

H. B. No. 11  
As Introduced

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "311.29" insert ", 2151.011"; after  
"3301.0711" insert ", 3301.0712" 1  
2

In line 3 of the title, after "3310.51" insert ", 3310.70,  
3313.5312, 3313.6110"; after "3317.03" insert ", 3321.03, 3321.04,  
3321.13, 3331.02, 3331.08, 3333.31, 3333.86, 3345.06, 3365.01, 3365.02,  
3365.03, 3365.033"; after "3365.07" insert ", 5103.55, 5107.281" 3  
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In line 4 of the title, delete "and" and insert "5709.07,"; after  
"5747.70" insert ", and 5747.72" 7  
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In line 14 of the title, delete "2023-2024" and insert "2024-2025" 9

In line 17 of the title, delete "2024" and insert "2025" 10

In line 19, after "sections" insert "2151.011, 3301.0712, 3310.70,  
3313.5312, 3313.6110,"; delete "and" and insert "3321.03, 3321.04,  
3321.13, 3331.02, 3331.08, 3333.31, 3333.86, 3345.06, 3365.01, 3365.02,  
3365.03, 3365.033, 5103.55, 5107.281, 5709.07," 11  
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In line 20, after "5747.70" insert ", and 5747.72" 15

After line 22, insert: 16



<b>"Sec. 2151.011. (A) As used in the Revised Code:</b>	17
(1) "Juvenile court" means whichever of the following is applicable that has jurisdiction under this chapter and Chapter 2152. of the Revised Code:	18 19 20
(a) The division of the court of common pleas specified in section 2101.022 or 2301.03 of the Revised Code as having jurisdiction under this chapter and Chapter 2152. of the Revised Code or as being the juvenile division or the juvenile division combined with one or more other divisions;	21 22 23 24 25
(b) The juvenile court of Cuyahoga county or Hamilton county that is separately and independently created by section 2151.08 or Chapter 2153. of the Revised Code and that has jurisdiction under this chapter and Chapter 2152. of the Revised Code;	26 27 28 29 30
(c) If division (A) (1) (a) or (b) of this section does not apply, the probate division of the court of common pleas.	31 32
(2) "Juvenile judge" means a judge of a court having jurisdiction under this chapter.	33 34
(3) "Private child placing agency" means any association, as defined in section 5103.02 of the Revised Code, that is certified under section 5103.03 of the Revised Code to accept temporary, permanent, or legal custody of children and place the children for either foster care or adoption.	35 36 37 38 39
(4) "Private noncustodial agency" means any person, organization, association, or society certified by the department of job and family services that does not accept temporary or permanent legal custody of children, that is privately operated in this state, and that does one or more of	40 41 42 43 44

the following:	45
(a) Receives and cares for children for two or more consecutive weeks;	46 47
(b) Participates in the placement of children in certified foster homes;	48 49
(c) Provides adoption services in conjunction with a public children services agency or private child placing agency.	50 51
(B) As used in this chapter:	52
(1) "Adequate parental care" means the provision by a child's parent or parents, guardian, or custodian of adequate food, clothing, and shelter to ensure the child's health and physical safety and the provision by a child's parent or parents of specialized services warranted by the child's physical or mental needs.	53 54 55 56 57 58
(2) "Adult" means an individual who is eighteen years of age or older.	59 60
(3) "Agreement for temporary custody" means a voluntary agreement authorized by section 5103.15 of the Revised Code that transfers the temporary custody of a child to a public children services agency or a private child placing agency.	61 62 63 64
(4) "Alternative response" means the public children services agency's response to a report of child abuse or neglect that engages the family in a comprehensive evaluation of child safety, risk of subsequent harm, and family strengths and needs and that does not include a determination as to whether child abuse or neglect occurred.	65 66 67 68 69 70
(5) "Certified foster home" means a foster home, as defined in section 5103.02 of the Revised Code, certified under	71 72

section 5103.03 of the Revised Code. 73

(6) "Child" means a person who is under eighteen years of 74  
age, except that the juvenile court has jurisdiction over any 75  
person who is adjudicated an unruly child prior to attaining 76  
eighteen years of age until the person attains twenty-one years 77  
of age, and, for purposes of that jurisdiction related to that 78  
adjudication, a person who is so adjudicated an unruly child 79  
shall be deemed a "child" until the person attains twenty-one 80  
years of age. 81

(7) "Child day camp," "child care," "child day-care 82  
center," "part-time child day-care center," "type A family day- 83  
care home," "licensed type B family day-care home," "type B 84  
family day-care home," "administrator of a child day-care 85  
center," "administrator of a type A family day-care home," and 86  
"in-home aide" have the same meanings as in section 5104.01 of 87  
the Revised Code. 88

(8) "Child care provider" means an individual who is a 89  
child-care staff member or administrator of a child day-care 90  
center, a type A family day-care home, or a type B family day- 91  
care home, or an in-home aide or an individual who is licensed, 92  
is regulated, is approved, operates under the direction of, or 93  
otherwise is certified by the department of job and family 94  
services, department of developmental disabilities, or the early 95  
childhood programs of the department of education. 96

(9) "Commit" means to vest custody as ordered by the 97  
court. 98

(10) "Counseling" includes both of the following: 99

(a) General counseling services performed by a public 100  
children services agency or shelter for victims of domestic 101

violence to assist a child, a child's parents, and a child's  
siblings in alleviating identified problems that may cause or  
have caused the child to be an abused, neglected, or dependent  
child.

(b) Psychiatric or psychological therapeutic counseling  
services provided to correct or alleviate any mental or  
emotional illness or disorder and performed by a licensed  
psychiatrist, licensed psychologist, or a person licensed under  
Chapter 4757. of the Revised Code to engage in social work or  
professional counseling.

(11) "Custodian" means a person who has legal custody of a  
child or a public children services agency or private child  
placing agency that has permanent, temporary, or legal custody  
of a child.

(12) "Delinquent child" has the same meaning as in section  
2152.02 of the Revised Code.

(13) "Detention" means the temporary care of children  
pending court adjudication or disposition, or execution of a  
court order, in a public or private facility designed to  
physically restrict the movement and activities of children.

(14) "Developmental disability" has the same meaning as in  
section 5123.01 of the Revised Code.

(15) "Differential response approach" means an approach  
that a public children services agency may use to respond to  
accepted reports of child abuse or neglect with either an  
alternative response or a traditional response.

(16) "Foster caregiver" has the same meaning as in section  
5103.02 of the Revised Code.

(17) "Guardian" means a person, association, or corporation that is granted authority by a probate court pursuant to Chapter 2111. of the Revised Code to exercise parental rights over a child to the extent provided in the court's order and subject to the residual parental rights of the child's parents.

(18) "Habitual truant" means any child of compulsory school age who is absent without legitimate excuse for absence from the public school the child is supposed to attend for thirty or more consecutive hours, forty-two or more hours in one school month, or seventy-two or more hours in a school year.

(19) "Intellectual disability" has the same meaning as in section 5123.01 of the Revised Code.

(20) "Juvenile traffic offender" has the same meaning as in section 2152.02 of the Revised Code.

(21) "Legal custody" means a legal status that vests in the custodian the right to have physical care and control of the child and to determine where and with whom the child shall live, and the right and duty to protect, train, and discipline the child and to provide the child with food, shelter, education, and medical care, all subject to any residual parental rights, privileges, and responsibilities. An individual granted legal custody shall exercise the rights and responsibilities personally unless otherwise authorized by any section of the Revised Code or by the court.

