

As Reported by the Committee of Conference

133rd General Assembly

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Am. Sub. S. B. No. 89

Senator Huffman, M.

Cosponsors: Senators Brenner, Rulli, Huffman, S., Coley, Manning, Blessing, Burke, Dolan, Eklund, Gavarone, Hackett, Hoagland, Hottinger, Johnson, Kunze, Maharath, McColley, Obhof, Peterson, Roegner, Schuring, Wilson

Representatives Abrams, Blair, Carfagna, Carruthers, Clites, Cross, DeVitis, Edwards, Fraizer, Ghanbari, Grendell, Hambley, Hillyer, Holmes, A., Jones, Koehler, LaRe, Lepore-Hagan, Lightbody, Manning, D., Manning, G., Miller, J., O'Brien, Oelslager, Patterson, Patton, Perales, Robinson, Roemer, Rogers, Scherer, Seitz, Sheehy, Smith, K., SobECKi, Stein, Stoltzfus, Swearingen

A BILL

To amend sections 3310.02, 3310.03, 3310.031, 1
3310.032, 3310.035, 3313.14, 3313.482, 3313.82, 2
3313.903, 3314.03, 3314.19, 3319.226, 3319.301, 3
3326.032, 3326.17, 3333.16, 3345.81, 5709.62, 4
5709.63, 5709.632, 5709.82, and 5709.83; to 5
enact sections 3301.0730, 3317.037, 3319.2211, 6
3345.351, 3345.481, and 6301.23; and to repeal 7
section 3311.242 of the Revised Code with regard 8
to career-technical education and the 9
compensation of joint vocational school 10
districts located in enterprise zones, with 11
regard to student degree completion at state 12
institutions of higher education, to make 13
changes regarding STEM school report cards, to 14
revise the eligibility of the Educational Choice 15
Scholarship program, to repeal, on September 1, 16
2021, a law regarding transfers of school 17
district territory located within a township 18

split between two or more school districts, and 19
to permit career centers to receive a STEM or 20
STEAM school equivalent designation. 21

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

Section 1. That sections 3310.02, 3310.03, 3310.031, 22
3310.032, 3310.035, 3313.14, 3313.482, 3313.82, 3313.903, 23
3314.03, 3314.19, 3319.226, 3319.301, 3326.032, 3326.17, 24
3333.16, 3345.81, 5709.62, 5709.63, 5709.632, 5709.82, and 25
5709.83 be amended and sections 3301.0730, 3317.037, 3319.2211, 26
3345.351, 3345.481, and 6301.23 of the Revised Code be enacted 27
to read as follows: 28

Sec. 3301.0730. (A) As used in this section: 29

(1) "Education management information system" means the 30
integrated system of statewide data collecting, reporting, and 31
compiling for school districts and schools prescribed under 32
section 3301.0714 of the Revised Code. 33

(2) "EMIS guidelines" means any guidance issued by the 34
department of education containing the student, staff, and 35
financial information to be collected and reported, along with 36
data-element definitions, procedures, and guidelines necessary 37
to implement the education management information system. 38

(B) Not later than June 1, 2021, the department shall 39
develop a procedure that permits users of the education 40
management information system to review and provide comment on 41
new or updated EMIS guidelines. The procedure shall satisfy all 42
of the following conditions: 43

(1) The department shall post a copy of the proposed new or updated EMIS guidelines on the department's web site. The department shall solicit comment from EMIS users on the proposed guidelines for thirty consecutive days. 44
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(2) The department shall respond to comments provided by users and may revise the proposed new or updated EMIS guidelines based on comments provided by users within thirty consecutive days after the comment period closes. 48
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(3) The department shall post the final new or updated EMIS guidelines on its web site at the end of the response period for thirty consecutive days for a final review by EMIS users. The new or updated guidelines shall take effect after that period ends. 52
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(C) Except as provided in division (D) of this section, if the department develops new or updated EMIS guidelines to implement a program, initiative, or policy, the department shall use the procedures prescribed under division (B) of this section. For any such new or updated guidelines proposed to be effective for the 2021-2022 school year, the department shall initiate the procedures not later than June 15, 2021. For any such new or updated guidelines proposed to be effective for a subsequent school year, the department shall initiate the procedures not later than the fifteenth day of May immediately prior to the beginning of that school year. 57
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(D) On and after June 1, 2021, the department shall use the procedure prescribed under division (B) of this section for any new or updated EMIS guidelines developed by the department for the purposes of implementing any of the following: 68
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(1) A newly enacted state or federal law; 72

<u>(2) A new or updated federal rule;</u>	73
<u>(3) A rule or resolution adopted by the state board of education.</u>	74 75
<u>(E) The department shall not be required to use the procedure prescribed under division (B) of this section when issuing any of the following:</u>	76 77 78
<u>(1) Updated EMIS guidelines to address issues that are not substantive, such as correcting grammatical errors;</u>	79 80
<u>(2) Updated EMIS guidelines to address unforeseen technical errors;</u>	81 82
<u>(3) Supplemental documents regarding EMIS guidelines and the education management information system, including documents that do any of the following:</u>	83 84 85
<u>(a) Clarify the implementation of EMIS guidelines;</u>	86
<u>(b) Answer questions submitted by users of the education management system;</u>	87 88
<u>(c) Provide training regarding the education management information system.</u>	89 90
<u>(F) Additionally, the department shall establish both of the following:</u>	91 92
<u>(1) Uniform guidance for career-technical planning districts and information technology centers established under section 3301.075 of the Revised Code regarding the education management information system and EMIS guidelines for career-technical planning districts;</u>	93 94 95 96 97
<u>(2) Uniform training programs for all personnel employed by the department to administer the education management</u>	98 99

information system. 100

Sec. 3310.02. (A) The educational choice scholarship pilot 101
program is hereby established. Under the program, the department 102
of education annually shall pay scholarships to attend chartered 103
nonpublic schools in accordance with section 3310.08 of the 104
Revised Code for up to the following number of eligible 105
students: 106

(1) Thirty thousand in the 2011-2012 school year; 107

(2) Sixty thousand in the 2012-2013 school year and 108
thereafter. 109

For any school year for which the number of applications 110
for scholarships timely submitted for the program exceeds ninety 111
per cent of the maximum number of scholarships permitted under 112
division (A) of this section, the department shall increase the 113
maximum number of scholarships permitted for the following 114
school year by five per cent. The department shall make the 115
increased number of scholarships available for each subsequent 116
school year until the department is again required to increase 117
the number of scholarships under division (A) of this section. 118

If the number of students who apply for a scholarship 119
exceeds the maximum number of scholarships permitted under 120
division (A) of this section, priority shall be given to those 121
students applying for a scholarship under section 3310.03 of the 122
Revised Code in accordance with division (B) of this section. 123

(B) The department shall award scholarships under section 124
3310.03 of the Revised Code in the following order of priority: 125

(1) First, to eligible students who received scholarships 126
in the prior school year; 127

(2) Second, to eligible students with family incomes at or 128
below two hundred per cent of the federal poverty guidelines, as 129
defined in section 5101.46 of the Revised Code, who qualify 130
under ~~divisions (A) and (E)~~ division (C) of section 3310.03 of 131
the Revised Code. If the number of students described in 132
division (B) (2) of this section who apply for a scholarship 133
exceeds the number of available scholarships after awards are 134
made under division (B) (1) of this section, the department shall 135
select students described in division (B) (2) of this section by 136
lot to receive any remaining scholarships. 137

(3) Third, to other eligible students who qualify under 138
~~divisions (A) and (E)~~ division (C) of section 3310.03 of the 139
Revised Code. If the number of students described in division 140
(B) (3) of this section who apply for a scholarship exceeds the 141
number of available scholarships after awards are made under 142
divisions (B) (1) and (2) of this section, the department shall 143
select students described in division (B) (3) of this section by 144
lot to receive any remaining scholarships. 145

(4) Fourth, to eligible students with family incomes at or 146
below two hundred per cent of the federal poverty guidelines who 147
qualify under division ~~(D)~~ (A) of section 3310.03 of the Revised 148
Code. If the number of students described in division (B) (4) of 149
this section who apply for a scholarship exceeds the number of 150
available scholarships after awards are made under divisions (B) 151
(1) to (3) of this section, the department shall select students 152
described in division (B) (4) of this section by lot to receive 153
any remaining scholarships. 154

(5) Fifth, to other eligible students who qualify under 155
division ~~(D)~~ (A) of section 3310.03 of the Revised Code. If the 156
number of students described in division (B) (5) of this section 157

who apply for a scholarship exceeds the number of available 158
scholarships after awards are made under divisions (B) (1) to (4) 159
of this section, the department shall select students described 160
in division (B) (5) of this section by lot to receive any 161
remaining scholarships. 162

~~(6) Sixth, to eligible students with family incomes at or 163
below two hundred per cent of the federal poverty guidelines who 164
qualify under division (B) of section 3310.03 of the Revised 165
Code. If the number of students described in division (B) (6) of 166
this section who apply for a scholarship exceeds the number of 167
available scholarships after awards are made under divisions (B) 168
(1) to (5) of this section, the department shall select students 169
described in division (B) (6) of this section by lot to receive 170
any remaining scholarships.~~ 171

~~(7) Seventh, to other eligible students who qualify under 172
division (B) of section 3310.03 of the Revised Code. If the 173
number of students described in division (B) (7) of this section 174
who apply for a scholarship exceeds the number of available 175
scholarships after awards are made under divisions (B) (1) to (6) 176
of this section, the department shall select students described 177
in division (B) (7) of this section by lot to receive any 178
remaining scholarships.~~ 179

Sec. 3310.03. A ~~For the 2021-2022 school year and each 180
school year thereafter, a student is an "eligible student" for 181
purposes of the educational choice scholarship pilot program if 182
the student's resident district is not a school district in 183
which the pilot project scholarship program is operating under 184
sections 3313.974 to 3313.979 of the Revised Code~~ and, the 185
student satisfies one of the conditions in division (A), (B), or 186
(C), (D), or (E) of this section +, and the student maintains 187

eligibility to receive a scholarship under division (D) of this 188
section. 189

However, any student who received a scholarship for the 190
2020-2021 school year under this section, as it existed prior to 191
the effective date of this amendment, shall continue to receive 192
that scholarship until the student completes grade twelve, as 193
long as the student maintains eligibility to receive a 194
scholarship under division (D) of this section. 195

~~(A) (1) The student is enrolled in a school building~~ 196
~~operated by the student's resident district that, on the report~~ 197
~~card issued under section 3302.03 of the Revised Code published~~ 198
~~prior to the first day of July of the school year for which a~~ 199
~~scholarship is sought, did not receive a rating as described in~~ 200
~~division (I) of this section, and to which any or a combination~~ 201
~~of any of the following apply for two of the three most recent~~ 202
~~report cards published prior to the first day of July of the~~ 203
~~school year for which a scholarship is sought:~~ 204

~~(a) The building was declared to be in a state of academic~~ 205
~~emergency or academic watch under section 3302.03 of the Revised~~ 206
~~Code as that section existed prior to March 22, 2013.~~ 207

~~(b) The building received a grade of "D" or "F" for the~~ 208
~~performance index score under division (A) (1) (b) or (B) (1) (b) of~~ 209
~~section 3302.03 of the Revised Code and for the value added~~ 210
~~progress dimension under division (A) (1) (e) or (B) (1) (e) of~~ 211
~~section 3302.03 of the Revised Code for the 2012-2013, 2013-~~ 212
~~2014, 2014-2015, or 2015-2016 school year; or if the building~~ 213
~~serves only grades ten through twelve, the building received a~~ 214
~~grade of "D" or "F" for the performance index score under~~ 215
~~division (A) (1) (b) or (B) (1) (b) of section 3302.03 of the~~ 216
~~Revised Code and had a four year adjusted cohort graduation rate~~ 217

~~of less than seventy five per cent.~~ 218

~~(c) The building received an overall grade of "D" or "F" under division (C) (3) of section 3302.03 of the Revised Code or a grade of "F" for the value added progress dimension under division (C) (1) (c) of section 3302.03 of the Revised Code for the 2016-2017 school year or any school year thereafter.~~ 219
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~~(2) The student will be enrolling in any of grades kindergarten through twelve in this state for the first time in the school year for which a scholarship is sought, will be at least five years of age by the first day of January of the school year for which a scholarship is sought, and otherwise would be assigned under section 3319.01 of the Revised Code in the school year for which a scholarship is sought, to a school building described in division (A) (1) of this section.~~ 224
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~~(3) The student is enrolled in a community school established under Chapter 3314. of the Revised Code but otherwise would be assigned under section 3319.01 of the Revised Code to a building described in division (A) (1) of this section.~~ 232
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~~(4) The student is enrolled in a school building operated by the student's resident district or in a community school established under Chapter 3314. of the Revised Code and otherwise would be assigned under section 3319.01 of the Revised Code to a school building described in division (A) (1) of this section in the school year for which the scholarship is sought.~~ 236
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~~(5) The student will be both enrolling in any of grades kindergarten through twelve in this state for the first time and at least five years of age by the first day of January of the school year for which a scholarship is sought, or is enrolled in a community school established under Chapter 3314. of the~~ 242
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~~Revised Code, and all of the following apply to the student's~~ 247
~~resident district:—~~ 248

~~(a) The district has in force an intradistrict open~~ 249
~~enrollment policy under which no student in the student's grade~~ 250
~~level is automatically assigned to a particular school building;—~~ 251

~~(b) In the most recent rating published prior to the first~~ 252
~~day of July of the school year for which scholarship is sought,—~~ 253
~~the district did not receive a rating described in division (I)~~ 254
~~of this section, and in at least two of the three most recent~~ 255
~~report cards published prior to the first day of July of that~~ 256
~~school year, any or a combination of the following apply to the~~ 257
~~district:—~~ 258

~~(i) The district was declared to be in a state of academic~~ 259
~~emergency under section 3302.03 of the Revised Code as it~~ 260
~~existed prior to March 22, 2013.—~~ 261

~~(ii) The district received a grade of "D" or "F" for the~~ 262
~~performance index score under division (A) (1) (b) or (B) (1) (b) of~~ 263
~~section 3302.03 of the Revised Code and for the value added~~ 264
~~progress dimension under division (A) (1) (c) or (B) (1) (c) of~~ 265
~~section 3302.03 of the Revised Code for the 2012-2013, 2013-~~ 266
~~2014, 2014-2015, or 2015-2016 school year.—~~ 267

~~(c) The district received an overall grade of "D" or "F"~~ 268
~~under division (C) (3) of section 3302.03 of the Revised Code or~~ 269
~~a grade of "F" for the value added progress dimension under~~ 270
~~division (C) (1) (e) of section 3302.03 of the Revised Code for~~ 271
~~the 2016-2017 school year or any school year thereafter.—~~ 272

~~(6) Beginning in the 2019-2020 school year, the student~~ 273
~~meets both of the following conditions:—~~ 274

~~(a) The student was enrolled in a public or nonpublic~~ 275

~~school or was homeschooled in the prior school year and~~ 276
~~completed any of grades eight through eleven in that school~~ 277
~~year.~~ 278

~~(b) The student would be assigned to a building in the~~ 279
~~school year for which the scholarship is sought that either:~~ 280

~~(i) Serves any of grades nine through twelve and that~~ 281
~~received a grade of "D" or "F" for the four year adjusted cohort~~ 282
~~graduation rate under division (A) (1) (d), (B) (1) (d), or (C) (1)~~ 283
~~(d) of section 3302.03 of the Revised Code in two of the three~~ 284
~~most recent report cards published prior to the first day of~~ 285
~~July of the school year for which a scholarship is sought;~~ 286

~~(ii) Is a building described in division (A) (1) of this~~ 287
~~section.~~ 288

~~Any student who was awarded a scholarship under division~~ 289
~~(A) (6) of this section as it existed prior to the effective date~~ 290
~~of this amendment may continue to receive scholarships in~~ 291
~~subsequent school years until the student completes grade~~ 292
~~twelve, as long as the student meets the criteria prescribed by~~ 293
~~division (F) of this section.~~ 294

~~(B) (1) The A student is eligible for a scholarship if the~~ 295
student is enrolled in a school building operated by the 296
student's resident district and to which both of the following 297
apply: 298

(a) The building was ranked, ~~for at least two of the three~~ 299
~~most recent rankings prior to the first day of July of the~~ 300
~~school year for which a scholarship is sought, in the lowest ten~~ 301
~~twenty per cent of all buildings operated by city, local, and~~ 302
~~exempted village school districts according to performance index~~ 303
~~score as determined by the department of education, as follows:~~ 304

