy of attaching or</u>	3264
<u>affixing the state seal of biliteracy to student transcripts,</u>	3265
<u>the district or school shall make the appropriate designation on</u>	3266
<u>the transcript of a student who completes the requirements.</u>	3267
<u>(C) The state board of education shall do the following:</u>	3268
<u>(1) Establish the requirements and criteria for earning a</u>	3269
<u>state seal of biliteracy, including assessments of foreign</u>	3270
<u>language and English proficiency.</u>	3271
<u>(2) Direct the department of education to prepare and</u>	3272

deliver to participating school districts, community schools, 3273
STEM schools, college-preparatory boarding schools, and 3274
chartered nonpublic schools an appropriate mechanism for 3275
assigning a state seal of biliteracy on a student's transcript 3276
indicating that the student has been assigned the seal; 3277

(3) Direct the department to provide any other information 3278
the state board considers necessary for school districts, 3279
community schools, STEM schools, college-preparatory boarding 3280
schools, and chartered nonpublic schools to participate in the 3281
assigning of a state seal of biliteracy; 3282

(4) Adopt rules in accordance with Chapter 119. of the 3283
Revised Code to implement the provisions of this section. 3284

(D) A student shall not be charged a fee to be assigned a 3285
state seal of biliteracy on their transcript. A student may be 3286
required to pay a fee to demonstrate proficiency in a language, 3287
including the cost of a standardized test to determine 3288
proficiency in a language. 3289

(E) As used in this section, "foreign language" refers to 3290
any language other than English, including modern languages, 3291
Latin, American sign language, native American languages, and 3292
native languages. 3293

Sec. 3313.903. Except as otherwise required under federal 3294
law, the department of education shall consider an industry- 3295
recognized credential, as described under division (B) (2) (d) of 3296
section 3302.03 of the Revised Code, or a license issued by a 3297
state agency or board for practice in a vocation that requires 3298
an examination for issuance of that license as an acceptable 3299
measure of technical skill attainment and shall not require a 3300
student with such credential or license to take additional 3301

technical assessments. 3302

Additionally, the department shall not require a student 3303
who has participated in or will be participating in a 3304
credentialing assessment aligned to the student's career- 3305
technical education program or has participated in or will be 3306
participating in taking an examination for issuance of such a 3307
license aligned to the student's career-technical education 3308
program to take additional technical assessments. 3309

However, if the student does not participate in the 3310
credentialing assessment or license examination, the student 3311
shall take the applicable technical assessments prescribed by 3312
the department. 3313

The department shall develop, in consultation with the 3314
Ohio association for career and technical education, the Ohio 3315
association of career-technical superintendents, the Ohio 3316
association of city career-technical schools, and other 3317
stakeholders, procedures for identifying industry-recognized 3318
credentials and licenses aligned to a student's career-technical 3319
education program that can be used as an acceptable measure of 3320
technical skill, and for identifying students in the process of 3321
earning such credentials and licenses. 3322

As used in this section, "technical assessments" shall not 3323
include the nationally recognized job skills assessment 3324
prescribed under division (G) of section 3301.0712 of the 3325
Revised Code. 3326

Nothing in this section shall exempt a student who wishes 3327
to qualify for a high school diploma under division (A) (3) of 3328
section 3313.618 of the Revised Code from the requirement to 3329
attain a specified score on that assessment in order to qualify 3330

for a high school diploma under that section. 3331

Sec. 3314.02. (A) As used in this chapter: 3332

(1) "Sponsor" means the board of education of a school 3333
district or the governing board of an educational service center 3334
that agrees to the conversion of all or part of a school or 3335
building under division (B) of this section, or an entity listed 3336
in division (C) (1) of this section, which has been approved by 3337
the department of education to sponsor community schools or is 3338
exempted by section 3314.021 or 3314.027 of the Revised Code 3339
from obtaining approval, and with which the governing authority 3340
of a community school enters into a contract under section 3341
3314.03 of the Revised Code. 3342

(2) "Pilot project area" means the school districts 3343
included in the territory of the former community school pilot 3344
project established by former Section 50.52 of Am. Sub. H.B. No. 3345
215 of the 122nd general assembly. 3346

(3) "Challenged school district" means any of the 3347
following: 3348

(a) A school district that is part of the pilot project 3349
area; 3350

(b) A school district that meets one of the following 3351
conditions: 3352

(i) On March 22, 2013, the district was in a state of 3353
academic emergency or in a state of academic watch under section 3354
3302.03 of the Revised Code, as that section existed prior to 3355
March 22, 2013; 3356

(ii) For two of the 2012-2013, 2013-2014, 2014-2015, and 3357
2015-2016 school years, the district received a grade of "D" or 3358

"F" for the performance index score and a grade of "F" for the value-added progress dimension under section 3302.03 of the Revised Code; 3359
3360
3361

(iii) For the 2016-2017 school year and for any school year thereafter, the district has received an overall grade of "D" or "F" under division (C) (3) of section 3302.03 of the Revised Code, or, for at least two of the three most recent school years, the district received a grade of "F" for the value-added progress dimension under division (C) (1) (e) of that section. 3362
3363
3364
3365
3366
3367
3368

(c) A big eight school district; 3369

(d) A school district ranked in the lowest five per cent of school districts according to performance index score under section 3302.21 of the Revised Code. 3370
3371
3372

(4) "Big eight school district" means a school district that for fiscal year 1997 had both of the following: 3373
3374

(a) A percentage of children residing in the district and participating in the predecessor of Ohio works first greater than thirty per cent, as reported pursuant to section 3317.10 of the Revised Code; 3375
3376
3377
3378

(b) An average daily membership greater than twelve thousand, as reported pursuant to former division (A) of section 3317.03 of the Revised Code. 3379
3380
3381

(5) "New start-up school" means a community school other than one created by converting all or part of an existing public school or educational service center building, as designated in the school's contract pursuant to division (A) (17) of section 3314.03 of the Revised Code. 3382
3383
3384
3385
3386

(6) "Urban school district" means one of the state's 3387
twenty-one urban school districts as defined in division (O) of 3388
section 3317.02 of the Revised Code as that section existed 3389
prior to July 1, 1998. 3390

(7) "Internet- or computer-based community school" means a 3391
community school established under this chapter in which the 3392
enrolled students work primarily from their residences on 3393
assignments in nonclassroom-based learning opportunities 3394
provided via an internet- or other computer-based instructional 3395
method that does not rely on regular classroom instruction or 3396
via comprehensive instructional methods that include internet- 3397
based, other computer-based, and noncomputer-based learning 3398
opportunities unless a student receives career-technical 3399
education under section 3314.086 of the Revised Code. 3400

A community school that operates mainly as an internet- or 3401
computer-based community school and provides career-technical 3402
education under section 3314.086 of the Revised Code shall be 3403
considered an internet- or computer-based community school, even 3404
if it provides some classroom-based instruction, so long as it 3405
provides instruction via the methods described in this division. 3406

(8) "Operator" means either of the following: 3407

(a) An individual or organization that manages the daily 3408
operations of a community school pursuant to a contract between 3409
the operator and the school's governing authority; 3410

(b) A nonprofit organization that provides programmatic 3411
oversight and support to a community school under a contract 3412
with the school's governing authority and that retains the right 3413
to terminate its affiliation with the school if the school fails 3414
to meet the organization's quality standards. 3415

(9) "Alliance municipal school district" has the same 3416
meaning as in section 3311.86 of the Revised Code. 3417

(B) (1) Any person or group of individuals may initially 3418
propose under this division the conversion of all or a portion 3419
of a public school to a community school. The proposal shall be 3420
made to the board of education of the city, local, exempted 3421
village, or joint vocational school district in which the public 3422
school is proposed to be converted. 3423

(2) Any person or group of individuals may initially 3424
propose under this division the conversion of all or a portion 3425
of a building operated by an educational service center to a 3426
community school. The proposal shall be made to the governing 3427
board of the service center. 3428

On or after July 1, 2017, except as provided in section 3429
3314.027 of the Revised Code, any educational service center 3430
that sponsors a community school shall be approved by and enter 3431
into a written agreement with the department as described in 3432
section 3314.015 of the Revised Code. 3433

(3) Upon receipt of a proposal, and after an agreement has 3434
been entered into pursuant to section 3314.015 of the Revised 3435
Code, a board may enter into a preliminary agreement with the 3436
person or group proposing the conversion of the public school or 3437
service center building, indicating the intention of the board 3438
to support the conversion to a community school. A proposing 3439
person or group that has a preliminary agreement under this 3440
division may proceed to finalize plans for the school, establish 3441
a governing authority for the school, and negotiate a contract 3442
with the board. Provided the proposing person or group adheres 3443
to the preliminary agreement and all provisions of this chapter, 3444
the board shall negotiate in good faith to enter into a contract 3445

in accordance with section 3314.03 of the Revised Code and 3446
division (C) of this section. 3447

(4) The sponsor of a conversion community school proposed 3448
to open in an alliance municipal school district shall be 3449
subject to approval by the department of education for 3450
sponsorship of that school using the criteria established under 3451
division (A) of section 3311.87 of the Revised Code. 3452

Division (B) (4) of this section does not apply to a 3453
sponsor that, on or before September 29, 2015, was exempted 3454
under section 3314.021 or 3314.027 of the Revised Code from the 3455
requirement to be approved for sponsorship under divisions (A) 3456
(2) and (B) (1) of section 3314.015 of the Revised Code. 3457

(C) (1) Any person or group of individuals may propose 3458
under this division the establishment of a new start-up school 3459
to be located in a challenged school district. The proposal may 3460
be made to any of the following entities: 3461

(a) The board of education of the district in which the 3462
school is proposed to be located; 3463

(b) The board of education of any joint vocational school 3464
district with territory in the county in which is located the 3465
majority of the territory of the district in which the school is 3466
proposed to be located; 3467

(c) The board of education of any other city, local, or 3468
exempted village school district having territory in the same 3469
county where the district in which the school is proposed to be 3470
located has the major portion of its territory; 3471

(d) The governing board of any educational service center, 3472
regardless of the location of the proposed school, may sponsor a 3473
new start-up school in any challenged school district in the 3474

state if all of the following are satisfied:	3475
(i) If applicable, it satisfies the requirements of	3476
division (E) of section 3311.86 of the Revised Code;	3477
(ii) It is approved to do so by the department;	3478
(iii) It enters into an agreement with the department	3479
under section 3314.015 of the Revised Code.	3480
(e) A sponsoring authority designated by the board of	3481
trustees of any of the thirteen state universities listed in	3482
section 3345.011 of the Revised Code or the board of trustees	3483
itself as long as a mission of the proposed school to be	3484
specified in the contract under division (A) (2) of section	3485
3314.03 of the Revised Code and as approved by the department	3486
under division (B) (3) of section 3314.015 of the Revised Code	3487
will be the practical demonstration of teaching methods,	3488
educational technology, or other teaching practices that are	3489
included in the curriculum of the university's teacher	3490
preparation program approved by the state board of education;	3491
(f) Any qualified tax-exempt entity under section 501(c)	3492
(3) of the Internal Revenue Code as long as all of the following	3493
conditions are satisfied:	3494
(i) The entity has been in operation for at least five	3495
years prior to applying to be a community school sponsor.	3496
(ii) The entity has assets of at least five hundred	3497
thousand dollars and a demonstrated record of financial	3498
responsibility.	3499
(iii) The department has determined that the entity is an	3500
education-oriented entity under division (B) (3) (4) of section	3501
3314.015 of the Revised Code and the entity has a demonstrated	3502

record of successful implementation of educational programs. 3503

(iv) The entity is not a community school. 3504

(g) The mayor of a city in which the majority of the 3505
territory of a school district to which section 3311.60 of the 3506
Revised Code applies is located, regardless of whether that 3507
district has created the position of independent auditor as 3508
prescribed by that section. The mayor's sponsorship authority 3509
under this division is limited to community schools that are 3510
located in that school district. Such mayor may sponsor 3511
community schools only with the approval of the city council of 3512
that city, after establishing standards with which community 3513
schools sponsored by the mayor must comply, and after entering 3514
into a sponsor agreement with the department as prescribed under 3515
section 3314.015 of the Revised Code. The mayor shall establish 3516
the standards for community schools sponsored by the mayor not 3517
later than one hundred eighty days after July 15, 2013, and 3518
shall submit them to the department upon their establishment. 3519
The department shall approve the mayor to sponsor community 3520
schools in the district, upon receipt of an application by the 3521
mayor to do so. Not later than ninety days after the 3522
department's approval of the mayor as a community school 3523
sponsor, the department shall enter into the sponsor agreement 3524
with the mayor. 3525

