

As Passed by the House

134th General Assembly

Regular Session

2021-2022

Sub. S. B. No. 166

Senator Reineke

Cosponsors: Senators Brenner, Cirino, Fedor, Lang, Roegner, Romanchuk, Schuring, Yuko, Schaffer, O'Brien, Peterson, Johnson, Blessing, Antonio, Craig, Dolan, Gavarone, Hackett, Hoagland, Huffman, M., Huffman, S., Kunze, Maharath, Manning, Sykes, Thomas, Williams, Wilson Representatives Edwards, Gross, Abrams, Bird, Boyd, Carfagna, Carruthers, Click, Cross, Crossman, Cutrona, Fraizer, Ghanbari, Ginter, Grendell, Hall, Hicks-Hudson, Hillyer, Holmes, Hoops, Humphrey, Ingram, Jarrells, John, Jones, Kick, Lampton, LaRe, Leland, Liston, Loychik, Manning, Miller, A., Miller, J., Miller, K., O'Brien, Oelslager, Plummer, Richardson, Riedel, Roemer, Russo, Schmidt, Seitz, Swearingen, Troy, Upchurch, Weinstein, White

A BILL

To amend sections 3301.17, 3302.03, 3313.6113, 1
3317.014, 3333.125, 3345.011, 3350.11, 3735.671, 2
4715.39, 4715.53, 4715.66, 5709.82, 5709.83, and 3
5747.98 and to enact sections 3303.07, 3313.905, 4
3317.162, and 5747.057 of the Revised Code with 5
regard to career-technical education, career 6
awareness and exploration funds, the 7
compensation of joint vocational school 8
districts located in community reinvestment 9
areas, the operation of the Northeast Ohio 10
Medical University, and private certifications 11
with respect to dental assistants, to make 12
changes to the Commercial Truck Driver Student 13
Aid Program, and to declare an emergency. 14

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

Section 1. That sections 3301.17, 3302.03, 3313.6113, 15
3317.014, 3333.125, 3345.011, 3350.11, 3735.671, 4715.39, 16
4715.53, 4715.66, 5709.82, 5709.83, and 5747.98 be amended and 17
sections 3303.07, 3313.905, 3317.162, and 5747.057 of the 18
Revised Code be enacted to read as follows: 19

Sec. 3301.17. (A) The board of education of each city, 20
exempted village, local, and joint vocational school district 21
may make a driver education course available to high school 22
students enrolled in the district in accordance with Chapter 23
4508. of the Revised Code. No school district making such a 24
course available shall require any ~~pupil-student~~ to enroll in 25
the course in lieu of taking a training course from a private 26
driver training school licensed under that chapter. 27

(B) The principal of each high school shall annually give 28
written notice to the ~~pupils-students~~ enrolled in the high 29
school that they may elect, under a procedure that shall be 30
described in the notice, to take a training course from a 31
private driver training school or, if available, enroll in a 32
driver education course made available by the ~~pupil's-student's~~ 33
school district of attendance. ~~No pupil shall receive course-~~ 34
~~credit toward graduation for completing a driver education-~~ 35
~~course conducted by a school district under this section.~~ 36

(C) Students who successfully complete a driver education 37
course offered by the student's school district of attendance or 38
through any agency or organization that the district contracts 39
with to offer such a course under this section may earn either: 40

(1) Notwithstanding anything to the contrary in division 41
(C) (8) of section 3313.603 of the Revised Code, up to one-half 42
unit towards high school elective credits that may substitute 43
for credits in the subjects listed under that division; 44

(2) An industry-recognized credential approved under 45
section 3313.6113 of the Revised Code. A student may be granted 46
up to two points toward a high school diploma under the list of 47
industry-recognized credentials established and updated under 48
section 3313.6113 of the Revised Code. 49

(D) Notwithstanding anything to the contrary in sections 50
3317.014, 3317.022, and 3317.16 of the Revised Code, a career- 51
technical planning district, as defined in section 3317.023 of 52
the Revised Code, may use a portion of the career-technical 53
education funds received under section 3317.022 or 3317.16 of 54
the Revised Code to make a driver education course available to 55
high school students enrolled in the district. 56

Sec. 3302.03. Not later than the thirty-first day of July 57
of each year, the department of education shall submit 58
preliminary report card data for overall academic performance 59
and for each separate performance measure for each school 60
district, and each school building, in accordance with this 61
section. 62

Annually, not later than the fifteenth day of September or 63
the preceding Friday when that day falls on a Saturday or 64
Sunday, the department shall assign a letter grade or 65
performance rating for overall academic performance and for each 66
separate performance measure for each school district, and each 67
school building in a district, in accordance with this section. 68
The state board of education shall adopt rules pursuant to 69
Chapter 119. of the Revised Code to implement this section. The 70
state board's rules shall establish performance criteria for 71
each letter grade or performance rating and prescribe a method 72
by which the department assigns each letter grade or performance 73
rating. For a school building to which any of the performance 74

measures do not apply, due to grade levels served by the 75
building, the department shall designate the performance 76
measures that are applicable to the building and that must be 77
calculated separately and used to calculate the building's 78
overall grade or performance rating. The department shall issue 79
annual report cards reflecting the performance of each school 80
district, each building within each district, and for the state 81
as a whole using the performance measures and letter grade or 82
performance rating system described in this section. The 83
department shall include on the report card for each district 84
and each building within each district the most recent two-year 85
trend data in student achievement for each subject and each 86
grade. 87

(A) (1) For the 2012-2013 school year, the department shall 88
issue grades as described in division (F) of this section for 89
each of the following performance measures: 90

(a) Annual measurable objectives; 91

(b) Performance index score for a school district or 92
building. Grades shall be awarded as a percentage of the total 93
possible points on the performance index system as adopted by 94
the state board. In adopting benchmarks for assigning letter 95
grades under division (A) (1) (b) of this section, the state board 96
shall designate ninety per cent or higher for an "A," at least 97
seventy per cent but not more than eighty per cent for a "C," 98
and less than fifty per cent for an "F." 99

(c) The extent to which the school district or building 100
meets each of the applicable performance indicators established 101
by the state board under section 3302.02 of the Revised Code and 102
the percentage of applicable performance indicators that have 103
been achieved. In adopting benchmarks for assigning letter 104

grades under division (A) (1) (c) of this section, the state board 105
shall designate ninety per cent or higher for an "A." 106

(d) The four- and five-year adjusted cohort graduation 107
rates. 108

In adopting benchmarks for assigning letter grades under 109
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 110
department shall designate a four-year adjusted cohort 111
graduation rate of ninety-three per cent or higher for an "A" 112
and a five-year cohort graduation rate of ninety-five per cent 113
or higher for an "A." 114

(e) The overall score under the value-added progress 115
dimension of a school district or building, for which the 116
department shall use up to three years of value-added data as 117
available. The letter grade assigned for this growth measure 118
shall be as follows: 119

(i) A score that is at least one standard error of measure 120
above the mean score shall be designated as an "A." 121

(ii) A score that is less than one standard error of 122
measure above but greater than one standard error of measure 123
below the mean score shall be designated as a "B." 124

(iii) A score that is less than or equal to one standard 125
error of measure below the mean score but greater than two 126
standard errors of measure below the mean score shall be 127
designated as a "C." 128

(iv) A score that is less than or equal to two standard 129
errors of measure below the mean score but is greater than three 130
standard errors of measure below the mean score shall be 131
designated as a "D." 132

(v) A score that is less than or equal to three standard errors of measure below the mean score shall be designated as an "F."

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

(f) The value-added progress dimension score for a school district or building disaggregated for each of the following subgroups: students identified as gifted, students with disabilities, and students whose performance places them in the lowest quintile for achievement on a statewide basis. Each subgroup shall be a separate graded measure.

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

At least forty-five days prior to the state board's adoption of rules to prescribe the methods by which the performance measures under division (A) (1) of this section shall be assessed and assigned a letter grade, the department shall conduct a public presentation before the standing committees of the house of representatives and the senate that consider

education legislation describing such methods, including 163
performance benchmarks. 164

(3) There shall not be an overall letter grade for a 165
school district or building for the 2012-2013 school year. 166

(B) (1) For the 2013-2014 school year, the department shall 167
issue grades as described in division (F) of this section for 168
each of the following performance measures: 169

(a) Annual measurable objectives; 170

(b) Performance index score for a school district or 171
building. Grades shall be awarded as a percentage of the total 172
possible points on the performance index system as created by 173
the department. In adopting benchmarks for assigning letter 174
grades under division (B) (1) (b) of this section, the state board 175
shall designate ninety per cent or higher for an "A," at least 176
seventy per cent but not more than eighty per cent for a "C," 177
and less than fifty per cent for an "F." 178

(c) The extent to which the school district or building 179
meets each of the applicable performance indicators established 180
by the state board under section 3302.03 of the Revised Code and 181
the percentage of applicable performance indicators that have 182
been achieved. In adopting benchmarks for assigning letter 183
grades under division (B) (1) (c) of this section, the state board 184
shall designate ninety per cent or higher for an "A." 185

(d) The four- and five-year adjusted cohort graduation 186
rates; 187

(e) The overall score under the value-added progress 188
dimension of a school district or building, for which the 189
department shall use up to three years of value-added data as 190
available. 191

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

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

(h) For a high mobility school district or building, an additional value-added progress dimension score. For this

measure, the department shall use value-added data from the most 223
recent school year available and shall use assessment scores for 224
only those students to whom the district or building has 225
administered the assessments prescribed by section 3301.0710 of 226
the Revised Code for each of the two most recent consecutive 227
school years. 228

As used in this division, "high mobility school district 229
or building" means a school district or building where at least 230
twenty-five per cent of its total enrollment is made up of 231
students who have attended that school district or building for 232
less than one year. 233

(2) In addition to the graded measures in division (B) (1) 234
of this section, the department shall include on a school 235
district's or building's report card all of the following 236
without an assigned letter grade: 237

(a) The percentage of students enrolled in a district or 238
building participating in advanced placement classes and the 239
percentage of those students who received a score of three or 240
better on advanced placement examinations; 241

(b) The number of a district's or building's students who 242
have earned at least three college credits through dual 243
enrollment or advanced standing programs, such as the post- 244
secondary enrollment options program under Chapter 3365. of the 245
Revised Code and state-approved career-technical courses offered 246
through dual enrollment or statewide articulation, that appear 247
on a student's transcript or other official document, either of 248
which is issued by the institution of higher education from 249
which the student earned the college credit. The credits earned 250
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 251
this section shall not include any that are remedial or 252

developmental and shall include those that count toward the	253
curriculum requirements established for completion of a degree.	254
(c) The percentage of students enrolled in a district or	255
building who have taken a national standardized test used for	256
college admission determinations and the percentage of those	257
students who are determined to be remediation-free in accordance	258
with standards adopted under division (F) of section 3345.061 of	259
the Revised Code;	260
(d) The percentage of the district's or the building's	261
students who receive industry-recognized credentials as approved	262
under section 3313.6113 of the Revised Code.	263
(e) The percentage of students enrolled in a district or	264
building who are participating in an international baccalaureate	265
program and the percentage of those students who receive a score	266
of four or better on the international baccalaureate	267
examinations.	268
(f) The percentage of the district's or building's	269
students who receive an honors diploma under division (B) of	270
section 3313.61 of the Revised Code.	271
(3) Not later than December 31, 2013, the state board	272
shall adopt rules in accordance with Chapter 119. of the Revised	273
Code that prescribe the methods by which the performance	274
measures under divisions (B) (1) (f) and (B) (1) (g) of this section	275
will be assessed and assigned a letter grade, including	276
performance benchmarks for each grade.	277
At least forty-five days prior to the state board's	278
adoption of rules to prescribe the methods by which the	279
performance measures under division (B) (1) of this section shall	280
be assessed and assigned a letter grade, the department shall	281

conduct a public presentation before the standing committees of 282
the house of representatives and the senate that consider 283
education legislation describing such methods, including 284
performance benchmarks. 285

(4) There shall not be an overall letter grade for a 286
school district or building for the 2013-2014, 2014-2015, 2015- 287
2016, and 2016-2017 school years. 288

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 289
2018-2019, 2019-2020, and 2020-2021 school years, the department 290
shall issue grades as described in division (F) of this section 291
for each of the performance measures prescribed in division (C) 292
(1) of this section. The graded measures are as follows: 293

(a) Annual measurable objectives. For the 2017-2018 school 294
year, the department shall not include any subgroup data in the 295
annual measurable objectives that includes data from fewer than 296
twenty-five students. For the 2018-2019 school year, the 297
department shall not include any subgroup data in the annual 298
measurable objectives that includes data from fewer than twenty 299
students. Beginning with the 2019-2020 school year, the 300
department shall not include any subgroup data in the annual 301
measurable objectives that includes data from fewer than fifteen 302
students. 303

(b) Performance index score for a school district or 304
building. Grades shall be awarded as a percentage of the total 305
possible points on the performance index system as created by 306
the department. In adopting benchmarks for assigning letter 307
grades under division (C) (1) (b) of this section, the state board 308
shall designate ninety per cent or higher for an "A," at least 309
seventy per cent but not more than eighty per cent for a "C," 310
and less than fifty per cent for an "F." 311

(c) The extent to which the school district or building 312
meets each of the applicable performance indicators established 313
by the state board under section 3302.03 of the Revised Code and 314
the percentage of applicable performance indicators that have 315
been achieved. In adopting benchmarks for assigning letter 316
grades under division (C) (1) (c) of this section, the state board 317
shall designate ninety per cent or higher for an "A." 318

(d) The four- and five-year adjusted cohort graduation 319
rates; 320

(e) The overall score under the value-added progress 321
dimension, or another measure of student academic progress if 322
adopted by the state board, of a school district or building, 323
for which the department shall use up to three years of value- 324
added data as available. 325

In adopting benchmarks for assigning letter grades for 326
overall score on value-added progress dimension under division 327
(C) (1) (e) of this section, the state board shall prohibit the 328
assigning of a grade of "A" for that measure unless the 329
district's or building's grade assigned for value-added progress 330
dimension for all subgroups under division (C) (1) (f) of this 331
section is a "C" or higher. 332

For the metric prescribed by division (C) (1) (e) of this 333
section, the state board may adopt a student academic progress 334
measure to be used instead of the value-added progress 335
dimension. If the state board adopts such a measure, it also 336
shall prescribe a method for assigning letter grades for the new 337
measure that is comparable to the method prescribed in division 338
(A) (1) (e) of this section. 339

(f) The value-added progress dimension score of a school 340

district or building disaggregated for each of the following 341
subgroups: students identified as gifted in superior cognitive 342
ability and specific academic ability fields under Chapter 3324. 343
of the Revised Code, students with disabilities, and students 344
whose performance places them in the lowest quintile for 345
achievement on a statewide basis, as determined by a method 346
prescribed by the state board. Each subgroup shall be a separate 347
graded measure. 348