(i) For a scholarship sought for the 2021-2022 or 2022-2023 school year, the building was ranked in the lowest twenty per cent of buildings for each of the 2017-2018 and 2018-2019 school years. 305
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(ii) For a scholarship sought for the 2023-2024 school year, the building was ranked in the lowest twenty per cent of buildings for each of the 2020-2021 and 2021-2022 school years. 309
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(iii) For a scholarship sought for the 2024-2025 school year or any school year thereafter, the building was ranked in the lowest twenty per cent of buildings for at least two of the three most recent consecutive rankings issued prior to the first day of July of the school year for which a scholarship is sought. 312
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~~(b) The building was not declared to be excellent or effective, or the equivalent of such ratings as determined by the department, under section 3302.03 of the Revised Code in the most recent rating published prior to the first day of July of the school year for which a scholarship is sought~~is operated by a school district in which, for the three consecutive school years prior to the school year for which a scholarship is sought, an average of twenty per cent or more of the students entitled to attend school in the district, under section 3313.64 or 3313.65 of the Revised Code, were qualified to be included in the formula to distribute funds under Title I of the "Elementary and Secondary Education Act of 1965," 20 U.S.C. 6301 et seq. 318
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When ranking school buildings under division (A) (1) of this section, the department shall not include buildings operated by a school district in which the pilot project scholarship program is operating in accordance with sections 3313.974 to 3313.979 of the Revised Code. 330
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(2) ~~The~~ A student is eligible for a scholarship if the 335
student will be enrolling in any of grades kindergarten through 336
twelve in this state for the first time in the school year for 337
which a scholarship is sought, will be at least five years of 338
age, as defined in section 3321.01 of the Revised Code, by the 339
first day of January of the school year for which a scholarship 340
is sought, and otherwise would be assigned under section 3319.01 341
of the Revised Code in the school year for which a scholarship 342
is sought, to a school building described in division ~~(B) (1)~~ (A) 343
(1) of this section. 344

(3) ~~The~~ A student is eligible for a scholarship if the 345
student is enrolled in a community school established under 346
Chapter 3314. of the Revised Code but otherwise would be 347
assigned under section 3319.01 of the Revised Code to a building 348
described in division ~~(B) (1)~~ (A) (1) of this section. 349

(4) ~~The~~ A student is eligible for a scholarship if the 350
student is enrolled in a school building operated by the 351
student's resident district or in a community school established 352
under Chapter 3314. of the Revised Code and otherwise would be 353
assigned under section 3319.01 of the Revised Code to a school 354
building described in division ~~(B) (1)~~ (A) (1) of this section in 355
the school year for which the scholarship is sought. 356

~~(C) The~~ (B) A student is eligible for a scholarship if the 357
student is enrolled in a nonpublic school at the time the school 358
is granted a charter by the state board of education under 359
section 3301.16 of the Revised Code and the student meets the 360
standards of division (B) of section 3310.031 of the Revised 361
Code. 362

~~(D) For the 2016-2017 school year and each school year~~ 363
~~thereafter, the student is in any of grades kindergarten through~~ 364

~~three, is enrolled in a school building that is operated by the~~ 365
~~student's resident district or will be enrolling in any of~~ 366
~~grades kindergarten through twelve in this state for the first~~ 367
~~time in the school year for which a scholarship is sought, and~~ 368
~~to which both of the following apply:~~ 369

~~(1) The building, in at least two of the three most recent~~ 370
~~ratings of school buildings published prior to the first day of~~ 371
~~July of the school year for which a scholarship is sought,~~ 372
~~received a grade of "D" or "F" for making progress in improving~~ 373
~~literacy in grades kindergarten through three under division (B)~~ 374
~~(1) (g) or (C) (1) (g) of section 3302.03 of the Revised Code;~~ 375

~~(2) The building did not receive a grade of "A" for making~~ 376
~~progress in improving literacy in grades kindergarten through~~ 377
~~three under division (B) (1) (g) or (C) (1) (g) of section 3302.03~~ 378
~~of the Revised Code in the most recent rating published prior to~~ 379
~~the first day of July of the school year for which a scholarship~~ 380
~~is sought.~~ 381

~~(E) The (C) A student is eligible for a scholarship if the~~ 382
student's resident district is subject to section 3302.10 of the 383
Revised Code and the student either: 384

(1) Is enrolled in a school building operated by the 385
resident district or in a community school established under 386
Chapter 3314. of the Revised Code; 387

(2) Will be both enrolling in any of grades kindergarten 388
through twelve in this state for the first time and at least 389
five years of age by the first day of January of the school year 390
for which a scholarship is sought. 391

~~(F) (D) A student who receives a scholarship under the~~ 392
educational choice scholarship pilot program remains an eligible 393

student and may continue to receive scholarships in subsequent 394
school years until the student completes grade twelve, so long 395
as all of the following apply: 396

(1) The student's resident district remains the same, or 397
the student transfers to a new resident district and otherwise 398
would be assigned in the new resident district to a school 399
building described in division (A) (1), ~~(B) (1), (D),~~ or ~~(E)~~ (C) 400
of this section. 401

(2) Except as provided in divisions (K) (1) and (L) of 402
section 3301.0711 of the Revised Code, the student takes each 403
assessment prescribed for the student's grade level under 404
section 3301.0710 or 3301.0712 of the Revised Code while 405
enrolled in a chartered nonpublic school. 406

(3) In each school year that the student is enrolled in a 407
chartered nonpublic school, the student is absent from school 408
for not more than twenty days that the school is open for 409
instruction, not including excused absences. 410

~~(G) (1) (E) (1)~~ The department shall cease awarding first- 411
time scholarships pursuant to divisions (A) (1) to (4) of this 412
section with respect to a school building that, in the most 413
recent ratings of school buildings published under section 414
3302.03 of the Revised Code prior to the first day of July of 415
the school year, ceases to meet the criteria in division (A) (1) 416
of this section. The department shall cease awarding first-time 417
scholarships pursuant to division (A) (5) of this section with 418
respect to a school district that, in the most recent ratings of 419
school districts published under section 3302.03 of the Revised 420
Code prior to the first day of July of the school year, ceases 421
to meet the criteria in division (A) (5) of this section. 422

~~(2) The department shall cease awarding first-time~~ 423
~~scholarships pursuant to divisions (B) (1) to (4) of this section~~ 424
with respect to a school building that, in the most recent 425
ratings of school buildings under section 3302.03 of the Revised 426
Code prior to the first day of July of the school year, ceases 427
to meet the criteria in division ~~(B) (1)~~ (A) (1) of this section. 428

~~(3) The department shall cease awarding first-time~~ 429
~~scholarships pursuant to division (D) of this section with~~ 430
~~respect to a school building that, in the most recent ratings of~~ 431
~~school buildings under section 3302.03 of the Revised Code prior~~ 432
~~to the first day of July of the school year, ceases to meet the~~ 433
~~criteria in division (D) of this section.~~ 434

~~(4)~~ (2) The department shall cease awarding first-time 435
scholarships pursuant to division ~~(E)~~ (C) of this section with 436
respect to a school district subject to section 3302.10 of the 437
Revised Code when the academic distress commission established 438
for the district ceases to exist. 439

~~(5)~~ (3) However, students who have received scholarships 440
in the prior school year remain eligible students pursuant to 441
division ~~(F)~~ (D) of this section. 442

~~(H)~~ (F) The state board of education shall adopt rules 443
defining excused absences for purposes of division ~~(F) (3)~~ (D) (3) 444
of this section. 445

~~(I) (1) A student who satisfies only the conditions~~ 446
~~prescribed in divisions (A) (1) to (4) of this section shall not~~ 447
~~be eligible for a scholarship if the student's resident building~~ 448
~~meets any of the following in the most recent rating under~~ 449
~~section 3302.03 of the Revised Code published prior to the first~~ 450
~~day of July of the school year for which a scholarship is~~ 451

sought:— 452

~~(a) The building has an overall designation of excellent or effective under section 3302.03 of the Revised Code as it existed prior to March 22, 2013.~~ 453
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~~(b) For the 2012-2013, 2013-2014, 2014-2015, or 2015-2016 school year, the building has a grade of "A" or "B" for the performance index score under division (A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and for the value added progress dimension under division (A)(1)(e) or (B)(1)(e) of section 3302.03 of the Revised Code; or if the building serves only grades ten through twelve, the building received a grade of "A" or "B" for the performance index score under division (A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and had a four year adjusted cohort graduation rate of greater than or equal to seventy five per cent.~~ 456
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~~(c) For the 2016-2017 school year or any school year thereafter, the building has a grade of "A" or "B" under division (C)(3) of section 3302.03 of the Revised Code and a grade of "A" for the value added progress dimension under division (C)(1)(e) of section 3302.03 of the Revised Code; or if the building serves only grades ten through twelve, the building received a grade of "A" or "B" for the performance index score under division (C)(1)(b) of section 3302.03 of the Revised Code and had a four year adjusted cohort graduation rate of greater than or equal to seventy five per cent.~~ 467
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~~(2) A student who satisfies only the conditions prescribed in division (A)(5) of this section shall not be eligible for a scholarship if the student's resident district meets any of the following in the most recent rating under section 3302.03 of the Revised Code published prior to the first day of July of the~~ 477
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~~school year for which a scholarship is sought:—~~ 482

~~(a) The district has an overall designation of excellent
or effective under section 3302.03 of the Revised Code as it
existed prior to March 22, 2013.—~~ 483
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~~(b) The district has a grade of "A" or "B" for the
performance index score under division (A) (1) (b) or (B) (1) (b) of
section 3302.03 of the Revised Code and for the value added
progress dimension under division (A) (1) (c) or (B) (1) (c) of
section 3302.03 of the Revised Code for the 2012-2013, 2013-
2014, 2014-2015, and 2015-2016 school years.—~~ 486
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~~(c) The district has an overall grade of "A" or "B" under
division (C) (3) of section 3302.03 of the Revised Code and a
grade of "A" for the value added progress dimension under
division (C) (1) (c) of section 3302.03 of the Revised Code for
the 2016-2017 school year or any school year thereafter.—~~ 492
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Sec. 3310.031. (A) The state board of education shall 497
adopt rules under section 3310.17 of the Revised Code 498
establishing procedures for granting educational choice 499
scholarships to eligible students attending a nonpublic school 500
at the time the state board grants the school a charter under 501
section 3301.16 of the Revised Code. The procedures shall 502
include at least the following: 503

(1) Provisions for extending the application period for 504
scholarships for the following school year, if necessary due to 505
the timing of the award of the nonpublic school's charter, in 506
order for students enrolled in the school at the time the 507
charter is granted to apply for scholarships for the following 508
school year; 509

(2) Provisions for notifying the resident districts of the 510

nonpublic school's students that the nonpublic school has been 511
granted a charter and that educational choice scholarships may 512
be awarded to the school's students for the following school 513
year. 514

(B) A student who is enrolled in a nonpublic school at the 515
time the school's charter is granted is an eligible student if 516
~~any~~ either of the following applies: 517

(1) For a scholarship sought for the 2020-2021 school 518
year, the student satisfies division (B) of this section as it 519
existed prior to the effective date of this amendment and any 520
related condition prescribed by section 3310.03 of the Revised 521
Code, as it existed prior to the effective date of this 522
amendment. 523

(2) For a scholarship sought for the 2021-2022 school year 524
or any school year thereafter, the student satisfies any of the 525
following conditions: 526

(a) At the end of the last school year before the student 527
enrolled in the nonpublic school, the student was enrolled in a 528
school building operated by the student's resident district or 529
in a community school established under Chapter 3314. of the 530
Revised Code and, for the current or following school year, the 531
student otherwise would be assigned under section 3319.01 of the 532
Revised Code to a school building described in division (A) (1) 533
or (B) (1) of section 3310.03 of the Revised Code. 534

~~(2) At the end of the last school year before the student~~ 535
~~enrolled in the nonpublic school, the student was enrolled in a~~ 536
~~school building operated by the student's resident district and,~~ 537
~~for the current or following school year, the student otherwise~~ 538
~~would be assigned under section 3319.01 of the Revised Code to a~~ 539

~~school building described in division (A) (6) of section 3310.03~~ 540
~~of the Revised Code.~~ 541

~~(3)~~ (b) The student was not enrolled in any public or 542
other nonpublic school before the student enrolled in the 543
nonpublic school and, for the current or following school year, 544
otherwise would be assigned under section 3319.01 of the Revised 545
Code to a school building described in division (A) (1) ~~or (6) or~~ 546
~~(B) (1)~~ of section 3310.03 of the Revised Code. 547

~~(4)~~ (c) At the end of the last school year before the 548
student enrolled in the nonpublic school, the student was 549
enrolled in a school building operated by the student's resident 550
district and, during that school year, the building met the 551
conditions described in division (A) (1) ~~or (6) or (B) (1)~~ of 552
section 3310.03 of the Revised Code. 553

~~(5)~~ (d) At the end of the last school year before the 554
student enrolled in the nonpublic school, the student was 555
enrolled in a community school established under Chapter 3314. 556
of the Revised Code but otherwise would have been assigned under 557
section 3319.01 of the Revised Code to a school building that, 558
during that school year, met the conditions described in 559
division (A) (1) ~~or (B) (1)~~ of section 3310.03 of the Revised 560
Code. 561

Sec. 3310.032. (A) A student is an "eligible student" for 562
purposes of the expansion of the educational choice scholarship 563
pilot program under this section if the student's resident 564
district is not a school district in which the pilot project 565
scholarship program is operating under sections 3313.974 to 566
3313.979 of the Revised Code, the student is not eligible for an 567
educational choice scholarship under section 3310.03 of the 568
Revised Code, and the student's family income is at or below two 569

hundred fifty per cent of the federal poverty guidelines, as 570
defined in section 5101.46 of the Revised Code. 571

(B) In each fiscal year for which the general assembly 572
appropriates funds for purposes of this section, the department 573
of education shall pay scholarships to attend chartered 574
nonpublic schools in accordance with section 3310.08 of the 575
Revised Code. The number of scholarships awarded under this 576
section shall not exceed the number that can be funded with 577
appropriations made by the general assembly for this purpose. 578

(C) Scholarships under this section shall be awarded as 579
follows: 580

(1) For the 2013-2014 school year, to eligible students 581
who are entering kindergarten in that school year for the first 582
time; 583

(2) For each subsequent school year through the 2019-2020 584
school year, scholarships shall be awarded to eligible students 585
in the next grade level above the highest grade level awarded in 586
the preceding school year, in addition to the grade levels for 587
which students received scholarships in the preceding school 588
year; 589

(3) Beginning with the 2020-2021 school year, to eligible 590
students who are entering any of grades kindergarten through 591
twelve in that school year for the first time. 592

(D) If the number of eligible students who apply for a 593
scholarship under this section exceeds the scholarships 594
available based on the appropriation for this section, the 595
department shall award scholarships in the following order of 596
priority: 597

(1) First, to eligible students who received scholarships 598

under this section in the prior school year; 599

(2) Second, to eligible students with family incomes at or 600
below one hundred per cent of the federal poverty guidelines. If 601
the number of students described in division (D) (2) of this 602
section who apply for a scholarship exceeds the number of 603
available scholarships after awards are made under division (D) 604
(1) of this section, the department shall select students 605
described in division (D) (2) of this section by lot to receive 606
any remaining scholarships. 607

(3) Third, to other eligible students who qualify under 608
this section. If the number of students described in division 609
(D) (3) of this section exceeds the number of available 610
scholarships after awards are made under divisions (D) (1) and 611
(2) of this section, the department shall select students 612
described in division (D) (3) of this section by lot to receive 613
any remaining scholarships. 614

(E) Subject to divisions (E) (1) to (3) of this section, a 615
student who receives a scholarship under this section remains an 616
eligible student and may continue to receive scholarships under 617
this section in subsequent school years until the student 618
completes grade twelve, so long as the student satisfies the 619
conditions specified in divisions ~~(F) (2)~~ (D) (2) and (3) of 620
section 3310.03 of the Revised Code. 621

Once a scholarship is awarded under this section, the 622
student shall remain eligible for that scholarship for the 623
current school year and subsequent school years even if the 624
student's family income rises above the amount specified in 625
division (A) of this section, provided the student remains 626
enrolled in a chartered nonpublic school, however: 627

(1) If the student's family income is above two hundred 628
fifty per cent but at or below three hundred per cent of the 629
federal poverty guidelines, the student shall receive a 630
scholarship in the amount of seventy-five per cent of the full 631
scholarship amount. 632

(2) If the student's family income is above three hundred 633
per cent but at or below four hundred per cent of the federal 634
poverty guidelines, the student shall receive a scholarship in 635
the amount of fifty per cent of the full scholarship amount. 636

(3) If the student's family income is above four hundred 637
per cent of the federal poverty guidelines, the student is no 638
longer eligible to receive an educational choice scholarship. 639