Any entity described in division (C) (1) of this section 3526
may enter into a preliminary agreement pursuant to division (C) 3527
(2) of this section with the proposing person or group, provided 3528
that entity has been approved by and entered into a written 3529
agreement with the department pursuant to section 3314.015 of 3530
the Revised Code. 3531

(2) A preliminary agreement indicates the intention of an 3532

entity described in division (C) (1) of this section to sponsor 3533
the community school. A proposing person or group that has such 3534
a preliminary agreement may proceed to finalize plans for the 3535
school, establish a governing authority as described in division 3536
(E) of this section for the school, and negotiate a contract 3537
with the entity. Provided the proposing person or group adheres 3538
to the preliminary agreement and all provisions of this chapter, 3539
the entity shall negotiate in good faith to enter into a 3540
contract in accordance with section 3314.03 of the Revised Code. 3541

(3) A new start-up school that is established in a school 3542
district described in either division (A) (3) (b) or (d) of this 3543
section may continue in existence once the school district no 3544
longer meets the conditions described in either division, 3545
provided there is a valid contract between the school and a 3546
sponsor. 3547

(4) A copy of every preliminary agreement entered into 3548
under this division shall be filed with the superintendent of 3549
public instruction. 3550

(D) A majority vote of the board of a sponsoring entity 3551
and a majority vote of the members of the governing authority of 3552
a community school shall be required to adopt a contract and 3553
convert the public school or educational service center building 3554
to a community school or establish the new start-up school. 3555
Beginning September 29, 2005, adoption of the contract shall 3556
occur not later than the fifteenth day of March, and signing of 3557
the contract shall occur not later than the fifteenth day of 3558
May, prior to the school year in which the school will open. The 3559
governing authority shall notify the department of education 3560
when the contract has been signed. Subject to sections 3314.013 3561
and 3314.016 of the Revised Code, an unlimited number of 3562

community schools may be established in any school district 3563
provided that a contract is entered into for each community 3564
school pursuant to this chapter. 3565

(E) (1) As used in this division, "immediate relatives" are 3566
limited to spouses, children, parents, grandparents, and 3567
siblings, and as well as in-laws residing in the same household 3568
as the person serving on the governing authority. 3569

Each new start-up community school established under this 3570
chapter shall be under the direction of a governing authority 3571
which shall consist of a board of not less than five 3572
individuals. 3573

(2) (a) No person shall serve on the governing authority or 3574
operate the community school under contract with the governing 3575
authority under any of the following circumstances: 3576

(i) The person owes the state any money or is in a dispute 3577
over whether the person owes the state any money concerning the 3578
operation of a community school that has closed. 3579

(ii) The person would otherwise be subject to division (B) 3580
of section 3319.31 of the Revised Code with respect to refusal, 3581
limitation, or revocation of a license to teach, if the person 3582
were a licensed educator. 3583

(iii) The person has pleaded guilty to or been convicted 3584
of theft in office under section 2921.41 of the Revised Code, or 3585
has pleaded guilty to or been convicted of a substantially 3586
similar offense in another state. 3587

(b) No person shall serve on the governing authority or 3588
engage in the financial day-to-day management of the community 3589
school under contract with the governing authority unless and 3590
until that person has submitted to a criminal records check in 3591

the manner prescribed by section 3319.39 of the Revised Code. 3592

(c) Each sponsor of a community school shall annually 3593
verify that a finding for recovery has not been issued by the 3594
auditor of state against any individual or individuals who 3595
propose to create a community school or any member of the 3596
governing authority, the operator, or any employee of each 3597
community school. 3598

(3) No person shall serve on the governing authorities of 3599
more than five start-up community schools at the same time. 3600

~~(4) No (a) For a community school established under this 3601
chapter that is not sponsored by a school district or an 3602
educational service center, no present or former member, or 3603
immediate relative of a present or former member, of the 3604
governing authority of any community school established under 3605
this chapter shall be an owner, employee, or consultant of any 3606
the community school's sponsor or operator of a community 3607
school, unless at least one year has elapsed since the 3608
conclusion of the person's membership on the governing 3609
authority. 3610~~

(b) For a community school established under this chapter 3611
that is sponsored by a school district or an educational service 3612
center, no present or former member, or immediate relative of a 3613
present or former member, of the governing authority shall: 3614

(i) Be an officer of the district board or service center 3615
governing board that serves as the community school's sponsor, 3616
unless at least one year has elapsed since the conclusion of the 3617
person's membership on the governing authority; 3618

(ii) Serve as an employee of, or a consultant for, the 3619
department, division, or section of the sponsoring district or 3620

service center that is directly responsible for sponsoring 3621
community schools, or have supervisory authority over such a 3622
department, division, or section, unless at least one year has 3623
elapsed since the conclusion of the person's membership on the 3624
governing authority. 3625

(5) The governing authority of a start-up or conversion 3626
community school may provide by resolution for the compensation 3627
of its members. However, no individual who serves on the 3628
governing authority of a start-up or conversion community school 3629
shall be compensated more than one hundred twenty-five dollars 3630
per meeting of that governing authority and no such individual 3631
shall be compensated more than a total amount of five thousand 3632
dollars per year for all governing authorities upon which the 3633
individual serves. Each member of the governing authority may be 3634
paid compensation for attendance at an approved training 3635
program, provided that such compensation shall not exceed sixty 3636
dollars a day for attendance at a training program three hours 3637
or less in length and one hundred twenty-five dollars a day for 3638
attendance at a training program longer than three hours in 3639
length. 3640

(6) No person who is the employee of a school district or 3641
educational service center shall serve on the governing 3642
authority of any community school sponsored by that school 3643
district or service center. 3644

(7) Each member of the governing authority of a community 3645
school shall annually file a disclosure statement setting forth 3646
the names of any immediate relatives or business associates 3647
employed by any of the following within the previous three 3648
years: 3649

(a) The sponsor or operator of that community school; 3650

(b) A school district or educational service center that 3651
has contracted with that community school; 3652

(c) A vendor that is or has engaged in business with that 3653
community school. 3654

(8) No person who is a member of a school district board 3655
of education shall serve on the governing authority of any 3656
community school. 3657

(F) (1) A new start-up school that is established prior to 3658
August 15, 2003, in an urban school district that is not also a 3659
big-eight school district may continue to operate after that 3660
date and the contract between the school's governing authority 3661
and the school's sponsor may be renewed, as provided under this 3662
chapter, after that date, but no additional new start-up schools 3663
may be established in such a district unless the district is a 3664
challenged school district as defined in this section as it 3665
exists on and after that date. 3666

(2) A community school that was established prior to June 3667
29, 1999, and is located in a county contiguous to the pilot 3668
project area and in a school district that is not a challenged 3669
school district may continue to operate after that date, 3670
provided the school complies with all provisions of this 3671
chapter. The contract between the school's governing authority 3672
and the school's sponsor may be renewed, but no additional 3673
start-up community school may be established in that district 3674
unless the district is a challenged school district. 3675

(3) Any educational service center that, on June 30, 2007, 3676
sponsors a community school that is not located in a county 3677
within the territory of the service center or in a county 3678
contiguous to such county may continue to sponsor that community 3679

school on and after June 30, 2007, and may renew its contract 3680
with the school. However, the educational service center shall 3681
not enter into a contract with any additional community school, 3682
unless the governing board of the service center has entered 3683
into an agreement with the department authorizing the service 3684
center to sponsor a community school in any challenged school 3685
district in the state. 3686

Sec. 3314.03. A copy of every contract entered into under 3687
this section shall be filed with the superintendent of public 3688
instruction. The department of education shall make available on 3689
its web site a copy of every approved, executed contract filed 3690
with the superintendent under this section. 3691

(A) Each contract entered into between a sponsor and the 3692
governing authority of a community school shall specify the 3693
following: 3694

(1) That the school shall be established as either of the 3695
following: 3696

(a) A nonprofit corporation established under Chapter 3697
1702. of the Revised Code, if established prior to April 8, 3698
2003; 3699

(b) A public benefit corporation established under Chapter 3700
1702. of the Revised Code, if established after April 8, 2003. 3701

(2) The education program of the school, including the 3702
school's mission, the characteristics of the students the school 3703
is expected to attract, the ages and grades of students, and the 3704
focus of the curriculum; 3705

(3) The academic goals to be achieved and the method of 3706
measurement that will be used to determine progress toward those 3707
goals, which shall include the statewide achievement 3708

assessments;	3709
(4) Performance standards, including but not limited to	3710
all applicable report card measures set forth in section 3302.03	3711
or 3314.017 of the Revised Code, by which the success of the	3712
school will be evaluated by the sponsor;	3713
(5) The admission standards of section 3314.06 of the	3714
Revised Code and, if applicable, section 3314.061 of the Revised	3715
Code;	3716
(6) (a) Dismissal procedures;	3717
(b) A requirement that the governing authority adopt an	3718
attendance policy that includes a procedure for automatically	3719
withdrawing a student from the school if the student without a	3720
legitimate excuse fails to participate in one hundred five	3721
consecutive hours of the learning opportunities offered to the	3722
student.	3723
(7) The ways by which the school will achieve racial and	3724
ethnic balance reflective of the community it serves;	3725
(8) Requirements for financial audits by the auditor of	3726
state. The contract shall require financial records of the	3727
school to be maintained in the same manner as are financial	3728
records of school districts, pursuant to rules of the auditor of	3729
state. Audits shall be conducted in accordance with section	3730
117.10 of the Revised Code.	3731
(9) An addendum to the contract outlining the facilities	3732
to be used that contains at least the following information:	3733
(a) A detailed description of each facility used for	3734
instructional purposes;	3735
(b) The annual costs associated with leasing each facility	3736

that are paid by or on behalf of the school;	3737
(c) The annual mortgage principal and interest payments	3738
that are paid by the school;	3739
(d) The name of the lender or landlord, identified as	3740
such, and the lender's or landlord's relationship to the	3741
operator, if any.	3742
(10) Qualifications of teachers, including a requirement	3743
that the school's classroom teachers be licensed in accordance	3744
with sections 3319.22 to 3319.31 of the Revised Code, except	3745
that a community school may engage noncertificated persons to	3746
teach up to twelve hours per week pursuant to section 3319.301	3747
of the Revised Code.	3748
(11) That the school will comply with the following	3749
requirements:	3750
(a) The school will provide learning opportunities to a	3751
minimum of twenty-five students for a minimum of nine hundred	3752
twenty hours per school year.	3753
(b) The governing authority will purchase liability	3754
insurance, or otherwise provide for the potential liability of	3755
the school.	3756
(c) The school will be nonsectarian in its programs,	3757
admission policies, employment practices, and all other	3758
operations, and will not be operated by a sectarian school or	3759
religious institution.	3760
(d) The school will comply with sections 9.90, 9.91,	3761
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	3762
3301.0711, 3301.0712, 3301.0715, <u>3301.0729</u> , 3301.948, 3313.472,	3763
3313.50, 3313.536, 3313.539, 3313.608, 3313.609, 3313.6012,	3764

3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 3313.648, 3765
3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3766
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3767
3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3768
3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3769
3319.073, 3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 3770
3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 3771
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 3772
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 3773
of the Revised Code as if it were a school district and will 3774
comply with section 3301.0714 of the Revised Code in the manner 3775
specified in section 3314.17 of the Revised Code. 3776

(e) The school shall comply with Chapter 102. and section 3777
2921.42 of the Revised Code. 3778

(f) The school will comply with sections 3313.61, 3779
3313.611, and 3313.614 of the Revised Code, except that for 3780
students who enter ninth grade for the first time before July 1, 3781
2010, the requirement in sections 3313.61 and 3313.611 of the 3782
Revised Code that a person must successfully complete the 3783
curriculum in any high school prior to receiving a high school 3784
diploma may be met by completing the curriculum adopted by the 3785
governing authority of the community school rather than the 3786
curriculum specified in Title XXXVIII of the Revised Code or any 3787
rules of the state board of education. Beginning with students 3788
who enter ninth grade for the first time on or after July 1, 3789
2010, the requirement in sections 3313.61 and 3313.611 of the 3790
Revised Code that a person must successfully complete the 3791
curriculum of a high school prior to receiving a high school 3792
diploma shall be met by completing the requirements prescribed 3793
in division (C) of section 3313.603 of the Revised Code, unless 3794
the person qualifies under division (D) or (F) of that section. 3795

Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the ~~2016-2017~~2017-2018 school year, with the updated plan that permits students enrolled in seventh and eighth grade to meet curriculum requirements based on subject area competency adopted by the state board of education under divisions (J) (1) and (2) of section 3313.603 of the Revised Code.