The state board may adopt student academic progress 349
measures to be used instead of the value-added progress 350
dimension. If the state board adopts such measures, it also 351
shall prescribe a method for assigning letter grades for the new 352
measures that is comparable to the method prescribed in division 353
(A) (1) (e) of this section. 354

(g) Whether a school district or building is making 355
progress in improving literacy in grades kindergarten through 356
three, as determined using a method prescribed by the state 357
board. The state board shall adopt rules to prescribe benchmarks 358
and standards for assigning grades to a district or building for 359
purposes of division (C) (1) (g) of this section. The state board 360
shall designate for a "C" grade a value that is not lower than 361
the statewide average value for this measure. No grade shall be 362
issued under division (C) (1) (g) of this section for a district 363
or building in which less than five per cent of students have 364
scored below grade level on the kindergarten diagnostic 365
assessment under division (B) (1) of section 3313.608 of the 366
Revised Code. 367

(h) For a high mobility school district or building, an 368
additional value-added progress dimension score. For this 369
measure, the department shall use value-added data from the most 370

recent school year available and shall use assessment scores for 371
only those students to whom the district or building has 372
administered the assessments prescribed by section 3301.0710 of 373
the Revised Code for each of the two most recent consecutive 374
school years. 375

As used in this division, "high mobility school district 376
or building" means a school district or building where at least 377
twenty-five per cent of its total enrollment is made up of 378
students who have attended that school district or building for 379
less than one year. 380

(2) In addition to the graded measures in division (C) (1) 381
of this section, the department shall include on a school 382
district's or building's report card all of the following 383
without an assigned letter grade: 384

(a) The percentage of students enrolled in a district or 385
building who have taken a national standardized test used for 386
college admission determinations and the percentage of those 387
students who are determined to be remediation-free in accordance 388
with the standards adopted under division (F) of section 389
3345.061 of the Revised Code; 390

(b) The percentage of students enrolled in a district or 391
building participating in advanced placement classes and the 392
percentage of those students who received a score of three or 393
better on advanced placement examinations; 394

(c) The percentage of a district's or building's students 395
who have earned at least three college credits through advanced 396
standing programs, such as the college credit plus program under 397
Chapter 3365. of the Revised Code and state-approved career- 398
technical courses offered through dual enrollment or statewide 399

articulation, that appear on a student's college transcript 400
issued by the institution of higher education from which the 401
student earned the college credit. The credits earned that are 402
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 403
shall not include any that are remedial or developmental and 404
shall include those that count toward the curriculum 405
requirements established for completion of a degree. 406

(d) The percentage of the district's or building's 407
students who receive an honor's diploma under division (B) of 408
section 3313.61 of the Revised Code; 409

(e) The percentage of the district's or building's 410
students who receive industry-recognized credentials as approved 411
under section 3313.6113 of the Revised Code; 412

(f) The percentage of students enrolled in a district or 413
building who are participating in an international baccalaureate 414
program and the percentage of those students who receive a score 415
of four or better on the international baccalaureate 416
examinations; 417

(g) The results of the college and career-ready 418
assessments administered under division (B) (1) of section 419
3301.0712 of the Revised Code; 420

(h) Whether the school district or building has 421
implemented a positive behavior intervention and supports 422
framework in compliance with the requirements of section 3319.46 423
of the Revised Code, notated as a "yes" or "no" answer. 424

(3) The state board shall adopt rules pursuant to Chapter 425
119. of the Revised Code that establish a method to assign an 426
overall grade for a school district or school building for the 427
2017-2018 school year and each school year thereafter. The rules 428

shall group the performance measures in divisions (C) (1) and (2) 429
of this section into the following components: 430

(a) Gap closing, which shall include the performance 431
measure in division (C) (1) (a) of this section; 432

(b) Achievement, which shall include the performance 433
measures in divisions (C) (1) (b) and (c) of this section; 434

(c) Progress, which shall include the performance measures 435
in divisions (C) (1) (e) and (f) of this section; 436

(d) Graduation, which shall include the performance 437
measure in division (C) (1) (d) of this section; 438

(e) Kindergarten through third-grade literacy, which shall 439
include the performance measure in division (C) (1) (g) of this 440
section; 441

(f) Prepared for success, which shall include the 442
performance measures in divisions (C) (2) (a), (b), (c), (d), (e), 443
and (f) of this section. The state board shall develop a method 444
to determine a grade for the component in division (C) (3) (f) of 445
this section using the performance measures in divisions (C) (2) 446
(a), (b), (c), (d), (e), and (f) of this section. When 447
available, the state board may incorporate the performance 448
measure under division (C) (2) (g) of this section into the 449
component under division (C) (3) (f) of this section. When 450
determining the overall grade for the prepared for success 451
component prescribed by division (C) (3) (f) of this section, no 452
individual student shall be counted in more than one performance 453
measure. However, if a student qualifies for more than one 454
performance measure in the component, the state board may, in 455
its method to determine a grade for the component, specify an 456
additional weight for such a student that is not greater than or 457

equal to 1.0. In determining the overall score under division 458
(C) (3) (f) of this section, the state board shall ensure that the 459
pool of students included in the performance measures aggregated 460
under that division are all of the students included in the 461
four- and five-year adjusted graduation cohort. 462

In the rules adopted under division (C) (3) of this 463
section, the state board shall adopt a method for determining a 464
grade for each component in divisions (C) (3) (a) to (f) of this 465
section. The state board also shall establish a method to assign 466
an overall grade of "A," "B," "C," "D," or "F" using the grades 467
assigned for each component. The method the state board adopts 468
for assigning an overall grade shall give equal weight to the 469
components in divisions (C) (3) (b) and (c) of this section. 470

At least forty-five days prior to the state board's 471
adoption of rules to prescribe the methods for calculating the 472
overall grade for the report card, as required by this division, 473
the department shall conduct a public presentation before the 474
standing committees of the house of representatives and the 475
senate that consider education legislation describing the format 476
for the report card, weights that will be assigned to the 477
components of the overall grade, and the method for calculating 478
the overall grade. 479

(D) For the 2021-2022 school year and each school year 480
thereafter, all of the following apply: 481

(1) The department shall include on a school district's or 482
building's report card all of the following performance measures 483
without an assigned performance rating: 484

(a) Whether the district or building meets the gifted 485
performance indicator under division (A) (2) of section 3302.02 486

of the Revised Code and the extent to which the district or 487
building meets gifted indicator performance benchmarks; 488

(b) The extent to which the district or building meets the 489
chronic absenteeism indicator under division (A) (3) of section 490
3302.02 of the Revised Code; 491

(c) Performance index score percentage for a district or 492
building, which shall be calculated by dividing the district's 493
or building's performance index score according to the 494
performance index system created by the department by the 495
maximum performance index score for a district or building. The 496
maximum performance index score shall be as follows: 497

(i) For a building, the average of the highest two per 498
cent of performance index scores achieved by a building for the 499
school year for which a report card is issued; 500

(ii) For a district, the average of the highest two per 501
cent of performance index scores achieved by a district for the 502
school year for which a report card is issued. 503

(d) The overall score under the value-added progress 504
dimension of a district or building, for which the department 505
shall use three consecutive years of value-added data. In using 506
three years of value-added data to calculate the measure 507
prescribed under division (D) (1) (d) of this section, the 508
department shall assign a weight of fifty per cent to the most 509
recent year's data and a weight of twenty-five per cent to the 510
data of each of the other years. However, if three consecutive 511
years of value-added data is not available, the department shall 512
use prior years of value-added data to calculate the measure, as 513
follows: 514

(i) If two consecutive years of value-added data is not 515

available, the department shall use one year of value-added data 516
to calculate the measure. 517

(ii) If two consecutive years of value-added data is 518
available, the department shall use two consecutive years of 519
value-added data to calculate the measure. In using two years of 520
value-added data to calculate the measure, the department shall 521
assign a weight of sixty-seven per cent to the most recent 522
year's data and a weight of thirty-three per cent to the data of 523
the other year. 524

(e) The four-year adjusted cohort graduation rate. 525

(f) The five-year adjusted cohort graduation rate. 526

(g) The percentage of students in the district or building 527
who score proficient or higher on the reading segment of the 528
third grade English language arts assessment under section 529
3301.0710 of the Revised Code. 530

To the extent possible, the department shall include the 531
results of the summer administration of the third grade reading 532
assessment under section 3301.0710 of the Revised Code in the 533
performance measures prescribed under divisions (D) (1) (g) and 534
(h) of this section. 535

(h) Whether a district or building is making progress in 536
improving literacy in grades kindergarten through three, as 537
determined using a method prescribed by the department. The 538
method shall determine progress made based on the reduction in 539
the total percentage of students scoring below grade level, or 540
below proficient, compared from year to year on the reading 541
segments of the diagnostic assessments administered under 542
section 3301.0715 of the Revised Code, including the 543
kindergarten readiness assessment, and the third grade English 544

language arts assessment under section 3301.0710 of the Revised Code, as applicable. The method shall not include a deduction for students who did not pass the third grade English language arts assessment under section 3301.0710 of the Revised Code and were not on a reading improvement and monitoring plan.

The performance measure prescribed under division (D) (1) (h) of this section shall not be included on the report card of a district or building in which less than ten per cent of students have scored below grade level on the diagnostic assessment administered to students in kindergarten under division (B) (1) of section 3313.608 of the Revised Code.

(i) The percentage of students in a district or building who are promoted to the fourth grade and not subject to retention under division (A) (2) of section 3313.608 of the Revised Code;

(j) A post-secondary readiness measure. This measure shall be calculated by dividing the number of students included in the four-year adjusted graduation rate cohort who demonstrate post-secondary readiness by the total number of students included in the denominator of the four-year adjusted graduation rate cohort. Demonstration of post-secondary readiness shall include a student doing any of the following:

(i) Attaining a remediation-free score, in accordance with standards adopted under division (F) of section 3345.061 of the Revised Code, on a nationally standardized assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code;

(ii) Attaining required scores on three or more advanced placement or international baccalaureate examinations. The required score for an advanced placement examination shall be a

three or better. The required score for an international 574
baccalaureate examination shall be a four or better. A student 575
may satisfy this condition with any combination of advanced 576
placement or international baccalaureate examinations. 577

(iii) Earning at least twelve college credits through 578
advanced standing programs, such as the college credit plus 579
program under Chapter 3365. of the Revised Code, an early 580
college high school program under section 3313.6013 of the 581
Revised Code, and state-approved career-technical courses 582
offered through dual enrollment or statewide articulation, that 583
appear on a student's college transcript issued by the 584
institution of higher education from which the student earned 585
the college credit. Earned credits reported under division (D) 586
(1) (j) (iii) of this section shall include credits that count 587
toward the curriculum requirements established for completion of 588
a degree, but shall not include any remedial or developmental 589
credits. 590

(iv) Meeting the additional criteria for an honors diploma 591
under division (B) of section 3313.61 of the Revised Code; 592

(v) Earning an industry-recognized credential or license 593
issued by a state agency or board for practice in a vocation 594
that requires an examination for issuance of that license 595
approved under section 3313.6113 of the Revised Code; 596

(vi) Satisfying any of the following conditions: 597

(I) Completing a pre-apprenticeship aligned with options 598
established under section 3313.904 of the Revised Code in the 599
student's chosen career field; 600

(II) Completing an apprenticeship registered with the 601
apprenticeship council established under section 4139.02 of the 602

Revised Code in the student's chosen career field; 603

(III) Providing evidence of acceptance into an 604
apprenticeship program after high school that is restricted to 605
participants eighteen years of age or older. 606

(vii) Earning a cumulative score of proficient or higher 607
on three or more state technical assessments aligned with 608
section 3313.903 of the Revised Code in a single career pathway; 609

(viii) Earning an OhioMeansJobs-readiness seal established 610
under section 3313.6112 of the Revised Code and completing two 611
hundred fifty hours of an internship or other work-based 612
learning experience ~~approved~~ that is either: 613

(I) Approved by the business advisory council established 614
under section 3313.82 of the Revised Code that represents the 615
student's district; or 616

(II) Aligned to the career-technical education pathway 617
approved by the department in which the student is enrolled. 618

(ix) Providing evidence that the student has enlisted in a 619
branch of the armed services of the United States as defined in 620
section 5910.01 of the Revised Code. 621

A student who satisfies more than one of the conditions 622
prescribed under this division shall be counted as one student 623
for the purposes of calculating the measure prescribed under 624
division (D) (1) (j) of this section. 625

(2) In addition to the performance measures under division 626
(D) (1) of this section, the department shall report on a 627
district's or building's report card all of the following data 628
without an assigned performance rating: 629

(a) The applicable performance indicators established by 630

the state board under division (A) (1) of section 3302.02 of the Revised Code; 631
632

(b) The overall score under the value-added progress dimension of a district or building for the most recent school year; 633
634
635

(c) A composite of the overall scores under the value-added progress dimension of a district or building for the previous three school years or, if only two years of value-added data are available, for the previous two years; 636
637
638
639

(d) The percentage of students included in the four- and five-year adjusted cohort graduation rates of a district or building who did not receive a high school diploma under section 3313.61 or 3325.08 of the Revised Code. To the extent possible, the department shall disaggregate that data according to the following categories: 640
641
642
643
644
645

(i) Students who are still enrolled in the district or building and receiving general education services; 646
647

(ii) Students with an individualized education program, as defined in section 3323.01 of the Revised Code, who satisfied the conditions for a high school diploma under section 3313.61 or 3325.08 of the Revised Code, but opted not to receive a diploma and are still receiving education services; 648
649
650
651
652

(iii) Students with an individualized education program who have not yet satisfied conditions for a high school diploma under section 3313.61 or 3325.08 of the Revised Code and who are still receiving education services; 653
654
655
656

(iv) Students who are no longer enrolled in any district or building; 657
658

(v) Students who, upon enrollment in the district or building for the first time, had completed fewer units of high school instruction required under section 3313.603 of the Revised Code than other students in the four- or five-year adjusted cohort graduation rate.

The department may disaggregate the data prescribed under division (D) (2) (d) of this section according to other categories that the department determines are appropriate.

(e) The results of the kindergarten diagnostic assessment prescribed under division (D) of section 3301.079 of the Revised Code;

(f) Post-graduate outcomes for students who were enrolled in a district or building and received a high school diploma under section 3313.61 or 3325.08 of the Revised Code in the school year prior to the school year for which the report card is issued, including the percentage of students who:

(i) Enrolled in a post-secondary educational institution. To the extent possible, the department shall disaggregate that data according to whether the student enrolled in a four-year institution of higher education, a two-year institution of higher education, an Ohio technical center that provides adult technical education services and is recognized by the chancellor of higher education, or another type of post-secondary educational institution.

(ii) Entered an apprenticeship program registered with the apprenticeship council established under Chapter 4139. of the Revised Code. The department may include other job training programs with similar rigor and outcomes.