Sec. 3310.035. (A) A student who is eligible for an 640
educational choice scholarship under both sections 3310.03 and 641
3310.032 of the Revised Code, and applies for a scholarship for 642
the first time after September 29, 2013, shall receive a 643
scholarship under section 3310.03 of the Revised Code. 644

(B) A student who is eligible under both sections 3310.03 645
and 3310.032 of the Revised Code and received a scholarship in 646
the previous school year shall continue to receive the 647
scholarship under the section from which the student received 648
the scholarship in the previous school year, so long as: 649

(1) The number of students who apply for a scholarship 650
does not exceed the number of scholarships available under 651
division (A) of section 3310.02 of the Revised Code. 652

(2) A student who receives a scholarship under section 653
3310.03 of the Revised Code satisfies with the conditions 654
specified in divisions ~~(F) (1)~~ (D) (1) to (3) of that section, and 655
a student who receives a scholarship under section 3310.032 656

satisfies with the conditions specified in divisions ~~(G) (2) (D)~~ 657
(2) and (3) of section 3310.03 of the Revised Code. 658

Sec. 3313.14. The board of education of each city, 659
exempted village, and local school district shall meet on a day 660
occurring during the first fifteen days of January of each year, 661
and shall organize by electing one of its members president and 662
another vice-president, both of whom shall serve for one year. 663
The treasurer of the board shall canvass the members of the new 664
board no later than December thirty-first to establish the day 665
of the organizational meeting prescribed by this section. 666

The board of education of a joint vocational school 667
district shall hold its first meeting in January of each year, 668
and shall organize by electing one of its members president and 669
another vice-president, both of whom shall serve for one year. 670
The treasurer of the board shall canvass the members of the new 671
board no later than December thirty-first to establish the day 672
of the organizational meeting prescribed by this section. 673

The governing board of each educational service center 674
shall hold its first meeting in January of each year, and shall 675
organize by electing one of its members president and another 676
vice-president, both of whom shall serve for one year. 677

Sec. 3313.482. (A) (1) Prior to the first day of August of 678
each school year, the board of education of any school district 679
or the governing authority of any chartered nonpublic school may 680
adopt a plan to require students to access and complete 681
classroom lessons posted on the district's or nonpublic school's 682
web portal or web site in order to make up hours in that school 683
year on which it is necessary to close schools for disease 684
epidemic, hazardous weather conditions, law enforcement 685
emergencies, inoperability of school buses or other equipment 686

necessary to the school's operation, damage to a school 687
building, or other temporary circumstances due to utility 688
failure rendering the school building unfit for school use. 689

Prior to the first day of August of each school year, the 690
governing authority of any community school established under 691
Chapter 3314. that is not an internet- or computer-based 692
community school, as defined in section 3314.02 of the Revised 693
Code, may adopt a plan to require students to access and 694
complete classroom lessons posted on the school's web portal or 695
web site in order to make up hours in that school year on which 696
it is necessary to close the school for any of the reasons 697
specified in division (H) (4) of section 3314.08 of the Revised 698
Code so that the school is in compliance with the minimum number 699
of hours required under Chapter 3314. of the Revised Code. 700

A plan adopted by a school district board, chartered 701
nonpublic school governing authority, or community school 702
governing authority shall provide for making up any number of 703
hours, up to a maximum of the number of hours that are the 704
equivalent of three school days. 705

(2) Each plan adopted under this section by a school 706
district board of education shall include the written consent of 707
the teachers' employee representative designated under division 708
(B) of section 4117.04 of the Revised Code. 709

(3) Each plan adopted under this section shall provide for 710
the following: 711

(a) Not later than the first day of November of the school 712
year, each classroom teacher shall develop a sufficient number 713
of lessons for each course taught by the teacher that school 714
year to cover the number of make-up hours specified in the plan. 715

The teacher shall designate the order in which the lessons are 716
to be posted on the district's, community school's, or nonpublic 717
school's web portal or web site in the event of a school 718
closure. Teachers may be granted up to one professional 719
development day to create lesson plans for those lessons. 720

(b) To the extent possible and necessary, a classroom 721
teacher shall update or replace, based on current instructional 722
progress, one or more of the lesson plans developed under 723
division (A) (3) (a) of this section before they are posted on the 724
web portal or web site under division (A) (3) (c) of this section 725
or distributed under division (B) of this section. 726

(c) As soon as practicable after a school closure, a 727
district or school employee responsible for web portal or web 728
site operations shall make the designated lessons available to 729
students on the district's, community school's, or nonpublic 730
school's portal or site. A lesson shall be posted for each 731
course that was scheduled to meet on the day or hours of the 732
closure. 733

(d) Each student enrolled in a course for which a lesson 734
is posted on the portal or site shall be granted a two-week 735
period from the date of posting to complete the lesson. The 736
student's classroom teacher shall grade the lesson in the same 737
manner as other lessons. The student may receive an incomplete 738
or failing grade if the lesson is not completed on time. 739

(e) If a student does not have access to a computer at the 740
student's residence and the plan does not include blizzard bags 741
under division (B) of this section, the student shall be 742
permitted to work on the posted lessons at school after the 743
student's school reopens. If the lessons were posted prior to 744
the reopening, the student shall be granted a two-week period 745

from the date of the reopening, rather than from the date of 746
posting as otherwise required under division (A) (3) (d) of this 747
section, to complete the lessons. The district board or 748
community school or nonpublic school governing authority may 749
provide the student access to a computer before, during, or 750
after the regularly scheduled school day or may provide a 751
substantially similar paper lesson in order to complete the 752
lessons. 753

(B) (1) In addition to posting classroom lessons online 754
under division (A) of this section, the board of education of 755
any school district or governing authority of any community or 756
chartered nonpublic school may include in the plan distribution 757
of "blizzard bags," which are paper copies of the lessons posted 758
online. 759

(2) If a school opts to use blizzard bags, teachers shall 760
prepare paper copies in conjunction with the lessons to be 761
posted online and update the paper copies whenever the teacher 762
updates the online lesson plans. 763

(3) The board of education of any school district or 764
governing authority of any community or chartered nonpublic 765
school that opts to use blizzard bags shall specify in the plan 766
the method of distribution of blizzard bag lessons, which may 767
include, but not be limited to, requiring distribution by a 768
specific deadline or requiring distribution prior to anticipated 769
school closure as directed by the superintendent of a school 770
district or the principal, director, chief administrative 771
officer, or the equivalent, of a school. 772

(4) Students shall turn in completed lessons in accordance 773
with division (A) (3) (d) of this section. 774

(C) In addition to the hours that may be made up in 775
accordance with divisions (A) and (B) of this section, the board 776
of education of any joint vocational school district may include 777
in its plan adopted under this section other options to make up 778
any number of additional hours missed as a result of one or more 779
of the schools of its member city, exempted village, or local 780
school districts were closed for the reasons specified in 781
division (A) (1) of this section. Those options may include 782
additional online lessons, planned student internships, student 783
projects, or other options specified by the board in its plan. 784

(D) (1) No school district that implements a plan in 785
accordance with this section shall be considered to have failed 786
to comply with division (B) of section 3317.01 of the Revised 787
Code with respect to the number of make-up hours specified in 788
the plan. 789

(2) No community school that implements a plan in 790
accordance with this section shall be considered to have failed 791
to comply with the minimum number of hours required under 792
Chapter 3314. of the Revised Code with respect to the number of 793
make-up hours specified in the plan. 794

Sec. 3313.82. ~~The~~ (A) Subject to division (D) of this 795
section, the board of education of each school district and the 796
governing board of each educational service center shall appoint 797
a business advisory council, except that a school district that 798
has entered into an agreement under section 3313.843 or 3313.845 799
of the Revised Code to receive any services from an educational 800
service center is not required to appoint a council if the 801
school district and educational service center agree that the 802
educational service center's council will represent the business 803
of the district. ~~The~~ 804

(B) The council shall advise and provide recommendations 805
to the board on matters specified by the board including, but 806
not necessarily limited to, ~~the~~ all of the following: 807

(1) The delineation of employment skills and the 808
development of curriculum to instill these skills; ~~changes~~ 809

(2) Changes in the economy and in the job market, and the 810
types of employment in which future jobs are most likely to be 811
available; ~~and suggestions~~ 812

(3) Suggestions for developing a working relationship 813
among businesses, labor organizations, and educational 814
personnel. ~~Each~~ 815

(C) Each board shall determine the membership and 816
organization of its council. ~~Notwithstanding~~ 817

(D) A school district shall not be required to appoint a 818
council under division (A) of this section if the school 819
district has entered into an agreement with the business 820
advisory committee of a joint vocational school district that 821
allows the business advisory committee to represent the business 822
of the school district in accordance with this section. 823

(E) Notwithstanding division (D) of section 3311.19 and 824
division (D) of section 3311.52 of the Revised Code, this 825
section shall not apply to the board of education of any joint 826
vocational school district or any cooperative education school 827
district created pursuant to divisions (A) to (C) of section 828
3311.52 of the Revised Code. 829

Sec. 3313.903. Except as otherwise required under federal 830
law, the department of education shall consider an industry- 831
recognized credential, as ~~described under division (B) (2) (d) of~~ 832
~~section 3302.03~~ approved under section 3313.6113 of the Revised 833

Code, or a license issued by a state agency or board for 834
practice in a vocation that requires an examination for issuance 835
of that license as an acceptable measure of technical skill 836
attainment and shall not require a student with such credential 837
or license to take additional technical assessments. 838

Additionally, the department shall not require a student 839
who has participated in or will be participating in a 840
credentialing assessment aligned to the student's career- 841
technical education program or has participated in or will be 842
participating in taking an examination for issuance of such a 843
license aligned to the student's career-technical education 844
program to take additional technical assessments. 845

However, if the student does not participate in the 846
credentialing assessment or license examination, the student 847
shall take the applicable technical assessments prescribed by 848
the department. 849

The department shall develop, in consultation with the 850
Ohio association for career and technical education, the Ohio 851
association of career-technical superintendents, the Ohio 852
association of city career-technical schools, and other 853
stakeholders, procedures for identifying industry-recognized 854
credentials and licenses aligned to a student's career-technical 855
education program that can be used as an acceptable measure of 856
technical skill, and for identifying students in the process of 857
earning such credentials and licenses. The department shall 858
consider the possibility of attaining college credit as a factor 859
when identifying an acceptable measure of technical skill. 860

Not later than the thirty-first day of May of each year, 861
the department shall, in consultation with the Ohio association 862
for career and technical education, the Ohio association of 863

career-technical superintendents, and the Ohio association of 864
comprehensive and compact career-technical schools, update a 865
list developed by the department regarding technical assessments 866
subject to this section. 867

As used in this section, "technical assessments" shall not 868
include the nationally recognized job skills assessment 869
prescribed under division (G) of section 3301.0712 of the 870
Revised Code. 871

Nothing in this section shall exempt a student who wishes 872
to qualify for a high school diploma under division (A) (3) of 873
section 3313.618 of the Revised Code from the requirement to 874
attain a specified score on that assessment in order to qualify 875
for a high school diploma under that section. 876

Sec. 3314.03. A copy of every contract entered into under 877
this section shall be filed with the superintendent of public 878
instruction. The department of education shall make available on 879
its web site a copy of every approved, executed contract filed 880
with the superintendent under this section. 881

(A) Each contract entered into between a sponsor and the 882
governing authority of a community school shall specify the 883
following: 884

(1) That the school shall be established as either of the 885
following: 886

(a) A nonprofit corporation established under Chapter 887
1702. of the Revised Code, if established prior to April 8, 888
2003; 889

(b) A public benefit corporation established under Chapter 890
1702. of the Revised Code, if established after April 8, 2003. 891

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

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

(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;

(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;

(6) (a) Dismissal procedures;

(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.

(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;

(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section

117.10 of the Revised Code.	921
(9) An addendum to the contract outlining the facilities	922
to be used that contains at least the following information:	923
(a) A detailed description of each facility used for	924
instructional purposes;	925
(b) The annual costs associated with leasing each facility	926
that are paid by or on behalf of the school;	927
(c) The annual mortgage principal and interest payments	928
that are paid by the school;	929
(d) The name of the lender or landlord, identified as	930
such, and the lender's or landlord's relationship to the	931
operator, if any.	932
(10) Qualifications of teachers, including a requirement	933
that the school's classroom teachers be licensed in accordance	934
with sections 3319.22 to 3319.31 of the Revised Code, except	935
that a community school may engage noncertificated persons to	936
teach up to twelve hours <u>or forty hours</u> per week pursuant to	937
section 3319.301 of the Revised Code.	938
(11) That the school will comply with the following	939
requirements:	940
(a) The school will provide learning opportunities to a	941
minimum of twenty-five students for a minimum of nine hundred	942
twenty hours per school year.	943
(b) The governing authority will purchase liability	944
insurance, or otherwise provide for the potential liability of	945
the school.	946
(c) The school will be nonsectarian in its programs,	947

admission policies, employment practices, and all other 948
operations, and will not be operated by a sectarian school or 949
religious institution. 950

(d) The school will comply with sections 9.90, 9.91, 951
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 952
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 953
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 954
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 955
3313.6024, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 956
3313.662, 3313.666, 3313.667, 3313.668, 3313.67, 3313.671, 957
3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 958
3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 3313.816, 959
3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 3319.073, 960
3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 3321.01, 961
3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 962
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 963
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 964
of the Revised Code as if it were a school district and will 965
comply with section 3301.0714 of the Revised Code in the manner 966
specified in section 3314.17 of the Revised Code. 967

(e) The school shall comply with Chapter 102. and section 968
2921.42 of the Revised Code. 969

(f) The school will comply with sections 3313.61, 970
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 971
Revised Code, except that for students who enter ninth grade for 972
the first time before July 1, 2010, the requirement in sections 973
3313.61 and 3313.611 of the Revised Code that a person must 974
successfully complete the curriculum in any high school prior to 975
receiving a high school diploma may be met by completing the 976
curriculum adopted by the governing authority of the community 977

school rather than the curriculum specified in Title XXXIII of 978
the Revised Code or any rules of the state board of education. 979
Beginning with students who enter ninth grade for the first time 980
on or after July 1, 2010, the requirement in sections 3313.61 981
and 3313.611 of the Revised Code that a person must successfully 982
complete the curriculum of a high school prior to receiving a 983
high school diploma shall be met by completing the requirements 984
prescribed in division (C) of section 3313.603 of the Revised 985
Code, unless the person qualifies under division (D) or (F) of 986
that section. Each school shall comply with the plan for 987
awarding high school credit based on demonstration of subject 988
area competency, and beginning with the 2017-2018 school year, 989
with the updated plan that permits students enrolled in seventh 990
and eighth grade to meet curriculum requirements based on 991
subject area competency adopted by the state board of education 992
under divisions (J) (1) and (2) of section 3313.603 of the 993
Revised Code. Beginning with the 2018-2019 school year, the 994
school shall comply with the framework for granting units of 995
high school credit to students who demonstrate subject area 996
competency through work-based learning experiences, internships, 997
or cooperative education developed by the department under 998
division (J) (3) of section 3313.603 of the Revised Code. 999

(g) The school governing authority will submit within four 1000
months after the end of each school year a report of its 1001
activities and progress in meeting the goals and standards of 1002
divisions (A) (3) and (4) of this section and its financial 1003
status to the sponsor and the parents of all students enrolled 1004
in the school. 1005

(h) The school, unless it is an internet- or computer- 1006
based community school, will comply with section 3313.801 of the 1007
Revised Code as if it were a school district. 1008

(i) If the school is the recipient of moneys from a grant 1009
awarded under the federal race to the top program, Division (A), 1010
Title XIV, Sections 14005 and 14006 of the "American Recovery 1011
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 1012
the school will pay teachers based upon performance in 1013
accordance with section 3317.141 and will comply with section 1014
3319.111 of the Revised Code as if it were a school district. 1015

(j) If the school operates a preschool program that is 1016
licensed by the department of education under sections 3301.52 1017
to 3301.59 of the Revised Code, the school shall comply with 1018
sections 3301.50 to 3301.59 of the Revised Code and the minimum 1019
standards for preschool programs prescribed in rules adopted by 1020
the state board under section 3301.53 of the Revised Code. 1021

(k) The school will comply with sections 3313.6021 and 1022
3313.6023 of the Revised Code as if it were a school district 1023
unless it is either of the following: 1024

(i) An internet- or computer-based community school; 1025

(ii) A community school in which a majority of the 1026
enrolled students are children with disabilities as described in 1027
division (A) (4) (b) of section 3314.35 of the Revised Code. 1028

(12) Arrangements for providing health and other benefits 1029
to employees; 1030

(13) The length of the contract, which shall begin at the 1031
beginning of an academic year. No contract shall exceed five 1032
years unless such contract has been renewed pursuant to division 1033
(E) of this section. 1034

