

As Reported by the House Primary and Secondary Education Committee

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Sub. H. B. No. 239

Representatives Manning, G., Crawley

Cosponsors: Representatives Jones, Hillyer, Hambley, Riedel, Patterson, Boyd, Carruthers, Kent, Robinson, Crossman, Miranda, Leland, O'Brien, West, Kelly, Rogers, Sobecki, Edwards

A BILL

To amend sections 3301.0712, 3301.0729, 3313.61, 1
3313.612, and 3313.6114 of the Revised Code to 2
remove the requirement that students take a 3
nationally standardized assessment for 4
graduation, to revise the law on end-of-course 5
examinations, to prohibit student retention 6
under the Third Grade Reading Guarantee for the 7
2020-2021 school year, and to require each 8
school district to form a work group to evaluate 9
the amount of time students spend on testing. 10

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

Section 1. That sections 3301.0712, 3301.0729, 3313.61, 11
3313.612, and 3313.6114 of the Revised Code be amended to read 12
as follows: 13

Sec. 3301.0712. (A) The state board of education, the 14
superintendent of public instruction, and the chancellor of 15
higher education shall develop a system of college and work 16
ready assessments as described in division (B) of this section 17

to assess whether each student upon graduating from high school 18
is ready to enter college or the workforce. Beginning with 19
students who enter the ninth grade for the first time on or 20
after July 1, 2014, the system shall replace the Ohio graduation 21
tests prescribed in division (B)(1) of section 3301.0710 of the 22
Revised Code as a measure of student academic performance and 23
one determinant of eligibility for a high school diploma in the 24
manner prescribed by rule of the state board adopted under 25
division (D) of this section. 26

(B) The college and work ready assessment system shall 27
consist of the following: 28

(1) ~~Nationally~~ (a) Except as provided in division (B)(1) 29
(b) of this section, nationally standardized assessments that 30
measure college and career readiness and are used for college 31
admission. The assessments shall be selected jointly by the 32
state superintendent and the chancellor, and one of which shall 33
be selected by each school district or school to administer to 34
its students. The assessments prescribed under division (B)(1) 35
of this section shall be administered to all eleventh-grade 36
students in the spring of the school year. 37

(b) Beginning with students who enter the ninth grade for 38
the first time on or after July 1, 2018, the nationally 39
standardized assessment selected under division (B)(1)(a) of 40
this section shall not be required for graduation. However, the 41
assessment shall be administered to all eleventh-grade students 42
in the spring of each school year, unless, in accordance with 43
procedures prescribed by the department of education, the parent 44
or guardian of a student enrolled in the school submits notice 45
to the principal or chief administrative officer of the 46
student's school that the parent or guardian does not wish to 47

have the student take the assessment described under division 48
(B) (1) (a) of this section. If a parent or guardian submits an 49
opt-out notice, the school shall not administer the assessment 50
to that student. 51

(2) (a) Except as provided in division (B) (2) (b) of this 52
section, seven end-of-course examinations, one in each of the 53
areas of English language arts I, English language arts II, 54
science, Algebra I, geometry, American history, and American 55
government. The end-of-course examinations shall be selected 56
jointly by the state superintendent and the chancellor in 57
consultation with faculty in the appropriate subject areas at 58
institutions of higher education of the university system of 59
Ohio. Advanced placement examinations and international 60
baccalaureate examinations, as prescribed under section 61
3313.6013 of the Revised Code, in the areas of science, American 62
history, and American government may be used as end-of-course 63
examinations in accordance with division (B) (4) (a) (i) of this 64
section. Final course grades for courses taken under any other 65
advanced standing program, as prescribed under section 3313.6013 66
of the Revised Code, in the areas of science, American history, 67
and American government may be used in lieu of end-of-course 68
examinations in accordance with division (B) (4) (a) (ii) of this 69
section. 70

(b) Beginning with students who enter ninth grade for the 71
first time on or after July 1, 2019, ~~five-four~~ end-of-course 72
examinations, one in each areas of English language arts II, 73
science, Algebra I, and American history, ~~and American~~ 74
government. However, only the end-of-course examinations in 75
English language arts II and Algebra I shall be required for 76
graduation. 77

The department of education shall, as necessary to 78
implement division (B) (2) (b) of this section, seek a waiver from 79
the United States secretary of education for testing 80
requirements prescribed under federal law to allow for the use 81
and implementation of Algebra I as the primary assessment of 82
high school mathematics. If the department does not receive a 83
waiver under this division, the end-of-course examinations for 84
students described in division (B) (2) (b) of this section also 85
shall include an end-of-course examination in the area of 86
geometry. However, the geometry end-of-course examination shall 87
not be required for graduation. 88

(3) (a) Not later than July 1, 2013, each school district 89
board of education shall adopt interim end-of-course 90
examinations that comply with the requirements of divisions (B) 91
(3) (b) (i) and (ii) of this section to assess mastery of American 92
history and American government standards adopted under division 93
(A) (1) (b) of section 3301.079 of the Revised Code and the topics 94
required under division (M) of section 3313.603 of the Revised 95
Code. Each high school of the district shall use the interim 96
examinations until the state superintendent and chancellor 97
select end-of-course examinations in American history and 98
American government under division (B) (2) of this section. 99