(g) The school governing authority will submit within four months after the end of each school year a report of its activities and progress in meeting the goals and standards of divisions (A) (3) and (4) of this section and its financial status to the sponsor and the parents of all students enrolled in the school.

(h) The school, unless it is an internet- or computer-based community school, will comply with section 3313.801 of the Revised Code as if it were a school district.

(i) If the school is the recipient of moneys from a grant awarded under the federal race to the top program, Division (A), Title XIV, Sections 14005 and 14006 of the "American Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the school will pay teachers based upon performance in accordance with section 3317.141 and will comply with section 3319.111 of the Revised Code as if it were a school district.

(j) If the school operates a preschool program that is licensed by the department of education under sections 3301.52 to 3301.59 of the Revised Code, the school shall comply with sections 3301.50 to 3301.59 of the Revised Code and the minimum standards for preschool programs prescribed in rules adopted by the state board under section 3301.53 of the Revised Code.

(k) The school will comply with sections 3313.6021 and 3313.6023 of the Revised Code as if it were a school district unless it is either of the following:

(i) An internet- or computer-based community school;

(ii) A community school in which a majority of the enrolled students are children with disabilities as described in division (A) (4) (b) of section 3314.35 of the Revised Code.

(12) Arrangements for providing health and other benefits to employees;

(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.

(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;

(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.

(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;

(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board

that operated the school or building before conversion is 3854
delegating to the governing authority of the community school 3855
with respect to all or any specified group of employees provided 3856
the delegation is not prohibited by a collective bargaining 3857
agreement applicable to such employees; 3858

(18) Provisions establishing procedures for resolving 3859
disputes or differences of opinion between the sponsor and the 3860
governing authority of the community school; 3861

(19) A provision requiring the governing authority to 3862
adopt a policy regarding the admission of students who reside 3863
outside the district in which the school is located. That policy 3864
shall comply with the admissions procedures specified in 3865
sections 3314.06 and 3314.061 of the Revised Code and, at the 3866
sole discretion of the authority, shall do one of the following: 3867

(a) Prohibit the enrollment of students who reside outside 3868
the district in which the school is located; 3869

(b) Permit the enrollment of students who reside in 3870
districts adjacent to the district in which the school is 3871
located; 3872

(c) Permit the enrollment of students who reside in any 3873
other district in the state. 3874

(20) A provision recognizing the authority of the 3875
department of education to take over the sponsorship of the 3876
school in accordance with the provisions of division (C) of 3877
section 3314.015 of the Revised Code; 3878

(21) A provision recognizing the sponsor's authority to 3879
assume the operation of a school under the conditions specified 3880
in division (B) of section 3314.073 of the Revised Code; 3881

- (22) A provision recognizing both of the following: 3882
- (a) The authority of public health and safety officials to 3883
inspect the facilities of the school and to order the facilities 3884
closed if those officials find that the facilities are not in 3885
compliance with health and safety laws and regulations; 3886
- (b) The authority of the department of education as the 3887
community school oversight body to suspend the operation of the 3888
school under section 3314.072 of the Revised Code if the 3889
department has evidence of conditions or violations of law at 3890
the school that pose an imminent danger to the health and safety 3891
of the school's students and employees and the sponsor refuses 3892
to take such action. 3893
- (23) A description of the learning opportunities that will 3894
be offered to students including both classroom-based and non- 3895
classroom-based learning opportunities that is in compliance 3896
with criteria for student participation established by the 3897
department under division (H) (2) of section 3314.08 of the 3898
Revised Code; 3899
- (24) The school will comply with sections 3302.04 and 3900
3302.041 of the Revised Code, except that any action required to 3901
be taken by a school district pursuant to those sections shall 3902
be taken by the sponsor of the school. However, the sponsor 3903
shall not be required to take any action described in division 3904
(F) of section 3302.04 of the Revised Code. 3905
- (25) Beginning in the 2006-2007 school year, the school 3906
will open for operation not later than the thirtieth day of 3907
September each school year, unless the mission of the school as 3908
specified under division (A) (2) of this section is solely to 3909
serve dropouts. In its initial year of operation, if the school 3910

fails to open by the thirtieth day of September, or within one 3911
year after the adoption of the contract pursuant to division (D) 3912
of section 3314.02 of the Revised Code if the mission of the 3913
school is solely to serve dropouts, the contract shall be void. 3914

(26) Whether the school's governing authority is planning 3915
to seek designation for the school as a STEM school equivalent 3916
under section 3326.032 of the Revised Code; 3917

(27) That the school's attendance and participation 3918
policies will be available for public inspection; 3919

(28) That the school's attendance and participation 3920
records shall be made available to the department of education, 3921
auditor of state, and school's sponsor to the extent permitted 3922
under and in accordance with the "Family Educational Rights and 3923
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 3924
and any regulations promulgated under that act, and section 3925
3319.321 of the Revised Code; 3926

(29) If a school operates using the blended learning 3927
model, as defined in section 3301.079 of the Revised Code, all 3928
of the following information: 3929

(a) An indication of what blended learning model or models 3930
will be used; 3931

(b) A description of how student instructional needs will 3932
be determined and documented; 3933

(c) The method to be used for determining competency, 3934
granting credit, and promoting students to a higher grade level; 3935

(d) The school's attendance requirements, including how 3936
the school will document participation in learning 3937
opportunities; 3938

(e) A statement describing how student progress will be monitored;	3939 3940
(f) A statement describing how private student data will be protected;	3941 3942
(g) A description of the professional development activities that will be offered to teachers.	3943 3944
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	3945 3946 3947 3948
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.	3949 3950 3951 3952 3953
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	3954 3955 3956
(1) The process by which the governing authority of the school will be selected in the future;	3957 3958
(2) The management and administration of the school;	3959
(3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;	3960 3961 3962 3963 3964
(4) The instructional program and educational philosophy of the school;	3965 3966

(5) Internal financial controls.	3967
When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school.	3968 3969 3970 3971
(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.	3972 3973 3974 3975 3976 3977 3978 3979 3980 3981
(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department of education under division (B) of section 3314.015 of the Revised Code and shall include the following:	3982 3983 3984 3985 3986
(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract;	3987 3988 3989
(2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;	3990 3991 3992
(3) Report on an annual basis the results of the evaluation conducted under division (D) (2) of this section to the department of education and to the parents of students	3993 3994 3995

enrolled in the community school; 3996

(4) Provide technical assistance to the community school 3997
in complying with laws applicable to the school and terms of the 3998
contract; 3999

(5) Take steps to intervene in the school's operation to 4000
correct problems in the school's overall performance, declare 4001
the school to be on probationary status pursuant to section 4002
3314.073 of the Revised Code, suspend the operation of the 4003
school pursuant to section 3314.072 of the Revised Code, or 4004
terminate the contract of the school pursuant to section 3314.07 4005
of the Revised Code as determined necessary by the sponsor; 4006

(6) Have in place a plan of action to be undertaken in the 4007
event the community school experiences financial difficulties or 4008
closes prior to the end of a school year. 4009

(E) Upon the expiration of a contract entered into under 4010
this section, the sponsor of a community school may, with the 4011
approval of the governing authority of the school, renew that 4012
contract for a period of time determined by the sponsor, but not 4013
ending earlier than the end of any school year, if the sponsor 4014
finds that the school's compliance with applicable laws and 4015
terms of the contract and the school's progress in meeting the 4016
academic goals prescribed in the contract have been 4017
satisfactory. Any contract that is renewed under this division 4018
remains subject to the provisions of sections 3314.07, 3314.072, 4019
and 3314.073 of the Revised Code. 4020

(F) If a community school fails to open for operation 4021
within one year after the contract entered into under this 4022
section is adopted pursuant to division (D) of section 3314.02 4023
of the Revised Code or permanently closes prior to the 4024

expiration of the contract, the contract shall be void and the 4025
school shall not enter into a contract with any other sponsor. A 4026
school shall not be considered permanently closed because the 4027
operations of the school have been suspended pursuant to section 4028
3314.072 of the Revised Code. 4029

Sec. 3314.06. The governing authority of each community 4030
school established under this chapter shall adopt admission 4031
procedures that specify the following: 4032

(A) That, except as otherwise provided in this section, 4033
admission to the school shall be open to any individual age five 4034
to twenty-two entitled to attend school pursuant to section 4035
3313.64 or 3313.65 of the Revised Code in a school district in 4036
the state. 4037

Additionally, except as otherwise provided in this 4038
section, admission to the school may be open on a tuition basis 4039
to any individual age five to twenty-two who is not a resident 4040
of this state. The school shall not receive state funds under 4041
section 3314.08 of the Revised Code for any student who is not a 4042
resident of this state. 4043

An individual younger than five years of age may be 4044
admitted to the school in accordance with division (A)(2) of 4045
section 3321.01 of the Revised Code. The school shall receive 4046
funds for an individual admitted under that division in the 4047
manner provided under section 3314.08 of the Revised Code. 4048

If the school operates a program that uses the Montessori 4049
method endorsed by the American Montessori society, the 4050
Montessori accreditation council for teacher education, or the 4051
association Montessori internationale as its primary method of 4052
instruction, admission to the school may be open to individuals 4053

younger than five years of age, but the school shall not receive 4054
funds under this chapter for those individuals. Notwithstanding 4055
anything to the contrary in this chapter, individuals younger 4056
than five years of age who are enrolled in a Montessori program 4057
shall be offered at least four hundred fifty-five hours of 4058
learning opportunities per school year. 4059

If the school operates a preschool program that is 4060
licensed by the department of education under sections 3301.52 4061
to 3301.59 of the Revised Code, admission to the school may be 4062
open to individuals who are younger than five years of age, but 4063
the school shall not receive funds under this chapter for those 4064
individuals. 4065

(B) (1) That admission to the school may be limited to 4066
students who have attained a specific grade level or are within 4067
a specific age group; to students that meet a definition of "at- 4068
risk," as defined in the contract; to residents of a specific 4069
geographic area within the district, as defined in the contract; 4070
or to separate groups of autistic students and nondisabled 4071
students, as authorized in section 3314.061 of the Revised Code 4072
and as defined in the contract. 4073

(2) For purposes of division (B) (1) of this section, "at- 4074
risk" students may include those students identified as gifted 4075
students under section 3324.03 of the Revised Code. 4076

(C) Whether enrollment is limited to students who reside 4077
in the district in which the school is located or is open to 4078
residents of other districts, as provided in the policy adopted 4079
pursuant to the contract. 4080

(D) (1) That there will be no discrimination in the 4081
admission of students to the school on the basis of race, creed, 4082

color, disability, or sex except that: 4083

(a) The governing authority may do either of the following 4084
for the purpose described in division (G) of this section: 4085