(22) A "legitimate excuse for absence from the public school the child is supposed to attend" includes, but is not limited to, any of the following:

(a) The fact that the child in question has enrolled in

and is attending another public or nonpublic school in this or 159  
another state; 160

(b) The fact that the child in question is excused from 161  
attendance at school for any of the reasons specified in section 162  
3321.04 or 3321.042 of the Revised Code; 163

(c) The fact that the child in question has received an 164  
age and schooling certificate in accordance with section 3331.01 165  
of the Revised Code. 166

(23) "Mental illness" has the same meaning as in section 167  
5122.01 of the Revised Code. 168

(24) "Mental injury" means any behavioral, cognitive, 169  
emotional, or mental disorder in a child caused by an act or 170  
omission that is described in section 2919.22 of the Revised 171  
Code and is committed by the parent or other person responsible 172  
for the child's care. 173

(25) "Nonsecure care, supervision, or training" means 174  
care, supervision, or training of a child in a facility that 175  
does not confine or prevent movement of the child within the 176  
facility or from the facility. 177

(26) "Of compulsory school age" has the same meaning as in 178  
section 3321.01 of the Revised Code. 179

(27) "Organization" means any institution, public, 180  
semipublic, or private, and any private association, society, or 181  
agency located or operating in the state, incorporated or 182  
unincorporated, having among its functions the furnishing of 183  
protective services or care for children, or the placement of 184  
children in certified foster homes or elsewhere. 185

(28) "Out-of-home care" means detention facilities, 186

shelter facilities, certified children's crisis care facilities,	187
certified foster homes, placement in a prospective adoptive home	188
prior to the issuance of a final decree of adoption,	189
organizations, certified organizations, child day-care centers,	190
type A family day-care homes, type B family day-care homes,	191
child care provided by in-home aides, group home providers,	192
group homes, institutions, state institutions, residential	193
facilities, residential care facilities, residential camps, day	194
camps, private, nonprofit therapeutic wilderness camps, public	195
schools, chartered nonpublic schools, educational service	196
centers, hospitals, and medical clinics that are responsible for	197
the care, physical custody, or control of children.	198
(29) "Out-of-home care child abuse" means any of the	199
following when committed by a person responsible for the care of	200
a child in out-of-home care:	201
(a) Engaging in sexual activity with a child in the	202
person's care;	203
(b) Denial to a child, as a means of punishment, of proper	204
or necessary subsistence, education, medical care, or other care	205
necessary for a child's health;	206
(c) Use of restraint procedures on a child that cause	207
injury or pain;	208
(d) Administration of prescription drugs or psychotropic	209
medication to the child without the written approval and ongoing	210
supervision of a licensed physician;	211
(e) Commission of any act, other than by accidental means,	212
that results in any injury to or death of the child in out-of-	213
home care or commission of any act by accidental means that	214
results in an injury to or death of a child in out-of-home care	215



and that is at variance with the history given of the injury or	216
death.	217
(30) "Out-of-home care child neglect" means any of the	218
following when committed by a person responsible for the care of	219
a child in out-of-home care:	220
(a) Failure to provide reasonable supervision according to	221
the standards of care appropriate to the age, mental and	222
physical condition, or other special needs of the child;	223
(b) Failure to provide reasonable supervision according to	224
the standards of care appropriate to the age, mental and	225
physical condition, or other special needs of the child, that	226
results in sexual or physical abuse of the child by any person;	227
(c) Failure to develop a process for all of the following:	228
(i) Administration of prescription drugs or psychotropic	229
drugs for the child;	230
(ii) Assuring that the instructions of the licensed	231
physician who prescribed a drug for the child are followed;	232
(iii) Reporting to the licensed physician who prescribed	233
the drug all unfavorable or dangerous side effects from the use	234
of the drug.	235
(d) Failure to provide proper or necessary subsistence,	236
education, medical care, or other individualized care necessary	237
for the health or well-being of the child;	238
(e) Confinement of the child to a locked room without	239
monitoring by staff;	240
(f) Failure to provide ongoing security for all	241
prescription and nonprescription medication;	242

(g) Isolation of a child for a period of time when there 243  
is substantial risk that the isolation, if continued, will 244  
impair or retard the mental health or physical well-being of the 245  
child. 246

(31) "Permanent custody" means a legal status that vests 247  
in a public children services agency or a private child placing 248  
agency, all parental rights, duties, and obligations, including 249  
the right to consent to adoption, and divests the natural 250  
parents or adoptive parents of all parental rights, privileges, 251  
and obligations, including all residual rights and obligations. 252

(32) "Permanent surrender" means the act of the parents 253  
or, if a child has only one parent, of the parent of a child, by 254  
a voluntary agreement authorized by section 5103.15 of the 255  
Revised Code, to transfer the permanent custody of the child to 256  
a public children services agency or a private child placing 257  
agency. 258

(33) "Person" means an individual, association, 259  
corporation, or partnership and the state or any of its 260  
political subdivisions, departments, or agencies. 261

(34) "Person responsible for a child's care in out-of-home 262  
care" means any of the following: 263

(a) Any foster caregiver, in-home aide, or provider; 264

(b) Any administrator, employee, or agent of any of the 265  
following: a public or private detention facility; shelter 266  
facility; certified children's crisis care facility; 267  
organization; certified organization; child day-care center; 268  
type A family day-care home; licensed type B family day-care 269  
home; group home; institution; state institution; residential 270  
facility; residential care facility; residential camp; day camp; 271

school district; community school; chartered nonpublic school;	272
educational service center; hospital; or medical clinic;	273
(c) Any person who supervises or coaches children as part	274
of an extracurricular activity sponsored by a school district,	275
public school, or chartered nonpublic school;	276
(d) Any other person who performs a similar function with	277
respect to, or has a similar relationship to, children.	278
(35) "Physical impairment" means having one or more of the	279
following conditions that substantially limit one or more of an	280
individual's major life activities, including self-care,	281
receptive and expressive language, learning, mobility, and self-	282
direction:	283
(a) A substantial impairment of vision, speech, or	284
hearing;	285
(b) A congenital orthopedic impairment;	286
(c) An orthopedic impairment caused by disease, rheumatic	287
fever or any other similar chronic or acute health problem, or	288
amputation or another similar cause.	289
(36) "Placement for adoption" means the arrangement by a	290
public children services agency or a private child placing	291
agency with a person for the care and adoption by that person of	292
a child of whom the agency has permanent custody.	293
(37) "Placement in foster care" means the arrangement by a	294
public children services agency or a private child placing	295
agency for the out-of-home care of a child of whom the agency	296
has temporary custody or permanent custody.	297
(38) "Planned permanent living arrangement" means an order	298
of a juvenile court pursuant to which both of the following	299

apply:	300
(a) The court gives legal custody of a child to a public children services agency or a private child placing agency without the termination of parental rights.	301 302 303
(b) The order permits the agency to make an appropriate placement of the child and to enter into a written agreement with a foster care provider or with another person or agency with whom the child is placed.	304 305 306 307
(39) "Practice of social work" and "practice of professional counseling" have the same meanings as in section 4757.01 of the Revised Code.	308 309 310
(40) "Private, nonprofit therapeutic wilderness camp" has the same meaning as in section 5103.02 of the Revised Code.	311 312
(41) "Sanction, service, or condition" means a sanction, service, or condition created by court order following an adjudication that a child is an unruly child that is described in division (A) (4) of section 2152.19 of the Revised Code.	313 314 315 316
(42) "Protective supervision" means an order of disposition pursuant to which the court permits an abused, neglected, dependent, or unruly child to remain in the custody of the child's parents, guardian, or custodian and stay in the child's home, subject to any conditions and limitations upon the child, the child's parents, guardian, or custodian, or any other person that the court prescribes, including supervision as directed by the court for the protection of the child.	317 318 319 320 321 322 323 324
(43) "Psychiatrist" has the same meaning as in section 5122.01 of the Revised Code.	325 326
(44) "Psychologist" has the same meaning as in section	327