(b) Not later than July 1, 2014, the state superintendent 100
and the chancellor shall select the end-of-course examinations 101
in American history and American government. 102

(i) The end-of-course examinations in American history and 103
American government shall require demonstration of mastery of 104
the American history and American government content for social 105
studies standards adopted under division (A) (1) (b) of section 106
3301.079 of the Revised Code and the topics required under 107

division (M) of section 3313.603 of the Revised Code. 108

(ii) At least twenty per cent of the end-of-course 109
examination in American government shall address the topics on 110
American history and American government described in division 111
(M) of section 3313.603 of the Revised Code. 112

(c) Beginning with students who enter ninth grade for the 113
first time on or after July 1, 2019, students shall take one 114
end-of-course examination in American history and government 115
that complies with the requirements of division (B) (3) (b) (ii) of 116
this section to assess mastery of American history and American 117
government standards adopted under division (A) (1) (b) of section 118
3301.079 of the Revised Code and the topics required under 119
division (M) of section 3313.603 of the Revised Code. 120

The department of education shall take the steps necessary 121
to develop the American history and government end-of-course 122
examination so that it is available for the students to which 123
divisions (B) (2) (b) and (3) (c) of this section apply. The 124
department shall develop the examination in a manner so that it 125
is comparable to other end-of-course examinations in both 126
administration and length. 127

(4) (a) Notwithstanding anything to the contrary in this 128
section, beginning with the 2014-2015 school year, both of the 129
following shall apply: 130

(i) If a student is enrolled in an appropriate advanced 131
placement or international baccalaureate course, that student 132
shall take the advanced placement or international baccalaureate 133
examination in lieu of the science, American history, or 134
American government end-of-course examinations prescribed under 135
division (B) (2) of this section. The state board shall specify 136

the score levels for each advanced placement examination and 137
international baccalaureate examination for purposes of 138
calculating the minimum cumulative performance score that 139
demonstrates the level of academic achievement necessary to earn 140
a high school diploma. 141

However, beginning with students who enter ninth grade for 142
the first time on or after July 1, 2019, a student shall take 143
the advanced placement or international baccalaureate 144
examinations in both American history and American government to 145
qualify for an alternative to the American history and 146
government end-of-course examination prescribed under division 147
(B) (2) (b) of this section. 148

(ii) If a student is enrolled in an appropriate course 149
under any other advanced standing program, as described in 150
section 3313.6013 of the Revised Code, that student shall not be 151
required to take the science, American history, or American 152
government end-of-course examination, whichever is applicable, 153
prescribed under division (B) (2) of this section. Instead, that 154
student's final course grade shall be used in lieu of the 155
applicable end-of-course examination prescribed under that 156
section. The state superintendent, in consultation with the 157
chancellor, shall adopt guidelines for purposes of calculating 158
the corresponding final course grades that demonstrate the level 159
of academic achievement necessary to earn a high school diploma. 160

Division (B) (4) (a) (ii) of this section shall apply only to 161
courses for which students receive transcribed credit, as 162
defined in section 3365.01 of the Revised Code. It shall not 163
apply to remedial or developmental courses. 164

(b) No student shall take a substitute examination or 165
examination prescribed under division (B) (4) (a) of this section 166

in place of the end-of-course examinations in English language 167
arts I, English language arts II, Algebra I, or geometry 168
prescribed under division (B) (2) of this section. 169

(c) The state board shall consider additional assessments 170
that may be used, beginning with the 2016-2017 school year, as 171
substitute examinations in lieu of the end-of-course 172
examinations prescribed under division (B) (2) of this section. 173

(5) The state board shall do all of the following: 174

(a) Determine and designate at least five ranges of scores 175
on each of the end-of-course examinations prescribed under 176
division (B) (2) of this section, and substitute examinations 177
prescribed under division (B) (4) of this section. Not later than 178
sixty days after the designation of ranges of scores, the state 179
superintendent, or the state superintendent's designee, shall 180
conduct a public presentation before the standing committees of 181
the house of representatives and the senate that consider 182
primary and secondary education legislation regarding the 183
designated range of scores. Each range of scores shall be 184
considered to demonstrate a level of achievement so that any 185
student attaining a score within such range has achieved one of 186
the following: 187

(i) An advanced level of skill; 188

(ii) An accelerated level of skill; 189

(iii) A proficient level of skill; 190

(iv) A basic level of skill; 191

(v) A limited level of skill. 192

(b) Determine a method by which to calculate a cumulative 193
performance score based on the results of a student's end-of- 194

course examinations or substitute examinations;	195
(c) Determine the minimum cumulative performance score	196
that demonstrates the level of academic achievement necessary to	197
earn a high school diploma under division (A) (2) of section	198
3313.618 of the Revised Code. However, the state board shall not	199
determine a new minimum cumulative performance score after the	200
effective date of this amendment October 17, 2019.	201
(d) Develop a table of corresponding score equivalents for	202
the end-of-course examinations and substitute examinations in	203
order to calculate student performance consistently across the	204
different examinations.	205
A score of two on an advanced placement examination or a	206
score of two or three on an international baccalaureate	207
examination shall be considered equivalent to a proficient level	208
of skill as specified under division (B) (5) (a) (iii) of this	209
section.	210
(6) (a) A student who meets both of the following	211
conditions shall not be required to take an end-of-course	212
examination:	213
(i) The student received high school credit prior to July	214
1, 2015, for a course for which the end-of-course examination is	215
prescribed.	216
(ii) The examination was not available for administration	217
prior to July 1, 2015.	218
Receipt of credit for the course described in division (B)	219
(6) (a) (i) of this section shall satisfy the requirement to take	220
the end-of-course examination. A student exempted under division	221
(B) (6) (a) of this section may take the applicable end-of-course	222
examination at a later date.	223