(14) The governing authority of the school, which shall be 1035
responsible for carrying out the provisions of the contract; 1036

(15) A financial plan detailing an estimated school budget 1037
for each year of the period of the contract and specifying the 1038
total estimated per pupil expenditure amount for each such year. 1039

(16) Requirements and procedures regarding the disposition 1040
of employees of the school in the event the contract is 1041
terminated or not renewed pursuant to section 3314.07 of the 1042
Revised Code; 1043

(17) Whether the school is to be created by converting all 1044
or part of an existing public school or educational service 1045
center building or is to be a new start-up school, and if it is 1046
a converted public school or service center building, 1047
specification of any duties or responsibilities of an employer 1048
that the board of education or service center governing board 1049
that operated the school or building before conversion is 1050
delegating to the governing authority of the community school 1051
with respect to all or any specified group of employees provided 1052
the delegation is not prohibited by a collective bargaining 1053
agreement applicable to such employees; 1054

(18) Provisions establishing procedures for resolving 1055
disputes or differences of opinion between the sponsor and the 1056
governing authority of the community school; 1057

(19) A provision requiring the governing authority to 1058
adopt a policy regarding the admission of students who reside 1059
outside the district in which the school is located. That policy 1060
shall comply with the admissions procedures specified in 1061
sections 3314.06 and 3314.061 of the Revised Code and, at the 1062
sole discretion of the authority, shall do one of the following: 1063

(a) Prohibit the enrollment of students who reside outside 1064
the district in which the school is located; 1065

(b) Permit the enrollment of students who reside in 1066
districts adjacent to the district in which the school is 1067
located; 1068

(c) Permit the enrollment of students who reside in any 1069
other district in the state. 1070

(20) A provision recognizing the authority of the 1071
department of education to take over the sponsorship of the 1072
school in accordance with the provisions of division (C) of 1073
section 3314.015 of the Revised Code; 1074

(21) A provision recognizing the sponsor's authority to 1075
assume the operation of a school under the conditions specified 1076
in division (B) of section 3314.073 of the Revised Code; 1077

(22) A provision recognizing both of the following: 1078

(a) The authority of public health and safety officials to 1079
inspect the facilities of the school and to order the facilities 1080
closed if those officials find that the facilities are not in 1081
compliance with health and safety laws and regulations; 1082

(b) The authority of the department of education as the 1083
community school oversight body to suspend the operation of the 1084
school under section 3314.072 of the Revised Code if the 1085
department has evidence of conditions or violations of law at 1086
the school that pose an imminent danger to the health and safety 1087
of the school's students and employees and the sponsor refuses 1088
to take such action. 1089

(23) A description of the learning opportunities that will 1090
be offered to students including both classroom-based and non- 1091
classroom-based learning opportunities that is in compliance 1092
with criteria for student participation established by the 1093
department under division (H) (2) of section 3314.08 of the 1094

Revised Code; 1095

(24) The school will comply with sections 3302.04 and 1096
3302.041 of the Revised Code, except that any action required to 1097
be taken by a school district pursuant to those sections shall 1098
be taken by the sponsor of the school. However, the sponsor 1099
shall not be required to take any action described in division 1100
(F) of section 3302.04 of the Revised Code. 1101

(25) Beginning in the 2006-2007 school year, the school 1102
will open for operation not later than the thirtieth day of 1103
September each school year, unless the mission of the school as 1104
specified under division (A) (2) of this section is solely to 1105
serve dropouts. In its initial year of operation, if the school 1106
fails to open by the thirtieth day of September, or within one 1107
year after the adoption of the contract pursuant to division (D) 1108
of section 3314.02 of the Revised Code if the mission of the 1109
school is solely to serve dropouts, the contract shall be void. 1110

(26) Whether the school's governing authority is planning 1111
to seek designation for the school as a STEM school equivalent 1112
under section 3326.032 of the Revised Code; 1113

(27) That the school's attendance and participation 1114
policies will be available for public inspection; 1115

(28) That the school's attendance and participation 1116
records shall be made available to the department of education, 1117
auditor of state, and school's sponsor to the extent permitted 1118
under and in accordance with the "Family Educational Rights and 1119
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 1120
and any regulations promulgated under that act, and section 1121
3319.321 of the Revised Code; 1122

(29) If a school operates using the blended learning 1123

model, as defined in section 3301.079 of the Revised Code, all	1124
of the following information:	1125
(a) An indication of what blended learning model or models	1126
will be used;	1127
(b) A description of how student instructional needs will	1128
be determined and documented;	1129
(c) The method to be used for determining competency,	1130
granting credit, and promoting students to a higher grade level;	1131
(d) The school's attendance requirements, including how	1132
the school will document participation in learning	1133
opportunities;	1134
(e) A statement describing how student progress will be	1135
monitored;	1136
(f) A statement describing how private student data will	1137
be protected;	1138
(g) A description of the professional development	1139
activities that will be offered to teachers.	1140
(30) A provision requiring that all moneys the school's	1141
operator loans to the school, including facilities loans or cash	1142
flow assistance, must be accounted for, documented, and bear	1143
interest at a fair market rate;	1144
(31) A provision requiring that, if the governing	1145
authority contracts with an attorney, accountant, or entity	1146
specializing in audits, the attorney, accountant, or entity	1147
shall be independent from the operator with which the school has	1148
contracted.	1149
(32) A provision requiring the governing authority to	1150

adopt an enrollment and attendance policy that requires a 1151
student's parent to notify the community school in which the 1152
student is enrolled when there is a change in the location of 1153
the parent's or student's primary residence. 1154

(33) A provision requiring the governing authority to 1155
adopt a student residence and address verification policy for 1156
students enrolling in or attending the school. 1157

(B) The community school shall also submit to the sponsor 1158
a comprehensive plan for the school. The plan shall specify the 1159
following: 1160

(1) The process by which the governing authority of the 1161
school will be selected in the future; 1162

(2) The management and administration of the school; 1163

(3) If the community school is a currently existing public 1164
school or educational service center building, alternative 1165
arrangements for current public school students who choose not 1166
to attend the converted school and for teachers who choose not 1167
to teach in the school or building after conversion; 1168

(4) The instructional program and educational philosophy 1169
of the school; 1170

(5) Internal financial controls. 1171

When submitting the plan under this division, the school 1172
shall also submit copies of all policies and procedures 1173
regarding internal financial controls adopted by the governing 1174
authority of the school. 1175

(C) A contract entered into under section 3314.02 of the 1176
Revised Code between a sponsor and the governing authority of a 1177
community school may provide for the community school governing 1178

authority to make payments to the sponsor, which is hereby 1179
authorized to receive such payments as set forth in the contract 1180
between the governing authority and the sponsor. The total 1181
amount of such payments for monitoring, oversight, and technical 1182
assistance of the school shall not exceed three per cent of the 1183
total amount of payments for operating expenses that the school 1184
receives from the state. 1185

(D) The contract shall specify the duties of the sponsor 1186
which shall be in accordance with the written agreement entered 1187
into with the department of education under division (B) of 1188
section 3314.015 of the Revised Code and shall include the 1189
following: 1190

(1) Monitor the community school's compliance with all 1191
laws applicable to the school and with the terms of the 1192
contract; 1193

(2) Monitor and evaluate the academic and fiscal 1194
performance and the organization and operation of the community 1195
school on at least an annual basis; 1196

(3) Report on an annual basis the results of the 1197
evaluation conducted under division (D) (2) of this section to 1198
the department of education and to the parents of students 1199
enrolled in the community school; 1200

(4) Provide technical assistance to the community school 1201
in complying with laws applicable to the school and terms of the 1202
contract; 1203

(5) Take steps to intervene in the school's operation to 1204
correct problems in the school's overall performance, declare 1205
the school to be on probationary status pursuant to section 1206
3314.073 of the Revised Code, suspend the operation of the 1207

school pursuant to section 3314.072 of the Revised Code, or 1208
terminate the contract of the school pursuant to section 3314.07 1209
of the Revised Code as determined necessary by the sponsor; 1210

(6) Have in place a plan of action to be undertaken in the 1211
event the community school experiences financial difficulties or 1212
closes prior to the end of a school year. 1213

(E) Upon the expiration of a contract entered into under 1214
this section, the sponsor of a community school may, with the 1215
approval of the governing authority of the school, renew that 1216
contract for a period of time determined by the sponsor, but not 1217
ending earlier than the end of any school year, if the sponsor 1218
finds that the school's compliance with applicable laws and 1219
terms of the contract and the school's progress in meeting the 1220
academic goals prescribed in the contract have been 1221
satisfactory. Any contract that is renewed under this division 1222
remains subject to the provisions of sections 3314.07, 3314.072, 1223
and 3314.073 of the Revised Code. 1224

(F) If a community school fails to open for operation 1225
within one year after the contract entered into under this 1226
section is adopted pursuant to division (D) of section 3314.02 1227
of the Revised Code or permanently closes prior to the 1228
expiration of the contract, the contract shall be void and the 1229
school shall not enter into a contract with any other sponsor. A 1230
school shall not be considered permanently closed because the 1231
operations of the school have been suspended pursuant to section 1232
3314.072 of the Revised Code. 1233

Sec. 3314.19. The sponsor of each community school shall 1234
provide the following assurances in writing to the department of 1235
education not later than ten business days prior to the opening 1236
of the school's first year of operation or, if the school is not 1237

an internet- or computer-based community school and it changes 1238
the building from which it operates, the opening of the first 1239
year it operates from the new building: 1240

(A) That a current copy of the contract between the 1241
sponsor and the governing authority of the school entered into 1242
under section 3314.03 of the Revised Code has been filed with 1243
the department and that any subsequent modifications to that 1244
contract will be filed with the department; 1245

(B) That the school has submitted to the sponsor a plan 1246
for providing special education and related services to students 1247
with disabilities and has demonstrated the capacity to provide 1248
those services in accordance with Chapter 3323. of the Revised 1249
Code and federal law; 1250

(C) That the school has a plan and procedures for 1251
administering the achievement and diagnostic assessments 1252
prescribed by sections 3301.0710, 3301.0712, and 3301.0715 of 1253
the Revised Code; 1254

(D) That school personnel have the necessary training, 1255
knowledge, and resources to properly use and submit information 1256
to all databases maintained by the department for the collection 1257
of education data, including the education management 1258
information system established under section 3301.0714 of the 1259
Revised Code in accordance with methods and timelines 1260
established under section 3314.17 of the Revised Code; 1261

(E) That all required information about the school has 1262
been submitted to the Ohio education directory system or any 1263
successor system; 1264

(F) That the school will enroll at least the minimum 1265
number of students required by division (A) (11) (a) of section 1266

3314.03 of the Revised Code in the school year for which the	1267
assurances are provided;	1268
(G) That all classroom teachers are licensed in accordance	1269
with sections 3319.22 to 3319.31 of the Revised Code, except for	1270
noncertificated persons engaged to teach up to twelve hours <u>or</u>	1271
<u>forty hours</u> per week pursuant to section 3319.301 of the Revised	1272
Code;	1273
(H) That the school's fiscal officer is in compliance with	1274
section 3314.011 of the Revised Code;	1275
(I) That the school has complied with sections 3319.39 and	1276
3319.391 of the Revised Code with respect to all employees and	1277
that the school has conducted a criminal records check of each	1278
of its governing authority members;	1279
(J) That the school holds all of the following:	1280
(1) Proof of property ownership or a lease for the	1281
facilities used by the school;	1282
(2) A certificate of occupancy;	1283
(3) Liability insurance for the school, as required by	1284
division (A) (11) (b) of section 3314.03 of the Revised Code, that	1285
the sponsor considers sufficient to indemnify the school's	1286
facilities, staff, and governing authority against risk;	1287
(4) A satisfactory health and safety inspection;	1288
(5) A satisfactory fire inspection;	1289
(6) A valid food permit, if applicable.	1290
(K) That the sponsor has conducted a pre-opening site	1291
visit to the school for the school year for which the assurances	1292
are provided;	1293

(L) That the school has designated a date it will open for 1294
the school year for which the assurances are provided that is in 1295
compliance with division (A) (25) of section 3314.03 of the 1296
Revised Code; 1297

(M) That the school has met all of the sponsor's 1298
requirements for opening and any other requirements of the 1299
sponsor. 1300

(N) That, for any school that operates using the blended 1301
learning model, as defined in section 3301.079 of the Revised 1302
Code, the sponsor has reviewed the following information, 1303
submitted by the school: 1304

(1) An indication of what blended learning model or models 1305
will be used; 1306

(2) A description of how student instructional needs will 1307
be determined and documented; 1308

(3) The method to be used for determining competency, 1309
granting credit, and promoting students to a higher grade level; 1310

(4) The school's attendance requirements, including how 1311
the school will document participation in learning 1312
opportunities; 1313

(5) A statement describing how student progress will be 1314
monitored; 1315

(6) A statement describing how private student data will 1316
be protected; 1317

(7) A description of the professional development 1318
activities that will be offered to teachers. 1319

Sec. 3317.037. (A) As used in this section: 1320

(1) "Contracting district" means a school district that 1321
has entered into a contract to provide career-technical 1322
education services that meet standards set by the state board of 1323
education to one or more other school districts. 1324

(2) "Career-technical planning district" has the same 1325
meaning as in section 3317.023 of the Revised Code. 1326

(3) "Home district" means any city, local, or exempted 1327
village school district that is also not a lead district or a 1328
contracting district. 1329

(4) "Lead district" means a lead district, as defined in 1330
section 3317.023 of the Revised Code, which is designated by the 1331
department of education to provide primary career-technical 1332
education leadership within a career-technical planning 1333
district. 1334

(B) For the purposes of maintaining student enrollment 1335
records under section 3317.03 of the Revised Code, the 1336
superintendent of each home district shall provide to the lead 1337
district or contracting district the attendance records for each 1338
student who receives career-technical education services 1339
provided by the lead district or contracting district in 1340
facilities operated by the student's home district. 1341

(C) Any lead district of a career-technical planning 1342
district may enter into an agreement with another school 1343
district within that career-technical planning district under 1344
which the lead district and the other school district may 1345
establish a method to determine the full-time equivalency for 1346
each student attending school in both districts for the purposes 1347
of calculating each district's enrollment under section 3317.03 1348
of the Revised Code. 1349

Sec. 3319.226. (A) Beginning July 1, 2019, the state board 1350
of education shall issue educator licenses for substitute 1351
teaching only under this section. 1352

(B) The state board shall adopt rules establishing 1353
standards and requirements for obtaining a license under this 1354
section and for renewal of the license. Except as provided in 1355
division (F) of section 3319.229 of the Revised Code, the rules 1356
shall require an applicant to hold a post-secondary degree, but 1357
not in any specified subject area. The rules also shall allow 1358
the holder of a license issued under this section to work: 1359

(1) For an unlimited number of school days if the license 1360
holder has a post-secondary degree in either education or a 1361
subject area directly related to the subject of the class the 1362
license holder will teach; 1363

(2) For one full semester, subject to the approval of the 1364
employing school district board of education, if the license 1365
holder has a post-secondary degree in a subject area that is not 1366
directly related to the subject of the class that the license 1367
holder will teach. 1368

The district superintendent may request that the board 1369
approve one or more additional subsequent semester-long periods 1370
of teaching for the license holder. 1371

(C) The rules adopted under division (B) of this section 1372
shall permit a substitute career-technical teaching license 1373
holder to teach outside the license holder's certified career 1374
field for up to one semester, subject to approval of the 1375
employing school district superintendent. 1376

(D) Any license issued or renewed under former section 1377
3319.226 of the Revised Code that was still in force on ~~the~~ 1378

~~effective date of this section November 2, 2018,~~ shall remain in 1379
force for the remainder of the term for which it was issued or 1380
renewed. Upon the expiration of that term, the holder of that 1381
license shall be subject to licensure under the rules adopted 1382
under this section. 1383

Sec. 3319.2211. (A) An individual who holds an adult 1384
education permit may be employed by any school district and 1385
shall not be limited to employment solely by the district that 1386
recommended and employed that individual at the time of the 1387
initial issuance of the individual's permit. 1388

(B) Notwithstanding anything to the contrary in section 1389
3319.226 of the Revised Code, an individual who holds an adult 1390
education permit issued by the state board of education may be 1391
assigned as a substitute teacher for any of grades nine through 1392
twelve, in the same manner as the holder of a substitute career- 1393
technical teaching license issued under section 3319.226 of the 1394
Revised Code, to teach courses offered by the individual's 1395
employing district. 1396

Sec. 3319.301. (A) As used in this ~~section,~~ section: 1397

(1) "Dropout recovery community school" means a community 1398
school established under Chapter 3314. of the Revised Code in 1399
which a majority of the students are enrolled in a dropout 1400
prevention and recovery program that is operated by the school. 1401