(i) Establish a single-gender school for either sex; 4086

(ii) Establish single-gender schools for each sex under 4087
the same contract, provided substantially equal facilities and 4088
learning opportunities are offered for both boys and girls. Such 4089
facilities and opportunities may be offered for each sex at 4090
separate locations. 4091

(b) The governing authority may establish a school that 4092
simultaneously serves a group of students identified as autistic 4093
and a group of students who are not disabled, as authorized in 4094
section 3314.061 of the Revised Code. However, unless the total 4095
capacity established for the school has been filled, no student 4096
with any disability shall be denied admission on the basis of 4097
that disability. 4098

(2) That upon admission of any student with a disability, 4099
the community school will comply with all federal and state laws 4100
regarding the education of students with disabilities. 4101

(E) That the school may not limit admission to students on 4102
the basis of intellectual ability, measures of achievement or 4103
aptitude, or athletic ability, except that a school may limit 4104
its enrollment to students as described in division (B) of this 4105
section. 4106

(F) That the community school will admit the number of 4107
students that does not exceed the capacity of the school's 4108
programs, classes, grade levels, or facilities. 4109

(G) That the purpose of single-gender schools that are 4110

established shall be to take advantage of the academic benefits 4111
some students realize from single-gender instruction and 4112
facilities and to offer students and parents residing in the 4113
district the option of a single-gender education. 4114

(H) That, except as otherwise provided under division (B) 4115
of this section or section 3314.061 of the Revised Code, if the 4116
number of applicants exceeds the capacity restrictions of 4117
division (F) of this section, students shall be admitted by lot 4118
from all those submitting applications, except preference shall 4119
be given to students attending the school the previous year and 4120
to students who reside in the district in which the school is 4121
located. Preference may be given to siblings of students 4122
attending the school the previous year. Preference also may be 4123
given to students who are the children of full-time staff 4124
members employed by the school, provided the total number of 4125
students receiving this preference is less than five per cent of 4126
the school's total enrollment. 4127

Notwithstanding divisions (A) to (H) of this section, in 4128
the event the racial composition of the enrollment of the 4129
community school is violative of a federal desegregation order, 4130
the community school shall take any and all corrective measures 4131
to comply with the desegregation order. 4132

Sec. 3319.111. Notwithstanding section 3319.09 of the 4133
Revised Code, this section applies to any person who is employed 4134
under a teacher license issued under this chapter, or under a 4135
professional or permanent teacher's certificate issued under 4136
former section 3319.222 of the Revised Code, and who spends at 4137
least fifty per cent of the time employed providing student 4138
instruction. However, this section does not apply to any person 4139
who is employed as a substitute teacher or as an instructor of 4140

adult education. 4141

(A) Not later than July 1, 2013, the board of education of 4142
each school district, in consultation with teachers employed by 4143
the board, shall adopt a standards-based teacher evaluation 4144
policy that conforms with the framework for evaluation of 4145
teachers developed under section 3319.112 of the Revised Code. 4146
The policy shall become operative at the expiration of any 4147
collective bargaining agreement covering teachers employed by 4148
the board that is in effect on September 29, 2011, and shall be 4149
included in any renewal or extension of such an agreement. 4150

(B) When using measures of student academic growth as a 4151
component of a teacher's evaluation, those measures shall 4152
include the value-added progress dimension prescribed by section 4153
3302.021 of the Revised Code or an alternative student academic 4154
progress measure if adopted under division (C)(1)(e) of section 4155
3302.03 of the Revised Code. For teachers of grade levels and 4156
subjects for which the value-added progress dimension or 4157
alternative student academic progress measure is not applicable, 4158
the board shall administer assessments on the list developed 4159
under division (B)(2) of section 3319.112 of the Revised Code. 4160

(C)(1) The board shall conduct an evaluation of each 4161
teacher employed by the board at least once each school year, 4162
except as provided in division (C)(2) of this section. The 4163
evaluation shall be completed by the first day of May and the 4164
teacher shall receive a written report of the results of the 4165
evaluation by the tenth day of May. 4166

(2)(a) The board may evaluate each teacher who received a 4167
rating of accomplished on the teacher's most recent evaluation 4168
conducted under this section once every three school years, so 4169
long as the teacher's student academic growth measure, for the 4170

most recent school year for which data is available, is average 4171
or higher, as determined by the department of education. 4172

(b) The board may evaluate each teacher who received a 4173
rating of skilled on the teacher's most recent evaluation 4174
conducted under this section once every two years, so long as 4175
the teacher's student academic growth measure, for the most 4176
recent school year for which data is available, is average or 4177
higher, as determined by the department of education. 4178

(c) For each teacher who is evaluated pursuant to division 4179
(C) (2) of this section, the evaluation shall be completed by the 4180
first day of May of the applicable school year, and the teacher 4181
shall receive a written report of the results of the evaluation 4182
by the tenth day of May of that school year. 4183

(d) Beginning with the 2014-2015 school year, the board 4184
may elect not to conduct an evaluation of a teacher who meets 4185
one of the following requirements: 4186

(i) The teacher was on leave from the school district for 4187
fifty per cent or more of the school year, as calculated by the 4188
board. 4189

(ii) The teacher has submitted notice of retirement and 4190
that notice has been accepted by the board not later than the 4191
first day of December of the school year in which the evaluation 4192
is otherwise scheduled to be conducted. 4193

(e) Beginning with the 2017-2018 school year, the board 4194
may elect not to conduct an evaluation of a teacher who is 4195
participating in the teacher residency program established under 4196
section 3319.223 of the Revised Code for the year during which 4197
that teacher takes, for the first time, at least half of the 4198
performance-based assessment prescribed by the state board of 4199

education for resident educators. 4200

(3) In any year that a teacher is not formally evaluated 4201
pursuant to division (C) of this section as a result of 4202
receiving a rating of accomplished or skilled on the teacher's 4203
most recent evaluation, an individual qualified to evaluate a 4204
teacher under division (D) of this section shall conduct at 4205
least one observation of the teacher and hold at least one 4206
conference with the teacher. 4207

(D) Each evaluation conducted pursuant to this section 4208
shall be conducted by one or more of the following persons who 4209
hold a credential established by the department of education for 4210
being an evaluator: 4211

(1) A person who is under contract with the board pursuant 4212
to section 3319.01 or 3319.02 of the Revised Code and holds a 4213
license designated for being a superintendent, assistant 4214
superintendent, or principal issued under section 3319.22 of the 4215
Revised Code; 4216

(2) A person who is under contract with the board pursuant 4217
to section 3319.02 of the Revised Code and holds a license 4218
designated for being a vocational director, administrative 4219
specialist, or supervisor in any educational area issued under 4220
section 3319.22 of the Revised Code; 4221

(3) A person designated to conduct evaluations under an 4222
agreement entered into by the board, including an agreement 4223
providing for peer review entered into by the board and 4224
representatives of teachers employed by the board; 4225

(4) A person who is employed by an entity contracted by 4226
the board to conduct evaluations and who holds a license 4227
designated for being a superintendent, assistant superintendent, 4228

principal, vocational director, administrative specialist, or 4229
supervisor in any educational area issued under section 3319.22 4230
of the Revised Code or is qualified to conduct evaluations. 4231

(E) Notwithstanding division (A) (3) of section 3319.112 of 4232
the Revised Code: 4233

(1) The board shall require at least three formal 4234
observations of each teacher who is under consideration for 4235
nonrenewal and with whom the board has entered into a limited 4236
contract or an extended limited contract under section 3319.11 4237
of the Revised Code. 4238

(2) The board may elect, by adoption of a resolution, to 4239
require only one formal observation of a teacher who received a 4240
rating of accomplished on the teacher's most recent evaluation 4241
conducted under this section, provided the teacher completes a 4242
project that has been approved by the board to demonstrate the 4243
teacher's continued growth and practice at the accomplished 4244
level. 4245

(F) The board shall include in its evaluation policy 4246
procedures for using the evaluation results for retention and 4247
promotion decisions and for removal of poorly performing 4248
teachers. Seniority shall not be the basis for a decision to 4249
retain a teacher, except when making a decision between teachers 4250
who have comparable evaluations. 4251

(G) For purposes of section 3333.0411 of the Revised Code, 4252
the board annually shall report to the department of education 4253
the number of teachers for whom an evaluation was conducted 4254
under this section and the number of teachers assigned each 4255
rating prescribed under division (B) (1) of section 3319.112 of 4256
the Revised Code, aggregated by the teacher preparation programs 4257

from which and the years in which the teachers graduated. The 4258
department shall establish guidelines for reporting the 4259
information required by this division. The guidelines shall not 4260
permit or require that the name of, or any other personally 4261
identifiable information about, any teacher be reported under 4262
this division. 4263

(H) Notwithstanding any provision to the contrary in 4264
Chapter 4117. of the Revised Code, the requirements of this 4265
section prevail over any conflicting provisions of a collective 4266
bargaining agreement entered into on or after September 24, 4267
2012. 4268

Sec. 3319.223. (A) Not later than January 1, 2011, the 4269
superintendent of public instruction and the chancellor of 4270
higher education jointly shall establish the Ohio teacher 4271
residency program, which shall be a four-year, entry-level 4272
program for classroom teachers. ~~The~~ Except as provided in 4273
division (B) of this section, the teacher residency program 4274
shall include at least the following components: 4275

(1) Mentoring by teachers for the first two years of the 4276
program; 4277

(2) Counseling, as determined necessary by the school 4278
district or school, to ensure that program participants receive 4279
needed professional development; 4280

(3) Measures of appropriate progression through the 4281
program, which shall include the performance-based assessment 4282
prescribed by the state board of education for resident 4283
educators in the third year of the program. 4284

~~An~~ (B) (1) For an individual who is teaching career- 4285
technical courses under an alternative resident educator license 4286

issued under section 3319.26 of the Revised Code or rule of the 4287
state board, the Ohio teacher residency program shall include 4288
the following components: 4289

(a) Conditions that, as of September 29, 2015, were 4290
necessary for a participant in the third and fourth year of the 4291
program to complete prior to applying for the professional 4292
educator license under division (A) (2) of section 3319.22 of the 4293
Revised Code, except as provided in division (B) (2) (b) of this 4294
section; 4295

(b) Four years of successful teaching experience under the 4296
alternative resident educator license, as verified by the 4297
superintendent of the employing school district; 4298

(c) Successful completion of a career-technical workforce 4299
development teacher preparation program that consists of not 4300
less than twenty-four semester hours, or the equivalent, from a 4301
state university. The teacher preparation program shall include 4302
a performance-based assessment, to be verified by the 4303
institution. 4304

(2) No individual who is teaching career-technical courses 4305
under an alternative resident educator license issued under 4306
section 3319.26 of the Revised Code or rule of the state board 4307
shall ~~not~~ be required to ~~complete~~ do either of the following: 4308

(a) ~~Complete~~ the conditions of the Ohio teacher residency 4309
program that a participant, as of ~~the effective date of this~~ 4310
~~amendment~~ September 29, 2015, would have been required to 4311
complete during the participant's first and second year of 4312
teaching under an alternative resident educator license. ~~Such an~~ 4313
~~individual shall complete all the conditions that, as of the~~ 4314
~~effective date of this amendment , were necessary for a~~ 4315

~~participant in the third and fourth year of the program prior to~~ 4316
~~applying for a professional educator license under division (A)~~ 4317
~~(2) of section 3319.22 of the Revised Code.~~ 4318

(b) Take the performance-based assessment prescribed by 4319
the state board for resident educators. 4320

~~(B)~~ (C) The teacher residency program shall be aligned 4321
with the standards for teachers adopted by the state board under 4322
section 3319.61 of the Revised Code and best practices 4323
identified by the superintendent of public instruction. 4324

~~(C)~~ (D) Each person who holds a resident educator license 4325
issued under section 3319.22 or 3319.227 of the Revised Code or 4326
an alternative resident educator license issued under section 4327
3319.26 of the Revised Code shall participate in the teacher 4328
residency program. Successful completion of the program shall be 4329
required to qualify any such person for a professional educator 4330
license issued under section 3319.22 of the Revised Code. 4331