4732.01 of the Revised Code.	328
(45) "Resource caregiver" has the same meaning as in section 5103.02 of the Revised Code.	329 330
(46) "Resource family" has the same meaning as in section 5103.02 of the Revised Code.	331 332
(47) "Residential camp" means a program in which the care, physical custody, or control of children is accepted overnight for recreational or recreational and educational purposes.	333 334 335
(48) "Residential care facility" means an institution, residence, or facility that is licensed by the department of mental health and addiction services under section 5119.34 of the Revised Code and that provides care for a child.	336 337 338 339
(49) "Residential facility" means a home or facility that is licensed by the department of developmental disabilities under section 5123.19 of the Revised Code and in which a child with a developmental disability resides.	340 341 342 343
(50) "Residual parental rights, privileges, and responsibilities" means those rights, privileges, and responsibilities remaining with the natural parent after the transfer of legal custody of the child, including, but not necessarily limited to, the privilege of reasonable visitation, consent to adoption, the privilege to determine the child's religious affiliation, and the responsibility for support.	344 345 346 347 348 349 350
(51) "School day" means the school day established by the board of education of the applicable school district pursuant to section 3313.481 of the Revised Code.	351 352 353
(52) "School year" has the same meaning as in section 3313.62 of the Revised Code.	354 355

(53) "Secure correctional facility" means a facility under 356  
the direction of the department of youth services that is 357  
designed to physically restrict the movement and activities of 358  
children and used for the placement of children after 359  
adjudication and disposition. 360

(54) "Sexual activity" has the same meaning as in section 361  
2907.01 of the Revised Code. 362

(55) "Shelter" means the temporary care of children in 363  
physically unrestricted facilities pending court adjudication or 364  
disposition. 365

(56) "Shelter for victims of domestic violence" has the 366  
same meaning as in section 3113.33 of the Revised Code. 367

(57) "Temporary custody" means legal custody of a child 368  
who is removed from the child's home, which custody may be 369  
terminated at any time at the discretion of the court or, if the 370  
legal custody is granted in an agreement for temporary custody, 371  
by the person who executed the agreement. 372

(58) "Traditional response" means a public children 373  
services agency's response to a report of child abuse or neglect 374  
that encourages engagement of the family in a comprehensive 375  
evaluation of the child's current and future safety needs and a 376  
fact-finding process to determine whether child abuse or neglect 377  
occurred and the circumstances surrounding the alleged harm or 378  
risk of harm. 379

(C) For the purposes of this chapter, a child shall be 380  
presumed abandoned when the parents of the child have failed to 381  
visit or maintain contact with the child for more than ninety 382  
days, regardless of whether the parents resume contact with the 383  
child after that period of ninety days. 384

**Sec. 3301.0712.** (A) The state board of education, the 385  
superintendent of public instruction, and the chancellor of 386  
higher education shall develop a system of college and work 387  
ready assessments as described in division (B) of this section 388  
to assess whether each student upon graduating from high school 389  
is ready to enter college or the workforce. Beginning with 390  
students who enter the ninth grade for the first time on or 391  
after July 1, 2014, the system shall replace the Ohio graduation 392  
tests prescribed in division (B)(1) of section 3301.0710 of the 393  
Revised Code as a measure of student academic performance and 394  
one determinant of eligibility for a high school diploma in the 395  
manner prescribed by rule of the state board adopted under 396  
division (D) of this section. 397

(B) The college and work ready assessment system shall 398  
consist of the following: 399

(1)(a) Except as provided in division (B)(1)(b) of this 400  
section, nationally standardized assessments that measure 401  
college and career readiness and are used for college admission. 402  
The assessments shall be selected jointly by the state 403  
superintendent and the chancellor, and one of which shall be 404  
selected by each school district or school to administer to its 405  
students. The assessments prescribed under division (B)(1) of 406  
this section shall be administered to all eleventh-grade 407  
students in the spring of the school year. 408

(b) Beginning with students who enter the ninth grade for 409  
the first time on or after the first day of July immediately 410  
following ~~the effective date of this amendment~~ September 30, 411  
2021, the parent or guardian of a student may elect not to have 412  
a nationally standardized assessment administered to that 413  
student. In that event, the student's school district or school 414

shall not administer the nationally standardized assessment to 415  
that student. 416

(2) (a) Except as provided in division (B) (2) (b) of this 417  
section, seven end-of-course examinations, one in each of the 418  
areas of English language arts I, English language arts II, 419  
science, Algebra I, geometry, American history, and American 420  
government. The end-of-course examinations shall be selected 421  
jointly by the state superintendent and the chancellor in 422  
consultation with faculty in the appropriate subject areas at 423  
institutions of higher education of the university system of 424  
Ohio. Advanced placement examinations and international 425  
baccalaureate examinations, as prescribed under section 426  
3313.6013 of the Revised Code, in the areas of science, American 427  
history, and American government may be used as end-of-course 428  
examinations in accordance with division (B) (4) (a) (i) of this 429  
section. Final course grades for courses taken under any other 430  
advanced standing program, as prescribed under section 3313.6013 431  
of the Revised Code, in the areas of science, American history, 432  
and American government may be used in lieu of end-of-course 433  
examinations in accordance with division (B) (4) (a) (ii) of this 434  
section. 435

(b) Beginning with students who enter ninth grade for the 436  
first time on or after July 1, 2019, five end-of-course 437  
examinations, one in each areas of English language arts II, 438  
science, Algebra I, American history, and American government. 439  
However, only the end-of-course examinations in English language 440  
arts II and Algebra I shall be required for graduation. 441

The department of education shall, as necessary to 442  
implement division (B) (2) (b) of this section, seek a waiver from 443  
the United States secretary of education for testing 444



requirements prescribed under federal law to allow for the use 445  
and implementation of Algebra I as the primary assessment of 446  
high school mathematics. If the department does not receive a 447  
waiver under this division, the end-of-course examinations for 448  
students described in division (B) (2) (b) of this section also 449  
shall include an end-of-course examination in the area of 450  
geometry. However, the geometry end-of-course examination shall 451  
not be required for graduation. 452

(3) (a) Not later than July 1, 2013, each school district 453  
board of education shall adopt interim end-of-course 454  
examinations that comply with the requirements of divisions (B) 455  
(3) (b) (i) and (ii) of this section to assess mastery of American 456  
history and American government standards adopted under division 457  
(A) (1) (b) of section 3301.079 of the Revised Code and the topics 458  
required under division (M) of section 3313.603 of the Revised 459  
Code. Each high school of the district shall use the interim 460  
examinations until the state superintendent and chancellor 461  
select end-of-course examinations in American history and 462  
American government under division (B) (2) of this section. 463

(b) Not later than July 1, 2014, the state superintendent 464  
and the chancellor shall select the end-of-course examinations 465  
in American history and American government. 466

(i) The end-of-course examinations in American history and 467  
American government shall require demonstration of mastery of 468  
the American history and American government content for social 469  
studies standards adopted under division (A) (1) (b) of section 470  
3301.079 of the Revised Code and the topics required under 471  
division (M) of section 3313.603 of the Revised Code. 472

(ii) At least twenty per cent of the end-of-course 473  
examination in American government shall address the topics on 474

American history and American government described in division 475  
(M) of section 3313.603 of the Revised Code. 476

(4) (a) Notwithstanding anything to the contrary in this 477  
section, beginning with the 2014-2015 school year, both of the 478  
following shall apply: 479