(2) "Industry-recognized credential program" means a 1402
career-technical course in which a student may earn an industry- 1403
recognized credential approved under section 3313.6113 of the 1404
Revised Code. 1405

(3) "STEM school" means a science, technology, 1406
engineering, and mathematics school established under Chapter 1407

3326. of the Revised Code. 1408

(B) The state board of education shall issue permits to 1409
individuals who are not licensed as required by sections 3319.22 1410
to 3319.30 of the Revised Code, but who are otherwise qualified, 1411
to teach classes for not more than a total of twelve hours a 1412
week, except that an individual teaching in a STEM school or an 1413
individual teaching an industry-recognized credential program 1414
offered at a dropout recovery community school may teach classes 1415
for not more than a total of forty hours a week. The state 1416
board, by rule, shall set forth the qualifications, other than 1417
licensure under sections 3319.22 to 3319.30 of the Revised Code, 1418
to be met by individuals in order to be issued a permit as 1419
provided in this section. Such qualifications shall include the 1420
possession of a baccalaureate, master's, or doctoral degree in, 1421
or significant experience related to, the subject the individual 1422
is to teach. For an individual assigned to teach a career- 1423
technical class, significant experience related to a subject 1424
shall include career-technical experience. Applications for 1425
permits pursuant to this section shall be made in accordance 1426
with section 3319.29 of the Revised Code. A permit issued under 1427
this section shall be renewable. 1428

The state board, by rule, shall authorize the board of 1429
education of each school district and each STEM school to engage 1430
individuals holding permits issued under this section to teach 1431
classes for not more than the total number of hours a week 1432
specified in the permit. The rules shall include provisions with 1433
regard to each of the following: 1434

(1) That a board of education or STEM school shall engage 1435
a nonlicensed individual to teach pursuant to this section on a 1436
volunteer basis, or by entering into a contract with the 1437

individual or the individual's employer on such terms and 1438
conditions as are agreed to between the board or school and the 1439
individual or the individual's employer; 1440

(2) That an employee of the board of education or STEM 1441
school who is licensed under sections 3319.22 to 3319.30 of the 1442
Revised Code shall directly supervise a nonlicensed individual 1443
who is engaged to teach pursuant to this section until the 1444
superintendent of the school district or the chief 1445
administrative officer of the STEM school is satisfied that the 1446
nonlicensed individual has sufficient understanding of, and 1447
experience in, effective teaching methods to teach without 1448
supervision. 1449

(C) A nonlicensed individual engaged to teach pursuant to 1450
this section is a teacher for the purposes of Title XXXIII of 1451
the Revised Code except for the purposes of Chapters 3307. and 1452
3317. and sections 3319.07 to 3319.31 of the Revised Code. Such 1453
an individual is not an employee of the board of education or 1454
STEM school for the purpose of Titles I or XLI or Chapter 3309. 1455
of the Revised Code. 1456

(D) Students enrolled in a class taught by a nonlicensed 1457
individual pursuant to this section and rules adopted thereunder 1458
shall receive the same credit as if the class had been taught by 1459
an employee licensed pursuant to sections 3319.22 to 3319.30 of 1460
the Revised Code. 1461

(E) No board of education of any school district shall 1462
engage any one or more nonlicensed individuals if such 1463
employment displaces from employment an existing licensed 1464
employee of the district. 1465

Sec. 3326.032. (A) The STEM committee may grant a 1466

designation of STEM school equivalent to a community school 1467
established under Chapter 3314. of the Revised Code, to a career 1468
center, or to a chartered nonpublic school. In order to be 1469
eligible for this designation, a community school, a career 1470
center, or chartered nonpublic school shall submit a proposal 1471
that satisfies the requirements of this section. 1472

The committee shall determine the criteria for proposals, 1473
establish procedures for the submission of proposals, accept and 1474
evaluate proposals, and choose which proposals warrant a 1475
community school, career center, or chartered nonpublic school 1476
to be designated as a STEM school equivalent. 1477

(B) A proposal for designation as a STEM school equivalent 1478
shall include at least the following: 1479

(1) Assurances that the community school, career center, 1480
or chartered nonpublic school submitting the proposal has a 1481
working partnership with both public and private entities, 1482
including higher education entities and business organizations. 1483
If the proposal is for a STEAM school equivalent, it also shall 1484
include evidence that this partnership includes arts 1485
organizations. 1486

(2) Assurances that the school or career center submitting 1487
the proposal will operate in compliance with this section and 1488
the provisions of the proposal as accepted by the committee; 1489

(3) Evidence that the school or career center submitting 1490
the proposal will offer a rigorous, diverse, integrated, and 1491
project-based curriculum to students in any of grades 1492
kindergarten through twelve, with the goal to prepare those 1493
students for college, the workforce, and citizenship, and that 1494
does all of the following: 1495

(a) Emphasizes the role of science, technology,	1496
engineering, and mathematics in promoting innovation and	1497
economic progress;	1498
(b) Incorporates scientific inquiry and technological	1499
design;	1500
(c) Includes the arts and humanities. If the proposal is	1501
for a STEAM school equivalent, it also shall include evidence	1502
that the curriculum will integrate arts and design into the	1503
study of science, technology, engineering, and mathematics to	1504
foster creative thinking, problem-solving, and new approaches to	1505
scientific invention.	1506
(d) Emphasizes personalized learning and teamwork skills.	1507
(4) Evidence that the school <u>or career center</u> submitting	1508
the proposal will attract school leaders who support the	1509
curriculum principles of division (B) (3) of this section;	1510
(5) A description of how each school's <u>or career center's</u>	1511
curriculum will be developed and approved in accordance with	1512
section 3326.09 of the Revised Code;	1513
(6) Evidence that the school <u>or career center</u> submitting	1514
the proposal will utilize an established capacity to capture and	1515
share knowledge for best practices and innovative professional	1516
development;	1517
(7) Assurances that the school <u>or career center</u> submitting	1518
the proposal has received commitments of sustained and	1519
verifiable fiscal and in-kind support from regional education	1520
and business entities. If the proposal is for a STEAM school	1521
equivalent, it also shall include assurances that the school <u>or</u>	1522
<u>career center</u> has received commitments of sustained and	1523
verifiable fiscal and in-kind support from arts organizations.	1524

(C) (1) A community school, career center, 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 or career center shall be subject to the requirements of this section and to the curriculum requirements of section 3326.09 of the Revised Code.

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.

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

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

(D) If a community school, a career center, or chartered nonpublic school that is designated as a STEM school equivalent under this section intends to close or intends to no longer be designated as a STEM school equivalent, it shall notify the STEM committee of that fact.

(E) If a community school, a career center, or chartered nonpublic school that is designated as a STEM school equivalent

wishes to be designated as a STEAM school equivalent, it may 1554
change its existing proposal to include the items required under 1555
divisions (B) (1), (B) (3) (c), and (B) (7) of this section and 1556
submit the revised proposal to the STEM committee for approval. 1557

(F) As used in this section, "career center" means a 1558
school building that enrolls students in any of grades nine 1559
through twelve and in which a career-technical planning 1560
district, as defined in section 3317.023 of the Revised Code, 1561
provides career-technical education services that meet standards 1562
adopted by the state board of education. 1563

Sec. 3326.17. (A) The department of education shall issue 1564
an annual report card for each science, technology, engineering, 1565
and mathematics school that includes all information applicable 1566
to school buildings under section 3302.03 of the Revised Code. 1567

(B) ~~For~~ Beginning with the report cards issued for the 1568
2020-2021 school year, for each student enrolled in a STEM 1569
school that is not a STEM school governed by a STEM school 1570
sponsoring district, as defined in section 3326.51 of the 1571
Revised Code, the department shall combine data regarding the 1572
academic performance of that student with comparable data from 1573
the school district in which the student is entitled to attend 1574
school pursuant to section 3313.64 or 3313.65 of the Revised 1575
Code for the purpose of calculating the performance of the 1576
district as a whole on the report card issued for the district 1577
under section 3302.03 of the Revised Code. 1578

(C) The department also shall compute a rating for each 1579
group of STEM schools that is under the direction of the same 1580
governing body, as authorized under section 3326.031 of the 1581
Revised Code, and issue a distinct report card for the group as 1582
a whole. 1583

(D) Each STEM school and its governing body shall comply 1584
with sections 3302.04 and 3302.041 of the Revised Code, except 1585
that any action required to be taken by a school district 1586
pursuant to those sections shall be taken by the school. 1587
However, the school shall not be required to take any action 1588
described in division (F) of section 3302.04 of the Revised 1589
Code. 1590

Sec. 3333.16. (A) As used in this section—~~"state:~~ 1591

(1) "State institution of higher education" means an 1592
institution of higher education as defined in section 3345.12 of 1593
the Revised Code. 1594

(2) "State university" has the same meaning as in section 1595
3345.011 of the Revised Code. 1596

~~(A)~~ (B) The chancellor of higher education shall do all of 1597
the following: 1598

(1) Establish policies and procedures applicable to all 1599
state institutions of higher education that ensure that students 1600
can begin higher education at any state institution of higher 1601
education and transfer coursework and degrees to any other state 1602
institution of higher education without unnecessary duplication 1603
or institutional barriers. The purpose of this requirement is to 1604
allow students to attain their highest educational aspirations 1605
in the most efficient and effective manner for the students and 1606
the state. These policies and procedures shall require state 1607
institutions of higher education to make changes or 1608
modifications, as needed, to strengthen course content so as to 1609
ensure equivalency for that course at any state institution of 1610
higher education. 1611

(2) Develop and implement a universal course equivalency 1612

classification system for state institutions of higher education 1613
so that the transfer of students and the transfer and 1614
articulation of equivalent courses or specified learning modules 1615
or units completed by students are not inhibited by inconsistent 1616
judgment about the application of transfer credits. Coursework 1617
completed within such a system at one state institution of 1618
higher education and transferred to another institution shall be 1619
applied to the student's degree objective in the same manner as 1620
equivalent coursework completed at the receiving institution. 1621

(3) Develop an electronic equivalency management tool to 1622
assist in the transfer of coursework and degrees between state 1623
institutions of higher education without unnecessary duplication 1624
or institutional barriers, to help minimize inconsistent 1625
judgment about the application of transfer credits, and to 1626
assist in allowing transfer credits to be applied to a student's 1627
degree objective in the same manner at each state institution of 1628
higher education. The electronic equivalency management tool 1629
shall include the universal documentation of course and program 1630
equivalencies statewide. Additionally, the electronic 1631
equivalency management tool shall be incorporated into a web 1632
site. 1633

(4) Develop a system of transfer policies that ensure that 1634
graduates with associate degrees which include completion of 1635
approved transfer modules shall be admitted to a state 1636
institution of higher education, shall be able to compete for 1637
admission to specific programs on the same basis as students 1638
native to the institution, and shall have priority over out-of- 1639
state associate degree graduates and transfer students. To 1640
assist a student in advising and transferring, all state 1641
institutions of higher education shall fully implement the 1642
information system for advising and transferring selected by, 1643

contracted for, or developed by the chancellor. 1644

~~(4)~~ (5) Examine the feasibility of developing a transfer 1645
marketing agenda that includes materials and interactive 1646
technology to inform the citizens of Ohio about the availability 1647
of transfer options at state institutions of higher education 1648
and to encourage adults to return to colleges and universities 1649
for additional education; 1650

~~(5)~~ (6) Study, in consultation with the state board of 1651
career colleges and schools, and in light of existing criteria 1652
and any other criteria developed by the articulation and 1653
transfer advisory council, the feasibility of credit recognition 1654
and transferability to state institutions of higher education 1655
for graduates who have received associate degrees from a career 1656
college or school with a certificate of registration from the 1657
state board of career colleges and schools under Chapter 3332. 1658
of the Revised Code. 1659

~~(B)~~ (C) All provisions of the existing articulation and 1660
transfer policy developed by the chancellor shall remain in 1661
effect except where amended by this section. 1662

~~(C)~~ (D) Not later than December 1, 2018, the chancellor 1663
shall update and implement the policies and procedures 1664
established pursuant to this section to ensure that any 1665
associate degree offered at a state institution of higher 1666
education may be transferred and applied to a bachelor degree 1667
program in an equivalent field at any other state institution of 1668
higher education without unnecessary duplication or 1669
institutional barriers. The policies and procedures shall ensure 1670
that each transferred associate degree applies to the student's 1671
degree objective in the same manner as equivalent coursework 1672
completed by the student at the receiving institution. 1673

When updating and implementing the policies and procedures 1674
pursuant to this division, the chancellor shall seek input from 1675
faculty and academic leaders in each academic field or 1676
discipline. 1677

(E) If a state university refuses to accept and grant 1678
credit for any general education coursework that is both 1679
completed at a different state institution of higher education 1680
and subject to the policies, procedures, or systems prescribed 1681
under division (B) of this section, the state university shall 1682
provide the student that did not receive college credit for the 1683
completed general education coursework information to utilize 1684
the institution's transfer appeal process and information to 1685
utilize the department of higher education's student complaint 1686
portal. 1687

(F) The Ohio articulation and transfer network oversight 1688
board established by the chancellor shall conduct a study of 1689
current rules regarding the transfer of college credit between 1690
state institutions of higher education. Not later than one year 1691
after the effective date of this amendment, the board shall 1692
issue a report to the general assembly, in accordance with 1693
section 101.68 of the Revised Code, that includes the findings 1694
of the board's study, as well as any recommendations regarding 1695
changes to the rules. 1696

Sec. 3345.351. (A) As used in this section, "state 1697
university" has the same meaning as in section 3345.011 of the 1698
Revised Code. 1699

(B) Beginning two years after the effective date of this 1700
section, and every two years thereafter, each state university 1701
shall review the university's student records to identify any 1702
student to whom all of the following apply: 1703

(1) The student disenrolled from the state university within the five years immediately prior to the first review under this section. For each subsequent review under this section, the student disenrolled within two years immediately prior to that review. 1704
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(2) The student has been disenrolled for four or more semesters, including summer sessions. 1709
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(3) The student did not complete a bachelor's degree. 1711

(4) The student has a grade point average of 2.0 or higher on a 4.0 scale. 1712
1713

(5) The student completed at least forty-five credit hours. 1714
1715

(C) Each state university shall determine if each student identified in the review is eligible or close to being eligible for an associate degree from that university. If a student identified in the review is determined to be eligible or close to being eligible for an associate degree, the state university shall inform the student of such potential eligibility using the most recent contact information the university has on file. 1716
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(D) Each state university shall report the findings of each review conducted under this section to the chancellor of higher education. 1723
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(E) The chancellor shall adopt rules as necessary to implement this section. 1726
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Sec. 3345.481. (A) As used in this section: 1728

(1) "Eligible student" means an undergraduate student enrolled in a bachelor's degree program at a state institution of higher education. 1729
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(2) "Final year" means the last academic year of full-time study that a bachelor's degree program is typically designed to require, as determined by the chancellor of higher education. 1732
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(3) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 1735
1736

(B) The board of trustees of a state institution of higher education shall waive an eligible student's general and instructional fees for a course necessary to complete the student's bachelor's degree program if all of the following apply: 1737
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(1) The necessary course is not a general elective. 1742

(2) The eligible student was enrolled full time, as defined by the chancellor, in the student's final year. 1743
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(3) The eligible student was unable to register for the necessary course in the student's final year because of either of the following: 1745
1746
1747

(a) The course was not offered by the state institution of higher education in the eligible student's final year. 1748
1749

(b) Circumstances beyond the eligible student's control made registration for the necessary course unfeasible, as determined by the chancellor. 1750
1751
1752

(4) The eligible student successfully paid all general and instructional fees and did not receive a refund for the courses for which the student registered in the student's final year at the start of that year. 1753
1754
1755
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(5) The eligible student successfully registers for the necessary course in the next academic year in which the course is offered. 1757
1758
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(6) The eligible student did not enroll in the maximum amount of credit hours in the student's final year, as determined by the state institution of higher education. 1760
1761
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(C) Qualifying for a waiver of fees under division (B) of this section shall not grant an eligible student guaranteed or priority registration for the necessary course described in that division. 1763
1764
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(D) The chancellor shall establish rules to implement this section. 1767
1768