(iii) Attained gainful employment, as determined by the

department;	688
(iv) Enlisted in a branch of the armed forces of the United States, as defined in section 5910.01 of the Revised Code.	689 690 691
(g) Whether the school district or building has implemented a positive behavior intervention and supports framework in compliance with the requirements of section 3319.46 of the Revised Code, notated with a "yes" or "no";	692 693 694 695
(h) The number and percentage of high school seniors in each school year who completed the free application for federal student aid;	696 697 698
(i) Beginning with the report card issued under this section for the 2022-2023 school year, a student opportunity profile measure that reports data regarding the opportunities provided to students by a district or building. To the extent possible, and when appropriate, the data shall be disaggregated by grade level and subgroup. The measure also shall include data regarding the statewide average, the average for similar school districts, and, for a building, the average for the district in which the building is located. The measure shall include all of the following data for the district or building:	699 700 701 702 703 704 705 706 707 708
(i) The average ratio of teachers of record to students in each grade level in a district or building;	709 710
(ii) The average ratio of school counselors to students in a district or building;	711 712
(iii) The average ratio of nurses to students in a district or building;	713 714
(iv) The average ratio of licensed librarians and library	715

media specialists to students in a district or building;	716
(v) The average ratio of social workers to students in a district or building;	717 718
(vi) The average ratio of mental health professionals to students in a district or building;	719 720
(vii) The average ratio of paraprofessionals to students in a district or building;	721 722
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	723 724
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	725 726
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	727 728
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	729 730 731
(xii) The percentage of students enrolled in a performing or visual arts course;	732 733
(xiii) The percentage of students enrolled in a physical education or wellness course;	734 735
(xiv) The percentage of students enrolled in a world language course;	736 737
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	738 739
(xvi) The percentage of students participating in one or more cocurricular activities;	740 741

(xvii) The percentage of students participating in advance placement courses, international baccalaureate courses, honors courses, or courses offered through the college credit plus program established under Chapter 3365. of the Revised Code;	742 743 744 745
(xviii) The percentage of students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code and receiving gifted services pursuant to that chapter;	746 747 748 749
(xix) The percentage of students participating in enrichment or support programs offered by the district or building outside of the normal school day;	750 751 752
(xx) The percentage of eligible students participating each school day in school breakfast programs offered by the district or building in accordance with section 3313.813 or 3313.818 of the Revised Code;	753 754 755 756
(xxi) The percentage of students who are transported by a school bus each school day;	757 758
(xxii) The ratio of portable technology devices that students may take home to the number of students.	759 760
The department shall include only opportunity measures at the building level for which data for buildings is available, as determined by a school district.	761 762 763
(j) The percentage of students included in the four- and five-year adjusted cohort graduation rates of the district or building who completed all of grades nine through twelve while enrolled in the district or building;	764 765 766 767
(k) The percentage of students in the district or building to whom both of the following apply:	768 769

(i) The students are promoted to fourth grade and not 770
subject to retention under division (A) (2) of section 3313.608 771
of the Revised Code. 772

(ii) The students completed all of the grade levels 773
offered prior to the fourth grade in the district or building. 774

(3) Except as provided in division (D) (3) (f) of this 775
section, the department shall use the state board's method 776
prescribed under rules adopted under division (D) (4) of this 777
section to assign performance ratings of "one star," "two 778
stars," "three stars," "four stars," or "five stars," as 779
described in division (F) of this section, for a district or 780
building for the individual components prescribed under division 781
(D) (3) of this section. The department also shall assign an 782
overall performance rating for a district or building in 783
accordance with division (D) (3) (g) of this section. The method 784
shall use the performance measures prescribed under division (D) 785
(1) of this section to calculate performance ratings for 786
components. The method may report data under division (D) (2) of 787
this section with corresponding components, but shall not use 788
the data to calculate performance ratings for that component. 789
The performance measures and reported data shall be grouped 790
together into components as follows: 791

(a) Gap closing. In addition to other criteria determined 792
appropriate by the department, performance ratings for the gap 793
closing component shall reflect whether each of the following 794
performance measures are met or not met: 795

(i) The gifted performance indicator as described in 796
division (D) (1) (a) of this section; 797

(ii) The chronic absenteeism indicator as described in 798

division (D) (1) (b) of this section;	799
(iii) For English learners, an English language proficiency improvement indicator established by the department;	800 801
(iv) The subgroup graduation targets;	802
(v) The subgroup achievement targets in both mathematics and English language arts;	803 804
(vi) The subgroup progress targets in both mathematics and English language arts.	805 806
Achievement and progress targets under division (D) (3) (a) of this section shall be calculated individually, and districts and buildings shall receive a status of met or not met on each measure. The department shall not require a subgroup of a district or building to meet both the achievement and progress targets at the same time to receive a status of met.	807 808 809 810 811 812
The department shall not include any subgroup data in this measure that includes data from fewer than fifteen students. Any penalty for failing to meet the required assessment participation rate must be partially in proportion to how close the district or building was to meeting the rate requirement.	813 814 815 816 817
(b) Achievement, which shall include the performance measure in division (D) (1) (c) of this section and the reported data in division (D) (2) (a) of this section. Performance ratings for the achievement component shall be awarded as a percentage of the maximum performance index score described in division (D) (1) (c) of this section.	818 819 820 821 822 823
(c) Progress, which shall include the performance measure in division (D) (1) (d) of this section and the reported data in divisions (D) (2) (b) and (c) of this amendment <u>section</u> ;	824 825 826

(d) Graduation, which shall include the performance 827
measures in divisions (D) (1) (e) and (f) of this section and the 828
reported data in divisions (D) (2) (d) and (j) of this section. 829
The four-year adjusted cohort graduation rate shall be assigned 830
a weight of sixty per cent and the five-year adjusted cohort 831
graduation rate shall be assigned a weight of forty per cent; 832

(e) Early literacy, which shall include the performance 833
measures in divisions (D) (1) (g), (h), and (i) of this section 834
and the reported data in divisions (D) (2) (e) and (k) of this 835
section. 836

If the measure prescribed under division (D) (1) (h) of this 837
section is included in a report card, performance ratings for 838
the early literacy component shall give a weight of forty per 839
cent to the measure prescribed under division (D) (1) (g) of this 840
section, a weight of thirty-five per cent to the measure 841
prescribed under division (D) (1) (i) of this section, and a 842
weight of twenty-five per cent to the measure prescribed under 843
division (D) (1) (h) of this section. 844

If the measure prescribed under division (D) (1) (h) of this 845
section is not included in a report card of a district or 846
building, performance ratings for the early literacy component 847
shall give a weight of sixty per cent to the measure prescribed 848
under division (D) (1) (g) of this section and a weight of forty 849
per cent to the measure prescribed under division (D) (1) (i) of 850
this section. 851

(f) College, career, workforce, and military readiness, 852
which shall include the performance measure in division (D) (1) 853
(j) of this section and the reported data in division (D) (2) (f) 854
of this section. 855

For the 2021-2022, 2022-2023, and 2023-2024 school years, 856
the department only shall report the data for, and not assign a 857
performance rating to, the college, career, workforce, and 858
military readiness component. The reported data shall include 859
the percentage of students who demonstrate post-secondary 860
readiness using any of the options described in division (D)(1) 861
(j) of this section. 862

The department shall analyze the data included in the 863
performance measure prescribed in division (D)(1)(j) of this 864
section for the 2021-2022, 2022-2023, and 2023-2024 school 865
years. Using that data, the department shall develop and propose 866
rules for a method to assign a performance rating to the 867
college, career, workforce, and military readiness component 868
based on that measure. The method to assign a performance rating 869
shall not include a tiered structure or per student bonuses. The 870
rules shall specify that a district or building shall not 871
receive lower than a performance rating of three stars for the 872
component if the district's or building's performance on the 873
component meets or exceeds a level of improvement set by the 874
department. Notwithstanding division (D)(4)(b) of this section, 875
more than half of the total districts and buildings may earn a 876
performance rating of three stars on this component to account 877
for the districts and buildings that earned a performance rating 878
of three stars because they met or exceeded the level of 879
improvement set by the department. 880

The department shall submit the rules to the joint 881
committee on agency rule review. The committee shall conduct at 882
least one public hearing on the proposed rules and approve or 883
disapprove the rules. If the committee approves the rules, the 884
state board shall adopt the rules in accordance with Chapter 885
119. of the Revised Code. If the rules are adopted, the 886

department shall assign a performance rating to the college, 887
career, workforce, and military readiness component under the 888
rules beginning with the 2024-2025 school year, and for each 889
school year thereafter. If the committee disapproves the rules, 890
the component shall be included in the report card only as 891
reported data for the 2024-2025 school year, and each school 892
year thereafter. 893

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 894
this section, beginning with the 2022-2023 school year, under 895
the state board's method prescribed under rules adopted in 896
division (D) (4) of this section, the department shall use the 897
performance ratings assigned for the components prescribed in 898
divisions (D) (3) (a) to (e) of this section to determine and 899
assign an overall performance rating of "one star," "one and 900
one-half stars," "two stars," "two and one-half stars," "three 901
stars," "three and one-half stars," "four stars," "four and one- 902
half stars," or "five stars" for a district or building. The 903
method shall give equal weight to the components in divisions 904
(D) (3) (b) and (c) of this section. The method shall give equal 905
weight to the components in divisions (D) (3) (a), (d), and (e) of 906
this section. The individual weights of each of the components 907
prescribed in divisions (D) (3) (a), (d), and (e) of this section 908
shall be equal to one-half of the weight given to the component 909
prescribed in division (D) (3) (b) of this section. 910

(ii) If the joint committee on agency rule review approves 911
the department's rules regarding the college, career, workforce, 912
and military readiness component as described in division (D) (3) 913
(f) of this section, for the 2024-2025 school year, and each 914
school year thereafter, the state board's method shall use the 915
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 916
of this section to calculate the overall performance rating. The 917

method shall give equal weight to the components in divisions 918
(D) (3) (b) and (c) of this section. The method shall give equal 919
weight to the components prescribed in divisions (D) (3) (a), (d), 920
(e), and (f) of this section. The individual weights of each of 921
the components prescribed in divisions (D) (3) (a), (d), (e), and 922
(f) of this section shall be equal to one-half the weight given 923
to the component prescribed in division (D) (3) (b) of this 924
section. 925

If the joint committee on agency rule review disapproves 926
the department's rules regarding the college, career, workforce, 927
and military readiness component as described in division (D) (3) 928
(f) of this section, division (D) (3) (g) (ii) of this section does 929
not apply. 930

(4) (a) The state board shall adopt rules in accordance 931
with Chapter 119. of the Revised Code to establish the 932
performance criteria, benchmarks, and rating system necessary to 933
implement divisions (D) and (F) of this section, including the 934
method for the department to assign performance ratings under 935
division (D) (3) of this section. 936

(b) In establishing the performance criteria, benchmarks, 937
and rating system, the state board shall consult with 938
stakeholder groups and advocates that represent parents, 939
community members, students, business leaders, and educators 940
from different school typology regions. The state board shall 941
use data from prior school years and simulations to ensure that 942
there is meaningful differentiation among districts and 943
buildings across all performance ratings and that, except as 944
permitted in division (D) (3) (f) of this section, more than half 945
of all districts or buildings do not earn the same performance 946
rating in any component or overall performance rating. 947

(c) The state board shall adopt the rules prescribed by 948
division (D)(4) of this section not later than March 31, 2022. 949
However, the department shall notify districts and buildings of 950
the changes to the report card prescribed in law not later than 951
one week after the effective date of this amendment. 952

(d) Prior to adopting or updating rules under division (D) 953
(4) of this section, the president of the state board and the 954
department shall conduct a public presentation before the 955
standing committees of the house of representatives and the 956
senate that consider primary and secondary education legislation 957
describing the format for the report card and the performance 958
criteria, benchmarks, and rating system, including the method to 959
assign performance ratings under division (D)(3) of this 960
section. 961

(E) On or after July 1, 2015, the state board may develop 962
a measure of student academic progress for high school students 963
using only data from assessments in English language arts and 964
mathematics. If the state board develops this measure, each 965
school district and applicable school building shall be assigned 966
a separate letter grade for it not sooner than the 2017-2018 967
school year. The district's or building's grade for that measure 968
shall not be included in determining the district's or 969
building's overall letter grade. 970

(F)(1) The letter grades assigned to a school district or 971
building under this section shall be as follows: 972

(a) "A" for a district or school making excellent 973
progress; 974

(b) "B" for a district or school making above average 975
progress; 976

(c) "C" for a district or school making average progress;	977
(d) "D" for a district or school making below average progress;	978 979
(e) "F" for a district or school failing to meet minimum progress.	980 981
(2) For the overall performance rating under division (D)	982
(3) of this section, the department shall include a descriptor for each performance rating as follows:	983 984
(a) "Significantly exceeds state standards" for a performance rating of five stars;	985 986
(b) "Exceeds state standards" for a performance rating of four stars or four and one-half stars;	987 988
(c) "Meets state standards" for a performance rating of three stars or three and one-half stars;	989 990
(d) "Needs support to meet state standards" for a performance rating of two stars or two and one-half stars;	991 992
(e) "Needs significant support to meet state standards" for a performance rating of one star or one and one-half stars.	993 994
(3) For performance ratings for each component under divisions (D) (3) (a) to (f) of this section, the state board shall include a description of each component and performance rating. The description shall include component-specific context to each performance rating earned, estimated comparisons to other school districts and buildings if appropriate, and any other information determined by the state board. The descriptions shall be not longer than twenty-five words in length when possible. In addition to such descriptions, the state board shall include the descriptors in division (F) (2) of	995 996 997 998 999 1000 1001 1002 1003 1004

this section for component performance ratings. 1005

(4) Each report card issued under this section shall 1006
include all of the following: 1007

(a) A graphic that depicts the performance ratings of a 1008
district or school on a color scale. The color associated with a 1009
performance rating of three stars shall be green and the color 1010
associated with a performance rating of one star shall be red. 1011

(b) An arrow graphic that shows data trends for 1012
performance ratings for school districts or buildings. The state 1013
board shall determine the data to be used for this graphic, 1014
which shall include at least the three most recent years of 1015
data. 1016

(c) A description regarding the weights that are assigned 1017
to each component and used to determine an overall performance 1018
rating, as prescribed under division (D) (3) (g) of this section, 1019
which shall be included in the presentation of the overall 1020
performance rating on each report card. 1021

(G) When reporting data on student achievement and 1022
progress, the department shall disaggregate that data according 1023
to the following categories: 1024

(1) Performance of students by grade-level; 1025

(2) Performance of students by race and ethnic group; 1026

(3) Performance of students by gender; 1027

(4) Performance of students grouped by those who have been 1028
enrolled in a district or school for three or more years; 1029