(i) If a student is enrolled in an appropriate advanced 480  
placement or international baccalaureate course, that student 481  
shall take the advanced placement or international baccalaureate 482  
examination in lieu of the science, American history, or 483  
American government end-of-course examinations prescribed under 484  
division (B) (2) of this section. The state board shall specify 485  
the score levels for each advanced placement examination and 486  
international baccalaureate examination for purposes of 487  
calculating the minimum cumulative performance score that 488  
demonstrates the level of academic achievement necessary to earn 489  
a high school diploma. 490

(ii) If a student is enrolled in an appropriate course 491  
under any other advanced standing program, as described in 492  
section 3313.6013 of the Revised Code, that student shall not be 493  
required to take the science, American history, or American 494  
government end-of-course examination, whichever is applicable, 495  
prescribed under division (B) (2) of this section. Instead, that 496  
student's final course grade shall be used in lieu of the 497  
applicable end-of-course examination prescribed under that 498  
section. The state superintendent, in consultation with the 499  
chancellor, shall adopt guidelines for purposes of calculating 500  
the corresponding final course grades that demonstrate the level 501  
of academic achievement necessary to earn a high school diploma. 502

Division (B) (4) (a) (ii) of this section shall apply only to 503  
courses for which students receive transcribed credit, as 504

defined in section 3365.01 of the Revised Code. It shall not 505  
apply to remedial or developmental courses. 506

(b) No student shall take a substitute examination or 507  
examination prescribed under division (B)(4)(a) of this section 508  
in place of the end-of-course examinations in English language 509  
arts I, English language arts II, Algebra I, or geometry 510  
prescribed under division (B)(2) of this section. 511

(c) The state board shall consider additional assessments 512  
that may be used, beginning with the 2016-2017 school year, as 513  
substitute examinations in lieu of the end-of-course 514  
examinations prescribed under division (B)(2) of this section. 515

(5) The state board shall do all of the following: 516

(a) Determine and designate at least five ranges of scores 517  
on each of the end-of-course examinations prescribed under 518  
division (B)(2) of this section, and substitute examinations 519  
prescribed under division (B)(4) of this section. Not later than 520  
sixty days after the designation of ranges of scores, the state 521  
superintendent, or the state superintendent's designee, shall 522  
conduct a public presentation before the standing committees of 523  
the house of representatives and the senate that consider 524  
primary and secondary education legislation regarding the 525  
designated range of scores. Each range of scores shall be 526  
considered to demonstrate a level of achievement so that any 527  
student attaining a score within such range has achieved one of 528  
the following: 529

(i) An advanced level of skill; 530

(ii) An accomplished level of skill; 531

(iii) A proficient level of skill; 532

(iv) A basic level of skill;	533
(v) A limited level of skill.	534
(b) Determine a method by which to calculate a cumulative performance score based on the results of a student's end-of-course examinations or substitute examinations;	535 536 537
(c) Determine the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma under division (A) (2) of section 3313.618 of the Revised Code. However, the state board shall not determine a new minimum cumulative performance score after October 17, 2019.	538 539 540 541 542 543
(d) Develop a table of corresponding score equivalents for the end-of-course examinations and substitute examinations in order to calculate student performance consistently across the different examinations.	544 545 546 547
A score of two on an advanced placement examination or a score of two or three on an international baccalaureate examination shall be considered equivalent to a proficient level of skill as specified under division (B) (5) (a) (iii) of this section.	548 549 550 551 552
(6) (a) A student who meets both of the following conditions shall not be required to take an end-of-course examination:	553 554 555
(i) The student received high school credit prior to July 1, 2015, for a course for which the end-of-course examination is prescribed.	556 557 558
(ii) The examination was not available for administration prior to July 1, 2015.	559 560

Receipt of credit for the course described in division (B) 561  
(6) (a) (i) of this section shall satisfy the requirement to take 562  
the end-of-course examination. A student exempted under division 563  
(B) (6) (a) of this section may take the applicable end-of-course 564  
examination at a later date. 565

(b) For purposes of determining whether a student who is 566  
exempt from taking an end-of-course examination under division 567  
(B) (6) (a) of this section has attained the cumulative score 568  
prescribed by division (B) (5) (c) of this section, such student 569  
shall select either of the following: 570

(i) The student is considered to have attained a 571  
proficient score on the end-of-course examination from which the 572  
student is exempt; 573

(ii) The student's final course grade shall be used in 574  
lieu of a score on the end-of-course examination from which the 575  
student is exempt. 576

The state superintendent, in consultation with the 577  
chancellor, shall adopt guidelines for purposes of calculating 578  
the corresponding final course grades and the minimum cumulative 579  
performance score that demonstrates the level of academic 580  
achievement necessary to earn a high school diploma. 581

(7) (a) Notwithstanding anything to the contrary in this 582  
section, the state board may replace the algebra I end-of-course 583  
examination prescribed under division (B) (2) of this section 584  
with an algebra II end-of-course examination, beginning with the 585  
2016-2017 school year for students who enter ninth grade on or 586  
after July 1, 2016. 587

(b) If the state board replaces the algebra I end-of- 588  
course examination with an algebra II end-of-course examination 589

as authorized under division (B) (7) (a) of this section, both of 590  
the following shall apply: 591

(i) A student who is enrolled in an advanced placement or 592  
international baccalaureate course in algebra II shall take the 593  
advanced placement or international baccalaureate examination in 594  
lieu of the algebra II end-of-course examination. 595

(ii) A student who is enrolled in an algebra II course 596  
under any other advanced standing program, as described in 597  
section 3313.6013 of the Revised Code, shall not be required to 598  
take the algebra II end-of-course examination. Instead, that 599  
student's final course grade shall be used in lieu of the 600  
examination. 601

(c) If a school district or school utilizes an integrated 602  
approach to mathematics instruction, the district or school may 603  
do either or both of the following: 604

(i) Administer an integrated mathematics I end-of-course 605  
examination in lieu of the prescribed algebra I end-of-course 606  
examination; 607

(ii) Administer an integrated mathematics II end-of-course 608  
examination in lieu of the prescribed geometry end-of-course 609  
examination. 610

(8) (a) For students entering the ninth grade for the first 611  
time on or after July 1, 2014, but prior to July 1, 2015, the 612  
assessment in the area of science shall be physical science or 613  
biology. For students entering the ninth grade for the first 614  
time on or after July 1, 2015, the assessment in the area of 615  
science shall be biology. 616

(b) Until July 1, 2019, the department shall make 617

available the end-of-course examination in physical science for 618  
students who entered the ninth grade for the first time on or 619  
after July 1, 2014, but prior to July 1, 2015, and who wish to 620  
retake the examination. 621

(c) Not later than July 1, 2016, the state board shall 622  
adopt rules prescribing the requirements for the end-of-course 623  
examination in science for students who entered the ninth grade 624  
for the first time on or after July 1, 2014, but prior to July 625  
1, 2015, and who have not met the requirement prescribed by 626  
section 3313.618 of the Revised Code by July 1, 2019, due to a 627  
student's failure to satisfy division (A) (2) of section 3313.618 628  
of the Revised Code. 629

(9) Neither the state board nor the department of 630  
education shall develop or administer an end-of-course 631  
examination in the area of world history. 632

(10) Not later than March 1, 2020, the department, in 633  
consultation with the chancellor and the governor's office of 634  
workforce transformation, shall determine a competency score for 635  
both of the Algebra I and English language arts II end-of-course 636  
examinations for the purpose of graduation eligibility. 637