Sec. 3345.81. ~~Not later than June 30, 2014, the~~ (A) As used in this section, "institution of higher education" has the same meaning as in section 3345.12 of the Revised Code. 1769
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(B) The board of trustees of each institution of higher education, as defined by section 3345.12 of the Revised Code, shall adopt an institution-specific strategic completion plan designed to increase the number of degrees and certificates awarded to students. The plan shall be consistent with the mission and strategic priorities of the institution, include measurable student completion goals, and align with the state's workforce development priorities. Upon adoption by the board of trustees, each institution of higher education shall provide a copy of its plan to the chancellor of higher education. 1772
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(C) The board of trustees of each institution of higher education shall update its plan at least once every two years and provide a copy of their updated plan to the chancellor upon adoption. 1782
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(D) Each updated plan shall contain a report prepared by the institution of higher education regarding the institution's collaboration with other institutions of higher education 1786
1787
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through an initiative of the chancellor to assist students who 1789
have some college experience, but no degree, in earning an 1790
associate degree, certificate, or credential. The report shall 1791
include information about the institution's efforts to assist 1792
students in attaining an associate degree, certificate, or 1793
credential while earning a bachelor's degree or using college 1794
credit transferred between institutions of higher education. 1795

Sec. 5709.62. (A) In any municipal corporation that is 1796
defined by the United States office of management and budget as 1797
a principal city of a metropolitan statistical area, the 1798
legislative authority of the municipal corporation may designate 1799
one or more areas within its municipal corporation as proposed 1800
enterprise zones. Upon designating an area, the legislative 1801
authority shall petition the director of development services 1802
for certification of the area as having the characteristics set 1803
forth in division (A) (1) of section 5709.61 of the Revised Code 1804
as amended by Substitute Senate Bill No. 19 of the 120th general 1805
assembly. Except as otherwise provided in division (E) of this 1806
section, on and after July 1, 1994, legislative authorities 1807
shall not enter into agreements under this section unless the 1808
legislative authority has petitioned the director and the 1809
director has certified the zone under this section as amended by 1810
that act; however, all agreements entered into under this 1811
section as it existed prior to July 1, 1994, and the incentives 1812
granted under those agreements shall remain in effect for the 1813
period agreed to under those agreements. Within sixty days after 1814
receiving such a petition, the director shall determine whether 1815
the area has the characteristics set forth in division (A) (1) of 1816
section 5709.61 of the Revised Code, and shall forward the 1817
findings to the legislative authority of the municipal 1818
corporation. If the director certifies the area as having those 1819

characteristics, and thereby certifies it as a zone, the 1820
legislative authority may enter into an agreement with an 1821
enterprise under division (C) of this section. 1822

(B) Any enterprise that wishes to enter into an agreement 1823
with a municipal corporation under division (C) of this section 1824
shall submit a proposal to the legislative authority of the 1825
municipal corporation on a form prescribed by the director of 1826
development services, together with the application fee 1827
established under section 5709.68 of the Revised Code. The form 1828
shall require the following information: 1829

(1) An estimate of the number of new employees whom the 1830
enterprise intends to hire, or of the number of employees whom 1831
the enterprise intends to retain, within the zone at a facility 1832
that is a project site, and an estimate of the amount of payroll 1833
of the enterprise attributable to these employees; 1834

(2) An estimate of the amount to be invested by the 1835
enterprise to establish, expand, renovate, or occupy a facility, 1836
including investment in new buildings, additions or improvements 1837
to existing buildings, machinery, equipment, furniture, 1838
fixtures, and inventory; 1839

(3) A listing of the enterprise's current investment, if 1840
any, in a facility as of the date of the proposal's submission. 1841

The enterprise shall review and update the listings 1842
required under this division to reflect material changes, and 1843
any agreement entered into under division (C) of this section 1844
shall set forth final estimates and listings as of the time the 1845
agreement is entered into. The legislative authority may, on a 1846
separate form and at any time, require any additional 1847
information necessary to determine whether an enterprise is in 1848

compliance with an agreement and to collect the information 1849
required to be reported under section 5709.68 of the Revised 1850
Code. 1851

(C) Upon receipt and investigation of a proposal under 1852
division (B) of this section, if the legislative authority finds 1853
that the enterprise submitting the proposal is qualified by 1854
financial responsibility and business experience to create and 1855
preserve employment opportunities in the zone and improve the 1856
economic climate of the municipal corporation, the legislative 1857
authority may do one of the following: 1858

(1) Enter into an agreement with the enterprise under 1859
which the enterprise agrees to establish, expand, renovate, or 1860
occupy a facility and hire new employees, or preserve employment 1861
opportunities for existing employees, in return for one or more 1862
of the following incentives: 1863

(a) Exemption for a specified number of years, not to 1864
exceed fifteen, of a specified portion, up to seventy-five per 1865
cent, of the assessed value of tangible personal property first 1866
used in business at the project site as a result of the 1867
agreement. If an exemption for inventory is specifically granted 1868
in the agreement pursuant to this division, the exemption 1869
applies to inventory required to be listed pursuant to sections 1870
5711.15 and 5711.16 of the Revised Code, except that, in the 1871
instance of an expansion or other situations in which an 1872
enterprise was in business at the facility prior to the 1873
establishment of the zone, the inventory that is exempt is that 1874
amount or value of inventory in excess of the amount or value of 1875
inventory required to be listed in the personal property tax 1876
return of the enterprise in the return for the tax year in which 1877
the agreement is entered into. 1878

(b) Exemption for a specified number of years, not to 1879
exceed fifteen, of a specified portion, up to seventy-five per 1880
cent, of the increase in the assessed valuation of real property 1881
constituting the project site subsequent to formal approval of 1882
the agreement by the legislative authority; 1883

(c) Provision for a specified number of years, not to 1884
exceed fifteen, of any optional services or assistance that the 1885
municipal corporation is authorized to provide with regard to 1886
the project site. 1887

(2) Enter into an agreement under which the enterprise 1888
agrees to remediate an environmentally contaminated facility, to 1889
spend an amount equal to at least two hundred fifty per cent of 1890
the true value in money of the real property of the facility 1891
prior to remediation as determined for the purposes of property 1892
taxation to establish, expand, renovate, or occupy the 1893
remediated facility, and to hire new employees or preserve 1894
employment opportunities for existing employees at the 1895
remediated facility, in return for one or more of the following 1896
incentives: 1897

(a) Exemption for a specified number of years, not to 1898
exceed fifteen, of a specified portion, not to exceed fifty per 1899
cent, of the assessed valuation of the real property of the 1900
facility prior to remediation; 1901

(b) Exemption for a specified number of years, not to 1902
exceed fifteen, of a specified portion, not to exceed one 1903
hundred per cent, of the increase in the assessed valuation of 1904
the real property of the facility during or after remediation; 1905

(c) The incentive under division (C) (1) (a) of this 1906
section, except that the percentage of the assessed value of 1907

such property exempted from taxation shall not exceed one 1908
hundred per cent; 1909

(d) The incentive under division (C) (1) (c) of this 1910
section. 1911

(3) Enter into an agreement with an enterprise that plans 1912
to purchase and operate a large manufacturing facility that has 1913
ceased operation or announced its intention to cease operation, 1914
in return for exemption for a specified number of years, not to 1915
exceed fifteen, of a specified portion, up to one hundred per 1916
cent, of the assessed value of tangible personal property used 1917
in business at the project site as a result of the agreement, or 1918
of the assessed valuation of real property constituting the 1919
project site, or both. 1920

(D) (1) Notwithstanding divisions (C) (1) (a) and (b) of this 1921
section, the portion of the assessed value of tangible personal 1922
property or of the increase in the assessed valuation of real 1923
property exempted from taxation under those divisions may exceed 1924
seventy-five per cent in any year for which that portion is 1925
exempted if the average percentage exempted for all years in 1926
which the agreement is in effect does not exceed sixty per cent, 1927
or if the board of education of the city, local, or exempted 1928
village school district within the territory of which the 1929
property is or will be located approves a percentage in excess 1930
of seventy-five per cent. 1931

(2) Notwithstanding any provision of the Revised Code to 1932
the contrary, the exemptions described in divisions (C) (1) (a), 1933
(b), and (c), (C) (2) (a), (b), and (c), and (C) (3) of this 1934
section may be for up to fifteen years if the board of education 1935
of the city, local, or exempted village school district within 1936
the territory of which the property is or will be located 1937

approves a number of years in excess of ten. 1938

(3) For the purpose of obtaining the approval of a city, 1939
local, or exempted village school district under division (D) (1) 1940
or (2) of this section, the legislative authority shall deliver 1941
to the board of education a notice not later than forty-five 1942
days prior to approving the agreement, excluding Saturdays, 1943
Sundays, and legal holidays as defined in section 1.14 of the 1944
Revised Code. The notice shall state the percentage to be 1945
exempted, an estimate of the true value of the property to be 1946
exempted, and the number of years the property is to be 1947
exempted. The board of education, by resolution adopted by a 1948
majority of the board, shall approve or disapprove the agreement 1949
and certify a copy of the resolution to the legislative 1950
authority not later than fourteen days prior to the date 1951
stipulated by the legislative authority as the date upon which 1952
approval of the agreement is to be formally considered by the 1953
legislative authority. The board of education may include in the 1954
resolution conditions under which the board would approve the 1955
agreement, including the execution of an agreement to compensate 1956
the school district under division (B) of section 5709.82 of the 1957
Revised Code. The legislative authority may approve the 1958
agreement at any time after the board of education certifies its 1959
resolution approving the agreement to the legislative authority, 1960
or, if the board approves the agreement conditionally, at any 1961
time after the conditions are agreed to by the board and the 1962
legislative authority. If an agreement is negotiated between the 1963
legislative authority and the board to compensate the school 1964
district for all or part of the taxes exempted, the legislative 1965
authority shall compensate the joint vocational school district 1966
within which the property is located at the same rate and under 1967
the same terms received by the city, local, or exempted village 1968

school district. 1969

If a board of education has adopted a resolution waiving 1970
its right to approve agreements and the resolution remains in 1971
effect, approval of an agreement by the board is not required 1972
under this division. If a board of education has adopted a 1973
resolution allowing a legislative authority to deliver the 1974
notice required under this division fewer than forty-five 1975
business days prior to the legislative authority's approval of 1976
the agreement, the legislative authority shall deliver the 1977
notice to the board not later than the number of days prior to 1978
such approval as prescribed by the board in its resolution. If a 1979
board of education adopts a resolution waiving its right to 1980
approve agreements or shortening the notification period, the 1981
board shall certify a copy of the resolution to the legislative 1982
authority. If the board of education rescinds such a resolution, 1983
it shall certify notice of the rescission to the legislative 1984
authority. 1985

(4) The legislative authority shall comply with section 1986
5709.83 of the Revised Code unless the board of education has 1987
adopted a resolution under that section waiving its right to 1988
receive such notice. 1989

(E) This division applies to zones certified by the 1990
director of development services under this section prior to 1991
July 22, 1994. 1992

The legislative authority that designated a zone to which 1993
this division applies may enter into an agreement with an 1994
enterprise if the legislative authority finds that the 1995
enterprise satisfies one of the criteria described in divisions 1996
(E) (1) to (5) of this section: 1997

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

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

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

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

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

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

(F) All agreements entered into under this section shall be in the form prescribed under section 5709.631 of the Revised Code. After an agreement is entered into under this section, if the legislative authority revokes its designation of a zone, or if the director of development services revokes a zone's

certification, any entitlements granted under the agreement 2027
shall continue for the number of years specified in the 2028
agreement. 2029

(G) Except as otherwise provided in this division, an 2030
agreement entered into under this section shall require that the 2031
enterprise pay an annual fee equal to the greater of one per 2032
cent of the dollar value of incentives offered under the 2033
agreement or five hundred dollars; provided, however, that if 2034
the value of the incentives exceeds two hundred fifty thousand 2035
dollars, the fee shall not exceed two thousand five hundred 2036
dollars. The fee shall be payable to the legislative authority 2037
once per year for each year the agreement is effective on the 2038
days and in the form specified in the agreement. Fees paid shall 2039
be deposited in a special fund created for such purpose by the 2040
legislative authority and shall be used by the legislative 2041
authority exclusively for the purpose of complying with section 2042
5709.68 of the Revised Code and by the tax incentive review 2043
council created under section 5709.85 of the Revised Code 2044
exclusively for the purposes of performing the duties prescribed 2045
under that section. The legislative authority may waive or 2046
reduce the amount of the fee charged against an enterprise, but 2047
such a waiver or reduction does not affect the obligations of 2048
the legislative authority or the tax incentive review council to 2049
comply with section 5709.68 or 5709.85 of the Revised Code. 2050

(H) When an agreement is entered into pursuant to this 2051
section, the legislative authority authorizing the agreement 2052
shall forward a copy of the agreement to the director of 2053
development services and to the tax commissioner within fifteen 2054
days after the agreement is entered into. If any agreement 2055
includes terms not provided for in section 5709.631 of the 2056
Revised Code affecting the revenue of a city, local, ~~or~~-exempted 2057

village, or joint vocational school district or causing revenue 2058
to be forgone by the district, including any compensation to be 2059
paid to the school district pursuant to section 5709.82 of the 2060
Revised Code, those terms also shall be forwarded in writing to 2061
the director of development services along with the copy of the 2062
agreement forwarded under this division. 2063

(I) After an agreement is entered into, the enterprise 2064
shall file with each personal property tax return required to be 2065
filed, or annual report required to be filed under section 2066
5727.08 of the Revised Code, while the agreement is in effect, 2067
an informational return, on a form prescribed by the tax 2068
commissioner for that purpose, setting forth separately the 2069
property, and related costs and values, exempted from taxation 2070
under the agreement. 2071

(J) Enterprises may agree to give preference to residents 2072
of the zone within which the agreement applies relative to 2073
residents of this state who do not reside in the zone when 2074
hiring new employees under the agreement. 2075

(K) An agreement entered into under this section may 2076
include a provision requiring the enterprise to create one or 2077
more temporary internship positions for students enrolled in a 2078
course of study at a school or other educational institution in 2079
the vicinity, and to create a scholarship or provide another 2080
form of educational financial assistance for students holding 2081
such a position in exchange for the student's commitment to work 2082
for the enterprise at the completion of the internship. 2083

(L) The tax commissioner's authority in determining the 2084
accuracy of any exemption granted by an agreement entered into 2085
under this section is limited to divisions (C)(1)(a) and (b), 2086
(C)(2)(a), (b), and (c), (C)(3), (D), and (I) of this section 2087

and divisions (B) (1) to (10) of section 5709.631 of the Revised 2088
Code and, as authorized by law, to enforcing any modification 2089
to, or revocation of, that agreement by the legislative 2090
authority of a municipal corporation or the director of 2091
development services. 2092

Sec. 5709.63. (A) With the consent of the legislative 2093
authority of each affected municipal corporation or of a board 2094
of township trustees, a board of county commissioners may, in 2095
the manner set forth in section 5709.62 of the Revised Code, 2096
designate one or more areas in one or more municipal 2097
corporations or in unincorporated areas of the county as 2098
proposed enterprise zones. A board of county commissioners may 2099
designate no more than one area within a township, or within 2100
adjacent townships, as a proposed enterprise zone. The board 2101
shall petition the director of development services for 2102
certification of the area as having the characteristics set 2103
forth in division (A) (1) or (2) of section 5709.61 of the 2104
Revised Code as amended by Substitute Senate Bill No. 19 of the 2105
120th general assembly. Except as otherwise provided in division 2106
(D) of this section, on and after July 1, 1994, boards of county 2107
commissioners shall not enter into agreements under this section 2108
unless the board has petitioned the director and the director 2109
has certified the zone under this section as amended by that 2110
act; however, all agreements entered into under this section as 2111
it existed prior to July 1, 1994, and the incentives granted 2112
under those agreements shall remain in effect for the period 2113
agreed to under those agreements. The director shall make the 2114
determination in the manner provided under section 5709.62 of 2115
the Revised Code. 2116

Any enterprise wishing to enter into an agreement with the 2117
board under division (B) or (D) of this section shall submit a 2118

proposal to the board on the form and accompanied by the 2119
application fee prescribed under division (B) of section 5709.62 2120
of the Revised Code. The enterprise shall review and update the 2121
estimates and listings required by the form in the manner 2122
required under that division. The board may, on a separate form 2123
and at any time, require any additional information necessary to 2124
determine whether an enterprise is in compliance with an 2125
agreement and to collect the information required to be reported 2126
under section 5709.68 of the Revised Code. 2127

(B) If the board of county commissioners finds that an 2128
enterprise submitting a proposal is qualified by financial 2129
responsibility and business experience to create and preserve 2130
employment opportunities in the zone and to improve the economic 2131
climate of the municipal corporation or municipal corporations 2132
or the unincorporated areas in which the zone is located and to 2133
which the proposal applies, the board, with the consent of the 2134
legislative authority of each affected municipal corporation or 2135
of the board of township trustees, may do either of the 2136
following: 2137

(1) Enter into an agreement with the enterprise under 2138
which the enterprise agrees to establish, expand, renovate, or 2139
occupy a facility in the zone and hire new employees, or 2140
preserve employment opportunities for existing employees, in 2141
return for the following incentives: 2142