(b) For purposes of determining whether a student who is 224
exempt from taking an end-of-course examination under division 225
(B) (6) (a) of this section has attained the cumulative score 226
prescribed by division (B) (5) (c) of this section, such student 227
shall select either of the following: 228

(i) The student is considered to have attained a 229
proficient score on the end-of-course examination from which the 230
student is exempt; 231

(ii) The student's final course grade shall be used in 232
lieu of a score on the end-of-course examination from which the 233
student is exempt. 234

The state superintendent, in consultation with the 235
chancellor, shall adopt guidelines for purposes of calculating 236
the corresponding final course grades and the minimum cumulative 237
performance score that demonstrates the level of academic 238
achievement necessary to earn a high school diploma. 239

(7) (a) Notwithstanding anything to the contrary in this 240
section, the state board may replace the algebra I end-of-course 241
examination prescribed under division (B) (2) of this section 242
with an algebra II end-of-course examination, beginning with the 243
2016-2017 school year for students who enter ninth grade on or 244
after July 1, 2016. 245

(b) If the state board replaces the algebra I end-of- 246
course examination with an algebra II end-of-course examination 247
as authorized under division (B) (7) (a) of this section, both of 248
the following shall apply: 249

(i) A student who is enrolled in an advanced placement or 250
international baccalaureate course in algebra II shall take the 251
advanced placement or international baccalaureate examination in 252

lieu of the algebra II end-of-course examination.	253
(ii) A student who is enrolled in an algebra II course	254
under any other advanced standing program, as described in	255
section 3313.6013 of the Revised Code, shall not be required to	256
take the algebra II end-of-course examination. Instead, that	257
student's final course grade shall be used in lieu of the	258
examination.	259
(c) If a school district or school utilizes an integrated	260
approach to mathematics instruction, the district or school may	261
do either or both of the following:	262
(i) Administer an integrated mathematics I end-of-course	263
examination in lieu of the prescribed algebra I end-of-course	264
examination;	265
(ii) Administer an integrated mathematics II end-of-course	266
examination in lieu of the prescribed geometry end-of-course	267
examination.	268
(8) (a) For students entering the ninth grade for the first	269
time on or after July 1, 2014, but prior to July 1, 2015, the	270
assessment in the area of science shall be physical science or	271
biology. For students entering the ninth grade for the first	272
time on or after July 1, 2015, the assessment in the area of	273
science shall be biology.	274
(b) Until July 1, 2019, the department shall make	275
available the end-of-course examination in physical science for	276
students who entered the ninth grade for the first time on or	277
after July 1, 2014, but prior to July 1, 2015, and who wish to	278
retake the examination.	279
(c) Not later than July 1, 2016, the state board shall	280
adopt rules prescribing the requirements for the end-of-course	281

examination in science for students who entered the ninth grade 282
for the first time on or after July 1, 2014, but prior to July 283
1, 2015, and who have not met the requirement prescribed by 284
section 3313.618 of the Revised Code by July 1, 2019, due to a 285
student's failure to satisfy division (A)(2) of section 3313.618 286
of the Revised Code. 287

(9) Neither the state board nor the department of 288
education shall develop or administer an end-of-course 289
examination in the area of world history. 290

(10) Not later than March 1, 2020, the department, in 291
consultation with the chancellor and the governor's office of 292
workforce transformation, shall determine a competency score for 293
both of the Algebra I and English language arts II end-of-course 294
examinations for the purpose of graduation eligibility. 295

(C) The state board shall convene a group of national 296
experts, state experts, and local practitioners to provide 297
advice, guidance, and recommendations for the alignment of 298
standards and model curricula to the assessments and in the 299
design of the end-of-course examinations prescribed by this 300
section. 301

(D) Upon completion of the development of the assessment 302
system, the state board shall adopt rules prescribing all of the 303
following: 304

(1) A timeline and plan for implementation of the 305
assessment system, including a phased implementation if the 306
state board determines such a phase-in is warranted; 307

(2) The date after which a person shall meet the 308
requirements of the entire assessment system as a prerequisite 309
for a diploma of adult education under section 3313.611 of the 310

Revised Code; 311

(3) Whether and the extent to which a person may be 312
excused from an ~~American history~~ end-of-course examination ~~and~~ 313
~~an in American history or American government end-of-course~~ 314
~~examination or both~~ under division (H) of section 3313.61 and 315
division (B) (3) of section 3313.612 of the Revised Code; 316