(5) Performance of students grouped by those who have been 1030
enrolled in a district or school for more than one year and less 1031

than three years;	1032
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1033 1034
(7) Performance of students grouped by those who are economically disadvantaged;	1035 1036
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1037 1038 1039
(9) Performance of students grouped by those who are classified as English learners;	1040 1041
(10) Performance of students grouped by those who have disabilities;	1042 1043
(11) Performance of students grouped by those who are classified as migrants;	1044 1045
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	1046 1047 1048 1049 1050 1051 1052 1053 1054
(13) Performance of students grouped by those who perform in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the state board.	1055 1056 1057
The department may disaggregate data on student performance according to other categories that the department	1058 1059

determines are appropriate. To the extent possible, the 1060
department shall disaggregate data on student performance 1061
according to any combinations of two or more of the categories 1062
listed in divisions (G) (1) to (13) of this section that it deems 1063
relevant. 1064

In reporting data pursuant to division (G) of this 1065
section, the department shall not include in the report cards 1066
any data statistical in nature that is statistically unreliable 1067
or that could result in the identification of individual 1068
students. For this purpose, the department shall not report 1069
student performance data for any group identified in division 1070
(G) of this section that contains less than ten students. If the 1071
department does not report student performance data for a group 1072
because it contains less than ten students, the department shall 1073
indicate on the report card that is why data was not reported. 1074

(H) The department may include with the report cards any 1075
additional education and fiscal performance data it deems 1076
valuable. 1077

(I) The department shall include on each report card a 1078
list of additional information collected by the department that 1079
is available regarding the district or building for which the 1080
report card is issued. When available, such additional 1081
information shall include student mobility data disaggregated by 1082
race and socioeconomic status, college enrollment data, and the 1083
reports prepared under section 3302.031 of the Revised Code. 1084

The department shall maintain a site on the world wide 1085
web. The report card shall include the address of the site and 1086
shall specify that such additional information is available to 1087
the public at that site. The department shall also provide a 1088
copy of each item on the list to the superintendent of each 1089

school district. The district superintendent shall provide a 1090
copy of any item on the list to anyone who requests it. 1091

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1092
section, for any district that sponsors a conversion community 1093
school under Chapter 3314. of the Revised Code, the department 1094
shall combine data regarding the academic performance of 1095
students enrolled in the community school with comparable data 1096
from the schools of the district for the purpose of determining 1097
the performance of the district as a whole on the report card 1098
issued for the district under this section or section 3302.033 1099
of the Revised Code. 1100

(b) The department shall not combine data from any 1101
conversion community school that a district sponsors if a 1102
majority of the students enrolled in the conversion community 1103
school are enrolled in a dropout prevention and recovery program 1104
that is operated by the school, as described in division (A) (4) 1105
(a) of section 3314.35 of the Revised Code. The department shall 1106
include as an addendum to the district's report card the ratings 1107
and performance measures that are required under section 1108
3314.017 of the Revised Code for any community school to which 1109
division (J) (1) (b) of this section applies. This addendum shall 1110
include, at a minimum, the data specified in divisions (C) (1) 1111
(a), (C) (2), and (C) (3) of section 3314.017 of the Revised Code. 1112

(2) Any district that leases a building to a community 1113
school located in the district or that enters into an agreement 1114
with a community school located in the district whereby the 1115
district and the school endorse each other's programs may elect 1116
to have data regarding the academic performance of students 1117
enrolled in the community school combined with comparable data 1118
from the schools of the district for the purpose of determining 1119

the performance of the district as a whole on the district 1120
report card. Any district that so elects shall annually file a 1121
copy of the lease or agreement with the department. 1122

(3) Any municipal school district, as defined in section 1123
3311.71 of the Revised Code, that sponsors a community school 1124
located within the district's territory, or that enters into an 1125
agreement with a community school located within the district's 1126
territory whereby the district and the community school endorse 1127
each other's programs, may exercise either or both of the 1128
following elections: 1129

(a) To have data regarding the academic performance of 1130
students enrolled in that community school combined with 1131
comparable data from the schools of the district for the purpose 1132
of determining the performance of the district as a whole on the 1133
district's report card; 1134

(b) To have the number of students attending that 1135
community school noted separately on the district's report card. 1136

The election authorized under division (J) (3) (a) of this 1137
section is subject to approval by the governing authority of the 1138
community school. 1139

Any municipal school district that exercises an election 1140
to combine or include data under division (J) (3) of this 1141
section, by the first day of October of each year, shall file 1142
with the department documentation indicating eligibility for 1143
that election, as required by the department. 1144

(K) The department shall include on each report card the 1145
percentage of teachers in the district or building who are 1146
properly certified or licensed teachers, as defined in section 1147
3319.074 of the Revised Code, and a comparison of that 1148

percentage with the percentages of such teachers in similar 1149
districts and buildings. 1150

(L) (1) In calculating English language arts, mathematics, 1151
science, American history, or American government assessment 1152
passage rates used to determine school district or building 1153
performance under this section, the department shall include all 1154
students taking an assessment with accommodation or to whom an 1155
alternate assessment is administered pursuant to division (C) (1) 1156
or (3) of section 3301.0711 of the Revised Code and all students 1157
who take substitute examinations approved under division (B) (4) 1158
of section 3301.0712 of the Revised Code in the subject areas of 1159
science, American history and American government. 1160

(2) In calculating performance index scores, rates of 1161
achievement on the performance indicators established by the 1162
state board under section 3302.02 of the Revised Code, and 1163
annual measurable objectives for determining adequate yearly 1164
progress for school districts and buildings under this section, 1165
the department shall do all of the following: 1166

(a) Include for each district or building only those 1167
students who are included in the ADM certified for the first 1168
full school week of October and are continuously enrolled in the 1169
district or building through the time of the spring 1170
administration of any assessment prescribed by division (A) (1) 1171
or (B) (1) of section 3301.0710 or division (B) of section 1172
3301.0712 of the Revised Code that is administered to the 1173
student's grade level; 1174

(b) Include cumulative totals from both the fall and 1175
spring administrations of the third grade English language arts 1176
achievement assessment and, to the extent possible, the summer 1177
administration of that assessment; 1178

(c) Except as required by the No Child Left Behind Act of 1179
2001, exclude for each district or building any English learner 1180
who has been enrolled in United States schools for less than one 1181
full school year. 1182

(M) Beginning with the 2015-2016 school year and at least 1183
once every three years thereafter, the state board of education 1184
shall review and may adjust the benchmarks for assigning letter 1185
grades or performance ratings to the performance measures and 1186
components prescribed under divisions (C) (3), (D), and (E) of 1187
this section. 1188

Sec. 3303.07. (A) As used in this section: 1189

(1) "Lead district" has the same meaning as in section 1190
3317.023 of the Revised Code; 1191

(2) "Ohio technical center" has the same meaning as in 1192
section 3333.94 of the Revised Code. 1193

(B) The department of education shall establish the 1194
student pathways for career success grant program to provide 1195
grants to lead districts and Ohio technical centers for the 1196
purpose of improving or expanding upon career-technical 1197
education programming that meets state or regional workforce 1198
needs. 1199

(C) The state board of education shall adopt rules in 1200
accordance with Chapter 119. of the Revised Code to administer 1201
the program that address all of the following: 1202

(1) Grant eligibility requirements; 1203

(2) Grant application forms and procedures, including 1204
reapplication procedures; 1205

(3) Any other rules the state board considers necessary 1206

for the operation of the program. 1207

(D) When adopting rules under division (C) of this 1208
section, the state board may prioritize the awarding of grants 1209
for career-technical education programs that prepare students 1210
for occupations included in the list of in-demand jobs created 1211
under section 6301.11 of the Revised Code. 1212

Sec. 3313.6113. (A) The superintendent of public 1213
instruction, in collaboration with the governor's office of 1214
workforce transformation and representatives of business 1215
organizations, shall establish a committee to develop a list of 1216
industry-recognized credentials and licenses that may be used to 1217
qualify for a high school diploma under division (A) (3) of 1218
section 3313.618 of the Revised Code and shall be used for state 1219
report card purposes under section 3302.03 of the Revised Code. 1220
The state superintendent shall appoint the members of the 1221
committee not later than January 1, 2018. 1222

(B) The committee shall do the following: 1223

(1) Establish criteria for acceptable industry-recognized 1224
credentials and licenses aligned with the in-demand jobs list 1225
published by the department of job and family services; 1226

(2) Review the list of industry-recognized credentials and 1227
licenses that was in existence on January 1, 2018, and update 1228
the list as it considers necessary; 1229

(3) Review and update the list of industry-recognized 1230
credentials and licenses at least biennially; 1231

(4) Update the list of industry-recognized credentials to 1232
include a driver's license obtained by a student through a 1233
driver education course offered by a school district in 1234
accordance with section 3301.17 of the Revised Code. 1235

Sec. 3313.905. (A) As used in this section, "digital learning" has the same meaning as in section 3301.079 of the Revised Code. 1236
1237
1238

(B) The state board of education shall permit each career-technical education program approved under section 3317.161 of the Revised Code to provide remote or digital learning opportunities to students on a full-time or hybrid basis to the extent practicable. 1239
1240
1241
1242
1243

Sec. 3317.014. (A) The multiples for the following categories of career-technical education programs approved by the department of education under section 3317.161 of the Revised Code shall be as follows: 1244
1245
1246
1247

(1) A multiple of 0.6230 for students enrolled in career-technical education workforce development programs in agricultural and environmental systems, construction technologies, engineering and science technologies, finance, health science, information technology, and manufacturing technologies, each of which shall be defined by the department in consultation with the governor's office of workforce transformation; 1248
1249
1250
1251
1252
1253
1254
1255

(2) A multiple of 0.5905 for students enrolled in workforce development programs in business and administration, hospitality and tourism, human services, law and public safety, transportation systems, and arts and communications, each of which shall be defined by the department in consultation with the governor's office of workforce transformation; 1256
1257
1258
1259
1260
1261

(3) A multiple of 0.2154 for students enrolled in career-based intervention programs, which shall be defined by the department in consultation with the governor's office of 1262
1263
1264

workforce transformation; 1265

(4) A multiple of 0.1830 for students enrolled in 1266
workforce development programs in education and training, 1267
marketing, workforce development academics, public 1268
administration, and career development, each of which shall be 1269
defined by the department of education in consultation with the 1270
governor's office of workforce transformation; 1271

(5) A multiple of 0.1570 for students enrolled in family 1272
and consumer science programs, which shall be defined by the 1273
department of education in consultation with the governor's 1274
office of workforce transformation. 1275

(B) The multiple for career-technical education associated 1276
services, as defined by the department, shall be 0.0294. 1277

(C) The department of education shall calculate career- 1278
technical education funds for each funding unit that is a city, 1279
local, exempted village, or joint vocational school district or 1280
the community and STEM school unit as follows: 1281

(1) For fiscal years 2022 and 2023, the sum of the 1282
following: 1283

(a) The funding unit's category one career-technical 1284
education ADM X the multiple specified in division (A) (1) of 1285
this section X the statewide average career-technical base cost 1286
per pupil for that fiscal year X if the funding unit is a city, 1287
local, exempted village, or joint vocational school district, 1288
the district's state share percentage; 1289

(b) The funding unit's category two career-technical 1290
education ADM X the multiple specified in division (A) (2) of 1291
this section X the statewide average career-technical base cost 1292
per pupil for that fiscal year X if the funding unit is a city, 1293

local, exempted village, or joint vocational school district,	1294
the district's state share percentage;	1295
(c) The funding unit's category three career-technical	1296
education ADM X the multiple specified in division (A) (3) of	1297
this section X the statewide average career-technical base cost	1298
per pupil for that fiscal year X if the funding unit is a city,	1299
local, exempted village, or joint vocational school district,	1300
the district's state share percentage;	1301
(d) The funding unit's category four career-technical	1302
education ADM X the multiple specified in division (A) (4) of	1303
this section X the statewide average career-technical base cost	1304
per pupil for that fiscal year X if the funding unit is a city,	1305
local, exempted village, or joint vocational school district,	1306
the district's state share percentage;	1307
(e) The funding unit's category five career-technical	1308
education ADM X the multiple specified in division (A) (5) of	1309
this section X the statewide average career-technical base cost	1310
per pupil for that fiscal year X if the funding unit is a city,	1311
local, exempted village, or joint vocational school district,	1312
the district's state share percentage.	1313
(2) For fiscal year 2024 and each fiscal year thereafter,	1314
the sum of the following:	1315
(a) An amount calculated in a manner determined by the	1316
general assembly times the funding unit's category one career-	1317
technical education ADM;	1318
(b) An amount calculated in a manner determined by the	1319
general assembly times the funding unit's category two career-	1320
technical education ADM;	1321
(c) An amount calculated in a manner determined by the	1322

general assembly times the funding unit's category three career- 1323
technical education ADM; 1324

(d) An amount calculated in a manner determined by the 1325
general assembly times the funding unit's category four career- 1326
technical education ADM; 1327

(e) An amount calculated in a manner determined by the 1328
general assembly times the funding unit's category five career- 1329
technical education ADM. 1330

(3) Payment of funds calculated under division (C) of this 1331
section is subject to approval under section 3317.161 of the 1332
Revised Code. 1333

(D) Subject to division (I) of section 3317.023 of the 1334
Revised Code, the department shall calculate career-technical 1335
associated services funds for each funding unit that is a city, 1336
local, exempted village, or joint vocational school district or 1337
the community and STEM school unit as follows: 1338

(1) For fiscal years 2022 and 2023, the following product: 1339

If the funding unit is a city, local, exempted village, or joint 1340
vocational school district, the funding unit's state share 1341
percentage X the multiple for career-technical education 1342
associated services specified under division (B) of this section 1343
X the statewide average career-technical base cost per pupil for 1344
that fiscal year X the sum of the funding unit's categories one 1345
through five career-technical education ADM 1346

(2) For fiscal year 2024 and each fiscal year thereafter, 1347
an amount calculated in a manner determined by the general 1348
assembly times the funding unit's categories one through five 1349
career-technical education ADM. 1350

~~(E) Subject to~~ (E) (1) In accordance with division (I) of 1351
section 3317.023 of the Revised Code, the department shall ~~pay~~ 1352
compute career awareness and exploration funds ~~to~~ for each city, 1353
local, exempted village, and joint vocational school district, 1354
community school established under Chapter 3314. of the Revised 1355
Code, and STEM school established under Chapter 3326. of the 1356
Revised Code that is part of a career technical planning 1357
district. The department shall pay the lead district in each 1358
career technical planning district as follows: 1359

~~(1) (a)~~ For fiscal years 2022 and 2023, an amount equal to 1360
the following product: 1361

~~The district's or school's enrolled ADM~~ sum of enrolled ADM for 1362
all districts and schools within the career technical planning 1363
district X \$2.50, for fiscal year 2022, or \$5, for fiscal year 1364
2023 1365

~~(2) (b)~~ For fiscal year 2024 and each fiscal year 1366
thereafter, an amount calculated in a manner determined by the 1367
general assembly, if the general assembly authorizes such a 1368
payment to city, local, exempted village, and joint vocational 1369
school districts, community schools, and STEM schools. 1370

(2) The lead district of a career technical planning 1371
district shall use career awareness and exploration funds in 1372
accordance with division (H) of this section. 1373