(a) When the facility is located in a municipal 2143
corporation, the board may enter into an agreement for one or 2144
more of the incentives provided in division (C) of section 2145
5709.62 of the Revised Code, subject to division (D) of that 2146
section; 2147

(b) When the facility is located in an unincorporated 2148

area, the board may enter into an agreement for one or more of 2149
the following incentives: 2150

(i) Exemption for a specified number of years, not to 2151
exceed fifteen, of a specified portion, up to sixty per cent, of 2152
the assessed value of tangible personal property first used in 2153
business at a project site as a result of the agreement. If an 2154
exemption for inventory is specifically granted in the agreement 2155
pursuant to this division, the exemption applies to inventory 2156
required to be listed pursuant to sections 5711.15 and 5711.16 2157
of the Revised Code, except, in the instance of an expansion or 2158
other situations in which an enterprise was in business at the 2159
facility prior to the establishment of the zone, the inventory 2160
that is exempt is that amount or value of inventory in excess of 2161
the amount or value of inventory required to be listed in the 2162
personal property tax return of the enterprise in the return for 2163
the tax year in which the agreement is entered into. 2164

(ii) Exemption for a specified number of years, not to 2165
exceed fifteen, of a specified portion, up to sixty per cent, of 2166
the increase in the assessed valuation of real property 2167
constituting the project site subsequent to formal approval of 2168
the agreement by the board; 2169

(iii) Provision for a specified number of years, not to 2170
exceed fifteen, of any optional services or assistance the board 2171
is authorized to provide with regard to the project site; 2172

(iv) The incentive described in division (C) (2) of section 2173
5709.62 of the Revised Code. 2174

(2) Enter into an agreement with an enterprise that plans 2175
to purchase and operate a large manufacturing facility that has 2176
ceased operation or has announced its intention to cease 2177

operation, in return for exemption for a specified number of 2178
years, not to exceed fifteen, of a specified portion, up to one 2179
hundred per cent, of tangible personal property used in business 2180
at the project site as a result of the agreement, or of real 2181
property constituting the project site, or both. 2182

(C) (1) (a) Notwithstanding divisions (B) (1) (b) (i) and (ii) 2183
of this section, the portion of the assessed value of tangible 2184
personal property or of the increase in the assessed valuation 2185
of real property exempted from taxation under those divisions 2186
may exceed sixty per cent in any year for which that portion is 2187
exempted if the average percentage exempted for all years in 2188
which the agreement is in effect does not exceed fifty per cent, 2189
or if the board of education of the city, local, or exempted 2190
village school district within the territory of which the 2191
property is or will be located approves a percentage in excess 2192
of sixty per cent. 2193

(b) Notwithstanding any provision of the Revised Code to 2194
the contrary, the exemptions described in divisions (B) (1) (b) 2195
(i), (ii), (iii), and (iv) and (B) (2) of this section may be for 2196
up to fifteen years if the board of education of the city, 2197
local, or exempted village school district within the territory 2198
of which the property is or will be located approves a number of 2199
years in excess of ten. 2200

(c) For the purpose of obtaining the approval of a city, 2201
local, or exempted village school district under division (C) (1) 2202
(a) or (b) of this section, the board of county commissioners 2203
shall deliver to the board of education a notice not later than 2204
forty-five days prior to approving the agreement, excluding 2205
Saturdays, Sundays, and legal holidays as defined in section 2206
1.14 of the Revised Code. The notice shall state the percentage 2207

to be exempted, an estimate of the true value of the property to 2208
be exempted, and the number of years the property is to be 2209
exempted. The board of education, by resolution adopted by a 2210
majority of the board, shall approve or disapprove the agreement 2211
and certify a copy of the resolution to the board of county 2212
commissioners not later than fourteen days prior to the date 2213
stipulated by the board of county commissioners as the date upon 2214
which approval of the agreement is to be formally considered by 2215
the board of county commissioners. The board of education may 2216
include in the resolution conditions under which the board would 2217
approve the agreement, including the execution of an agreement 2218
to compensate the school district under division (B) of section 2219
5709.82 of the Revised Code. The board of county commissioners 2220
may approve the agreement at any time after the board of 2221
education certifies its resolution approving the agreement to 2222
the board of county commissioners, or, if the board of education 2223
approves the agreement conditionally, at any time after the 2224
conditions are agreed to by the board of education and the board 2225
of county commissioners. If an agreement is negotiated between 2226
the legislative authority and the board to compensate the school 2227
district for all or part of the taxes exempted, the legislative 2228
authority shall compensate the joint vocational school district 2229
within which the property is located at the same rate and under 2230
the same terms received by the city, local, or exempted village 2231
school district. 2232

If a board of education has adopted a resolution waiving 2233
its right to approve agreements and the resolution remains in 2234
effect, approval of an agreement by the board of education is 2235
not required under division (C) of this section. If a board of 2236
education has adopted a resolution allowing a board of county 2237
commissioners to deliver the notice required under this division 2238

fewer than forty-five business days prior to approval of the 2239
agreement by the board of county commissioners, the board of 2240
county commissioners shall deliver the notice to the board of 2241
education not later than the number of days prior to such 2242
approval as prescribed by the board of education in its 2243
resolution. If a board of education adopts a resolution waiving 2244
its right to approve agreements or shortening the notification 2245
period, the board of education shall certify a copy of the 2246
resolution to the board of county commissioners. If the board of 2247
education rescinds such a resolution, it shall certify notice of 2248
the rescission to the board of county commissioners. 2249

(2) The board of county commissioners shall comply with 2250
section 5709.83 of the Revised Code unless the board of 2251
education has adopted a resolution under that section waiving 2252
its right to receive such notice. 2253

(D) This division applies to zones certified by the 2254
director of development services under this section prior to 2255
July 22, 1994. 2256

With the consent of the legislative authority of each 2257
affected municipal corporation or board of township trustees of 2258
each affected township, the board of county commissioners that 2259
designated a zone to which this division applies may enter into 2260
an agreement with an enterprise if the board finds that the 2261
enterprise satisfies one of the criteria described in divisions 2262
(D) (1) to (5) of this section: 2263

(1) The enterprise currently has no operations in this 2264
state and, subject to approval of the agreement, intends to 2265
establish operations in the zone; 2266

(2) The enterprise currently has operations in this state 2267

and, subject to approval of the agreement, intends to establish 2268
operations at a new location in the zone that would not result 2269
in a reduction in the number of employee positions at any of the 2270
enterprise's other locations in this state; 2271

(3) The enterprise, subject to approval of the agreement, 2272
intends to relocate operations, currently located in another 2273
state, to the zone; 2274

(4) The enterprise, subject to approval of the agreement, 2275
intends to expand operations at an existing site in the zone 2276
that the enterprise currently operates; 2277

(5) The enterprise, subject to approval of the agreement, 2278
intends to relocate operations, currently located in this state, 2279
to the zone, and the director of development services has issued 2280
a waiver for the enterprise under division (B) of section 2281
5709.633 of the Revised Code. 2282

The agreement shall require the enterprise to agree to 2283
establish, expand, renovate, or occupy a facility in the zone 2284
and hire new employees, or preserve employment opportunities for 2285
existing employees, in return for one or more of the incentives 2286
described in division (B) of this section. 2287

(E) All agreements entered into under this section shall 2288
be in the form prescribed under section 5709.631 of the Revised 2289
Code. After an agreement under this section is entered into, if 2290
the board of county commissioners revokes its designation of a 2291
zone, or if the director of development services revokes a 2292
zone's certification, any entitlements granted under the 2293
agreement shall continue for the number of years specified in 2294
the agreement. 2295

(F) Except as otherwise provided in this division, an 2296

agreement entered into under this section shall require that the 2297
enterprise pay an annual fee equal to the greater of one per 2298
cent of the dollar value of incentives offered under the 2299
agreement or five hundred dollars; provided, however, that if 2300
the value of the incentives exceeds two hundred fifty thousand 2301
dollars, the fee shall not exceed two thousand five hundred 2302
dollars. The fee shall be payable to the board of county 2303
commissioners once per year for each year the agreement is 2304
effective on the days and in the form specified in the 2305
agreement. Fees paid shall be deposited in a special fund 2306
created for such purpose by the board and shall be used by the 2307
board exclusively for the purpose of complying with section 2308
5709.68 of the Revised Code and by the tax incentive review 2309
council created under section 5709.85 of the Revised Code 2310
exclusively for the purposes of performing the duties prescribed 2311
under that section. The board may waive or reduce the amount of 2312
the fee charged against an enterprise, but such waiver or 2313
reduction does not affect the obligations of the board or the 2314
tax incentive review council to comply with section 5709.68 or 2315
5709.85 of the Revised Code, respectively. 2316

(G) With the approval of the legislative authority of a 2317
municipal corporation or the board of township trustees of a 2318
township in which a zone is designated under division (A) of 2319
this section, the board of county commissioners may delegate to 2320
that legislative authority or board any powers and duties of the 2321
board of county commissioners to negotiate and administer 2322
agreements with regard to that zone under this section. 2323

(H) When an agreement is entered into pursuant to this 2324
section, the board of county commissioners authorizing the 2325
agreement or the legislative authority or board of township 2326
trustees that negotiates and administers the agreement shall 2327

forward a copy of the agreement to the director of development 2328
services and to the tax commissioner within fifteen days after 2329
the agreement is entered into. If any agreement includes terms 2330
not provided for in section 5709.631 of the Revised Code 2331
affecting the revenue of a city, local, ~~or~~ exempted village, or 2332
joint vocational school district or causing revenue to be 2333
foregone by the district, including any compensation to be paid 2334
to the school district pursuant to section 5709.82 of the 2335
Revised Code, those terms also shall be forwarded in writing to 2336
the director of development services along with the copy of the 2337
agreement forwarded under this division. 2338

(I) After an agreement is entered into, the enterprise 2339
shall file with each personal property tax return required to be 2340
filed, or annual report that is required to be filed under 2341
section 5727.08 of the Revised Code, while the agreement is in 2342
effect, an informational return, on a form prescribed by the tax 2343
commissioner for that purpose, setting forth separately the 2344
property, and related costs and values, exempted from taxation 2345
under the agreement. 2346

(J) Enterprises may agree to give preference to residents 2347
of the zone within which the agreement applies relative to 2348
residents of this state who do not reside in the zone when 2349
hiring new employees under the agreement. 2350

(K) An agreement entered into under this section may 2351
include a provision requiring the enterprise to create one or 2352
more temporary internship positions for students enrolled in a 2353
course of study at a school or other educational institution in 2354
the vicinity, and to create a scholarship or provide another 2355
form of educational financial assistance for students holding 2356
such a position in exchange for the student's commitment to work 2357

for the enterprise at the completion of the internship. 2358

(L) The tax commissioner's authority in determining the 2359
accuracy of any exemption granted by an agreement entered into 2360
under this section is limited to divisions (B)(1)(b)(i) and 2361
(ii), (B)(2), (C), and (I) of this section, division (B)(1)(b) 2362
(iv) of this section as it pertains to divisions (C)(2)(a), (b), 2363
and (c) of section 5709.62 of the Revised Code, and divisions 2364
(B)(1) to (10) of section 5709.631 of the Revised Code and, as 2365
authorized by law, to enforcing any modification to, or 2366
revocation of, that agreement by the board of county 2367
commissioners or the director of development services or, if the 2368
board's powers and duties are delegated under division (G) of 2369
this section, by the legislative authority of a municipal 2370
corporation or board of township trustees. 2371

Sec. 5709.632. (A)(1) The legislative authority of a 2372
municipal corporation defined by the United States office of 2373
management and budget as a principal city of a metropolitan 2374
statistical area may, in the manner set forth in section 5709.62 2375
of the Revised Code, designate one or more areas in the 2376
municipal corporation as a proposed enterprise zone. 2377

(2) With the consent of the legislative authority of each 2378
affected municipal corporation or of a board of township 2379
trustees, a board of county commissioners may, in the manner set 2380
forth in section 5709.62 of the Revised Code, designate one or 2381
more areas in one or more municipal corporations or in 2382
unincorporated areas of the county as proposed urban jobs and 2383
enterprise zones, except that a board of county commissioners 2384
may designate no more than one area within a township, or within 2385
adjacent townships, as a proposed urban jobs and enterprise 2386
zone. 2387

(3) The legislative authority or board of county commissioners may petition the director of development services for certification of the area as having the characteristics set forth in division (A) (3) of section 5709.61 of the Revised Code. Within sixty days after receiving such a petition, the director shall determine whether the area has the characteristics set forth in that division and forward the findings to the legislative authority or board of county commissioners. If the director certifies the area as having those characteristics and thereby certifies it as a zone, the legislative authority or board may enter into agreements with enterprises under division (B) of this section. Any enterprise wishing to enter into an agreement with a legislative authority or board of county commissioners under this section and satisfying one of the criteria described in divisions (B) (1) to (5) of this section shall submit a proposal to the legislative authority or board on the form prescribed under division (B) of section 5709.62 of the Revised Code and shall review and update the estimates and listings required by the form in the manner required under that division. The legislative authority or board may, on a separate form and at any time, require any additional information necessary to determine whether an enterprise is in compliance with an agreement and to collect the information required to be reported under section 5709.68 of the Revised Code.

(B) Prior to entering into an agreement with an enterprise, the legislative authority or board of county commissioners shall determine whether the enterprise submitting the proposal is qualified by financial responsibility and business experience to create and preserve employment opportunities in the zone and to improve the economic climate of the municipal corporation or municipal corporations or the

unincorporated areas in which the zone is located and to which 2419
the proposal applies, and whether the enterprise satisfies one 2420
of the following criteria: 2421

(1) The enterprise currently has no operations in this 2422
state and, subject to approval of the agreement, intends to 2423
establish operations in the zone; 2424

(2) The enterprise currently has operations in this state 2425
and, subject to approval of the agreement, intends to establish 2426
operations at a new location in the zone that would not result 2427
in a reduction in the number of employee positions at any of the 2428
enterprise's other locations in this state; 2429

(3) The enterprise, subject to approval of the agreement, 2430
intends to relocate operations, currently located in another 2431
state, to the zone; 2432

(4) The enterprise, subject to approval of the agreement, 2433
intends to expand operations at an existing site in the zone 2434
that the enterprise currently operates; 2435

(5) The enterprise, subject to approval of the agreement, 2436
intends to relocate operations, currently located in this state, 2437
to the zone, and the director of development services has issued 2438
a waiver for the enterprise under division (B) of section 2439
5709.633 of the Revised Code. 2440

(C) If the legislative authority or board determines that 2441
the enterprise is so qualified and satisfies one of the criteria 2442
described in divisions (B)(1) to (5) of this section, the 2443
legislative authority or board may, after complying with section 2444
5709.83 of the Revised Code and, in the case of a board of 2445
commissioners, with the consent of the legislative authority of 2446
each affected municipal corporation or of the board of township 2447

trustees, enter into an agreement with the enterprise under 2448
which the enterprise agrees to establish, expand, renovate, or 2449
occupy a facility in the zone and hire new employees, or 2450
preserve employment opportunities for existing employees, in 2451
return for the following incentives: 2452

(1) When the facility is located in a municipal 2453
corporation, a legislative authority or board of commissioners 2454
may enter into an agreement for one or more of the incentives 2455
provided in division (C) of section 5709.62 of the Revised Code, 2456
subject to division (D) of that section; 2457

(2) When the facility is located in an unincorporated 2458
area, a board of commissioners may enter into an agreement for 2459
one or more of the incentives provided in divisions (B) (1) (b), 2460
(B) (2), and (B) (3) of section 5709.63 of the Revised Code, 2461
subject to division (C) of that section. 2462

(D) All agreements entered into under this section shall 2463
be in the form prescribed under section 5709.631 of the Revised 2464
Code. After an agreement under this section is entered into, if 2465
the legislative authority or board of county commissioners 2466
revokes its designation of the zone, or if the director of 2467
development services revokes the zone's certification, any 2468
entitlements granted under the agreement shall continue for the 2469
number of years specified in the agreement. 2470

(E) Except as otherwise provided in this division, an 2471
agreement entered into under this section shall require that the 2472
enterprise pay an annual fee equal to the greater of one per 2473
cent of the dollar value of incentives offered under the 2474
agreement or five hundred dollars; provided, however, that if 2475
the value of the incentives exceeds two hundred fifty thousand 2476
dollars, the fee shall not exceed two thousand five hundred 2477

dollars. The fee shall be payable to the legislative authority 2478
or board of commissioners once per year for each year the 2479
agreement is effective on the days and in the form specified in 2480
the agreement. Fees paid shall be deposited in a special fund 2481
created for such purpose by the legislative authority or board 2482
and shall be used by the legislative authority or board 2483
exclusively for the purpose of complying with section 5709.68 of 2484
the Revised Code and by the tax incentive review council created 2485
under section 5709.85 of the Revised Code exclusively for the 2486
purposes of performing the duties prescribed under that section. 2487
The legislative authority or board may waive or reduce the 2488
amount of the fee charged against an enterprise, but such waiver 2489
or reduction does not affect the obligations of the legislative 2490
authority or board or the tax incentive review council to comply 2491
with section 5709.68 or 5709.85 of the Revised Code, 2492
respectively. 2493