(4) The date after which a person who has fulfilled the 317
curriculum requirement for a diploma but has not passed one or 318
more of the required assessments at the time the person 319
fulfilled the curriculum requirement shall meet the requirements 320
of the entire assessment system as a prerequisite for a high 321
school diploma under division (B) of section 3313.614 of the 322
Revised Code; 323

(5) The extent to which the assessment system applies to 324
students enrolled in a dropout recovery and prevention program 325
for purposes of division (F) of section 3313.603 and section 326
3314.36 of the Revised Code. 327

(E) Not later than forty-five days prior to the state 328
board's adoption of a resolution directing the department to 329
file the rules prescribed by division (D) of this section in 330
final form under section 119.04 of the Revised Code, the 331
superintendent of public instruction shall present the 332
assessment system developed under this section to the respective 333
committees of the house of representatives and senate that 334
consider education legislation. 335

(F) (1) Any person enrolled in a nonchartered nonpublic 336
school or any person who has been excused from attendance at 337
school for the purpose of home instruction under section 3321.04 338
of the Revised Code may choose to participate in the system of 339

assessments administered under divisions (B) (1) and (2) of this 340
section. However, no such person shall be required to 341
participate in the system of assessments. 342

(2) The department shall adopt rules for the 343
administration and scoring of any assessments under division (F) 344
(1) of this section. 345

(G) Not later than December 31, 2014, the state board 346
shall select at least one nationally recognized job skills 347
assessment. Each school district shall administer that 348
assessment to those students who opt to take it. The state shall 349
reimburse a school district for the costs of administering that 350
assessment. The state board shall establish the minimum score a 351
student must attain on the job skills assessment in order to 352
demonstrate a student's workforce readiness and employability. 353
The administration of the job skills assessment to a student 354
under this division shall not exempt a school district from 355
administering the assessments prescribed in division (B) of this 356
section to that student. 357

Sec. 3301.0729. (A) Except as provided for in divisions 358
(B) and (C) of this section, beginning with assessments 359
administered on or after July 1, 2017, the board of education of 360
each city, local, and exempted village school district shall 361
ensure that no student is required to do either of the 362
following: 363

(1) Spend a cumulative amount of time in excess of two per 364
cent of the school year taking the following assessments 365
combined: 366

(a) The applicable state assessments prescribed by 367
division (A) of section 3301.0710 and division (B) (2) of section 368

3301.0712 of the Revised Code; 369

(b) Any assessment required by the district board to be 370
administered district-wide to all students in a specified 371
subject area or grade level. 372

(2) Spend a cumulative amount of time in excess of one per 373
cent of the school year taking practice or diagnostic 374
assessments used to prepare for assessments described in 375
divisions (A) (1) (a) and (b) of this section. 376

(B) The limitations prescribed by division (A) of this 377
section shall not apply to assessments for students with 378
disabilities, any related diagnostic assessment for students who 379
failed to attain a passing score on the English language arts 380
achievement assessment prescribed by division (A) (1) (a) of 381
section 3301.0710 of the Revised Code, substitute examinations 382
as prescribed by division (B) (4) of section 3301.0712 of the 383
Revised Code, or additional assessments administered to identify 384
a student as gifted under Chapter 3324. of the Revised Code. 385

(C) The board of education of each city, exempted village, 386
and local school district may exceed the limitations prescribed 387
by division (A) of this section by annual resolution of the 388
district board. ~~However, prior~~ Prior to the adoption of such a 389
resolution, the board shall conduct at least one public hearing 390
on the proposed resolution and consider recommendations from the 391
testing work group formed under division (D) of this section. 392
Resolutions adopted under division (C) of this section shall be 393
reported to the department of education and made available to 394
the public. 395

(D) (1) Within ninety days of the effective date of this 396
amendment, each school district shall form a work group to 397

<u>examine the amount of time students spend on district-required</u>	398
<u>testing and make recommendations to the district board of</u>	399
<u>education on how to reduce testing amounts. The work group shall</u>	400
<u>consist of the following members:</u>	401
<u>(a) The district superintendent;</u>	402
<u>(b) A district curriculum or testing administrator or</u>	403
<u>designee of the superintendent;</u>	404
<u>(c) Three building principals, one each from an</u>	405
<u>elementary, middle, and high school;</u>	406
<u>(d) Three classroom teachers selected by the local</u>	407
<u>teacher's association, one each from an elementary, middle, and</u>	408
<u>high school;</u>	409
<u>(e) Three parents of students enrolled in the district</u>	410
<u>selected by the local parent-teacher organization or similar</u>	411
<u>organization, one each from an elementary, middle, and high</u>	412
<u>school.</u>	413
<u>If a district does not employ enough individuals to meet</u>	414
<u>the membership requirements under division (D) (1) of this</u>	415
<u>section, the district is exempt from those requirements it</u>	416
<u>cannot meet.</u>	417
<u>(2) In order to make testing reduction recommendations,</u>	418
<u>the work group described in division (D) (1) of this section</u>	419
<u>shall consider the following:</u>	420
<u>(a) Time students spend on district required testing;</u>	421
<u>(b) The current district testing calendar;</u>	422
<u>(c) Identifying if there are groups of students being</u>	423
<u>tested at a greater rate than others;</u>	424