Sec. 3319.26. (A) The state board of education shall adopt 4332
rules establishing the standards and requirements for obtaining 4333
an alternative resident educator license for teaching in grades 4334
kindergarten to twelve, or the equivalent, in a designated 4335
subject area or in the area of intervention specialist, as 4336
defined by rule of the state board. The rules shall also include 4337
the reasons for which an alternative resident educator license 4338
may be renewed under division (D) of this section. 4339

(B) The superintendent of public instruction and the 4340
chancellor of the Ohio board of regents jointly shall develop an 4341
intensive pedagogical training institute to provide instruction 4342
in the principles and practices of teaching for individuals 4343
seeking an alternative resident educator license. The 4344

instruction shall cover such topics as student development and 4345
learning, pupil assessment procedures, curriculum development, 4346
classroom management, and teaching methodology. 4347

(C) The rules adopted under this section shall require 4348
applicants for the alternative resident educator license to 4349
satisfy the following conditions prior to issuance of the 4350
license, but they shall not require applicants to have completed 4351
a major or coursework in the subject area for which application 4352
is being made: 4353

(1) Hold a minimum of a baccalaureate degree; 4354

(2) Successfully complete the pedagogical training 4355
institute described in division (B) of this section or a summer 4356
training institute provided to participants of a teacher 4357
preparation program that is operated by a nonprofit organization 4358
and has been approved by the chancellor. The chancellor shall 4359
approve any such program that requires participants to hold a 4360
bachelor's degree; have a cumulative undergraduate grade point 4361
average of at least 2.5 out of 4.0, or its equivalent; and 4362
successfully complete the program's summer training institute. 4363

(3) Pass an examination in the subject area for which 4364
application is being made. 4365

(D) An alternative resident educator license shall be 4366
valid for four years and shall be renewable for reasons 4367
specified by rules adopted by the state board pursuant to 4368
division (A) of this section. The state board, on a case-by-case 4369
basis, may extend the license's duration as necessary to enable 4370
the license holder to complete the Ohio teacher residency 4371
program established under section 3319.223 of the Revised Code. 4372

(E) The rules shall require the holder of an alternative 4373

resident educator license, as a condition of continuing to hold 4374
the license, to do all of the following: 4375

(1) Participate in the Ohio teacher residency program; 4376

(2) Show satisfactory progress in taking and successfully 4377
completing one of the following: 4378

(a) At least twelve additional semester hours, or the 4379
equivalent, of college coursework in the principles and 4380
practices of teaching in such topics as student development and 4381
learning, pupil assessment procedures, curriculum development, 4382
classroom management, and teaching methodology; 4383

(b) Professional development provided by a teacher 4384
preparation program that has been approved by the chancellor 4385
under division (C) (2) of this section. 4386

(3) Take an assessment of professional knowledge in the 4387
second year of teaching under the license. 4388

(F) The rules shall provide for the granting of a 4389
professional educator license to a holder of an alternative 4390
resident educator license upon successfully completing all of 4391
the following: 4392

(1) Four years of teaching under the alternative license; 4393

(2) The additional college coursework or professional 4394
development described in division (E) (2) of this section; 4395

(3) The assessment of professional knowledge described in 4396
division (E) (3) of this section. The standards for successfully 4397
completing this assessment and the manner of conducting the 4398
assessment shall be the same as for any other individual who is 4399
required to take the assessment pursuant to rules adopted by the 4400
state board under section 3319.22 of the Revised Code. 4401

(4) The Ohio teacher residency program; 4402

(5) All other requirements for a professional educator 4403
license adopted by the state board under section 3319.22 of the 4404
Revised Code. 4405

(G) A person who is assigned to teach in this state as a 4406
participant in the teach for America program or who has 4407
completed two years of teaching in another state as a 4408
participant in that program shall be eligible for a license only 4409
under section 3319.227 of the Revised Code and shall not be 4410
eligible for a license under this section. 4411

Sec. ~~3319.271~~ 3319.272. (A) As used in this section, the 4412
"bright new leaders for Ohio schools program" means the program 4413
created and implemented by the nonprofit corporation 4414
incorporated pursuant to ~~Section 733.40 of Am. Sub. H.B. 59 of~~ 4415
~~the 130th general assembly~~ section 3319.271 of the Revised Code 4416
to provide an alternative path for individuals to receive 4417
training and development in the administration of primary and 4418
secondary education and leadership, enable those individuals to 4419
earn degrees and obtain licenses in public school 4420
administration, and promote the placement of those individuals 4421
in public schools that have a poverty percentage greater than 4422
fifty per cent. 4423

(B) The state board of education shall issue an 4424
alternative principal license or an administrator license, as 4425
applicable, to an individual who successfully completes the 4426
bright new leaders for Ohio schools program and satisfies the 4427
requirements in rules adopted by the state board under division 4428
(C) of this section. 4429

(C) The state board, in consultation with the board of 4430

directors of the bright new leaders for Ohio schools 4431
program, shall adopt rules that prescribe the requirements for 4432
obtaining an alternative principal license or an administrator 4433
license under this section. The state board shall use the rules 4434
adopted under section 3319.27 of the Revised Code as guidance in 4435
developing the rules adopted under this division. 4436

Sec. 3326.03. (A) The STEM committee shall authorize the 4437
establishment of and award grants to science, technology, 4438
engineering, and mathematics schools based on proposals 4439
submitted to the committee. 4440

The committee shall determine the criteria for proposals, 4441
establish procedures for the submission of proposals, accept and 4442
evaluate proposals, and choose which proposals to approve to 4443
become a STEM school. In approving proposals for STEM schools, 4444
the committee shall consider locating the schools in diverse 4445
geographic regions of the state so that all students have access 4446
to a STEM school. 4447

The committee shall seek technical assistance from the 4448
Ohio STEM learning network, or its successor, throughout the 4449
process of accepting and evaluating proposals and choosing which 4450
proposals to approve. In approving proposals for STEM schools, 4451
the committee shall consider the recommendations of the Ohio 4452
STEM learning network, or its successor. 4453

The committee may authorize the establishment of a group 4454
of multiple STEM schools to operate from multiple facilities 4455
located in one or more school districts under the direction of a 4456
single governing body in the manner prescribed by section 4457
3326.031 of the Revised Code. The committee shall consider the 4458
merits of each of the proposed STEM schools within a group and 4459
shall authorize each school separately. Anytime after 4460

authorizing a group of STEM schools to be under the direction of 4461
a single governing body, upon a proposal from the governing 4462
body, the committee may authorize one or more additional schools 4463
to operate as part of that group. 4464

The STEM committee may approve one or more STEM schools to 4465
serve only students identified as gifted under Chapter 3324. of 4466
the Revised Code. 4467

(B) Proposals may be submitted only by a partnership of 4468
public and private entities consisting of at least all of the 4469
following: 4470

(1) A city, exempted village, local, or joint vocational 4471
school district or an educational service center; 4472

(2) Higher education entities; 4473

(3) Business organizations. 4474

A community school established under Chapter 3314. of the 4475
Revised Code, a chartered nonpublic school, or both may be part 4476
of the partnership. 4477

(C) Each proposal shall include at least the following: 4478

(1) Assurances that the STEM school or group of STEM 4479
schools will be under the oversight of a governing body and a 4480
description of the members of that governing body and how they 4481
will be selected; 4482

(2) Assurances that each STEM school will operate in 4483
compliance with this chapter and the provisions of the proposal 4484
as accepted by the committee; 4485

(3) Evidence that each school will offer a rigorous, 4486
diverse, integrated, and project-based curriculum to students in 4487

any of grades ~~six~~kindergarten through twelve, with the goal to 4488
prepare those students for college, the workforce, and 4489
citizenship, and that does all of the following: 4490

(a) Emphasizes the role of science, technology, 4491
engineering, and mathematics in promoting innovation and 4492
economic progress; 4493

(b) Incorporates scientific inquiry and technological 4494
design; 4495

(c) Includes the arts and humanities; 4496

(d) Emphasizes personalized learning and teamwork skills. 4497

(4) Evidence that each school will attract school leaders 4498
who support the curriculum principles of division (C) (3) of this 4499
section; 4500

(5) A description of how each school's curriculum will be 4501
developed and approved in accordance with section 3326.09 of the 4502
Revised Code; 4503

(6) Evidence that each school will utilize an established 4504
capacity to capture and share knowledge for best practices and 4505
innovative professional development with the Ohio STEM learning 4506
network, or its successor; 4507

(7) Evidence that each school will operate in 4508
collaboration with a partnership that includes institutions of 4509
higher education and businesses; 4510

(8) Assurances that each school has received commitments 4511
of sustained and verifiable fiscal and in-kind support from 4512
regional education and business entities; 4513

(9) A description of how each school's assets will be 4514

distributed if the school closes for any reason. 4515

Sec. 3326.032. (A) The STEM committee may grant a 4516
designation of STEM school equivalent to a community school 4517
established under Chapter 3314. of the Revised Code or to a 4518
chartered nonpublic school. In order to be eligible for this 4519
designation, a community school or chartered nonpublic school 4520
shall submit a proposal that satisfies the requirements of this 4521
section. 4522

The committee shall determine the criteria for proposals, 4523
establish procedures for the submission of proposals, accept and 4524
evaluate proposals, and choose which proposals warrant a 4525
community school or chartered nonpublic school to be designated 4526
as a STEM school equivalent. 4527

(B) A proposal for designation as a STEM school equivalent 4528
shall include at least the following: 4529

(1) Assurances that the community school or chartered 4530
nonpublic school submitting the proposal has a working 4531
partnership with both public and private entities, including 4532
higher education entities and business organizations; 4533

(2) Assurances that the school submitting the proposal 4534
will operate in compliance with this section and the provisions 4535
of the proposal as accepted by the committee; 4536

(3) Evidence that the school submitting the proposal will 4537
offer a rigorous, diverse, integrated, and project-based 4538
curriculum to students in any of grades ~~six~~ kindergarten through 4539
twelve, with the goal to prepare those students for college, the 4540
workforce, and citizenship, and that does all of the following: 4541

(a) Emphasizes the role of science, technology, 4542
engineering, and mathematics in promoting innovation and 4543

economic progress;	4544
(b) Incorporates scientific inquiry and technological design;	4545 4546
(c) Includes the arts and humanities;	4547
(d) Emphasizes personalized learning and teamwork skills.	4548
(4) Evidence that the school submitting the proposal will attract school leaders who support the curriculum principles of division (B) (3) of this section;	4549 4550 4551
(5) A description of how each school's curriculum will be developed and approved in accordance with section 3326.09 of the Revised Code;	4552 4553 4554
(6) Evidence that the school submitting the proposal will utilize an established capacity to capture and share knowledge for best practices and innovative professional development;	4555 4556 4557
(7) Assurances that the school submitting the proposal has received commitments of sustained and verifiable fiscal and in-kind support from regional education and business entities.	4558 4559 4560
(C) (1) A community school or chartered nonpublic school that is designated as a STEM school equivalent under this section shall not be subject to the requirements of Chapter 3326. of the Revised Code, except that the school shall be subject to the requirements of this section and to the curriculum requirements of section 3326.09 of the Revised Code.	4561 4562 4563 4564 4565 4566
Nothing in this section, however, shall relieve a community school of the applicable requirements of Chapter 3314. of the Revised Code. Nor shall anything in this section relieve a chartered nonpublic school of any provisions of law outside of this chapter that are applicable to chartered nonpublic schools.	4567 4568 4569 4570 4571

(2) A community school or chartered nonpublic school that 4572
is designated as a STEM school equivalent under this section 4573
shall not be eligible for operating funding under sections 4574
3326.31 to 3326.37, 3326.39 to 3326.40, and 3326.51 of the 4575
Revised Code. 4576