(F) With the approval of the legislative authority of a 2494
municipal corporation or the board of township trustees of a 2495
township in which a zone is designated under division (A) (2) of 2496
this section, the board of county commissioners may delegate to 2497
that legislative authority or board any powers and duties of the 2498
board to negotiate and administer agreements with regard to that 2499
zone under this section. 2500

(G) When an agreement is entered into pursuant to this 2501
section, the legislative authority or board of commissioners 2502
authorizing the agreement shall forward a copy of the agreement 2503
to the director of development services and to the tax 2504
commissioner within fifteen days after the agreement is entered 2505
into. If any agreement includes terms not provided for in 2506
section 5709.631 of the Revised Code affecting the revenue of a 2507
city, local, ~~or~~-exempted village, or joint vocational school 2508

district or causing revenue to be forgone by the district, 2509
including any compensation to be paid to the school district 2510
pursuant to section 5709.82 of the Revised Code, those terms 2511
also shall be forwarded in writing to the director of 2512
development services along with the copy of the agreement 2513
forwarded under this division. 2514

(H) After an agreement is entered into, the enterprise 2515
shall file with each personal property tax return required to be 2516
filed while the agreement is in effect, an informational return, 2517
on a form prescribed by the tax commissioner for that purpose, 2518
setting forth separately the property, and related costs and 2519
values, exempted from taxation under the agreement. 2520

(I) An agreement entered into under this section may 2521
include a provision requiring the enterprise to create one or 2522
more temporary internship positions for students enrolled in a 2523
course of study at a school or other educational institution in 2524
the vicinity, and to create a scholarship or provide another 2525
form of educational financial assistance for students holding 2526
such a position in exchange for the student's commitment to work 2527
for the enterprise at the completion of the internship. 2528

Sec. 5709.82. (A) As used in this section: 2529

(1) "New employee" means both of the following: 2530

(a) Persons employed in the construction of real property 2531
exempted from taxation under the chapters or sections of the 2532
Revised Code enumerated in division (B) of this section; 2533

(b) Persons not described by division (A) (1) (a) of this 2534
section who are first employed at the site of such property and 2535
who within the two previous years have not been subject, prior 2536
to being employed at that site, to income taxation by the 2537

municipal corporation within whose territory the site is located 2538
on income derived from employment for the person's current 2539
employer. "New employee" does not include any person who 2540
replaces a person who is not a new employee under division (A) 2541
(1) of this section. 2542

(2) "Infrastructure costs" means costs incurred by a 2543
municipal corporation in a calendar year to acquire, construct, 2544
reconstruct, improve, plan, or equip real or tangible personal 2545
property that directly benefits or will directly benefit the 2546
exempted property. If the municipal corporation finances the 2547
acquisition, construction, reconstruction, improvement, 2548
planning, or equipping of real or tangible personal property 2549
that directly benefits the exempted property by issuing debt, 2550
"infrastructure costs" means the annual debt charges incurred by 2551
the municipal corporation from the issuance of such debt. Real 2552
or tangible personal property directly benefits exempted 2553
property only if the exempted property places or will place 2554
direct, additional demand on the real or tangible personal 2555
property for which such costs were or will be incurred. 2556

(3) "Taxing unit" has the same meaning as in division (H) 2557
of section 5705.01 of the Revised Code. 2558

(B) (1) Except as otherwise provided under division (C) of 2559
this section, the legislative authority of any political 2560
subdivision that has acted under the authority of Chapter 725. 2561
or 1728., sections 3735.65 to 3735.70, or section 5709.40, 2562
5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 2563
5709.84, or 5709.88 of the Revised Code to grant an exemption 2564
from taxation for real or tangible personal property may 2565
negotiate with the board of education of each city, local, 2566
exempted village, or joint vocational school district or other 2567

taxing unit within the territory of which the exempted property 2568
is located, and enter into an agreement whereby the school 2569
district or taxing unit is compensated for tax revenue foregone 2570
by the school district or taxing unit as a result of the 2571
exemption. Except as otherwise provided in division (B) (1) of 2572
this section, if a political subdivision enters into more than 2573
one agreement under this section with respect to a tax 2574
exemption, the political subdivision shall provide to each 2575
school district or taxing unit with which it contracts the same 2576
percentage of tax revenue foregone by the school district or 2577
taxing unit, which may be based on a good faith projection made 2578
at the time the exemption is granted. Such percentage shall be 2579
calculated on the basis of amounts paid by the political 2580
subdivision and any amounts paid by an owner under division (B) 2581
(2) of this section. A political subdivision may provide a 2582
school district or other taxing unit with a smaller percentage 2583
of foregone tax revenue than that provided to other school 2584
districts or taxing units only if the school district or taxing 2585
unit expressly consents in the agreement to receiving a smaller 2586
percentage. If a subdivision has acted under the authority of 2587
section 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 2588
5709.73, or 5709.78 of the Revised Code and enters into a 2589
compensation agreement with a city, local, or exempted village 2590
school district, the subdivision shall provide compensation to 2591
the joint vocational school district within the territory of 2592
which the exempted property is located at the same rate and 2593
under the same terms as received by the city, local, or exempted 2594
village school district. 2595

(2) An owner of property exempted from taxation under the 2596
authority described in division (B) (1) of this section may, by 2597
becoming a party to an agreement described in division (B) (1) of 2598

this section or by entering into a separate agreement with a school district or other taxing unit, agree to compensate the school district or taxing unit by paying cash or by providing property or services by gift, loan, or otherwise. If the owner's property is exempted under the authority of section 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, or 5709.78 of the Revised Code and the owner enters into a compensation agreement with a city, local, or exempted village school district, the owner shall provide compensation to the joint vocational school district within the territory of which the owner's property is located at the same rate and under the same terms as received by the city, local, or exempted village school district.

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

(1) The legislative authority of a municipal corporation that has acted under the authority of division (H) of section 715.70 or division (U) of section 715.72 of the Revised Code to consent to the granting of an exemption from taxation for real or tangible personal property in a joint economic development district.

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

If the legislative authority of any municipal corporation

has acted under the authority of Chapter 725. or 1728. or 2629
section 3735.671, 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 2630
5709.632, or 5709.88, or a housing officer under section 3735.67 2631
of the Revised Code, to grant or consent to the granting of an 2632
exemption from taxation for real or tangible personal property 2633
on or after July 1, 1994, the municipal corporation imposes a 2634
tax on incomes, and the payroll of new employees resulting from 2635
the exercise of that authority equals or exceeds one million 2636
dollars in any tax year for which such property is exempted, the 2637
legislative authority and the board of education of each city, 2638
local, or exempted village school district within the territory 2639
of which the exempted property is located shall attempt to 2640
negotiate an agreement providing for compensation to the school 2641
district for all or a portion of the tax revenue the school 2642
district would have received had the property not been exempted 2643
from taxation. The agreement may include as a party the owner of 2644
the property exempted or to be exempted from taxation and may 2645
include provisions obligating the owner to compensate the school 2646
district by paying cash or providing property or services by 2647
gift, loan, or otherwise. Such an obligation is enforceable by 2648
the board of education of the school district pursuant to the 2649
terms of the agreement. 2650

If the legislative authority and board of education fail 2651
to negotiate an agreement that is mutually acceptable within six 2652
months of formal approval by the legislative authority of the 2653
instrument granting the exemption, the legislative authority 2654
shall compensate the school district in the amount and manner 2655
prescribed by division (D) of this section. 2656

(D) Annually, the legislative authority of a municipal 2657
corporation subject to this division shall pay to the city, 2658
local, or exempted village school district within the territory 2659

of which the exempted property is located an amount equal to 2660
fifty per cent of the difference between the amount of taxes 2661
levied and collected by the municipal corporation on the incomes 2662
of new employees in the calendar year ending on the day the 2663
payment is required to be made, and the amount of any 2664
infrastructure costs incurred in that calendar year. For 2665
purposes of such computation, the amount of infrastructure costs 2666
shall not exceed thirty-five per cent of the amount of those 2667
taxes unless the board of education of the school district, by 2668
resolution adopted by a majority of the board, approves an 2669
amount in excess of that percentage. If the amount of those 2670
taxes or infrastructure costs must be estimated at the time the 2671
payment is made, payments in subsequent years shall be adjusted 2672
to compensate for any departure of those estimates from the 2673
actual amount of those taxes. 2674

A municipal corporation required to make a payment under 2675
this section shall make the payment from its general fund or a 2676
special fund established for the purpose. The payment is payable 2677
on the thirty-first day of December of the tax year for or in 2678
which the exemption from taxation commences and on that day for 2679
each subsequent tax year property is exempted and the 2680
legislative authority and board fail to negotiate an acceptable 2681
agreement under division (C) of this section. 2682

Sec. 5709.83. (A) Except as otherwise provided in division 2683
(B) or (C) of this section, prior to taking formal action to 2684
adopt or enter into any instrument granting a tax exemption 2685
under section 725.02, 1728.06, 5709.40, 5709.41, 5709.45, 2686
5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 5709.84, or 2687
5709.88 of the Revised Code or formally approving an agreement 2688
under section 3735.671 of the Revised Code, or prior to 2689
forwarding an application for a tax exemption for residential 2690

property under section 3735.67 of the Revised Code to the county auditor, the legislative authority of the political subdivision or housing officer shall notify the board of education of each city, local, exempted village, or joint vocational school district in which the proposed tax-exempted property is located. The notice shall include a copy of the instrument or application. The notice shall be delivered not later than fourteen days prior to the day the legislative authority takes formal action to adopt or enter into the instrument, or not later than fourteen days prior to the day the housing officer forwards the application to the county auditor. If the board of education comments on the instrument or application to the legislative authority or housing officer, the legislative authority or housing officer shall consider the comments. If the board of education of the city, local, exempted village, or joint vocational school district so requests, the legislative authority or the housing officer shall meet in person with a representative designated by the board of education to discuss the terms of the instrument or application.

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

(C) If a legislative authority is required to provide 2722
notice to a city, local, or exempted village school district of 2723
its intent to grant such an exemption as required by section 2724
5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 2725
or 5709.78 of the Revised Code, the legislative authority, 2726
before adopting a resolution or ordinance under that section, 2727
shall notify the board of education of each joint vocational 2728
school district in which the property to be exempted is located 2729
using the same time requirements for the notice that applies to 2730
notices to city, local, and exempted village school districts. 2731
The content of the notice and procedures for responding to the 2732
notice are the same as required in division (A) of this section. 2733

Sec. 6301.23. (A) As used in this section: 2734

(1) "Ohio career-technical associations" includes all of 2735
the following: 2736

(a) The Ohio association of career and technical 2737
education; 2738

(b) The Ohio association of career-technical 2739
superintendents; 2740

(c) The Ohio association of comprehensive and compact 2741
career-technical schools. 2742

(2) "Other public school" has the same meaning as in 2743
section 3301.0711 of the Revised Code. 2744

(3) "State agency" has the same meaning as in section 1.60 2745
of the Revised Code. 2746

(B) Not later than July 1, 2021, the governor's office of 2747
workforce transformation, the department of education, and the 2748
chancellor of higher education, in consultation with Ohio 2749

career-technical associations and other appropriate 2750
stakeholders, shall develop model guidance for maintaining a 2751
statewide inventory of industry-recognized credentials. The 2752
guidance shall address the following: 2753

(1) Methods for state agencies to efficiently and 2754
effectively organize the different categories of industry- 2755
recognized credentials in a manner that allows students, school 2756
districts, other public schools, chartered nonpublic schools, 2757
and institutions of higher education to easily understand 2758
available credentialing options, based on the unique 2759
circumstances of each individual student; 2760

(2) The potential creation of a centralized, inter-agency 2761
database of information on all industry-recognized credentials 2762
that is accessible to the public; 2763

(3) Methods to streamline the process to add career- 2764
technical programs to the various approved credentialing lists; 2765

(4) Methods to increase transparency in the approval 2766
process for industry-recognized credentials. 2767

Section 2. That existing sections 3310.02, 3310.03, 2768
3310.031, 3310.032, 3310.035, 3313.14, 3313.482, 3313.82, 2769
3313.903, 3314.03, 3314.19, 3319.226, 3319.301, 3326.032, 2770
3326.17, 3333.16, 3345.81, 5709.62, 5709.63, 5709.632, 5709.82, 2771
and 5709.83 of the Revised Code are hereby repealed. 2772

Section 3. The amendment by this act of sections 5709.62, 2773
5709.63, 5709.632, 5709.82, and 5709.83 of the Revised Code 2774
applies to agreements entered into under sections 5709.62, 2775
5709.63, and 5709.632 of the Revised Code on or after the 2776
effective date of this act. 2777

Section 4. Notwithstanding section 3310.16 of the Revised 2778

Code, the priority application period for Educational Choice Scholarships awarded under section 3310.03 of the Revised Code for the 2021-2022 school year shall open on March 1, 2021.

Section 5. (A) Notwithstanding anything to the contrary in section 3310.03 of the Revised Code, a student is eligible for an Educational Choice Scholarship for the 2021-2022 school year if the student satisfies all of the following conditions:

(1) The student was enrolled in a public or nonpublic school in any of grades kindergarten through twelve, or was homeschooled for the equivalent of those grades, in the 2020-2021 school year.

(2) The student was eligible for a scholarship for the 2020-2021 school year under Section 31 of H.B. 197 of the 133rd General Assembly.

(3) For the 2021-2022 school year, the student would be enrolled in a building that, in the 2019-2020 school year, met one of the conditions described in division (A), (B), (D), or (E) of section 3310.03 of the Revised Code, as it existed prior to the effective date of this section.

(B) If the number of students who apply for an Educational Choice Scholarship exceeds the maximum number of scholarships permitted under division (A) of section 3310.02 of the Revised Code, priority shall first be given to those students applying for a scholarship under section 3310.03 of the Revised Code in accordance with division (B) of section 3310.02 of the Revised Code. If the number of available scholarships has not been exceeded after scholarships are awarded in accordance with section 3310.02 of the Revised Code, the Department of Education shall award scholarships under this section in the following

order of priority: 2808

(1) First, to eligible students with family incomes at or 2809
below two hundred per cent of the federal poverty guidelines who 2810
qualify under this section. If the number of students described 2811
in division (B) (1) of this section who apply for a scholarship 2812
exceeds the number of available scholarships after awards are 2813
made under divisions (B) (1) to (5) of section 3310.02 of the 2814
Revised Code, the Department shall select students described in 2815
division (B) (1) of this section by lot to receive any remaining 2816
scholarships. 2817

(2) Second, to other eligible students who qualify under 2818
this section. If the number of students described in division 2819
(B) (2) of this section who apply for a scholarship exceeds the 2820
number of available scholarships after awards are made under 2821
divisions (B) (1) to (5) of section 3310.02 of the Revised Code 2822
and division (B) (1) of this section, the Department shall select 2823
students described in division (B) (2) of this section by lot to 2824
receive any remaining scholarships. 2825

(C) A student who receives an Educational Choice 2826
Scholarship under this section remains an eligible student and 2827
may continue to receive a scholarship in subsequent school years 2828
until the student completes grade twelve, so long as the student 2829
satisfies the conditions specified in divisions (D) (1) to (3) of 2830
section 3310.03 of the Revised Code. 2831

Section 6. That section 3311.242 of the Revised Code is 2832
hereby repealed. 2833

Section 7. The repeal of section 3311.242 of the Revised 2834
Code in Section 6 of this act shall take effect on September 1, 2835
2021. 2836

Section 8. If a school district has begun the transfer 2837
process in accordance with division (B) of section 3311.242 of 2838
the Revised Code prior to the repeal of that section by this 2839
act, the transfer process shall continue in accordance with the 2840
provisions of that section as it existed prior to its repeal. 2841
School districts shall not, however, be permitted to take action 2842
under that section if they have not begun the transfer process 2843
prior to the section's repeal by this act. 2844

Section 9. Section 5709.82 of the Revised Code is 2845
presented in this act as a composite of the section as amended 2846
by both H.B. 182 and H.B. 233 of the 131st General Assembly. The 2847
General Assembly, applying the principle stated in division (B) 2848
of section 1.52 of the Revised Code that amendments are to be 2849
harmonized if reasonably capable of simultaneous operation, 2850
finds that the composite is the resulting version of the section 2851
in effect prior to the effective date of the section as 2852
presented in this act. 2853