<u>(d) The purpose of testing and if that purpose has been</u>	425
<u>achieved;</u>	426
<u>(e) The use of testing data to drive instructional</u>	427
<u>decisions;</u>	428
<u>(f) The financial cost of testing;</u>	429
<u>(g) If tests are duplicative;</u>	430
<u>(h) Any previous testing audit or examination of testing</u>	431
<u>the district may have.</u>	432
<u>(3) The work group shall report any findings and</u>	433
<u>recommendations to the district board of education not later</u>	434
<u>than six months after formation. Upon completion of this report,</u>	435
<u>the work group may be dissolved, continue to meet, or be</u>	436
<u>reconstituted in the future based on local need.</u>	437
<u>(E) The department annually shall publish a report on the</u>	438
<u>amount of time students spent on required state and district</u>	439
<u>testing. The report shall include all of the following:</u>	440
<u>(1) Information disaggregated by required state testing</u>	441
<u>and by additional testing required by a district;</u>	442
<u>(2) Efforts to reduce testing time and increase</u>	443
<u>instructional time;</u>	444
<u>(3) Caps on testing time as described in division (A) of</u>	445
<u>this section and a list of any district that exceeded them;</u>	446
<u>(4) The purpose and use of the required state and district</u>	447
<u>tests;</u>	448
<u>(5) Resources for parents to ask questions regarding</u>	449
<u>testing of their child.</u>	450
<u>The report shall be published on the department's web site</u>	451

and delivered to the governor and the respective standing 452
committees of the house of representatives and senate that 453
consider primary and secondary education legislation. 454

(F) It is the intent of the general assembly to reduce the 455
time students spend on standardized testing and restore 456
classroom instructional time. The department of education or 457
other state entity should not require local school districts to 458
increase testing for Ohio students or create policies that 459
result in further testing as part of an improvement plan. 460

Sec. 3313.61. (A) A diploma shall be granted by the board 461
of education of any city, exempted village, or local school 462
district that operates a high school to any person to whom all 463
of the following apply: 464

(1) The person has successfully completed the curriculum 465
in any high school or the individualized education program 466
developed for the person by any high school pursuant to section 467
3323.08 of the Revised Code, or has qualified under division (D) 468
or (F) of section 3313.603 of the Revised Code, provided that no 469
school district shall require a student to remain in school for 470
any specific number of semesters or other terms if the student 471
completes the required curriculum early; 472

(2) Subject to section 3313.614 of the Revised Code, the 473
person has met the assessment requirements of division (A) (2) (a) 474
or (b) of this section, as applicable. 475

(a) If the person entered the ninth grade prior to July 1, 476
2014, the person either: 477

(i) Has attained at least the applicable scores designated 478
under division (B) (1) of section 3301.0710 of the Revised Code 479
on all the assessments required by that division unless the 480

person was excused from taking any such assessment pursuant to 481
section 3313.532 of the Revised Code or unless division (H) or 482
(L) of this section applies to the person; 483

(ii) Has satisfied the alternative conditions prescribed 484
in section 3313.615 of the Revised Code. 485

(b) If the person entered the ninth grade on or after July 486
1, 2014, the person has met the requirement prescribed by 487
section 3313.618 of the Revised Code, except to the extent that 488
the person is excused from an assessment prescribed by that 489
section pursuant to section 3313.532 of the Revised Code or 490
division (H) or (L) of this section. 491

(3) The person is not eligible to receive an honors 492
diploma granted pursuant to division (B) of this section. 493

Except as provided in divisions (C), (E), (J), and (L) of 494
this section, no diploma shall be granted under this division to 495
anyone except as provided under this division. 496

(B) In lieu of a diploma granted under division (A) of 497
this section, an honors diploma shall be granted, in accordance 498
with rules of the state board, by any such district board to 499
anyone who accomplishes all of the following: 500

(1) Successfully completes the curriculum in any high 501
school or the individualized education program developed for the 502
person by any high school pursuant to section 3323.08 of the 503
Revised Code; 504

(2) Subject to section 3313.614 of the Revised Code, has 505
met the assessment requirements of division (B) (2) (a) or (b) of 506
this section, as applicable. 507

(a) If the person entered the ninth grade prior to July 1, 508

2014, the person either:	509
(i) Has attained at least the applicable scores designated	510
under division (B) (1) of section 3301.0710 of the Revised Code	511
on all the assessments required by that division;	512
(ii) Has satisfied the alternative conditions prescribed	513
in section 3313.615 of the Revised Code.	514
(b) If the person entered the ninth grade on or after July	515
1, 2014, the person has met the requirement prescribed under	516
section 3313.618 of the Revised Code.	517
(3) Has met additional criteria established by the state	518
board for the granting of such a diploma.	519
An honors diploma shall not be granted to a student who is	520
subject to the requirements prescribed in division (C) of	521
section 3313.603 of the Revised Code but elects the option of	522
division (D) or (F) of that section. Except as provided in	523
divisions (C), (E), and (J) of this section, no honors diploma	524
shall be granted to anyone failing to comply with this division	525
and no more than one honors diploma shall be granted to any	526
student under this division.	527
The state board shall adopt rules prescribing the granting	528
of honors diplomas under this division. These rules may	529
prescribe the granting of honors diplomas that recognize a	530
student's achievement as a whole or that recognize a student's	531
achievement in one or more specific subjects or both. The rules	532
may prescribe the granting of an honors diploma recognizing	533
technical expertise for a career-technical student. In any case,	534
the rules shall designate two or more criteria for the granting	535
of each type of honors diploma the board establishes under this	536
division and the number of such criteria that must be met for	537

the granting of that type of diploma. The number of such 538
criteria for any type of honors diploma shall be at least one 539
less than the total number of criteria designated for that type 540
and no one or more particular criteria shall be required of all 541
persons who are to be granted that type of diploma. 542