(F) (1) In any fiscal year, a school district receiving 1374
funds calculated under division (C) of this section shall spend 1375
those funds only for the purposes that the department designates 1376
as approved for career-technical education expenses. Career- 1377
technical education expenses approved by the department shall 1378
include only expenses connected to the delivery of career- 1379

technical programming to career-technical students. The 1380
department shall require the school district to report data 1381
annually so that the department may monitor the district's 1382
compliance with the requirements regarding the manner in which 1383
funding calculated under division (C) of this section may be 1384
spent. 1385

(2) All funds received under division (C) of this section 1386
shall be spent in the following manner: 1387

(a) At least seventy-five per cent of the funds shall be 1388
spent on curriculum development, purchase, and implementation; 1389
instructional resources and supplies; industry-based program 1390
certification; student assessment, credentialing, and placement; 1391
curriculum specific equipment purchases and leases; career- 1392
technical student organization fees and expenses; home and 1393
agency linkages; work-based learning experiences; professional 1394
development; and other costs directly associated with career- 1395
technical education programs including development of new 1396
programs. 1397

(b) Not more than twenty-five per cent of the funds shall 1398
be used for personnel expenditures. 1399

(G) In any fiscal year, a school district receiving funds 1400
calculated under division (D) of this section, or through a 1401
transfer of funds pursuant to division (I) of section 3317.023 1402
of the Revised Code, shall spend those funds only for the 1403
purposes that the department designates as approved for career- 1404
technical education associated services expenses, which may 1405
include such purposes as apprenticeship coordinators, 1406
coordinators for other career-technical education services, 1407
career-technical evaluation, and other purposes designated by 1408
the department. The department may deny payment of funds 1409

calculated under division (D) of this section to any district 1410
that the department determines is not operating those services 1411
or is using funds calculated under division (D) of this section, 1412
or through a transfer of funds pursuant to division (I) of 1413
section 3317.023 of the Revised Code, for other purposes. 1414

(H) In any fiscal year, a lead district of a career- 1415
technical planning district receiving funds under division (E) 1416
of this section, ~~or through a transfer of funds pursuant to~~ 1417
~~division (I) of section 3317.023 of the Revised Code, shall~~ 1418
~~disperse shall utilize those funds to school districts,~~ 1419
~~community schools, and STEM schools receiving services from that~~ 1420
~~district that provide plans for the use of those funds that are~~ 1421
deliver relevant career awareness and exploration programs to 1422
all students within its career technical planning district in a 1423
manner that is consistent with the career-technical planning 1424
district's plan that is on file with the department of 1425
education. ~~A The lead district or school~~ that receives funds 1426
under this division shall spend those funds only for the 1427
following purposes: 1428

(1) Delivery of career awareness programs to students 1429
enrolled in grades kindergarten through twelve; 1430

(2) Provision of a common, consistent curriculum to 1431
students throughout their primary and secondary education; 1432

(3) Assistance to teachers in providing a career 1433
development curriculum to students; 1434

(4) Development of a career development plan for each 1435
student that stays with that student for the duration of the 1436
student's primary and secondary education; 1437

(5) Provision of opportunities for students to engage in 1438

activities, such as career fairs, hands-on experiences, and job shadowing, across all career pathways at each grade level. 1439
1440

The department may deny payment under this division to any district or school that the department determines is using funds paid under this division for other purposes. 1441
1442
1443

Sec. 3317.162. (A) As used in this section, "JobsOhio" has the same meaning as in section 187.01 of the Revised Code. 1444
1445

(B) The governor's office of workforce transformation, in collaboration with the department of education, the chancellor of higher education, and JobsOhio, shall create a program that establishes financial incentives for Ohio businesses to provide work-based learning experiences for students enrolled in a career-technical education program approved under section 3317.161 of the Revised Code. 1446
1447
1448
1449
1450
1451
1452

(C) To qualify for the financial incentives of the program created under this section, a business's work-based learning experiences shall align with the framework developed by the department under division (J)(3) of section 3313.603 of the Revised Code and with the applicable minor labor laws under section 4109.02 of the Revised Code. 1453
1454
1455
1456
1457
1458

Sec. 3333.125. (A) As used in this section: 1459

(1) "Eligible student" means an individual who satisfies all of the following: 1460
1461

(a) The individual is an Ohio resident. 1462

(b) The individual is enrolled in ~~a certified commercial driver's license~~ an eligible school. 1463
1464

(c) The individual has passed a drug test. 1465

(d) The individual does not have more than three moving 1466
violations in two consecutive years. If an individual who the 1467
~~chancellor of higher education~~ eligible school has determined is 1468
an eligible student has three moving violations in two 1469
consecutive years while participating in the program, the 1470
individual shall no longer be considered eligible for continued 1471
participation in the program. 1472

(e) The individual has not plead guilty to or been 1473
convicted of operating a vehicle under the influence of alcohol 1474
or a drug of abuse under section 4511.19 of the Revised Code in 1475
the past twelve months. If an individual who the ~~chancellor~~ 1476
eligible school has determined is an eligible student pleads 1477
guilty to or is convicted of operating a vehicle under the 1478
influence of alcohol or a drug of abuse while participating in 1479
the program, the individual shall no longer be considered 1480
eligible for continued participation in the program. 1481

(f) The individual meets any additional eligibility 1482
criteria established under rules adopted by the chancellor, in 1483
consultation with the director of public safety, under division 1484
~~(G)~~ (F) of this section. 1485

(2) ~~"Certified commercial driver's license school" means a~~ 1486
~~commercial driver's license school certified by the chancellor.~~ 1487
~~The chancellor shall adopt requirements for approval of~~ 1488
~~certification and review applications based on those~~ 1489
~~requirements.~~ "Eligible school" means either of the following: 1490

(a) A commercial driver training school certified by the 1491
director of public safety as holding a license issued pursuant 1492
to section 4508.03 or 4508.09 of the Revised Code, rules adopted 1493
under either of those sections, and other necessary standards 1494
and procedures as determined by the director; 1495

(b) A program exempted from licensure by the director of public safety under section 4508.07 of the Revised Code but approved to be a commercial driver training school by the chancellor and the director for purposes of the student aid program at any of the following: 1496
1497
1498
1499
1500

(i) A state institution of higher education, as defined in section 3345.011 of the Revised Code; 1501
1502

(ii) A career college or school in this state that holds a certificate of registration from the state board of career colleges and schools under Chapter 3332. of the Revised Code; 1503
1504
1505

(iii) A private, nonprofit institution in this state that holds a certificate of authorization pursuant to Chapter 1713. of the Revised Code; 1506
1507
1508

(iv) A private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code, if the program has a certificate of authorization pursuant to Chapter 1713. of the Revised Code; 1509
1510
1511
1512

(v) A career-technical center, joint vocational school district, comprehensive career-technical center, or compact career-technical center offering adult training. 1513
1514
1515

~~No commercial-driver's license driver training school that charges employers recruiting fees shall be certified under this division.~~ 1516
1517
1518

~~A certified commercial driver's license program offered by a career college in this state that holds a certificate of registration from the state board of career colleges and schools under Chapter 3332. of the Revised Code or at a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised~~ 1519
1520
1521
1522
1523
1524

~~Code shall be considered a certified commercial driver's license school.~~ 1525
1526

(3) ~~"Cost of attendance" and "expected family contribution" shall be defined by the chancellor.~~ 1527
1528

~~(4)~~ "Employed in this state" means either of the 1529
following: 1530

(a) An individual is employed as a truck driver by an 1531
entity that has a valid mailing address in the state. 1532

(b) An individual is self-employed as a truck driver using 1533
a valid mailing address in the state. 1534

~~(5)~~ (4) "Moving violation" has the same meaning as in 1535
section 4510.01 of the Revised Code. 1536

(B) The commercial truck driver student aid program is 1537
hereby established. Under the program, the chancellor of higher 1538
education shall ~~pay~~ make awards to ~~an~~ eligible schools. Schools 1539
that receive such awards shall distribute to an eligible student 1540
who commits to reside in and be employed in this state for a 1541
minimum of one year upon completion of a ~~certified commercial~~ 1542
~~driver's license~~ driver training program a combination of a 1543
grant and a loan in the amounts prescribed by the chancellor 1544
under division (D) of this section to pay for the costs of a 1545
~~certified commercial driver's license~~ driver training program at 1546
~~a certified commercial driver's license~~ an eligible school. 1547

(C) There is hereby established in the state treasury the 1548
commercial truck driver student aid fund, which shall consist of 1549
funds appropriated by the general assembly for purposes of this 1550
section and funds received as repayment for loans awarded under 1551
this section. 1552

The fund shall be used by the chancellor for grants and 1553
loans made under this section and for expenses of creating and 1554
administering the program. 1555

~~(D) (1) The grant amount awarded to an eligible student~~ 1556
~~shall equal one half of the student's remaining state cost of~~ 1557
~~attendance after the student's Pell grant and expected family~~ 1558
~~contribution are applied to the instructional and general~~ 1559
~~charges for the student's enrollment in the certified commercial~~ 1560
~~driver's license school. chancellor shall determine the grant and~~ 1561
~~loan amount awarded to an eligible student.~~ 1562

Except as provided in ~~divisions~~ division (D) (2) ~~and (E)~~ of 1563
this section, the chancellor also shall award a loan to an 1564
eligible student in the same amount as the grant. A loan for an 1565
eligible student's program costs under this section shall not 1566
exceed ten thousand dollars. The total amount of a grant and a 1567
loan awarded to an eligible student under this section shall not 1568
exceed the cost of tuition and related expenses for an eligible 1569
school's commercial driver training program. 1570

(2) If, for any academic year, the amounts available for 1571
support of the program are inadequate to provide grants and 1572
loans to all eligible students who apply for participation or 1573
are participating in the program, the chancellor shall 1574
proportionately reduce the amount of each grant and loan to be 1575
awarded for the academic year. 1576

~~(E) The amount of a grant and a loan awarded to an~~ 1577
~~eligible student under this section shall be in addition to what~~ 1578
~~the eligible student receives under the Ohio college opportunity~~ 1579
~~grant under section 3333.122 of the Revised Code. If an eligible~~ 1580
~~student receives a grant under section 3333.122 of the Revised~~ 1581
~~Code, the chancellor shall decrease the amount of the eligible~~ 1582

~~student's loan under this section by the amount of the grant~~ 1583
~~received under that section.~~ 1584

~~(F)(1)~~ (E)(1) The chancellor shall be responsible for 1585
making deposits and withdrawals and maintaining records 1586
pertaining to the student aid program. 1587

(2) Each eligible student who accepts a grant or loan 1588
under division (B) of this section shall sign a promissory note 1589
payable to the state in the event the student fails to do either 1590
of the following: 1591

(a) Satisfy the residency and employment requirement under 1592
that division; 1593

(b) Complete the ~~certified commercial driver's license~~ 1594
driver training program in which the student was enrolled. 1595

~~(2)~~ (3) The amount payable under the note shall be the 1596
amount of the grant or loan accepted by the student plus 1597
interest accrued annually beginning either one calendar year 1598
after the student completes a ~~certified commercial driver's~~ 1599
~~license~~ driver training program or immediately after the student 1600
disenrolls from, or does not complete, a ~~certified commercial~~ 1601
~~driver's license~~ driver training program. The chancellor shall 1602
determine the interest rate and period of repayment under the 1603
note. The chancellor may consult with the attorney general and 1604
the treasurer of state when determining the interest rate and 1605
period of repayment. 1606

~~(3)~~ (4) The note shall stipulate that the obligation to 1607
make payments under the note is canceled once either of the 1608
following applies to the student: 1609

(a) The student completes a ~~certified commercial driver's~~ 1610
~~license~~ driver training program and meets the residency and 1611

employment requirement under division (B) of this section. 1612

(b) The student dies or becomes totally and permanently 1613
disabled. 1614

~~(G)~~ (F) The chancellor, in consultation with the director 1615
of public safety, shall adopt rules, in accordance with Chapter 1616
119. of the Revised Code, necessary for the operation of the 1617
program, including rules for all of the following: 1618

(1) Terms and conditions for loans under the program; 1619

(2) Requirements for certification of commercial ~~driver's~~ 1620
~~license~~ driver training schools; 1621

(3) Additional eligibility criteria that the chancellor 1622
determines necessary for individuals participating in the 1623
program. 1624

Sec. 3345.011. "State university" means a public 1625
institution of higher education which is a body politic and 1626
corporate. Each of the following institutions of higher 1627
education shall be recognized as a state university: university 1628
of Akron, Bowling Green state university, Central state 1629
university, university of Cincinnati, Cleveland state 1630
university, Kent state university, Miami university, northeast 1631
Ohio medical university, Ohio university, Ohio state university, 1632
Shawnee state university, university of Toledo, Wright state 1633
university, and Youngstown state university. 1634

"State institution of higher education" means any state 1635
university or college as defined in division (A) (1) of section 1636
3345.12 of the Revised Code, community college, state community 1637
college, university branch established under Chapter 3355. of 1638
the Revised Code, or technical college. 1639

"University system of Ohio" means the collective group of 1640
all of the state institutions of higher education. 1641

"Member of the university system of Ohio" means any 1642
individual state institution of higher education. 1643

Sec. 3350.11. The board of trustees of the northeast Ohio 1644
medical university shall annually elect from its members a 1645
chairperson and a vice-chairperson. The board may also appoint a 1646
secretary of the board, a treasurer, and such other officers of 1647
the university as the interest of the university requires, who 1648
may be members of the board. The board may also appoint boards 1649
or commissions to assist the officers of the university with its 1650
operation. The treasurer, before entering upon the discharge of 1651
the official duties of treasurer, shall give bond or insurance 1652
to the state for the faithful performance of the official duties 1653
of treasurer and the proper accounting for all moneys coming 1654
into the treasurer's care. The amount of the bonds or insurance 1655
shall be determined by the board, but shall not be for a sum 1656
less than the estimated amount which may come into the 1657
treasurer's control at any time, less any reasonable deductible. 1658
~~The bonds shall be approved by the attorney general.~~ 1659

Sec. 3735.671. (A) If construction or remodeling of 1660
commercial or industrial property is to be exempted from 1661
taxation pursuant to section 3735.67 of the Revised Code, the 1662
legislative authority and the owner of the property, prior to 1663
the commencement of construction or remodeling, shall enter into 1664
a written agreement, binding on both parties for a period of 1665
time that does not end prior to the end of the period of the 1666
exemption, that includes all of the information and statements 1667
prescribed by this section. Agreements may include terms not 1668
prescribed by this section, but such terms shall in no way 1669

derogate from the information and statements prescribed by this 1670
section. 1671