(3) A community school or chartered nonpublic school that 4577
is designated as a STEM school equivalent under this section may 4578
apply for any of the grants and additional funds described in 4579
section 3326.38 of the Revised Code for which the school is 4580
eligible. 4581

(D) If a community school or chartered nonpublic school 4582
that is designated as a STEM school equivalent under this 4583
section intends to close or intends to no longer be designated 4584
as a STEM school equivalent, it shall notify the STEM committee 4585
of that fact. 4586

Sec. 3326.11. Each science, technology, engineering, and 4587
mathematics school established under this chapter and its 4588
governing body shall comply with sections 9.90, 9.91, 109.65, 4589
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 4590
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 4591
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 4592
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.608, 4593
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 4594
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 4595
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 4596
3313.667, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 4597
3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 4598
~~3317.721~~3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 4599
3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 4600
3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 4601

3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 4602
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 4603
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4604
4123., 4141., and 4167. of the Revised Code as if it were a 4605
school district. 4606

Sec. 3328.24. A college-preparatory boarding school 4607
established under this chapter and its board of trustees shall 4608
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 4609
3301.0714, 3301.0729, 3301.948, 3313.536, 3313.6013, 3313.6021, 4610
3313.6411, 3313.7112, 3313.721, 3313.89, 3319.39, 3319.391, and 4611
3319.46 and Chapter 3365. of the Revised Code as if the school 4612
were a school district and the school's board of trustees were a 4613
district board of education. 4614

Sec. 3333.93. (A) As used in this section: 4615

(1) "Eligible student" means a student who is enrolled in 4616
a public or private institution and is pursuing a qualifying 4617
degree, certification, or license. 4618

(2) "In-demand job" means a job that is determined to be 4619
in demand in this state and its regions under section 6301.11 of 4620
the Revised Code. 4621

(3) "Public or private institution" means any of the 4622
following: 4623

(a) A state institution of higher education, as defined in 4624
section 3345.011 of the Revised Code; 4625

(b) A private, nonprofit institution in this state holding 4626
a certificate of authorization pursuant to Chapter 1713. of the 4627
Revised Code; 4628

(c) An Ohio technical center that provides adult technical 4629

education services as recognized by the chancellor of higher 4630
education. 4631

(4) "Qualifying degree, certification, or license" means a 4632
degree, certification, or license that is required to qualify an 4633
individual for an in-demand job. 4634

(B) The workforce grant program is hereby established. 4635
Under the program, the chancellor of higher education shall 4636
distribute funding to public and private institutions, and those 4637
institutions shall award grants to eligible students. 4638

(C) (1) A grant shall be awarded to an eligible student for 4639
the period of time the student takes to complete a qualifying 4640
degree, certification, or license. On an annual basis, the 4641
maximum amount of a grant that may be awarded to an eligible 4642
student shall be five thousand dollars. The grant shall not 4643
exceed seventy-five per cent of the cost of tuition during an 4644
academic year in which the student is receiving the grant. The 4645
greatest portion of the grant shall be distributed to the 4646
student as the student is completing the academic program and 4647
seeking an in-demand job. 4648

(2) No public or private institution shall use grant 4649
moneys dispersed under the program to underwrite a tuition 4650
increase imposed on students attending the institution. 4651

(D) The chancellor shall adopt rules regarding the 4652
operations of the grant program, including all of the following: 4653

(1) Application procedures; 4654

(2) The method for selecting grant recipients that shall 4655
include both of the following: 4656

(a) An assessment of an applicant's need for financial 4657

aid, including sources of income and other financial aid the 4658
applicant has been awarded; 4659

(b) An analysis of whether the degree, certification, or 4660
license that is being pursued by an applicant is a qualifying 4661
degree, certification, or license. 4662

(3) Milestones that must be attained by a grant recipient 4663
in order to continue to receive a grant under this section, 4664
including spending thirty to ninety days in a workplace where 4665
the degree, certification, or license that is being pursued by 4666
the grant recipient is required for employment or participating 4667
in a cooperative or internship program in a workplace where the 4668
degree, certification, or license that is being pursued by the 4669
grant recipient is required for employment; 4670

(4) Other requirements that must be completed by a grant 4671
recipient, including both of the following: 4672

(a) The completion of curriculum that includes skills 4673
needed by employers; 4674

(b) The completion of counseling regarding the proper 4675
management of student loans and how to minimize the amount of 4676
student loan debt. 4677

(5) The method for determining the distribution of a grant 4678
to a grant recipient, including both of the following: 4679

(a) The amount of each disbursement; 4680

(b) The schedule for making disbursements to a grant 4681
recipient. 4682

(6) Establishing a procedure for a public or private 4683
institution to take disciplinary action against a student who 4684
fails to continue in an academic program leading to a qualifying 4685

degree, certification, or license after receiving a grant, 4686
including determining appropriate reimbursements. 4687

(E) The department of higher education, in consultation 4688
with the department of education, shall establish a procedure 4689
for training and outreach for school counselors to allow them to 4690
distribute information to high school students in this state 4691
regarding the jobs that are determined to be in-demand jobs and 4692
the educational requirements for employment in those jobs. 4693

(F) The department of higher education shall solicit 4694
proposals to coordinate and conduct the statewide promotion of 4695
the workforce grant program through a request for proposals. The 4696
department shall advertise its intent to request proposals in a 4697
newspaper of general circulation in the state once a week for 4698
two consecutive weeks before a date specified by the board as 4699
the date on which it will begin accepting proposals. The notices 4700
shall contain a general description of the subject of the 4701
proposed agreement and the location where the request for 4702
proposals may be obtained. The request for proposals shall 4703
include the following information: 4704

(1) Instructions concerning the submission of proposals; 4705

(2) Information regarding communications, including how to 4706
contact persons to whom questions concerning a proposal may be 4707
directed; 4708

(3) A description of the performance criteria that will be 4709
used to evaluate a proposal; 4710

(4) The relative importance of each evaluation criterion; 4711

(5) Any terms or conditions of the proposed contract. 4712

After the date specified for receiving proposals, the 4713

department shall evaluate submitted proposals. The department 4714
may discuss a respondent's proposal with that respondent to 4715
clarify or revise a proposal or the terms of the agreement. 4716
After reviewing the proposals, the department may enter into a 4717
written agreement with one of the respondents to administer the 4718
statewide promotion of the program. 4719

(G) The chancellor, in consultation with the governor's 4720
office of workforce transformation and the departments of job 4721
and family services and taxation, shall do all of the following: 4722

(1) Develop a methodology for collecting all of the 4723
following information: 4724

(a) The total number of grants awarded to eligible 4725
students; 4726

(b) The total grant amount awarded to each grant 4727
recipient; 4728

(c) The job field and occupation a grant recipient holds 4729
twelve months following the completion of a program; 4730

(d) The income level of each grant recipient. 4731

(2) Perform a cost-benefit analysis comparing the costs of 4732
the program against the earnings generated by grant recipients 4733
based on the information collected in division (G)(1) of this 4734
section. 4735

(3) Submit a report to the governor and the general 4736
assembly describing the results of the analysis required under 4737
division (G) of this section not later than December 31, 2018. 4738

Sec. 3345.202. (A) As used in this section, "state 4739
university or college" has the same meaning as in division (A) 4740
(1) of section 3345.12 of the Revised Code. 4741

(B) The board of trustees of a state university or college 4742
may provide insurance coverages, in any amount authorized by the 4743
board, protecting the state university or college, the members 4744
of the board, the officers and employees of the state university 4745
or college, or other persons authorized by the board, or any one 4746
or more of them, against loss or liability that arises or is 4747
claimed to have arisen from acts or omissions while acting 4748
within the scope of their employment or official 4749
responsibilities or while engaged in activities at the request 4750
or direction, or for the benefit, of the state university or 4751
college. 4752

Such coverage may be provided in any one or more of the 4753
following ways: 4754

(1) The purchase of a policy or policies of liability 4755
insurance from an insurer or insurers licensed to do business in 4756
this state; 4757

(2) Establishment or participation in a program of self- 4758
insurance, by trust or in any other manner the board considers 4759
prudent. Any self-insurance program shall file annually, with 4760
the superintendent of insurance, a report certified by a 4761
competent property and casualty actuary. The superintendent of 4762
insurance shall review such report. If such a self-insurance 4763
program has more than a single college or university 4764
participant, all participants shall be provided with the annual 4765
actuarial reports of the program. 4766

(3) Establishment of or participation in a captive 4767
insurance company that is licensed to do business in this state, 4768
another state, or a foreign country; 4769

(4) Establishment of, or participation in, a joint self- 4770

insurance pool under section 3345.203 of the Revised Code. 4771

(C) Insurance coverages under division (B) (1), (2), ~~or~~ 4772
(3), or (4) of this section may include coverage for the defense 4773
or costs of defense or settlement, including attorney's fees, of 4774
any covered person or entity and be paid for from any funds 4775
under the control of the state university or college. 4776

(D) Provision of any insurance coverage under divisions 4777
(B) (1) to (3) of this section is not a waiver of any immunity or 4778
defense available to the state university or college or to any 4779
covered person or entity. 4780

Sec. 3345.203. (A) As used in this section: 4781

(1) "Claims expenses" means payment of judgments, 4782
settlement of claims, expense, loss, and damage. 4783

(2) "State university or college" has the same meaning as 4784
in section 3345.12 of the Revised Code. 4785

(B) Regardless of whether a state university or college 4786
secures insurance coverages under division (B) (1), (2), or (3) 4787
of section 3345.202 of the Revised Code, the board of trustees 4788
of the state university or college may join with other state 4789
universities or colleges in establishing and maintaining a joint 4790
self-insurance pool to do both of the following: 4791

(1) Provide for payment of claims expenses that arise, or 4792
are claimed to have arisen, from an act or omission of the state 4793
university or college or any of its employees or other persons 4794
authorized by the board while doing either of the following: 4795

(a) Acting in the scope of their employment or official 4796
responsibilities; 4797

(b) Being engaged in activities undertaken at the request 4798

or direction, or for the benefit, of the state university or 4799
college. 4800

(2) Indemnify or hold harmless the state university's or 4801
college's employees against such loss or damage. 4802

The joint self-insurance pool shall be pursuant to a 4803
written agreement and to the extent that the board considers the 4804
pool to be necessary. 4805

(C) All of the following apply to a joint self-insurance 4806
pool under this section: 4807

(1) The funds shall be reserved as are necessary, in the 4808
exercise of sound and prudent actuarial judgment, to cover 4809
potential state university or college and employee liabilities, 4810
loss, and damage. A report of aggregate amounts so reserved and 4811
aggregate disbursements made from such funds shall be prepared 4812
and maintained in the office of the pool administrator described 4813
in division (C) (2) of this section. The report shall be prepared 4814
and maintained not later than ninety days after the close of the 4815
pool's fiscal year. 4816

The report required by this division shall include, but 4817
not be limited to, the aggregate of disbursements made for the 4818
administration of the pool, including claims paid, costs of the 4819
legal representation of state universities or colleges and 4820
employees, and fees paid to consultants. The report also shall 4821
be accompanied by a written report of a member of the American 4822
academy of actuaries certifying whether the amounts reserved 4823
conform to the requirements of this division, are computed in 4824
accordance with accepted loss reserving standards, and are 4825
fairly stated in accordance with sound loss reserving 4826
principles. 4827

The pool administrator described in division (C) (2) of 4828
this section shall make the report required by this division 4829
available for inspection by any person at all reasonable times 4830
during regular business hours. Upon the request of such person, 4831
the pool administrator shall make copies of the report available 4832
at cost within a reasonable period of time. The pool 4833
administrator also shall submit a copy of the report to the 4834
auditor of state. The report required by this division is in 4835
lieu of the records required by division (A) of section 149.431 4836
of the Revised Code. 4837