(C) Any district board administering any of the 543
assessments required by section 3301.0710 of the Revised Code to 544
any person requesting to take such assessment pursuant to 545
division (B) (8) (b) of section 3301.0711 of the Revised Code 546
shall award a diploma to such person if the person attains at 547
least the applicable scores designated under division (B) (1) of 548
section 3301.0710 of the Revised Code on all the assessments 549
administered and if the person has previously attained the 550
applicable scores on all the other assessments required by 551
division (B) (1) of that section or has been exempted or excused 552
from attaining the applicable score on any such assessment 553
pursuant to division (H) or (L) of this section or from taking 554
any such assessment pursuant to section 3313.532 of the Revised 555
Code. 556

(D) Each diploma awarded under this section shall be 557
signed by the president and treasurer of the issuing board, the 558
superintendent of schools, and the principal of the high school. 559
Each diploma shall bear the date of its issue, be in such form 560
as the district board prescribes, and be paid for out of the 561
district's general fund. 562

(E) A person who is a resident of Ohio and is eligible 563
under state board of education minimum standards to receive a 564
high school diploma based in whole or in part on credits earned 565
while an inmate of a correctional institution operated by the 566
state or any political subdivision thereof, shall be granted 567

such diploma by the correctional institution operating the 568
programs in which such credits were earned, and by the board of 569
education of the school district in which the inmate resided 570
immediately prior to the inmate's placement in the institution. 571
The diploma granted by the correctional institution shall be 572
signed by the director of the institution, and by the person 573
serving as principal of the institution's high school and shall 574
bear the date of issue. 575

(F) Persons who are not residents of Ohio but who are 576
inmates of correctional institutions operated by the state or 577
any political subdivision thereof, and who are eligible under 578
state board of education minimum standards to receive a high 579
school diploma based in whole or in part on credits earned while 580
an inmate of the correctional institution, shall be granted a 581
diploma by the correctional institution offering the program in 582
which the credits were earned. The diploma granted by the 583
correctional institution shall be signed by the director of the 584
institution and by the person serving as principal of the 585
institution's high school and shall bear the date of issue. 586

(G) The state board of education shall provide by rule for 587
the administration of the assessments required by sections 588
3301.0710 and 3301.0712 of the Revised Code to inmates of 589
correctional institutions. 590

(H) Any person to whom all of the following apply shall be 591
exempted from attaining the applicable score on the assessment 592
in social studies designated under division (B) (1) of section 593
3301.0710 of the Revised Code, any ~~American history~~ end-of- 594
course examination ~~and any~~ in American history or American 595
government ~~end-of-course examination~~ or both as required under 596
division (B) of section 3301.0712 of the Revised Code if such an 597

exemption is prescribed by rule of the state board under 598
division (D) (3) of section 3301.0712 of the Revised Code, or the 599
test in citizenship designated under former division (B) of 600
section 3301.0710 of the Revised Code as it existed prior to 601
September 11, 2001: 602

(1) The person is not a citizen of the United States; 603

(2) The person is not a permanent resident of the United 604
States; 605

(3) The person indicates no intention to reside in the 606
United States after the completion of high school. 607

(I) Notwithstanding division (D) of section 3311.19 and 608
division (D) of section 3311.52 of the Revised Code, this 609
section and section 3313.611 of the Revised Code do not apply to 610
the board of education of any joint vocational school district 611
or any cooperative education school district established 612
pursuant to divisions (A) to (C) of section 3311.52 of the 613
Revised Code. 614

(J) Upon receipt of a notice under division (D) of section 615
3325.08 or division (D) of section 3328.25 of the Revised Code 616
that a student has received a diploma under either section, the 617
board of education receiving the notice may grant a high school 618
diploma under this section to the student, except that such 619
board shall grant the student a diploma if the student meets the 620
graduation requirements that the student would otherwise have 621
had to meet to receive a diploma from the district. The diploma 622
granted under this section shall be of the same type the notice 623
indicates the student received under section 3325.08 or 3328.25 624
of the Revised Code. 625