(C) The state board shall convene a group of national 638  
experts, state experts, and local practitioners to provide 639  
advice, guidance, and recommendations for the alignment of 640  
standards and model curricula to the assessments and in the 641  
design of the end-of-course examinations prescribed by this 642  
section. 643

(D) Upon completion of the development of the assessment 644  
system, the state board shall adopt rules prescribing all of the 645  
following: 646

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

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

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

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

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

(E) Not later than forty-five days prior to the state board's adoption of a resolution directing the department to file the rules prescribed by division (D) of this section in final form under section 119.04 of the Revised Code, the superintendent of public instruction shall present the assessment system developed under this section to the respective



committees of the house of representatives and senate that 676  
consider education legislation. 677

(F) (1) Any person enrolled in a nonchartered nonpublic 678  
school or any person who has been excused from attendance at 679  
school for the purpose of home instruction under section ~~3321.04~~ 680  
3321.042 of the Revised Code may choose to participate in the 681  
system of assessments administered under divisions (B) (1) and 682  
(2) of this section. However, no such person shall be required 683  
to participate in the system of assessments. 684

(2) The department shall adopt rules for the 685  
administration and scoring of any assessments under division (F) 686  
(1) of this section. 687

(G) Not later than December 31, 2014, the state board 688  
shall select at least one nationally recognized job skills 689  
assessment. Each school district shall administer that 690  
assessment to those students who opt to take it. The state shall 691  
reimburse a school district for the costs of administering that 692  
assessment. The state board shall establish the minimum score a 693  
student must attain on the job skills assessment in order to 694  
demonstrate a student's workforce readiness and employability. 695  
The administration of the job skills assessment to a student 696  
under this division shall not exempt a school district from 697  
administering the assessments prescribed in division (B) of this 698  
section to that student." 699

After line 365, insert: 700

**"Sec. 3310.70.** (A) A student is an "eligible student" for 701  
purposes of this section if the student is at least six but no 702  
more than eighteen years old and the student's family income is 703  
at or below three hundred per cent of the federal poverty 704

guidelines, as defined in section 5101.46 of the Revised Code. 705

(B) (1) There is hereby established the afterschool child 706  
enrichment (ACE) educational savings account program. The 707  
department of education shall adopt rules under Chapter 119. of 708  
the Revised Code that prescribe procedures for the establishment 709  
of these accounts in fiscal years 2022 and 2023 upon the request 710  
of the parent or guardian of an eligible student enrolled in a 711  
public or nonpublic school or an eligible student who has been 712  
excused from the compulsory attendance law for the purpose of 713  
home instruction under section ~~3321.04~~3321.042 of the Revised 714  
Code. Accounts shall be established on a first-come, first- 715  
served basis according to the availability of funds appropriated 716  
for purposes of this section. 717

Accounts shall be used in accordance with division (E) of 718  
this section. Any balance remaining in a student's account after 719  
fiscal year 2023 shall remain in that account for use as 720  
prescribed in division (D) (3) of this section. 721

(2) The department shall create an online form for parents 722  
and guardians to request the establishment of an account under 723  
this section. 724

(C) (1) The department shall contract with a vendor for 725  
purposes of administering the provisions of this section and may 726  
contract with the treasurer of state for technical assistance. 727  
In selecting a vendor, the department shall give preference to 728  
those vendors who use a smart phone application that is free for 729  
parents or guardians to use, is capable of scanning receipts, 730  
allows users to provide program feedback, and includes customer 731  
service contact information for parents and guardians who 732  
experience technical issues with the application. For each 733  
fiscal year in which the program operates, the department shall 734

pay the vendor not more than three per cent of the amount	735
appropriated for that fiscal year for purposes of this section.	736
(2) The vendor selected by the department under division	737
(C) (2) of this section shall do both of the following:	738
(a) Monitor how accounts are used by parents or guardians	739
and recoup moneys that are used for purposes that are not	740
authorized by this section as determined by the vendor;	741
(b) Provide the department with a comprehensive list of	742
purchases made with accounts.	743
(3) At no time shall the vendor authorize parents or	744
guardians to use moneys for purposes that are not authorized by	745
this section as determined by the vendor. If the vendor	746
authorizes parents or guardians to use moneys for a specified	747
purpose and later determines that purpose is not authorized by	748
this section, the vendor may recoup that money.	749
(D) (1) If a parent or guardian makes a request under	750
division (B) of this section during fiscal year 2022, five	751
hundred dollars shall be credited to the account established	752
pursuant to the parent's or guardian's request within fourteen	753
days of the parent's or guardian's request, and that amount	754
shall be disbursed upon request to the parent or guardian not	755
later than June 30, 2022, for use in accordance with division	756
(E) of this section. Any amount remaining in an account at the	757
end of fiscal year 2022 shall remain in that account for fiscal	758
year 2023 for use in accordance with division (E) of this	759
section.	760
(2) If a parent or guardian makes a request under division	761
(B) of this section during fiscal year 2023, five hundred	762
dollars shall be credited to the account established pursuant to	763

the parent's or guardian's request within fourteen days of the 764  
parent's or guardian's request, and that amount shall be 765  
disbursed upon request to the parent or guardian not later than 766  
June 30, 2023, for use in accordance with division (E) of this 767  
section. If a parent or guardian had an account established for 768  
fiscal year 2022, that amount shall be credited and distributed 769  
to that account for use in accordance with division (E) of this 770  
section. 771

(3) Any amount remaining in an account established under 772  
division (B) of this section at the end of fiscal year 2023 773  
shall remain in that account for use in accordance with division 774  
(E) of this section in future fiscal years until either the full 775  
amount has been spent or the student graduates from high school. 776  
Any amount remaining in the account of a student who graduates 777  
from high school shall be returned to the department. 778

(E) Subject to division (F) of this section, moneys 779  
credited to an education savings account established under 780  
division (B) of this section shall be used by an eligible 781  
student's parent or guardian for any of the following purposes, 782  
whether secular or nonsecular: 783

(1) Before- or after-school educational programs; 784

(2) Day camps, including camps for academics, music, and 785  
arts; 786

(3) Tuition at learning extension centers; 787

(4) Tuition for learning pods; 788

(5) If the student has been excused from the compulsory 789  
attendance law for the purpose of home instruction under section 790  
~~3321.04~~3321.042 of the Revised Code, purchase of curriculum and 791

materials;	792
(6) Educational, learning, or study skills services;	793
(7) Field trips to historical landmarks, museums, science centers, and theaters, including admission, exhibit, and program fees;	794 795 796
(8) Language classes;	797
(9) Instrument lessons;	798
(10) Tutoring.	799
(F) At no time shall moneys credited to an account established under division (B) of this section be used for the purchase of electronic devices.	800 801 802
(G) The department shall make available to parents and guardians a list of the purposes for which moneys credited to an account established under division (B) of this section may be spent in accordance with division (E) of this section.	803 804 805 806
(H) Not later than December 31, 2023, the department shall prepare a report regarding the administration of this section, including feedback from a random sampling of parents and guardians who participate in the program for fiscal year 2022, fiscal year 2023, or both and submit the report to the general assembly in accordance with section 101.68 of the Revised Code.	807 808 809 810 811 812
<b>Sec. 3313.5312.</b> (A) A student who is receiving home instruction in accordance with <del>division (A) (2) of section 3321.04</del> <u>3321.042</u> of the Revised Code shall be afforded, by the superintendent of the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code, the opportunity to participate in any extracurricular activity offered at the district school to which	813 814 815 816 817 818 819

the student otherwise would be assigned during that school year. 820  
If more than one school operated by the school district serves 821  
the student's grade level, as determined by the district 822  
superintendent based on the student's age and academic 823  
performance, the student shall be afforded the opportunity to 824  
participate in extracurricular activities at the school to which 825  
the student would be assigned by the superintendent under 826  
section 3319.01 of the Revised Code. If a student who is 827  
afforded the opportunity to participate in extracurricular 828  
activities under division (A) of this section wishes to 829  
participate in an activity that is offered by the district, the 830  
student shall not participate in that activity at another school 831  
or school district to which the student is not entitled to 832  
attend. 833