(1) Except as otherwise provided in division (A) (2) or (3) 1672
of this section, an agreement entered into under this section 1673
shall not be approved by the legislative authority unless the 1674
board of education of the city, local, or exempted village 1675
school district within the territory of which the property is or 1676
will be located approves the agreement. For the purpose of 1677
obtaining such approval, the legislative authority shall certify 1678
a copy of the agreement to the board of education not later than 1679
forty-five days prior to approving the agreement, excluding 1680
Saturday, Sunday, and a legal holiday as defined in section 1.14 1681
of the Revised Code. The board of education, by resolution 1682
adopted by a majority of the board, shall approve or disapprove 1683
the agreement and certify a copy of the resolution to the 1684
legislative authority not later than fourteen days prior to the 1685
date stipulated by the legislative authority as the date upon 1686
which approval of the agreement is to be formally considered by 1687
the legislative authority. The board of education may include in 1688
the resolution conditions under which the board would approve 1689
the agreement. The legislative authority may approve an 1690
agreement at any time after the board of education certifies its 1691
resolution approving the agreement to the legislative authority, 1692
or, if the board approves the agreement conditionally, at any 1693
time after the conditions are agreed to by the board and the 1694
legislative authority. 1695

(2) Approval of an agreement by the board of education is 1696
not required under division (A) (1) of this section if, for each 1697
tax year the real property is exempted from taxation, the sum of 1698
the following quantities, as estimated at or prior to the time 1699
the agreement is formally approved by the legislative authority, 1700

equals or exceeds fifty per cent of the amount of taxes, as 1701
estimated at or prior to that time, that would have been charged 1702
and payable that year upon the real property had that property 1703
not been exempted from taxation: 1704

(a) The amount of taxes charged and payable on any portion 1705
of the assessed valuation of the new structure or of the 1706
increased assessed valuation of an existing structure after 1707
remodeling began that will not be exempted from taxation under 1708
the agreement; 1709

(b) The amount of taxes charged and payable on tangible 1710
personal property located on the premises of the new structure 1711
or of the structure to be remodeled under the agreement, whether 1712
payable by the owner of the structure or by a related member, as 1713
defined in section 5733.042 of the Revised Code without regard 1714
to division (B) of that section. 1715

(c) The amount of any cash payment by the owner of the new 1716
structure or structure to be remodeled to the school district, 1717
the dollar value, as mutually agreed to by the owner and the 1718
board of education, of any property or services provided by the 1719
owner of the property to the school district, whether by gift, 1720
loan, or otherwise, and any payment by the legislative authority 1721
to the school district pursuant to section 5709.82 of the 1722
Revised Code. 1723

The estimates of quantities used for purposes of division 1724
(A) (2) of this section shall be estimated by the legislative 1725
authority. The legislative authority shall certify to the board 1726
of education that the estimates have been made in good faith. 1727
Departures of the actual quantities from the estimates 1728
subsequent to approval of the agreement by the board of 1729
education do not invalidate the agreement. 1730

(3) If a board of education has adopted a resolution 1731
waiving its right to approve agreements and the resolution 1732
remains in effect, approval of an agreement by the board is not 1733
required under this division. If a board of education has 1734
adopted a resolution allowing a legislative authority to deliver 1735
the notice required under this division fewer than forty-five 1736
business days prior to the legislative authority's execution of 1737
the agreement, the legislative authority shall deliver the 1738
notice to the board not later than the number of days prior to 1739
such execution as prescribed by the board in its resolution. If 1740
a board of education adopts a resolution waiving its right to 1741
approve agreements or shortening the notification period, the 1742
board shall certify a copy of the resolution to the legislative 1743
authority. If the board of education rescinds such a resolution, 1744
it shall certify notice of the rescission to the legislative 1745
authority. 1746

(4) If the owner of the property or the legislative 1747
authority agree to make any payment to the school district as 1748
described in division (A) (2) (c) of this section, the owner or 1749
legislative authority shall agree to make payments to the joint 1750
vocational school district within which the property is located 1751
at the same rate or amount and under the same terms received by 1752
the city, local, or exempted village school district. 1753

(B) Each agreement shall include the following 1754
information: 1755

(1) The names of all parties to the agreement; 1756

(2) A description of the remodeling or construction, 1757
whether or not to be exempted from taxation, including existing 1758
or new structure size and cost thereof; the value of machinery, 1759
equipment, furniture, and fixtures, including an itemization of 1760

the value of machinery, equipment, furniture, and fixtures used 1761
at another location in this state prior to the agreement and 1762
relocated or to be relocated from that location to the property, 1763
and the value of machinery, equipment, furniture, and fixtures 1764
at the facility prior to the execution of the agreement; the 1765
value of inventory at the property, including an itemization of 1766
the value of inventory held at another location in this state 1767
prior to the agreement and relocated or to be relocated from 1768
that location to the property, and the value of inventory held 1769
at the property prior to the execution of the agreement; 1770

(3) The scheduled starting and completion dates of 1771
remodeling or construction of real property or of investments 1772
made in machinery, equipment, furniture, fixtures, and 1773
inventory; 1774

(4) Estimates of the number of employee positions to be 1775
created each year of the agreement and of the number of employee 1776
positions retained by the owner due to the remodeling or 1777
construction, itemized as to the number of full-time, part-time, 1778
permanent, and temporary positions; 1779

(5) Estimates of the dollar amount of payroll attributable 1780
to the positions set forth in division (B)(4) of this section, 1781
similarly itemized; 1782

(6) The number of employee positions, if any, at the 1783
property and at any other location in this state at the time the 1784
agreement is executed, itemized as to the number of full-time, 1785
part-time, permanent, and temporary positions. 1786

(C) Each agreement shall set forth the following 1787
information and incorporate the following statements: 1788

(1) A description of real property to be exempted from 1789

taxation under the agreement, the percentage of the assessed 1790
valuation of the real property exempted from taxation, and the 1791
period for which the exemption is granted, accompanied by the 1792
statement: "The exemption commences the first year for which the 1793
real property would first be taxable were that property not 1794
exempted from taxation. No exemption shall commence after 1795
_____ (insert date) nor extend beyond _____ (insert 1796
date)."

(2) "_____ (insert name of owner) shall pay such real 1798
property taxes as are not exempted under this agreement and are 1799
charged against such property and shall file all tax reports and 1800
returns as required by law. If _____ (insert name of owner) 1801
fails to pay such taxes or file such returns and reports, 1802
exemptions from taxation granted under this agreement are 1803
rescinded beginning with the year for which such taxes are 1804
charged or such reports or returns are required to be filed and 1805
thereafter."

(3) "_____ (insert name of owner) hereby certifies 1807
that at the time this agreement is executed, _____ (insert 1808
name of owner) does not owe any delinquent real or tangible 1809
personal property taxes to any taxing authority of the State of 1810
Ohio, and does not owe delinquent taxes for which _____ 1811
(insert name of owner) is liable under Chapter 5733., 5735., 1812
5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code, 1813
or, if such delinquent taxes are owed, _____ (insert name 1814
of owner) currently is paying the delinquent taxes pursuant to 1815
an undertaking enforceable by the State of Ohio or an agent or 1816
instrumentality thereof, has filed a petition in bankruptcy 1817
under 11 U.S.C.A. 101, et seq., or such a petition has been 1818
filed against _____ (insert name of owner). For the 1819
purposes of this certification, delinquent taxes are taxes that 1820

remain unpaid on the latest day prescribed for payment without 1821
penalty under the chapter of the Revised Code governing payment 1822
of those taxes." 1823

(4) "_____ (insert name of municipal corporation or 1824
county) shall perform such acts as are reasonably necessary or 1825
appropriate to effect, claim, reserve, and maintain exemptions 1826
from taxation granted under this agreement including, without 1827
limitation, joining in the execution of all documentation and 1828
providing any necessary certificates required in connection with 1829
such exemptions." 1830

(5) "If for any reason _____ (insert name of 1831
municipal corporation or county) revokes the designation of the 1832
area, entitlements granted under this agreement shall continue 1833
for the number of years specified under this agreement, unless 1834
_____ (insert name of owner) materially fails to fulfill 1835
its obligations under this agreement and _____ 1836
(insert name of municipal corporation or county) terminates or 1837
modifies the exemptions from taxation pursuant to this 1838
agreement." 1839

(6) "If _____ (insert name of owner) materially fails 1840
to fulfill its obligations under this agreement, or if 1841
_____ (insert name of municipal corporation or county) 1842
determines that the certification as to delinquent taxes 1843
required by this agreement is fraudulent, _____ (insert 1844
name of municipal corporation or county) may terminate or modify 1845
the exemptions from taxation granted under this agreement." 1846

(7) "_____ (insert name of owner) shall provide to 1847
the proper tax incentive review council any information 1848
reasonably required by the council to evaluate the applicant's 1849
compliance with the agreement, including returns filed pursuant 1850

to section 5711.02 of the Ohio Revised Code if requested by the council." 1851
1852

(8) "This agreement is not transferable or assignable without the express, written approval of _____ (insert name of municipal corporation or county)." 1853
1854
1855

(9) "Exemptions from taxation granted under this agreement shall be revoked if it is determined that _____ (insert name of owner), any successor to that person, or any related member (as those terms are defined in division (E) of section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under division (E) of section 3735.671 or section 5709.62 or 5709.63 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections." 1856
1857
1858
1859
1860
1861
1862
1863
1864

(10) "_____ (insert name of owner) and _____ (insert name of municipal corporation or county) acknowledge that this agreement must be approved by formal action of the legislative authority of _____ (insert name of municipal corporation or county) as a condition for the agreement to take effect. This agreement takes effect upon such approval." 1865
1866
1867
1868
1869
1870

The statement described in division (C)(6) of this section may include the following statement, appended at the end of the statement: ", and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement." If the agreement includes a statement requiring repayment of exempted taxes, it also may authorize the legislative authority to secure repayment of such taxes by a lien on the exempted property in the amount required to be repaid. Such a lien shall attach, and may be perfected, collected, and enforced, in the same manner as a 1871
1872
1873
1874
1875
1876
1877
1878
1879
1880

mortgage lien on real property, and shall otherwise have the same force and effect as a mortgage lien on real property.

(D) Except as otherwise provided in this division, an agreement entered into under this section shall require that the owner pay an annual fee equal to the greater of one per cent of the amount of taxes exempted under the agreement or five hundred dollars; provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars. The fee shall be payable to the legislative authority once per year for each year the agreement is effective on the days and in the form specified in the agreement. Fees paid shall be deposited in a special fund created for such purpose by the legislative authority and shall be used by the legislative authority exclusively for the purpose of complying with section 3735.672 of the Revised Code and by the tax incentive review council created under section 5709.85 of the Revised Code exclusively for the purposes of performing the duties prescribed under that section. The legislative authority may waive or reduce the amount of the fee, but such waiver or reduction does not affect the obligations of the legislative authority or the tax incentive review council to comply with section 3735.672 or 5709.85 of the Revised Code.

(E) If any person that is party to an agreement granting an exemption from taxation discontinues operations at the structure to which that exemption applies prior to the expiration of the term of the agreement, that person, any successor to that person, and any related member shall not enter into an agreement under this section or section 5709.62, 5709.63, or 5709.632 of the Revised Code, and no legislative authority shall enter into such an agreement with such a person, successor, or related member, prior to the expiration of five

years after the discontinuation of operations. As used in this 1912
division, "successor" means a person to which the assets or 1913
equity of another person has been transferred, which transfer 1914
resulted in the full or partial nonrecognition of gain or loss, 1915
or resulted in a carryover basis, both as determined by rule 1916
adopted by the tax commissioner. "Related member" has the same 1917
meaning as defined in section 5733.042 of the Revised Code 1918
without regard to division (B) of that section. 1919

The director of development services shall review all 1920
agreements submitted to the director under division (F) of this 1921
section for the purpose of enforcing this division. If the 1922
director determines there has been a violation of this division, 1923
the director shall notify the legislative authority of such 1924
violation, and the legislative authority immediately shall 1925
revoke the exemption granted under the agreement. 1926

(F) When an agreement is entered into under this section, 1927
the legislative authority authorizing the agreement shall 1928
forward a copy of the agreement to the director of development 1929
services within fifteen days after the agreement is entered 1930
into. 1931

Sec. 4715.39. (A) The state dental board may define the 1932
duties that may be performed by dental assistants and other 1933
individuals designated by the board as qualified personnel. If 1934
defined, the duties shall be defined in rules adopted in 1935
accordance with Chapter 119. of the Revised Code. The rules may 1936
include training and practice standards for dental assistants 1937
and other qualified personnel. The standards may include 1938
examination and issuance of a certificate. If the board issues a 1939
certificate, the recipient shall display the certificate in a 1940
conspicuous location in any office in which the recipient is 1941

employed to perform the duties authorized by the certificate. 1942

(B) A dental assistant may polish the clinical crowns of 1943
teeth if all of the following requirements are met: 1944

(1) The dental assistant's polishing activities are 1945
limited to the use of a rubber cup attached to a slow-speed 1946
rotary dental hand piece to remove soft deposits that build up 1947
over time on the crowns of teeth. 1948

(2) The polishing is performed only after a dentist has 1949
evaluated the patient and any calculus detected on the teeth to 1950
be polished has been removed by a dentist or dental hygienist. 1951

(3) The dentist supervising the assistant supervises not 1952
more than two dental assistants engaging in polishing activities 1953
at any given time. 1954

(4) The dental assistant is certified by the dental 1955
assisting national board ~~or~~, the Ohio commission on dental 1956
assistant certification, or the American medical technologists. 1957

(5) The dental assistant receives a certificate from the 1958
board authorizing the assistant to engage in the polishing 1959
activities. The board shall issue the certificate if the 1960
individual has successfully completed training in the polishing 1961
of clinical crowns through a program accredited by the American 1962
dental association commission on dental accreditation or 1963
equivalent training approved by the board. The training shall 1964
include courses in basic dental anatomy and infection control, 1965
followed by a course in coronal polishing that includes 1966
didactic, preclinical, and clinical training; any other training 1967
required by the board; and a skills assessment that includes 1968
successful completion of standardized testing. The board shall 1969
adopt rules pursuant to division (A) of this section 1970

establishing standards for approval of this training. 1971

(C) A dental assistant may apply pit and fissure sealants 1972
if all of the following requirements are met: 1973

(1) A dentist evaluates the patient and designates the 1974
teeth and surfaces that will benefit from the application of 1975
sealant on the day the application is to be performed. 1976

(2) The dental assistant is certified by the dental 1977
assisting national board ~~or~~, the Ohio commission on dental 1978
assistant certification, or the American medical technologists. 1979

(3) The dental assistant has successfully completed a 1980
course in the application of sealants consisting of at least two 1981
hours of didactic instruction and six hours of clinical 1982
instruction through a program provided by an institution 1983
accredited by the American dental association commission on 1984
dental accreditation or a program provided by a sponsor of 1985
continuing education approved by the board. 1986

(4) The dentist supervising the assistant has observed the 1987
assistant successfully apply at least six sealants. 1988

(5) Except as provided in division (D) or (E) of this 1989
section, the dentist supervising the assistant checks and 1990
approves the application of all sealants placed by the assistant 1991
before the patient leaves the location where the sealant 1992
application procedure is performed. 1993