(K) As used in this division, "English learner" has the 626

same meaning as in division (C) (3) of section 3301.0711 of the Revised Code. 627
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Notwithstanding division (C) (3) of section 3301.0711 of the Revised Code, no English learner who has not either attained the applicable scores designated under division (B) (1) of section 3301.0710 of the Revised Code on all the assessments required by that division, or met the requirement prescribed by section 3313.618 of the Revised Code, shall be awarded a diploma under this section. 629
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(L) Any student described by division (A) (1) of this section may be awarded a diploma without meeting the requirement prescribed by section 3313.618 of the Revised Code provided an individualized education program specifically exempts the student from meeting such requirement. This division does not negate the requirement for a student to take the assessments prescribed by section 3301.0710 or under division (B) of section 3301.0712 of the Revised Code, or alternate assessments required by division (C) (1) of section 3301.0711 of the Revised Code, for the purpose of assessing student progress as required by federal law. 636
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Sec. 3313.612. (A) No nonpublic school chartered by the state board of education shall grant a high school diploma to any person unless, subject to section 3313.614 of the Revised Code, the person has met the assessment requirements of division (A) (1) or (2) of this section, as applicable. 647
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(1) If the person entered the ninth grade prior to July 1, 2014, the person has attained at least the applicable scores designated under division (B) (1) of section 3301.0710 of the Revised Code on all the assessments required by that division, or has satisfied the alternative conditions prescribed in 652
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section 3313.615 of the Revised Code. 657

(2) If the person entered the ninth grade on or after July 658
1, 2014, the person has met the requirement prescribed by 659
section 3313.618 or 3313.619 of the Revised Code. 660

(B) This section does not apply to any of the following: 661

(1) Any person with regard to any assessment from which 662
the person was excused pursuant to division (C)(1)(c) of section 663
3301.0711 of the Revised Code; 664

(2) Except as provided in division (B)(4) of this section, 665
any person who attends a nonpublic school accredited through the 666
independent schools association of the central states, except 667
for a student attending the school under a state scholarship 668
program as defined in section 3301.0711 of the Revised Code; 669

(3) Any person with regard to the social studies 670
assessment under division (B)(1) of section 3301.0710 of the 671
Revised Code, any ~~American history~~ end-of-course examination ~~and~~ 672
~~any in American history or American government end-of-course~~ 673
~~examination or both as~~ required under division (B) of section 674
3301.0712 of the Revised Code if such an exemption is prescribed 675
by rule of the state board of education under division (D)(3) of 676
section 3301.0712 of the Revised Code, or the citizenship test 677
under former division (B) of section 3301.0710 of the Revised 678
Code as it existed prior to September 11, 2001, if all of the 679
following apply: 680

(a) The person is not a citizen of the United States; 681

(b) The person is not a permanent resident of the United 682
States; 683

(c) The person indicates no intention to reside in the 684

United States after completion of high school. 685

(4) Any person who attends a chartered nonpublic school 686
that satisfies the requirements of division (L)(4) of section 687
3301.0711 of the Revised Code. In the case of such a student, 688
the student's chartered nonpublic school shall determine the 689
student's eligibility for graduation based on the standards of 690
the school's accrediting body. 691

(C) As used in this division, "English learner" has the 692
same meaning as in division (C)(3) of section 3301.0711 of the 693
Revised Code. 694

Notwithstanding division (C)(3) of section 3301.0711 of 695
the Revised Code, no English learner who has not either attained 696
the applicable scores designated under division (B)(1) of 697
section 3301.0710 of the Revised Code on all the assessments 698
required by that division, or met the requirement prescribed by 699
section 3313.618 or 3313.619 of the Revised Code, shall be 700
awarded a diploma under this section. 701

(D) The state board shall not impose additional 702
requirements or assessments for the granting of a high school 703
diploma under this section that are not prescribed by this 704
section. 705

(E) The department of education shall furnish the 706
assessment administered by a nonpublic school pursuant to 707
division (B)(1) of section 3301.0712 of the Revised Code. 708

Sec. 3313.6114. (A) The state board of education shall 709
establish a system of state diploma seals for the purposes of 710
allowing a student to qualify for graduation under section 711
3313.618 of the Revised Code. State diploma seals may be 712
attached or affixed to the high school diploma of a student 713

enrolled in a public or chartered nonpublic school. The system 714
of state diploma seals shall consist of all of the following: 715

(1) The state seal of biliteracy established under section 716
3313.6111 of the Revised Code; 717

(2) The OhioMeansJobs-readiness seal established under 718
section 3313.6112 of the Revised Code; 719

(3) The state diploma seals prescribed under division (C) 720
of this section. 721

(B) A school district, community school established under 722
Chapter 3314. of the Revised Code, STEM school established under 723
Chapter 3326. of the Revised Code, college-preparatory boarding 724
school established under Chapter 3328. of the Revised Code, or 725
chartered nonpublic school shall attach or affix the state seals 726
prescribed under division (C) of this section to the diploma and 727
transcript of a student enrolled in the district or school who 728
meets the requirements established under that division. 729

(C) The state board shall establish all of the following 730
state diploma seals: 731

(1) An industry-recognized credential seal. A student 732
shall meet the requirement for this seal by earning an industry- 733
recognized credential approved under section 3313.6113 of the 734
Revised Code that is aligned to a job that is determined to be 735
in demand in this state and its regions under section 6301.11 of 736
the Revised Code. 737

(2) A college-ready seal. A student shall meet the 738
requirement for this seal by attaining a score that is 739
remediation-free, in accordance with standards adopted under 740
division (F) of section 3345.061 of the Revised Code, on a 741
nationally standardized assessment prescribed under division (B) 742