(2) The board of trustees establishing a joint self- 4838
insurance pool may award a contract, without the necessity of 4839
competitive bidding, to a pool administrator for purposes of 4840
administration of the joint self-insurance pool. A "pool 4841
administrator" may be any person, political subdivision, limited 4842
liability company organized under Chapter 1705. of the Revised 4843
Code, nonprofit corporation organized under Chapter 1702. of the 4844
Revised Code, or regional council of governments created under 4845
Chapter 167. of the Revised Code. The board shall not enter into 4846
such a contract without full, prior, public disclosure of all 4847
terms and conditions. The disclosure shall include, at a 4848
minimum, a statement listing all representations made in 4849
connection with any possible savings and losses resulting from 4850
the contract, and potential liability of any state university or 4851
college or employee. The proposed contract and statement shall 4852
be disclosed and presented at a meeting of the board of trustees 4853
of the state university or college prior to the meeting at which 4854
the board of trustees of the state university or college 4855
authorizes the contract. 4856

(3) A joint self-insurance pool shall include a contract 4857
with a member of the American academy of actuaries for the 4858

preparation of the written evaluation of the reserve funds 4859
required under division (C) (1) of this section. 4860

(4) A joint self-insurance pool may allocate the costs of 4861
funding the pool among the funds or accounts in the treasuries 4862
of the state universities or colleges on the basis of their 4863
relative exposure and loss experience. A joint self-insurance 4864
program may require any deductible under the program to be paid 4865
from funds or accounts in the treasury of the state university 4866
or college from which a loss was directly attributable. 4867

(D) Two or more state universities or colleges may also 4868
authorize the establishment and maintenance of a joint risk- 4869
management program, including but not limited to the employment 4870
of risk managers and consultants, for the purpose of preventing 4871
and reducing the risks covered by insurance, self-insurance, or 4872
joint self-insurance programs. A joint risk-management program 4873
shall not include fidelity, surety, or guarantee bonding. 4874

(E) A state university or college is not liable under a 4875
joint self-insurance pool for any amount in excess of amounts 4876
payable pursuant to the written agreement for the participation 4877
of the state university or college in the joint self-insurance 4878
pool. Under a joint self-insurance pool agreement a state 4879
university or college may, to the extent permitted under the 4880
written agreement, assume the risks of any other state 4881
university or college, including the indemnification of its 4882
employees. A joint self-insurance pool, established under this 4883
section, is deemed a separate legal entity for the public 4884
purpose of enabling the members of the joint self-insurance pool 4885
to obtain insurance or to provide for a formalized, jointly 4886
administered self-insurance fund for its members. An entity 4887
created pursuant to this section is exempt from all state and 4888

local taxes. 4889

(F) (1) In the manner provided by and subject to the 4890
applicable provisions of section 3345.12 of the Revised Code, 4891
any state university or college may issue obligations and may 4892
also issue notes in anticipation of such obligations, pursuant 4893
to a resolution of its board of trustees or other governing body 4894
for the purpose of providing funds to do both of the following: 4895

(a) Pay claims expenses, whether by way of a reserve or 4896
otherwise; 4897

(b) Pay the state university or college's portion of the 4898
cost of establishing and maintaining a joint self-insurance pool 4899
or to provide for the reserve in a special fund authorized by 4900
division (C) (1) of this section. 4901

(2) Sections 9.98 to 9.983 of the Revised Code apply to 4902
bonds or notes authorized under this section. 4903

(G) (1) A joint self-insurance pool, in addition to its 4904
powers to provide self-insurance against any and all liabilities 4905
under this chapter, may also include any one or more of the 4906
following forms of property or casualty self-insurance for the 4907
purpose of covering any other liabilities or risks of the 4908
members of the pool: 4909

(a) Public general liability, professional liability, or 4910
employee liability; 4911

(b) Individual or fleet motor vehicle or automobile 4912
liability and protection against other liability and loss 4913
associated with the ownership, maintenance, and use of motor 4914
vehicles; 4915

(c) Aircraft liability and protection against other 4916

<u>liability and loss associated with the ownership, maintenance,</u>	4917
<u>and use of aircraft;</u>	4918
<u>(d) Loss or damage to property and loss of use and</u>	4919
<u>occupancy of property by fire, lightning, hail, tempest, flood,</u>	4920
<u>earthquake, or snow, explosion, accident, or other risk;</u>	4921
<u>(e) Marine, inland transportation and navigation, boiler,</u>	4922
<u>containers, pipes, engines, flywheels, elevators, and machinery;</u>	4923
<u>(f) Environmental impairment;</u>	4924
<u>(g) Loss or damage by any hazard upon any other risk to</u>	4925
<u>which state universities or colleges are subject, which is not</u>	4926
<u>prohibited by statute or at common law from being the subject of</u>	4927
<u>casualty or property insurance.</u>	4928
<u>(2) A joint self-insurance pool is not an insurance</u>	4929
<u>company. Its operation does not constitute doing an insurance</u>	4930
<u>business and is not subject to the insurance laws of this state.</u>	4931
<u>(H) A public official or employee of a state university or</u>	4932
<u>college who is or becomes a member of the governing body of a</u>	4933
<u>joint self-insurance pool in which the state university or</u>	4934
<u>college participates is not in violation of any of the following</u>	4935
<u>as a result of the state university or college entering into the</u>	4936
<u>written agreement to participate in the pool or into any</u>	4937
<u>contract with the pool:</u>	4938
<u>(1) Division (D) or (E) of section 102.03 of the Revised</u>	4939
<u>Code;</u>	4940
<u>(2) Division (C) of section 102.04 of the Revised Code;</u>	4941
<u>(3) Section 2921.42 of the Revised Code.</u>	4942
<u>(I) This section shall not be construed to affect the</u>	4943

ability of any state university or college to self-insure under 4944
the authority conferred by any other section of the Revised 4945
Code. 4946

(J) The establishment or participation in a joint self- 4947
insurance pool under this section shall not constitute a waiver 4948
of any immunity or defense available to the member state 4949
university or college or to any covered entity. 4950

(K) (1) Both of the following shall be determined in the 4951
court of claims pursuant to section 2743.02 of the Revised Code: 4952

(a) Any claims or litigation relating to the 4953
administration of a joint self-insurance pool created pursuant 4954
to this section, including any immunities or defenses; 4955

(b) Any claims relating to the scope of or denial of 4956
coverage under that pool or its administration. 4957

(2) The pool administrator described in division (C) (2) of 4958
this section and its employees, while in the course of 4959
administering a joint self-insurance pool under this section, 4960
shall: 4961

(a) Be deemed to be an instrumentality of the state for 4962
the purposes of Chapter 2743. of the Revised Code; 4963

(b) Be deemed to be performing a public duty, as defined 4964
in section 2743.01 of the Revised Code; and 4965

(c) Have the defenses to, and immunities from, civil 4966
liability provided in section 2743.02 of the Revised Code. 4967

Sec. 5709.084. Real and personal property comprising a 4968
convention center that is constructed or, in the case of 4969
personal property, acquired, after January 1, 2010, are exempt 4970
from taxation if the convention center is located in a county 4971

having a population, when construction of the convention center 4972
commences, of more than one million two hundred thousand 4973
according to the most recent federal decennial census, and if 4974
the convention center, or the land upon which the convention 4975
center is situated, is owned or leased by the county. For the 4976
purposes of this section, construction of the convention center 4977
commences upon the earlier of issuance of debt to finance all or 4978
a portion of the convention center, demolition of existing 4979
structures on the site, or grading of the site in preparation 4980
for construction. 4981

Real and personal property comprising a convention center 4982
owned by the largest city in a county having a population 4983
greater than seven hundred thousand but less than nine hundred 4984
thousand according to the most recent federal decennial census 4985
is exempt from taxation, regardless of whether the property is 4986
leased to or otherwise operated or managed by a person other 4987
than the city. 4988

Real and personal property comprising a convention center 4989
or arena owned by a convention facilities authority in a county 4990
having a population greater than one million according to the 4991
most recent federal decennial census is exempt from taxation, 4992
regardless of whether the property is leased to or otherwise 4993
operated or managed by a person other than the convention 4994
facilities authority, notwithstanding section 351.12 of the 4995
Revised Code. 4996

Real and personal property comprising a convention center 4997
or arena owned by the largest city in a county having a 4998
population greater than two hundred thirty-five thousand but 4999
less than three hundred thousand according to the most recent 5000
federal decennial census at the time of the construction of the 5001

convention center or arena is exempt from taxation, regardless 5002
of whether the property is leased to or otherwise operated or 5003
managed by a person other than the city. 5004

Real and personal property comprising a convention center 5005
or arena owned by the city in which the convention center or 5006
arena is located, and located in a county having a population 5007
greater than five hundred thousand but less than six hundred 5008
thousand according to the most recent federal decennial census 5009
at the time of the construction of the convention center or 5010
arena, is exempt from taxation, regardless of whether the 5011
property is leased to or otherwise operated or managed by a 5012
person other than the city. 5013

As used in this section, "convention center" and "arena" 5014
have the same meanings as in section 307.695 of the Revised 5015
Code. 5016

Section 2. That existing sections 9.833, 149.431, 311.29, 5017
2744.081, 3301.079, 3301.0711, 3301.0712, 3301.0715, 3302.034, 5018
3302.13, 3311.19, 3311.191, 3313.46, 3313.482, 3313.5311, 5019
3313.603, 3313.6013, 3313.618, 3313.6110, 3314.02, 3314.03, 5020
3314.06, 3319.111, 3319.223, 3319.26, 3319.271, 3326.03, 5021
3326.032, 3326.11, 3328.24, 3333.93, 3345.202, and 5709.084 of 5022
the Revised Code are hereby repealed. 5023

Section 3. That Section 733.40 of Am. Sub. H.B. 59 of the 5024
130th General Assembly, as amended by Am. Sub. H.B. 64 of the 5025
131st General Assembly, be amended and that Section 733.40 of 5026
Am. Sub. H.B. 59 of the 130th General Assembly, as amended by 5027
Am. Sub. H.B. 64 of the 131st General Assembly, be amended to 5028
codify it as section 3319.271 of the Revised Code to read as 5029
follows: 5030

~~Sec. 733.40-3319.271.~~ (A) The ~~Superintendent~~ 5031
~~superintendent of Public Instruction~~ public instruction shall 5032
appoint three incorporators who are knowledgeable about the 5033
administration of public schools and about the operation of 5034
nonprofit corporations in Ohio. 5035

(B) The incorporators shall do whatever is necessary and 5036
proper to set up a nonprofit corporation under Chapter 1702. of 5037
the Revised Code. The articles of incorporation, in addition to 5038
meeting the requirements of section 1702.04 of the Revised Code, 5039
shall set forth the following provisions: 5040

(1) That the nonprofit corporation is to create and 5041
implement a pilot program that provides an alternative path for 5042
individuals to receive training and development in the 5043
administration of primary and secondary education and 5044
leadership, that will enable these individuals to earn a degree 5045
in public school administration, that will enable these 5046
individuals to obtain licenses in public school administration, 5047
and that promotes the placement of these individuals in public 5048
schools that have a poverty percentage greater than fifty per 5049
cent.; 5050

(2) That the ~~Board~~ board of ~~Directors~~ directors are to 5051
establish criteria for program costs, participant selection, and 5052
continued participation, and metrics to document and measure 5053
pilot program activities.; 5054

(3) That the name of the nonprofit corporation is "~~New~~ 5055
~~Leaders~~ bright new leaders for Ohio Schools.;" 5056

(4) That the ~~Board~~ board of ~~Directors~~ directors is to 5057
consist of the following ~~nine~~ eleven directors: 5058

(a) The ~~Governor~~ governor or the ~~Governor's~~ governor's 5059

designee; 5060

(b) The ~~Superintendent~~ superintendent of ~~Public~~ 5061
~~Instruction~~ public instruction, or the ~~Superintendent's~~ 5062
superintendent's designee; 5063

(c) The ~~Chancellor~~ chancellor of the ~~Ohio Board of Regents~~ 5064
higher education, or the ~~Chancellor's~~ chancellor's designee; 5065

(d) ~~Two~~ Four individuals to represent major business 5066
enterprises in Ohio; 5067

(e) Two individuals appointed by the ~~Speaker~~ speaker of 5068
the ~~House~~ house of ~~Representatives~~ representatives, one of whom 5069
shall be an active duty or retired military officer; 5070

(f) Two individuals appointed by the ~~President~~ president 5071
of the ~~Senate~~ senate, one of whom shall be a current or retired 5072
teacher or principal. 5073

The ~~Dean~~ dean of The ~~the~~ Ohio State University Fisher 5074
College ~~state university fisher college~~ of ~~Business~~ business and 5075
the ~~Dean~~ dean of The ~~the~~ Ohio State University College ~~state~~ 5076
university college of ~~Education~~ education and ~~Human Ecology~~ 5077
human ecology are to serve as ex-officio nonvoting members of 5078
the ~~Board~~ board. 5079

The individuals on the ~~Board~~ board who represent major 5080
business enterprises in Ohio are to be appointed by a statewide 5081
organization selected by the ~~Governor~~ governor. The organization 5082
is to be nonpartisan and consist of chief executive officers of 5083
major corporations organized in Ohio. 5084

(5) That the ~~Board~~ board is to elect a chairperson from 5085
among its members, and is to appoint a ~~President~~ president of 5086
the corporation; 5087

(6) That the ~~President~~president of the ~~Corporation~~corporation, subject to the approval of the ~~Board~~board, is to enter into a contract with ~~The the Ohio State University Fisher College~~state university fisher college of ~~Business~~business. Under the contract, the ~~College~~college is to provide oversight to the corporation and is to provide the corporation with office space, and with office furniture and equipment, as is necessary for the corporation successfully to fulfill its duties.