(D) (1) A dental assistant who is certified by the dental 1994
assisting national board ~~or~~, the Ohio commission on dental 1995
assistant certification, or the American medical technologists 1996
may provide, for not more than fifteen consecutive business 1997
days, all of the following services to a patient when the 1998
supervising dentist is not physically present at the location 1999

where the services are provided if the conditions specified in	2000
division (D) (2) of this section have been satisfied:	2001
(a) Recementation of temporary crowns or recementation of	2002
crowns with temporary cement;	2003
(b) Application of fluoride varnish;	2004
(c) Application of disclosing solutions;	2005
(d) Application of desensitizing agents, excluding silver	2006
diamine fluoride;	2007
(e) Caries susceptibility testing;	2008
(f) Instruction on oral hygiene home care, including the	2009
use of toothbrushes and dental floss.	2010
(2) The conditions that must be satisfied before a dental	2011
assistant may provide the services specified in division (D) (1)	2012
of this section are all of the following:	2013
(a) The dental assistant has at least one year and a	2014
minimum of one thousand five hundred hours of experience	2015
practicing as a dental assistant.	2016
(b) The dental assistant has successfully completed a	2017
course approved by the state dental board in the identification	2018
and prevention of potential medical emergencies.	2019
(c) The supervising dentist has evaluated the dental	2020
assistant's skills.	2021
(d) The supervising dentist has established written	2022
protocols or written standing orders for the dental assistant to	2023
follow during and in the absence of an emergency.	2024
(e) The supervising dentist completed and evaluated a	2025
medical and dental history of the patient not more than one year	2026

prior to the date that the dental assistant provides services to 2027
the patient, and the supervising dentist determines that the 2028
patient is in a medically stable condition. 2029

(f) The patient is notified, in advance of the appointment 2030
for services, that the supervising dentist will be absent from 2031
the location and that the dental assistant cannot diagnose the 2032
patient's dental health care status. 2033

(g) The dental assistant is employed by, or under contract 2034
with, the supervising dentist, a dentist licensed under this 2035
chapter who meets one of the criteria specified in division (C) 2036
(10)(b) of section 4715.22 of the Revised Code, or a government 2037
entity that employs the dental assistant to provide services in 2038
a public school or in connection with other programs the 2039
government entity administers. 2040

(3) A dental assistant who is certified by the dental 2041
assisting national board ~~or~~, the Ohio commission on dental 2042
assistant certification, or the American medical technologists 2043
may apply, for not more than fifteen business days, pit and 2044
fissure sealants when the supervising dentist is not physically 2045
present at the location where the sealants are to be applied if 2046
the dental assistant meets the requirements in divisions (C)(3) 2047
and (4) of this section and all of the conditions specified in 2048
division (D)(2) of this section have been satisfied. 2049

(E) A dental assistant who is certified by the dental 2050
assisting national board ~~or~~, the Ohio commission on dental 2051
assistant certification, or the American medical technologists 2052
may apply pit and fissure sealants prior to a dentist examining 2053
the patient and rendering a diagnosis, and when a dentist is not 2054
physically present at the location where the service is 2055
provided, if all of the following are the case: 2056

- (1) The dental assistant meets the requirements in 2057
divisions (C) (3) and (4) of this section. 2058
- (2) The conditions specified in divisions (D) (2) (a), (b), 2059
(c), (d), (f), and (g) of this section have been satisfied. 2060
- (3) The dental assistant is providing the service as part 2061
of a program operated through any of the following: a school 2062
district board of education or the governing board of an 2063
educational service center; the board of health of a city or 2064
general health district or the authority having the duties of a 2065
board of health under section 3709.05 of the Revised Code; a 2066
national, state, district, or local dental association; or any 2067
other public or private entity recognized by the state dental 2068
board. 2069
- (4) A supervising dentist for the program described in 2070
division (E) (3) of this section meets both of the following 2071
conditions: 2072
- (a) Is employed by or a volunteer for, and the patients 2073
are referred by, the entity through which the program is 2074
operated; 2075
- (b) Is available for consultation by telephone, 2076
videoconferencing, or other means of electronic communication. 2077
- (5) The application of pit and fissure sealants is limited 2078
to erupted permanent posterior teeth without suspicion of 2079
dentinal cavitation. 2080
- (6) If the patient is a minor, a parent, guardian, or 2081
other person responsible for the patient has been notified that 2082
a dentist will not be present at the location and that the 2083
dental assistant is not trained to diagnose or treat other 2084
serious dental concerns that could exist. 2085

(F) Subject to this section and the applicable rules of the board, licensed dentists may assign to dental assistants and other qualified personnel dental procedures that do not require the professional competence or skill of the licensed dentist, a dental hygienist, or an expanded function dental auxiliary as this section or the board by rule authorizes dental assistants and other qualified personnel to perform. Except as provided in division (D) or (E) of this section, the performance of dental procedures by dental assistants and other qualified personnel shall be under direct supervision and full responsibility of the licensed dentist.

(G) Nothing in this section shall be construed by rule of the state dental board or otherwise to do the following:

(1) Authorize dental assistants or other qualified personnel to engage in the practice of dental hygiene as defined by sections 4715.22 and 4715.23 of the Revised Code or to perform the duties of a dental hygienist, including the removal of calcarious deposits, dental cement, or accretions on the crowns and roots of teeth other than as authorized pursuant to this section;

(2) Authorize dental assistants or other qualified personnel to engage in the practice of an expanded function dental auxiliary as specified in section 4715.64 of the Revised Code or to perform the duties of an expanded function dental auxiliary other than as authorized pursuant to this section.

(3) Authorize the assignment of any of the following:

(a) Diagnosis;

(b) Treatment planning and prescription, including prescription for drugs and medicaments or authorization for

restorative, prosthodontic, or orthodontic appliances; 2115

(c) Surgical procedures on hard or soft tissue of the oral 2116
cavity, or any other intraoral procedure that contributes to or 2117
results in an irremediable alteration of the oral anatomy; 2118

(d) The making of final impressions from which casts are 2119
made to construct any dental restoration. 2120

(H) No dentist shall assign any dental assistant or other 2121
individual acting in the capacity of qualified personnel to 2122
perform any dental procedure that the assistant or other 2123
individual is not authorized by this section or by board rule to 2124
perform. No dental assistant or other individual acting in the 2125
capacity of qualified personnel shall perform any dental 2126
procedure other than in accordance with this section and any 2127
applicable board rule or any dental procedure that the assistant 2128
or other individual is not authorized by this section or by 2129
board rule to perform. 2130

Sec. 4715.53. (A) Each individual seeking a certificate to 2131
practice as a dental x-ray machine operator shall apply to the 2132
state dental board on a form the board shall prescribe and 2133
provide. The application shall be accompanied by an application 2134
fee of thirty-two dollars. 2135

(B) The board shall review all applications received and 2136
issue a dental x-ray machine operator certificate to each 2137
applicant who submits evidence satisfactory to the board of one 2138
of the following: 2139

(1) The applicant holds certification from the dental 2140
assisting national board ~~or~~, the Ohio commission on dental 2141
assistant certification, or the American medical technologists. 2142

(2) The applicant holds a license, certificate, permit, 2143

registration, or other credential issued by another state that 2144
the board determines uses standards for dental x-ray machine 2145
operators that are at least equal to those established under 2146
this chapter. 2147

(3) The applicant has successfully completed an 2148
educational program consisting of at least seven hours of 2149
instruction in dental x-ray machine operation that meets either 2150
of the following requirements: 2151

(a) Has been approved by the board in accordance with 2152
section 4715.57 of the Revised Code; 2153

(b) Is conducted by an institution accredited by the 2154
American dental association commission on dental accreditation. 2155

(C) A certificate issued under this section expires two 2156
years after it is issued and may be renewed if the certificate 2157
holder does both of the following: 2158

(1) Certifies to the board that the certificate holder has 2159
completed at least two hours of instruction in dental x-ray 2160
machine operation approved by the board in accordance with 2161
section 4715.57 of the Revised Code during the two-year period 2162
preceding the date the renewal application is received by the 2163
board. 2164

(2) Submits a renewal fee of thirty-two dollars to the 2165
board. 2166

Renewals shall be made in accordance with the standard 2167
renewal procedure established under Chapter 4745. of the Revised 2168
Code. 2169

Sec. 4715.66. (A) The state dental board shall adopt rules 2170
as the board considers necessary to implement and administer 2171

sections 4715.61 to 4715.64 of the Revised Code. The rules shall 2172
be adopted in accordance with Chapter 119. of the Revised Code. 2173

(B) In adopting rules under this section, all of the 2174
following apply: 2175

(1) The board shall adopt rules specifying the education 2176
or training necessary for an individual to register as an 2177
expanded function dental auxiliary under this chapter. 2178

(2) The board shall adopt rules specifying the standards 2179
that must be met for an examination to be accepted by the board 2180
as an examination of competency to practice as an expanded 2181
function dental auxiliary. In specifying the standards, the 2182
board shall provide that an examination will be accepted only if 2183
the entity that administered the examination required an 2184
individual to be one of the following as a condition of 2185
admission to the examination: 2186

(a) An unlicensed dentist who has graduated from an 2187
accredited dental college, as specified in section 4715.10 of 2188
the Revised Code, and does not have a dental license under 2189
suspension or revocation by the board; 2190

(b) A dental student who is enrolled in an accredited 2191
dental college, as specified in section 4715.10 of the Revised 2192
Code, and is considered by the dean of the college to be in good 2193
standing as a dental student; 2194

(c) A graduate of a dental college located outside of the 2195
United States; 2196

(d) A dental assistant who is certified by the dental 2197
assisting national board ~~or~~, the Ohio commission on dental 2198
assistant certification, or the American medical technologists; 2199

(e) A dental hygienist licensed under this chapter whose license is in good standing;	2200 2201
(f) An unlicensed dental hygienist who has graduated from an accredited dental hygiene school, as specified in section 4715.21 of the Revised Code, and does not have a dental hygienist license under suspension or revocation by the board.	2202 2203 2204 2205
(3) The board may adopt rules specifying procedures an expanded function dental auxiliary may perform that are in addition to the procedures specified in divisions (A) (1) to (10) of section 4715.64 of the Revised Code.	2206 2207 2208 2209
Sec. 5709.82. (A) As used in this section:	2210
(1) "New employee" means both of the following:	2211
(a) Persons employed in the construction of real property exempted from taxation under the chapters or sections of the Revised Code enumerated in division (B) of this section;	2212 2213 2214
(b) Persons not described by division (A) (1) (a) of this section who are first employed at the site of such property and who within the two previous years have not been subject, prior to being employed at that site, to income taxation by the municipal corporation within whose territory the site is located on income derived from employment for the person's current employer. "New employee" does not include any person who replaces a person who is not a new employee under division (A) (1) of this section.	2215 2216 2217 2218 2219 2220 2221 2222 2223
(2) "Infrastructure costs" means costs incurred by a municipal corporation in a calendar year to acquire, construct, reconstruct, improve, plan, or equip real or tangible personal property that directly benefits or will directly benefit the exempted property. If the municipal corporation finances the	2224 2225 2226 2227 2228

acquisition, construction, reconstruction, improvement, 2229
planning, or equipping of real or tangible personal property 2230
that directly benefits the exempted property by issuing debt, 2231
"infrastructure costs" means the annual debt charges incurred by 2232
the municipal corporation from the issuance of such debt. Real 2233
or tangible personal property directly benefits exempted 2234
property only if the exempted property places or will place 2235
direct, additional demand on the real or tangible personal 2236
property for which such costs were or will be incurred. 2237

(3) "Taxing unit" has the same meaning as in division (H) 2238
of section 5705.01 of the Revised Code. 2239

(B) (1) Except as otherwise provided under division (C) of 2240
this section, the legislative authority of any political 2241
subdivision that has acted under the authority of Chapter 725. 2242
or 1728., sections 3735.65 to 3735.70, or section 5709.40, 2243
5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 2244
5709.84, or 5709.88 of the Revised Code to grant an exemption 2245
from taxation for real or tangible personal property may 2246
negotiate with the board of education of each city, local, 2247
exempted village, or joint vocational school district or other 2248
taxing unit within the territory of which the exempted property 2249
is located, and enter into an agreement whereby the school 2250
district or taxing unit is compensated for tax revenue foregone 2251
by the school district or taxing unit as a result of the 2252
exemption. Except as otherwise provided in division (B) (1) of 2253
this section, if a political subdivision enters into more than 2254
one agreement under this section with respect to a tax 2255
exemption, the political subdivision shall provide to each 2256
school district or taxing unit with which it contracts the same 2257
percentage of tax revenue foregone by the school district or 2258
taxing unit, which may be based on a good faith projection made 2259

at the time the exemption is granted. Such percentage shall be 2260
calculated on the basis of amounts paid by the political 2261
subdivision and any amounts paid by an owner under division (B) 2262
(2) of this section. A political subdivision may provide a 2263
school district or other taxing unit with a smaller percentage 2264
of foregone tax revenue than that provided to other school 2265
districts or taxing units only if the school district or taxing 2266
unit expressly consents in the agreement to receiving a smaller 2267
percentage. If a subdivision has acted under the authority of 2268
section 3735.671, 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 2269
5709.632, 5709.73, or 5709.78 of the Revised Code and enters 2270
into a compensation agreement with a city, local, or exempted 2271
village school district, the subdivision shall provide 2272
compensation to the joint vocational school district within the 2273
territory of which the exempted property is located at the same 2274
rate and under the same terms as received by the city, local, or 2275
exempted village school district. 2276

(2) An owner of property exempted from taxation under the 2277
authority described in division (B) (1) of this section may, by 2278
becoming a party to an agreement described in division (B) (1) of 2279
this section or by entering into a separate agreement with a 2280
school district or other taxing unit, agree to compensate the 2281
school district or taxing unit by paying cash or by providing 2282
property or services by gift, loan, or otherwise. If the owner's 2283
property is exempted under the authority of section 3735.671, 2284
5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 2285
or 5709.78 of the Revised Code and the owner enters into a 2286
compensation agreement with a city, local, or exempted village 2287
school district, the owner shall provide compensation to the 2288
joint vocational school district within the territory of which 2289
the owner's property is located at the same rate and under the 2290

same terms as received by the city, local, or exempted village school district. 2291
2292

(C) This division does not apply to the following: 2293

(1) The legislative authority of a municipal corporation 2294
that has acted under the authority of division (H) of section 2295
715.70 or division (U) of section 715.72 of the Revised Code to 2296
consent to the granting of an exemption from taxation for real 2297
or tangible personal property in a joint economic development 2298
district. 2299

(2) The legislative authority of a municipal corporation 2300
that has specified in an ordinance adopted under section 2301
5709.40, 5709.41, or 5709.45 of the Revised Code that payments 2302
in lieu of taxes provided for under section 5709.42 or 5709.46 2303
of the Revised Code shall be paid to the city, local, or 2304
exempted village school district in which the improvements are 2305
located in the amount of taxes that would have been payable to 2306
the school district if the improvements had not been exempted 2307
from taxation, as directed in the ordinance. 2308