(B) The superintendent of any school district may afford 834  
any student who receives home instruction under ~~division (A) (2)~~ 835  
~~of section 3321.04~~ 3321.042 of the Revised Code, and who is not 836  
entitled to attend school in the district under section 3313.64 837  
or 3313.65 of the Revised Code, the opportunity to participate 838  
in any extracurricular activity offered by a school of the 839  
district, if the district to which the student is entitled to 840  
attend does not offer that extracurricular activity. 841

(C) In order to participate in an extracurricular activity 842  
under this section, the student shall be of the appropriate age 843  
and grade level, as determined by the superintendent of the 844  
district, for the school that offers the extracurricular 845  
activity, shall fulfill the same nonacademic and financial 846  
requirements as any other participant, and shall fulfill either 847  
of the following academic requirements: 848

(1) If the student received home instruction in the 849

preceding grading period, the student shall meet any academic 850  
requirements established by the state board of education for the 851  
continuation of home instruction. 852

(2) If the student did not receive home instruction in the 853  
preceding grading period, the student's academic performance 854  
during the preceding grading period shall have met any academic 855  
standards for eligibility to participate in the program 856  
established by the school district. 857

(D) Eligibility for a student who leaves a school district 858  
mid-year for home instruction shall be determined based on an 859  
interim academic assessment issued by the district in which the 860  
student was enrolled based on the student's work while enrolled 861  
in that district. 862

(E) Any student who commences home instruction after the 863  
beginning of a school year and who is, at the time home 864  
instruction commences, ineligible to participate in an 865  
extracurricular activity due to failure to meet academic 866  
standards or any other requirements of the district shall not 867  
participate in the extracurricular activity under this section 868  
until the student meets the academic requirements established by 869  
the state board of education for continuation of home 870  
instruction as verified by the superintendent of the district. 871  
No student under this section shall be eligible to participate 872  
in the same semester in which the student was determined 873  
ineligible. 874

(F) No school district shall impose additional rules on a 875  
student to participate under this section that do not apply to 876  
other students participating in the same extracurricular 877  
activity. No district shall impose fees for a student to 878  
participate under this section that exceed any fees charged to 879

other students participating in the same extracurricular 880  
activity. 881

(G) No school district, interscholastic conference, or 882  
organization that regulates interscholastic conferences or 883  
events shall require a student who is eligible to participate in 884  
interscholastic extracurricular activities under this section to 885  
meet eligibility requirements that conflict with this section. 886

**Sec. 3313.6110.** (A) A person who has completed the final 887  
year of instruction at home, as authorized under section ~~3321.04~~ 888  
3321.042 of the Revised Code, and has successfully fulfilled the 889  
high school curriculum applicable to that person may be granted 890  
a high school diploma by the person's parent, guardian, or other 891  
person having charge or care of a child, as defined in division 892  
(A) (1) of section 3321.01 of the Revised Code. 893

(B) Beginning with diplomas issued on or after July 1, 894  
2015, each diploma granted under division (A) of this section 895  
shall be accompanied by the official letter of excuse issued by 896  
the district superintendent for the student's final year of home 897  
education. 898

(C) A person who has graduated from a nonchartered 899  
nonpublic school in Ohio and who has successfully fulfilled that 900  
school's high school curriculum may be granted a high school 901  
diploma by the governing authority of that school. 902

(D) Notwithstanding anything in the Revised Code to the 903  
contrary, a diploma granted under this section shall serve as 904  
proof of the successful completion of that person's applicable 905  
high school curriculum and satisfactory to fulfill any legal 906  
requirement to show such proof. 907

(E) For the purposes of an application for employment, a 908



diploma granted under this section shall be considered proof of 909  
completion of a high school education, regardless of whether the 910  
person to which the diploma was granted participated in the 911  
assessments prescribed by division (A) (1) or (B) (1) or (2) of 912  
section 3301.0710 and section 3301.0712 of the Revised Code. 913

(F) A diploma granted under division (A) of this section 914  
may include a state seal of biliteracy, an OhioMeansJobs- 915  
readiness seal, or a state diploma seal that may be assigned to 916  
the student's diploma, by the parent, guardian, or other person 917  
having charge or care of the student, in the same manner as 918  
prescribed for diplomas and transcripts issued by school 919  
districts and chartered nonpublic schools under sections 920  
3313.6111, 3113.6112, and 3313.6114 of the Revised Code. " 921

After line 2333, insert: 922

**"Sec. 3321.03.** As used in this section and section 923  
3321.04 of the Revised Code, "special education program" means a 924  
school or the educational agency that provides special education 925  
and related services to children with disabilities in accordance 926  
with Chapter 3323. of the Revised Code. 927

Except as provided in this section, the parent of a child 928  
of compulsory school age shall cause such child to attend a 929  
school in the school district in which the child is entitled to 930  
attend school under division (B) or (F) of section 3313.64 or 931  
section 3313.65 of the Revised Code, to participate in a special 932  
education program under Chapter 3323. of the Revised Code, or to 933  
otherwise cause the child to be instructed in accordance with 934  
law. Every child of compulsory school age shall attend a school 935  
or participate in a special education program that conforms to 936  
the minimum standards prescribed by the state board of education 937  
until the child: 938

(A) Receives a diploma granted by the board of education 939  
or other governing authority, successfully completes the 940  
curriculum of any high school, or successfully completes the 941  
individualized education program developed for the student by 942  
any high school pursuant to Chapter 3323. of the Revised Code; 943

(B) Receives an age and schooling certificate as provided 944  
in section 3331.01 of the Revised Code; or 945

(C) Is excused from school under standards adopted by the 946  
state board of education pursuant to section 3321.04 or 3321.042 947  
of the Revised Code, or if in need of special education, the 948  
child is excused from such programs pursuant to section 3321.04 949  
of the Revised Code. 950

**Sec. 3321.04.** Notwithstanding division (D) of section 951  
3311.19 and division (D) of section 3311.52 of the Revised Code, 952  
this section does not apply to any joint vocational or 953  
cooperative education school district or its superintendent. 954

Every parent of any child of compulsory school age who is 955  
not employed under an age and schooling certificate or exempt 956  
under section 3321.042 of the Revised Code must send such child 957  
to a school or a special education program that conforms to the 958  
minimum standards prescribed by the state board of education, 959  
for the full time the school or program attended is in session, 960  
which shall not be for less than thirty-two weeks per school 961  
year. Such attendance must begin within the first week of the 962  
school term or program or within one week of the date on which 963  
the child begins to reside in the district or within one week 964  
after the child's withdrawal from employment. 965

For the purpose of operating a school or program on a 966  
trimester plan, "full time the school attended is in session," 967

as used in this section means the two trimesters to which the  
child is assigned by the board of education. For the purpose of  
operating a school or program on a quarterly plan, "full time  
the school attended is in session," as used in this section,  
means the three quarters to which the child is assigned by the  
board of education. For the purpose of operating a school or  
program on a pentamester plan, "full time the school is in  
session," as used in this section, means the four pentamesters  
to which the child is assigned by the board of education.