(1) of section 3301.0712 of the Revised Code.	743
(3) A military enlistment seal. A student shall meet the requirement for this seal by doing either of the following:	744 745
(a) Providing evidence that the student has enlisted in a branch of the armed services of the United States as defined in section 5910.01 of the Revised Code;	746 747 748
(b) Participating in a junior reserve officer training program approved by the congress of the United States under title 10 of the United States Code.	749 750 751
(4) A citizenship seal. A student shall meet the requirement for this seal by doing any of the following:	752 753
(a) Demonstrating at least a proficient level of skill as prescribed under division (B) (5) (a) of section 3301.0712 of the Revised Code on both the American history and American government end-of-course examinations prescribed under division (B) (2) (a) <u>(B) (2) (a)</u> of section 3301.0712 of the Revised Code <u>or, for students who enter the ninth grade for the first time on or after July 1, 2019, demonstrating at least a proficient level of skill as prescribed under division (B) (5) (a) of that section on the American history and government end-of-course examination prescribed under division (B) (2) (b) of that section;</u>	754 755 756 757 758 759 760 761 762 763
(b) Attaining a score level prescribed under division (B) (5) (d) of section 3301.0712 of the Revised Code that is at least the equivalent of a proficient level of skill in appropriate advanced placement or international baccalaureate examinations in lieu of the American history and American government end-of-course examinations <u>or the American history and government end-of-course examination;</u>	764 765 766 767 768 769 770
(c) Attaining a final course grade that is the equivalent	771

of a "B" or higher in appropriate courses taken through the 772
college credit plus program established under Chapter 3365. of 773
the Revised Code in lieu of the American history and American 774
government end-of-course examinations. 775

(5) A science seal. A student shall meet the requirement 776
for this seal by doing any of the following: 777

(a) Demonstrating at least a proficient level of skill as 778
prescribed under division (B) (5) (a) of section 3301.0712 of the 779
Revised Code on the science end-of-course examination prescribed 780
under division (B) (2) of section 3301.0712 of the Revised Code; 781

(b) Attaining a score level prescribed under division (B) 782
(5) (d) of section 3301.0712 of the Revised Code that is at least 783
the equivalent of a proficient level of skill in an appropriate 784
advanced placement or international baccalaureate examination in 785
lieu of the science end-of-course examination; 786

(c) Attaining a final course grade that is the equivalent 787
of a "B" or higher in an appropriate course taken through the 788
college credit plus program established under Chapter 3365. of 789
the Revised Code in lieu of the science end-of-course 790
examination. 791

(6) An honors diploma seal. A student shall meet the 792
requirement for this seal by meeting the additional criteria for 793
an honors diploma under division (B) of section 3313.61 of the 794
Revised Code. 795

(7) A technology seal. A student shall meet the 796
requirement for this seal by doing any of the following: 797

(a) Subject to division (B) (5) (d) of section 3301.0712 of 798
the Revised Code, attaining a score level that is at least the 799
equivalent of a proficient level of skill in an appropriate 800

advanced placement or international baccalaureate examination; 801

(b) Attaining a final course grade that is the equivalent 802
of a "B" or higher in an appropriate course taken through the 803
college credit plus program established under Chapter 3365. of 804
the Revised Code; 805

(c) Completing a course offered through the student's 806
district or school that meets guidelines developed by the 807
department of education. However, a district or school shall not 808
be required to offer a course that meets guidelines developed by 809
the department. 810

(8) A community service seal. A student shall meet the 811
requirement for this seal by completing a community service 812
project that is aligned with guidelines adopted by the student's 813
district board or school governing authority. 814

(9) A fine and performing arts seal. A student shall meet 815
the requirement for this seal by demonstrating skill in the fine 816
or performing arts according to an evaluation that is aligned 817
with guidelines adopted by the student's district board or 818
school governing authority. 819

(10) A student engagement seal. A student shall meet the 820
requirement for this seal by participating in extracurricular 821
activities such as athletics, clubs, or student government to a 822
meaningful extent, as determined by guidelines adopted by the 823
student's district board or school governing authority. 824

(D) Each district or school shall develop guidelines for 825
at least one of the state seals prescribed under divisions (C) 826
(8) to (10) of this section. 827

(E) Each district or school shall maintain appropriate 828
records to identify students who have met the requirements 829

prescribed under division (C) of this section for earning the 830
state seals established under that division. 831

(F) The department shall prepare and deliver to each 832
district or school an appropriate mechanism for assigning a 833
state diploma seal established under division (C) of this 834
section. 835

(G) A student shall not be charged a fee to be assigned a 836
state seal prescribed under division (C) of this section on the 837
student's diploma and transcript. 838

Section 2. That existing sections 3301.0712, 3301.0729, 839
3313.61, 3313.612, and 3313.6114 of the Revised Code are hereby 840
repealed. 841

Section 3. Notwithstanding section 3301.163, 3313.608, or 842
any other section of the Revised Code, for the 2020-2021 school 843
year, no school district, community school, or STEM school and 844
no chartered nonpublic school that is subject to section 845
3301.163 of the Revised Code shall retain a student in the third 846
grade under that section or section 3313.608 of the Revised Code 847
who fails to attain at least the equivalent level of achievement 848
designated under division (A) (3) of section 3301.0710 of the 849
Revised Code on the third grade English language arts assessment 850
as prescribed under that section for the 2020-2021 school year. 851