If the legislative authority of any municipal corporation 2309
has acted under the authority of Chapter 725. or 1728. or 2310
section 3735.671, 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 2311
5709.632, or 5709.88, or a housing officer under section 3735.67 2312
of the Revised Code, to grant or consent to the granting of an 2313
exemption from taxation for real or tangible personal property 2314
on or after July 1, 1994, the municipal corporation imposes a 2315
tax on incomes, and the payroll of new employees resulting from 2316
the exercise of that authority equals or exceeds one million 2317
dollars in any tax year for which such property is exempted, the 2318
legislative authority and the board of education of each city, 2319
local, or exempted village school district within the territory 2320

of which the exempted property is located shall attempt to 2321
negotiate an agreement providing for compensation to the school 2322
district for all or a portion of the tax revenue the school 2323
district would have received had the property not been exempted 2324
from taxation. The agreement may include as a party the owner of 2325
the property exempted or to be exempted from taxation and may 2326
include provisions obligating the owner to compensate the school 2327
district by paying cash or providing property or services by 2328
gift, loan, or otherwise. Such an obligation is enforceable by 2329
the board of education of the school district pursuant to the 2330
terms of the agreement. 2331

If the legislative authority and board of education fail 2332
to negotiate an agreement that is mutually acceptable within six 2333
months of formal approval by the legislative authority of the 2334
instrument granting the exemption, the legislative authority 2335
shall compensate the school district in the amount and manner 2336
prescribed by division (D) of this section. 2337

(D) Annually, the legislative authority of a municipal 2338
corporation subject to this division shall pay to the city, 2339
local, or exempted village school district within the territory 2340
of which the exempted property is located an amount equal to 2341
fifty per cent of the difference between the amount of taxes 2342
levied and collected by the municipal corporation on the incomes 2343
of new employees in the calendar year ending on the day the 2344
payment is required to be made, and the amount of any 2345
infrastructure costs incurred in that calendar year. For 2346
purposes of such computation, the amount of infrastructure costs 2347
shall not exceed thirty-five per cent of the amount of those 2348
taxes unless the board of education of the school district, by 2349
resolution adopted by a majority of the board, approves an 2350
amount in excess of that percentage. If the amount of those 2351

taxes or infrastructure costs must be estimated at the time the 2352
payment is made, payments in subsequent years shall be adjusted 2353
to compensate for any departure of those estimates from the 2354
actual amount of those taxes. 2355

A municipal corporation required to make a payment under 2356
this section shall make the payment from its general fund or a 2357
special fund established for the purpose. The payment is payable 2358
on the thirty-first day of December of the tax year for or in 2359
which the exemption from taxation commences and on that day for 2360
each subsequent tax year property is exempted and the 2361
legislative authority and board fail to negotiate an acceptable 2362
agreement under division (C) of this section. 2363

Sec. 5709.83. (A) Except as otherwise provided in division 2364
(B) or (C) of this section, prior to taking formal action to 2365
adopt or enter into any instrument granting a tax exemption 2366
under section 725.02, 1728.06, 5709.40, 5709.41, 5709.45, 2367
5709.62, 5709.63, 5709.632, 5709.73, 5709.78, 5709.84, or 2368
5709.88 of the Revised Code or formally approving an agreement 2369
under section 3735.671 of the Revised Code, or prior to 2370
forwarding an application for a tax exemption for residential 2371
property under section 3735.67 of the Revised Code to the county 2372
auditor, the legislative authority of the political subdivision 2373
or housing officer shall notify the board of education of each 2374
city, local, exempted village, or joint vocational school 2375
district in which the proposed tax-exempted property is located. 2376
The notice shall include a copy of the instrument or 2377
application. The notice shall be delivered not later than 2378
fourteen days prior to the day the legislative authority takes 2379
formal action to adopt or enter into the instrument, or not 2380
later than fourteen days prior to the day the housing officer 2381
forwards the application to the county auditor. If the board of 2382

education comments on the instrument or application to the 2383
legislative authority or housing officer, the legislative 2384
authority or housing officer shall consider the comments. If the 2385
board of education of the city, local, exempted village, or 2386
joint vocational school district so requests, the legislative 2387
authority or the housing officer shall meet in person with a 2388
representative designated by the board of education to discuss 2389
the terms of the instrument or application. 2390

(B) The notice otherwise required to be provided to boards 2391
of education under division (A) of this section is not required 2392
if the board has adopted a resolution waiving its right to 2393
receive such notices, and that resolution remains in effect. If 2394
a board of education adopts such a resolution, the board shall 2395
cause a copy of the resolution to be certified to the 2396
legislative authority. If the board of education rescinds such a 2397
resolution, it shall certify notice of the rescission to the 2398
legislative authority. A board of education may adopt such a 2399
resolution with respect to any one or more counties, townships, 2400
or municipal corporations situated in whole or in part within 2401
the school district. 2402

(C) If a legislative authority is required to provide 2403
notice to a city, local, or exempted village school district of 2404
its intent to ~~grant such an exemption~~ adopt or enter into any 2405
instrument granting a tax exemption as required by section 2406
3735.671, 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 2407
5709.73, or 5709.78 of the Revised Code, the legislative 2408
authority, before adopting a resolution or ordinance or entering 2409
into an agreement under that section, shall notify the board of 2410
education of each joint vocational school district in which the 2411
property to be exempted is located using the same time 2412
requirements for the notice that applies to notices to city, 2413

local, and exempted village school districts. The content of the 2414
notice and procedures for responding to the notice are the same 2415
as required in division (A) of this section. 2416

Sec. 5747.057. (A) As used in this section: 2417

(1) "Eligible employee" means an employee who is nineteen 2418
years of age or younger and enrolled in a career-technical 2419
education program approved under section 3317.161 of the Revised 2420
Code. 2421

(2) "Eligible compensation" means compensation paid on and 2422
after the effective date of this section from which the employer 2423
is required to deduct and withhold income tax under section 2424
5747.06 of the Revised Code. 2425

(B) A nonrefundable credit is allowed against a taxpayer's 2426
aggregate tax liability under section 5747.02 of the Revised 2427
Code for a taxpayer that holds a tax credit certificate issued 2428
under this section. The credit equals the amount listed on the 2429
certificate and shall be claimed for the taxable year that 2430
includes the last day of the calendar year for which the 2431
certificate was issued. The credit shall be claimed in the order 2432
required under section 5747.98 of the Revised Code. 2433

(C) An employer that is a taxpayer or a pass-through 2434
entity and that employs an eligible employee in fulfillment of a 2435
work-based learning experience, internship, or cooperative 2436
education program associated with the career-technical education 2437
program in which the eligible employee is enrolled may apply to 2438
the department of education for a tax credit certificate. The 2439
application shall be made on forms prescribed by the department, 2440
in consultation with the tax commissioner, on or after the first 2441
day of January and on or before the first day of February of 2442

each year. The application shall include all of the following 2443
information for the calendar year preceding the year in which 2444
the application is made: 2445

(1) The amount of eligible compensation paid by the 2446
applicant to each of its eligible employees; 2447

(2) The name, birth date, and social security number of 2448
each eligible employee employed by the applicant; 2449

(3) The career-technical education program in which each 2450
eligible employee is enrolled; 2451

(4) A description of each eligible employee's duties as 2452
part of the employee's work-based learning experience, 2453
internship, or cooperative education program; 2454

(5) Any other information requested by the department. 2455

(D) (1) After determining that the applicant satisfies the 2456
conditions described in division (C) of this section, the 2457
department of education shall issue, within sixty days after the 2458
receipt of a complete application under that division, a tax 2459
credit certificate to the applicant equal to the lesser of (a) 2460
fifteen per cent of the eligible compensation paid by the 2461
applicant to all eligible employees during the calendar year or 2462
(b) five thousand dollars per eligible employee, in either case 2463
subject to the limitations in division (D) (2) of this section. 2464

(2) If the applicant pays eligible compensation to an 2465
employee who ceases to qualify as an eligible employee during 2466
the calendar year, only the eligible compensation paid to the 2467
employee while the employee qualified as an eligible employee 2468
may be used to calculate the credit amount on a tax credit 2469
certificate issued under this section. The department shall not 2470
issue certificates in a total amount that would cause the tax 2471

credits claimed in any fiscal biennium to exceed five million 2472
dollars. 2473

(3) Each tax credit certificate issued under this section 2474
shall include a unique identification number and shall state the 2475
amount of tax credit that may be claimed. A taxpayer claiming 2476
the credit allowed under this section shall submit a copy of the 2477
certificate with the taxpayer's return or report. 2478

(E) If a tax credit certificate is issued to a pass- 2479
through entity under this section, any taxpayer that is a direct 2480
or indirect investor in the pass-through entity on the last day 2481
of the entity's taxable year ending in the calendar year for 2482
which the certificate was issued may claim the taxpayer's 2483
distributive or proportionate share of the credit against the 2484
taxpayer's aggregate tax liability under section 5747.02 of the 2485
Revised Code. 2486

Sec. 5747.98. (A) To provide a uniform procedure for 2487
calculating a taxpayer's aggregate tax liability under section 2488
5747.02 of the Revised Code, a taxpayer shall claim any credits 2489
to which the taxpayer is entitled in the following order: 2490

Either the retirement income credit under division (B) of 2491
section 5747.055 of the Revised Code or the lump sum retirement 2492
income credits under divisions (C), (D), and (E) of that 2493
section; 2494

Either the senior citizen credit under division (F) of 2495
section 5747.055 of the Revised Code or the lump sum 2496
distribution credit under division (G) of that section; 2497

The dependent care credit under section 5747.054 of the 2498
Revised Code; 2499

The credit for displaced workers who pay for job training 2500

under section 5747.27 of the Revised Code;	2501
The campaign contribution credit under section 5747.29 of the Revised Code;	2502 2503
The twenty-dollar personal exemption credit under section 5747.022 of the Revised Code;	2504 2505
The joint filing credit under division (G) of section 5747.05 of the Revised Code;	2506 2507
The earned income credit under section 5747.71 of the Revised Code;	2508 2509
The nonrefundable credit for education expenses under section 5747.72 of the Revised Code;	2510 2511
The nonrefundable credit for donations to scholarship granting organizations under section 5747.73 of the Revised Code;	2512 2513 2514
The nonrefundable credit for tuition paid to a nonchartered nonpublic school under section 5747.75 of the Revised Code;	2515 2516 2517
<u>The nonrefundable vocational job credit under section</u> <u>5747.057 of the Revised Code;</u>	2518 2519
The credit for adoption of a minor child under section 5747.37 of the Revised Code;	2520 2521
The nonrefundable job retention credit under division (B) of section 5747.058 of the Revised Code;	2522 2523
The enterprise zone credit under section 5709.66 of the Revised Code;	2524 2525
The credit for purchases of qualifying grape production property under section 5747.28 of the Revised Code;	2526 2527

The small business investment credit under section 5747.81	2528
of the Revised Code;	2529
The nonrefundable lead abatement credit under section	2530
5747.26 of the Revised Code;	2531
The opportunity zone investment credit under section	2532
122.84 of the Revised Code;	2533
The enterprise zone credits under section 5709.65 of the	2534
Revised Code;	2535
The research and development credit under section 5747.331	2536
of the Revised Code;	2537
The credit for rehabilitating a historic building under	2538
section 5747.76 of the Revised Code;	2539
The nonresident credit under division (A) of section	2540
5747.05 of the Revised Code;	2541
The credit for a resident's out-of-state income under	2542
division (B) of section 5747.05 of the Revised Code;	2543
The refundable motion picture and Broadway theatrical	2544
production credit under section 5747.66 of the Revised Code;	2545
The refundable jobs creation credit or job retention	2546
credit under division (A) of section 5747.058 of the Revised	2547
Code;	2548
The refundable credit for taxes paid by a qualifying	2549
entity granted under section 5747.059 of the Revised Code;	2550
The refundable credits for taxes paid by a qualifying	2551
pass-through entity granted under division (I) of section	2552
5747.08 of the Revised Code;	2553
The refundable credit under section 5747.80 of the Revised	2554

Code for losses on loans made to the Ohio venture capital 2555
program under sections 150.01 to 150.10 of the Revised Code; 2556

The refundable credit for rehabilitating a historic 2557
building under section 5747.76 of the Revised Code. 2558

(B) For any credit, except the refundable credits 2559
enumerated in this section and the credit granted under division 2560
(H) of section 5747.08 of the Revised Code, the amount of the 2561
credit for a taxable year shall not exceed the taxpayer's 2562
aggregate amount of tax due under section 5747.02 of the Revised 2563
Code, after allowing for any other credit that precedes it in 2564
the order required under this section. Any excess amount of a 2565
particular credit may be carried forward if authorized under the 2566
section creating that credit. Nothing in this chapter shall be 2567
construed to allow a taxpayer to claim, directly or indirectly, 2568
a credit more than once for a taxable year. 2569

Section 2. That existing sections 3301.17, 3302.03, 2570
3313.6113, 3317.014, 3333.125, 3345.011, 3350.11, 3735.671, 2571
4715.39, 4715.53, 4715.66, 5709.82, 5709.83, and 5747.98 of the 2572
Revised Code are hereby repealed. 2573

Section 3. (A) The Employers Providing Work-Based Learning 2574
Pilot Program is created. The program expires two years after 2575
the effective date of this section. 2576

As soon as practicable after the effective date of this 2577
section, the Administrator of Workers' Compensation, subject to 2578
the approval of the Bureau of Workers' Compensation Board of 2579
Directors, shall adopt a rule that prohibits, for the program's 2580
duration, the Administrator from charging any amount with 2581
respect to a claim for compensation or benefits under Chapter 2582
4121., 4123., 4127., or 4131. of the Revised Code to an 2583

employer's experience if both of the following apply:	2584
(1) The employer provides work-based learning experiences	2585
for students enrolled in a career-technical education program	2586
approved under section 3317.161 of the Revised Code.	2587
(2) The claim is based on a student's injury, occupational	2588
disease, or death sustained in the course of and arising out of	2589
the student's participation in the employer's work-based	2590
learning experience.	2591
(B) Pursuant to section 4109.06 of the Revised Code, the	2592
requirements of Chapter 4109. of the Revised Code do not apply	2593
to a student participating in a work-based learning experience	2594
described in division (A)(1) of this section.	2595
Section 4. Section 3333.125 of the Revised Code as amended	2596
by this act is hereby declared to be an emergency measure	2597
necessary for the immediate preservation of the public peace,	2598
health, and safety. The reason for such necessity is to ensure	2599
that changes made by this act to the Commercial Truck Driver	2600
Student Aid Program can be implemented in a timely manner.	2601
Therefore, section 3333.125 of the Revised Code as amended by	2602
this act shall go into immediate effect.	2603