Excuses from future attendance at or past absence from  
school or a special education program may be granted for the  
causes, by the authorities, and under the following conditions:

(A) The superintendent of the school district in which the  
child resides may excuse the child from attendance for any part  
of the remainder of the current school year upon a satisfactory  
showing ~~of either of the following facts:~~

~~(1) That that the child's bodily or mental condition does  
not permit attendance at school or a special education program  
during such period; this fact is certified in writing by a  
licensed physician or, in the case of a mental condition, by a  
licensed physician, a licensed psychologist, licensed school  
psychologist or a certificated school psychologist; and  
provision is made for appropriate instruction of the child, in  
accordance with Chapter 3323. of the Revised Code;~~

~~(2) That the child is being instructed at home by a person  
qualified to teach the branches in which instruction is  
required, and such additional branches, as the advancement and  
needs of the child may, in the opinion of such superintendent,  
require. In each such case the . The issuing superintendent  
shall file in the superintendent's office, with a copy of the~~

excuse, papers showing how the inability of the child to attend 998  
school or a special education program ~~or the qualifications of~~ 999  
~~the person instructing the child at home were determined.~~ All 1000  
such excuses shall become void and subject to recall upon the 1001  
removal of the disability of the child ~~or the cessation of~~ 1002  
~~proper home instruction;~~ and thereupon the child or the child's 1003  
parents may be proceeded against after due notice whether such 1004  
excuse be recalled or not. 1005

(B) The state board of education may adopt rules 1006  
authorizing the superintendent of schools of the district in 1007  
which the child resides to excuse a child over fourteen years of 1008  
age from attendance for a future limited period for the purpose 1009  
of performing necessary work directly and exclusively for the 1010  
child's parents or legal guardians. 1011

All excuses provided for in divisions (A) and (B) of this 1012  
section shall be in writing and shall show the reason for 1013  
excusing the child. A copy thereof shall be sent to the person 1014  
in charge of the child. 1015

(C) The board of education of the school district or the 1016  
governing authorities of a private or parochial school may in 1017  
the rules governing the discipline in such schools, prescribe 1018  
the authority by which and the manner in which any child may be 1019  
excused for absence from such school for good and sufficient 1020  
reasons. 1021

The state board of education may by rule prescribe 1022  
conditions governing the issuance of excuses, which shall be 1023  
binding upon the authorities empowered to issue them." 1024

After line 2351, insert: 1025

"**Sec. 3321.13.** (A) Whenever any child of compulsory 1026

school age withdraws from school the teacher of that child shall 1027  
ascertain the reason for withdrawal. The fact of the withdrawal 1028  
and the reason for it shall be immediately transmitted by the 1029  
teacher to the superintendent of the city, local, or exempted 1030  
village school district. If the child who has withdrawn from 1031  
school has done so because of change of residence, the next 1032  
residence shall be ascertained and shall be included in the 1033  
notice thus transmitted. The superintendent shall thereupon 1034  
forward a card showing the essential facts regarding the child 1035  
and stating the place of the child's new residence to the 1036  
superintendent of schools of the district to which the child has 1037  
moved. 1038

The superintendent of public instruction may prescribe the 1039  
forms to be used in the operation of this division. 1040

(B) (1) Upon receipt of information that a child of 1041  
compulsory school age has withdrawn from school for a reason 1042  
other than because of change of residence and is not enrolled in 1043  
and attending in accordance with school policy an approved 1044  
program to obtain a diploma or its equivalent, the 1045  
superintendent shall notify the registrar of motor vehicles and 1046  
the juvenile judge of the county in which the district is 1047  
located of the withdrawal and failure to enroll in and attend an 1048  
approved program to obtain a diploma or its equivalent. A 1049  
notification to the registrar required by this division shall be 1050  
given in the manner the registrar by rule requires and a 1051  
notification to the juvenile judge required by this division 1052  
shall be given in writing. Each notification shall be given 1053  
within two weeks after the withdrawal and failure to enroll in 1054  
and attend an approved program or its equivalent. 1055

(2) The board of education of a school district may adopt 1056

a resolution providing that the provisions of division (B) (2) of 1057  
this section apply within the district. The provisions of 1058  
division (B) (2) of this section do not apply within any school 1059  
district, and no superintendent of a school district shall send 1060  
a notification of the type described in division (B) (2) of this 1061  
section to the registrar of motor vehicles or the juvenile judge 1062  
of the county in which the district is located, unless the board 1063  
of education of the district has adopted such a resolution. If 1064  
the board of education of a school district adopts a resolution 1065  
providing that the provisions of division (B) (2) of this section 1066  
apply within the district, and if the superintendent of schools 1067  
of that district receives information that, during any semester 1068  
or term, a child of compulsory school age has been absent 1069  
without legitimate excuse from the school the child is supposed 1070  
to attend for more than sixty consecutive hours in a single 1071  
month or for at least ninety hours in a school year, the 1072  
superintendent shall notify the child and the child's parent, 1073  
guardian, or custodian, in writing, that the information has 1074  
been provided to the superintendent, that as a result of that 1075  
information the child's temporary instruction permit or driver's 1076  
license will be suspended or the opportunity to obtain such a 1077  
permit or license will be denied, and that the child and the 1078  
child's parent, guardian, or custodian may appear in person at a 1079  
scheduled date, time, and place before the superintendent or a 1080  
designee to challenge the information provided to the 1081  
superintendent. 1082

The notification to the child and the child's parent, 1083  
guardian, or custodian required by division (B) (2) of this 1084  
section shall set forth the information received by the 1085  
superintendent and shall inform the child and the child's 1086  
parent, guardian, or custodian of the scheduled date, time, and 1087

place of the appearance that they may have before the 1088  
superintendent or a designee. The date scheduled for the 1089  
appearance shall be no earlier than three and no later than five 1090  
days after the notification is given, provided that an extension 1091  
may be granted upon request of the child or the child's parent, 1092  
guardian, or custodian. If an extension is granted, the 1093  
superintendent shall schedule a new date, time, and place for 1094  
the appearance and shall inform the child and the child's 1095  
parent, guardian, or custodian of the new date, time, and place. 1096

If the child and the child's parent, guardian, or 1097  
custodian do not appear before the superintendent or a designee 1098  
on the scheduled date and at the scheduled time and place, or if 1099  
the child and the child's parent, guardian, or custodian appear 1100  
before the superintendent or a designee on the scheduled date 1101  
and at the scheduled time and place but the superintendent or a 1102  
designee determines that the information the superintendent 1103  
received indicating that, during the semester or term, the child 1104  
had been absent without legitimate excuse from the school the 1105  
child was supposed to attend for more than sixty consecutive 1106  
hours or for at least ninety total hours, the superintendent 1107  
shall notify the registrar of motor vehicles and the juvenile 1108  
judge of the county in which the district is located that the 1109  
child has been absent for that period of time and that the child 1110  
does not have any legitimate excuse for the habitual absence. A 1111  
notification to the registrar required by this division shall be 1112  
given in the manner the registrar by rule requires and a 1113  
notification to the juvenile judge required by this division 1114  
shall be given in writing. Each notification shall be given 1115  
within two weeks after the receipt of the information of the 1116  
habitual absence from school without legitimate excuse, or, if 1117  
the child and the child's parent, guardian, or custodian appear 1118

before the superintendent or a designee to challenge the 1119  
information, within two weeks after the appearance. 1120

For purposes of division (B) (2) of this section, a 1121  
legitimate excuse for absence from school includes, but is not 1122  
limited to, the fact that the child in question has enrolled in 1123  
another school or school district in this or another state, the 1124  
fact that the child in question was excused from attendance for 1125  
any of the reasons specified in section 3321.04 or 3321.042 of 1126  
the Revised Code, or the fact that the child in question has 1127  
received an age and schooling certificate in accordance with 1128  
section 3331.01 of the Revised Code. 1129