(7) That the overhead expenses of the corporation are not to exceed fifteen per cent of the annual budget of the corporation-;

(8) That the ~~President~~president is to apply for, and is to receive and accept, grants, gifts, bequests, and contributions from private sources-;

(9) That the corporation is to submit an annual report to the ~~General Assembly~~general assembly and ~~Governor~~governor beginning December 31, 2013-;

(10) That state financial support for the corporation shall cease on ~~the date that is five years after~~ June 30, ~~2013~~2018.

Section 4. That existing Section 733.40 of Am. Sub. H.B. 59 of the 130th General Assembly, as amended by Am. Sub. H.B. 64 of the 131st General Assembly, is hereby repealed.

Section 5. That Section 369.473 of Am. Sub. H.B. 64 of the 131st General Assembly be amended to read as follows:

Sec. 369.473. WORKFORCE AND HIGHER EDUCATION PROGRAMS

Of the foregoing appropriation item 235616, Workforce and

Higher Education Programs, \$750,000 in fiscal year 2016 shall be 5116
used to support the Ohio State University Agricultural Technical 5117
Institute. The Institute shall use these funds to obtain and 5118
upgrade the infrastructure and equipment necessary to offer 5119
distance education courses in agricultural science through the 5120
College Credit Plus Program as established in section 3365.02 of 5121
the Revised Code. 5122

Of the foregoing appropriation item 235616, Workforce and 5123
Higher Education Programs, \$5,000,000 in fiscal year 2017 shall 5124
be allocated to The Ohio State University to collaborate with 5125
Wright Patterson Air Force Base, NASA Glenn Research Center, 5126
Ohio's research universities, and the private sector to align 5127
the state's research assets with emerging missions and job 5128
growth opportunities emanating from the two federal 5129
installations, strengthen related workforce development and 5130
technology commercialization programs, and better position the 5131
state's university system to directly impact new job creation in 5132
Ohio. A portion of the foregoing appropriation item shall be 5133
used to support the growth of small business federal contractors 5134
in the state and expand the participation of Ohio businesses in 5135
the federal Small Business Innovation Research Program and 5136
related federal programs. 5137

Of the foregoing appropriation item 235616, Workforce and 5138
Higher Education Programs, \$750,000 in FY 2017 shall be used by 5139
Southern State Community College to foster meaningful small 5140
business development assistance, to provide various types of 5141
training in an effort to promote sustainable economic growth, 5142
and to create high-quality jobs through the Southern Gateway 5143
Innovation Center located in Circleville. 5144

Of the foregoing appropriation item 235616, Workforce and 5145

Higher Education Programs, \$750,000 in fiscal year 2017 shall be 5146
used for grants for the STEM Public-Private Partnership Program 5147
established in Section ~~733.20~~ 733.13 of Am. Sub. H.B. 64 of the 5148
131st General Assembly. 5149

Of the foregoing appropriation item 235616, Workforce and 5150
Higher Education Programs, \$5,000,000 in each fiscal year shall 5151
be used by the Chancellor of Higher Education to distribute 5152
grant awards under section 3333.70 of the Revised Code. 5153

Of the foregoing appropriation item 235616, Workforce and 5154
Higher Education Programs, up to \$500,000 in each fiscal year 5155
shall be used by the Chancellor of Higher Education to 5156
coordinate a statewide effort to promote workforce grant 5157
programs. The remainder of appropriation item 235616, Workforce 5158
and Higher Education Programs, shall be used by the Chancellor 5159
to distribute ~~the grant awards~~ funding pursuant to section 5160
3333.93 of the Revised Code. 5161

Section 6. That existing Section 369.473 of Am. Sub. H.B. 5162
64 of the 131st General Assembly is hereby repealed. 5163

Section 7. The amendment of section 3333.93 of the Revised 5164
Code by this act is not intended to supersede the repeal of that 5165
section on December 31, 2019, as prescribed by Section 125.10 of 5166
Sub. H.B. 340 of the 131st General Assembly. 5167

Section 8. The amendment by this act of section 5709.084 5168
of the Revised Code applies to tax year 2016 and thereafter. 5169
Notwithstanding section 5715.27 of the Revised Code, an 5170
application for exemption of an arena owned by a convention 5171
facilities authority for tax year 2016 may be filed at any time 5172
before the thirty-first day following the effective date of this 5173
section. 5174

Section 9. If, at an election held prior to the effective 5175
date of this section, a political subdivision proposed to its 5176
electors and those electors approved the levy of a property tax 5177
under any one or more of sections 5705.19 to 5705.215 of the 5178
Revised Code for a specified number of years in excess of that 5179
permitted by the applicable statute as in effect at the time of 5180
the election, the results of that election were officially 5181
determined, ascertained, announced, and declared by the 5182
applicable county board of elections, no petition with respect 5183
to the results of that election was timely filed pursuant to 5184
section 3515.09 of the Revised Code, and the tax has been levied 5185
and collected, the approval of that levy by the electors shall 5186
be and shall be deemed for all purposes to be valid except that 5187
tax shall only be authorized to be levied for the maximum 5188
specified number of years permitted by the applicable statute at 5189
the time of the election and that levy may be proposed to be 5190
renewed or replaced based on and as if originally and approved 5191
by the electors for that shortened period. 5192

Section 10. (A) Notwithstanding section 3317.021 of the 5193
Revised Code, within sixty days after the effective date of this 5194
section, the county auditor in any county in which the 5195
countywide taxable valuations certified to the Tax Commissioner 5196
for tax years 2012, 2013, and 2014 on the abstracts of real 5197
property or real and public utility property vary from the 5198
countywide aggregate amount of valuation on the tax duplicates 5199
in any of those years by an amount greater than thirty million 5200
dollars shall certify corrected valuations for the county, by 5201
taxing district, to the Tax Commissioner. 5202

(B) Within thirty days after receipt of any corrected 5203
valuations under division (A) of this section, the Tax 5204
Commissioner shall certify those valuations, aggregated by 5205

school district, to the Department of Education. 5206

(C) Upon receipt of any corrected valuations under 5207
division (B) of this section, the Department shall use those 5208
valuations for purposes of provisions of Chapter 3317. of the 5209
Revised Code, for fiscal year 2016, and for each fiscal year 5210
thereafter, in which those valuations are used to calculate 5211
foundation funding. Additionally, the Department shall make any 5212
adjustments to calculations of each school district's payments 5213
under Chapter 3317. of the Revised Code that are necessary to 5214
reflect the corrected valuations. 5215

Section 11. Not later than three years after the effective 5216
date of this section, the Auditor of State shall conduct a 5217
comprehensive operational study of all educational service 5218
centers in the state. The cost of the comprehensive operational 5219
study shall be paid to the Auditor of State by the educational 5220
service centers in a manner agreed upon by the Auditor of State 5221
and the state association representing educational service 5222
centers. The amount paid for the study by all of the educational 5223
service centers combined shall not exceed \$375,000. The Auditor 5224
of State shall pay for any costs of the study that exceed that 5225
amount. 5226

The Auditor of State shall submit a report of the 5227
operational study to the Department of Education, the State 5228
Board of Education, the Superintendent of Public Instruction, 5229
the Governor, the educational service centers, the Speaker and 5230
Minority Leader of the House of Representatives, and the 5231
President and Minority Leader of the Senate. The report shall 5232
contain standards and benchmarks unique to educational service 5233
centers for further study and that may inform future performance 5234
audits of educational service centers conducted under section 5235

3311.051 of the Revised Code. 5236

The State Board of Education may consider the Auditor of 5237
State's report of the operational study in its formulation of 5238
performance standards for educational service centers, if any, 5239
and in its determination of high-performing educational service 5240
centers under Section 263.390 of Am. Sub. H.B. 64 of the 131st 5241
General Assembly. 5242

Section 12. Notwithstanding anything in the Revised Code 5243
to the contrary, for a school district or building where 5244
students are eligible for the Educational Choice Scholarship 5245
Program under section 3310.03 of the Revised Code on the 5246
effective date of this section, the district or building shall 5247
continue to be designated as a district or building where 5248
students are eligible for the Educational Choice Scholarship 5249
Program through the 2018-2019 school year, regardless of whether 5250
or not the district or building meets any of the conditions 5251
prescribed in division (I) of section 3310.03 of the Revised 5252
Code. 5253

Section 13. Not later than December 31, 2017, the 5254
Department of Education, in collaboration with the Ohio 5255
Association for Career and Technical Education, Ohio Association 5256
of Career-Technical Superintendents, and Ohio Association of 5257
City Career-Technical Schools, shall establish a method for 5258
assessing if career-technical teachers teaching under an 5259
alternative resident educator license issued under section 5260
3319.26 of the Revised Code or rule of the State Board of 5261
Education are qualified for a professional educator license 5262
issued under section 3319.22 of the Revised Code. The method 5263
shall be an alternative to completion of the Ohio teacher 5264
residency program established under section 3319.223 of the 5265

Revised Code for such teachers and shall assess teacher 5266
preparedness and qualifications for a professional educator 5267
license as part of the college coursework in which the teachers 5268
participate as a condition of holding a resident educator 5269
license. 5270

Section 14. (A) Not later than December 15, 2017, the Ohio 5271
School Facilities Commission shall develop and submit to the 5272
General Assembly, in accordance with section 101.68 of the 5273
Revised Code, a proposal for legislative provisions under which 5274
school districts that have not yet received assistance under the 5275
Classroom Facilities Assistance Program, upon becoming eligible 5276
for assistance under that program, based on the annual 5277
percentile rankings under section 3318.011 of the Revised Code, 5278
may apply for and receive a portion of the state funds they are 5279
eligible for under that program to use for technology, building 5280
expansion, and physical alterations to improve school safety or 5281
security. 5282

(B) As used in this section, the "Classroom Facilities 5283
Assistance Program" means the program authorized under sections 5284
3318.01 to 3318.20 of the Revised Code. 5285

Section 15. Section 2744.081 of the Revised Code is 5286
presented in this act as a composite of the section as amended 5287
by both Sub. H.B. 481 and Sub. S.B. 114 of the 129th General 5288
Assembly. The General Assembly, applying the principle stated in 5289
division (B) of section 1.52 of the Revised Code that amendments 5290
are to be harmonized if reasonably capable of simultaneous 5291
operation, finds that the composite is the resulting version of 5292
the section in effect prior to the effective date of the section 5293
as presented in this act. 5294