(3) Whenever a pupil is suspended or expelled from school 1130  
pursuant to section 3313.66 of the Revised Code and the reason 1131  
for the suspension or expulsion is the use or possession of 1132  
alcohol, a drug of abuse, or alcohol and a drug of abuse, the 1133  
superintendent of schools of that district may notify the 1134  
registrar and the juvenile judge of the county in which the 1135  
district is located of such suspension or expulsion. Any such 1136  
notification of suspension or expulsion shall be given to the 1137  
registrar, in the manner the registrar by rule requires and 1138  
shall be given to the juvenile judge in writing. The 1139  
notifications shall be given within two weeks after the 1140  
suspension or expulsion. 1141

(4) Whenever a pupil is suspended, expelled, removed, or 1142  
permanently excluded from a school for misconduct included in a 1143  
policy that the board of education of a city, exempted village, 1144  
or local school district has adopted under division (A) of 1145  
section 3313.661 of the Revised Code, and the misconduct 1146  
involves a firearm or a knife or other weapon as defined in that 1147  
policy, the superintendent of schools of that district shall 1148



notify the registrar and the juvenile judge of the county in 1149  
which the district is located of the suspension, expulsion, 1150  
removal, or permanent exclusion. The notification shall be given 1151  
to the registrar in the manner the registrar, by rule, requires 1152  
and shall be given to the juvenile judge in writing. The 1153  
notifications shall be given within two weeks after the 1154  
suspension, expulsion, removal, or permanent exclusion. 1155

(C) A notification of withdrawal, habitual absence without 1156  
legitimate excuse, suspension, or expulsion given to the 1157  
registrar or a juvenile judge under division (B) (1), (2), (3), 1158  
or (4) of this section shall contain the name, address, date of 1159  
birth, school, and school district of the child. If the 1160  
superintendent finds, after giving a notification of withdrawal, 1161  
habitual absence without legitimate excuse, suspension, or 1162  
expulsion to the registrar and the juvenile judge under division 1163  
(B) (1), (2), (3), or (4) of this section, that the notification 1164  
was given in error, the superintendent immediately shall notify 1165  
the registrar and the juvenile judge of that fact. 1166

**Sec. 3331.02.** (A) The superintendent of schools or the 1167  
chief administrative officer, as appropriate pursuant to section 1168  
3331.01 of the Revised Code, shall not issue an age and 1169  
schooling certificate until the superintendent or chief 1170  
administrative officer has received, examined, approved, and 1171  
filed the following papers duly executed: 1172

(1) The written pledge or promise of the person, 1173  
partnership, or corporation to legally employ the child, and for 1174  
this purpose work performed by a minor, directly and exclusively 1175  
for the benefit of such minor's parent, in the farm home or on 1176  
the farm of such parent is legal employment, irrespective of any 1177  
contract of employment, or the absence thereof, to permit the 1178

child to attend school as provided in section 3321.08 of the Revised Code, and give notice of the nonuse of an age and schooling certificate within five days from the date of the child's withdrawal or dismissal from the service of that person, partnership, or corporation, giving the reasons for such withdrawal or dismissal;

(2) The child's school record or notification. As used in this division, a "school record" means documents properly filled out and signed by the person in charge of the school which the child last attended, giving the recorded age of the child, the child's address, standing in studies, rating in conduct, and attendance in days during the school year of the child's last attendance; "notification" means the information submitted to the superintendent by the parent of a child excused from attendance at school pursuant to ~~division (A) (2) of section 3321.04~~ 3321.042 of the Revised Code, as the notification is required by rules adopted by the department of education.

(3) Evidence of the age of the child as follows:

(a) A certified copy of an original birth record or a certification of birth, issued in accordance with Chapter 3705. of the Revised Code, or by an officer charged with the duty of recording births in another state or country, shall be conclusive evidence of the age of the child;

(b) In the absence of such birth record or certification of birth, a passport, or duly attested transcript thereof, showing the date and place of birth of the child, filed with a register of passports at a port of entry of the United States; or an attested transcript of the certificate of birth or baptism or other religious record, showing the date and place of birth of the child, shall be conclusive evidence of the age of the

child; 1209

(c) In case none of the above proofs of age can be 1210  
produced, other documentary evidence, except the affidavit of 1211  
the parent, guardian, or custodian, satisfactory to the 1212  
superintendent or chief administrative officer may be accepted 1213  
in lieu thereof; 1214

(d) In case no documentary proof of age can be procured, 1215  
the superintendent or chief administrative officer may receive 1216  
and file an application signed by the parent, guardian, or 1217  
custodian of the child that a medical certificate be secured to 1218  
establish the sufficiency of the age of the child, which 1219  
application shall state the alleged age of the child, the place 1220  
and date of birth, the child's present residence, and such 1221  
further facts as may be of assistance in determining the age of 1222  
the child, and shall certify that the person signing the 1223  
application is unable to obtain any of the documentary proofs 1224  
specified in divisions (A) (3) (a), (b), and (c) of this section; 1225  
and if the superintendent or chief administrative officer is 1226  
satisfied that a reasonable effort to procure such documentary 1227  
proof has been without success such application shall be granted 1228  
and the certificate of the school physician or if there be none, 1229  
of a physician, a physician assistant, a clinical nurse 1230  
specialist, or a certified nurse practitioner employed by the 1231  
board of education, that said physician, physician assistant, 1232  
clinical nurse specialist, or certified nurse practitioner is 1233  
satisfied that the child is above the age required for an age 1234  
and schooling certificate as stated in section 3331.01 of the 1235  
Revised Code, shall be accepted as sufficient evidence of age. 1236

(4) A certificate, including an athletic certificate of 1237  
examination, from a physician licensed pursuant to Chapter 4731. 1238

of the Revised Code, a physician assistant, a clinical nurse 1239  
specialist, or a certified nurse practitioner, or from the 1240  
district health commissioner, showing after a thorough 1241  
examination that the child is physically fit to be employed in 1242  
such occupations as are not prohibited by law for a boy or girl, 1243  
as the case may be, under eighteen years of age; but a 1244  
certificate with "limited" written, printed, marked, or stamped 1245  
thereon may be furnished by such physician, physician assistant, 1246  
clinical nurse specialist, or certified nurse practitioner and 1247  
accepted by the superintendent or chief administrative officer 1248  
in issuing a "limited" age and schooling certificate provided in 1249  
section 3331.06 of the Revised Code, showing that the child is 1250  
physically fit to be employed in some particular occupation not 1251  
prohibited by law for a boy or girl of such child's age, as the 1252  
case may be, even if the child's complete physical ability to 1253  
engage in such occupation cannot be vouched for. 1254

(B) (1) Except as provided in division (B) (2) of this 1255  
section, a physical fitness certificate described in division 1256  
(A) (4) of this section is valid for purposes of that division 1257  
while the child remains employed in job duties of a similar 1258  
nature as the job duties for which the child last was issued an 1259  
age and schooling certificate. The superintendent or chief 1260  
administrative officer who issues an age and schooling 1261  
certificate shall determine whether job duties are similar for 1262  
purposes of this division. 1263

(2) A "limited" physical fitness certificate described in 1264  
division (A) (4) of this section is valid for one year. 1265

(C) The superintendent of schools or the chief 1266  
administrative officer shall require a child who resides out of 1267  
this state to file all the information required under division 1268

(A) of this section. The superintendent of schools or the chief administrative officer shall evaluate the information filed and determine whether to issue the age and schooling certificate using the same standards as those the superintendent or officer uses for in-state children.

**Sec. 3331.08.** In case a superintendent of schools refuses to excuse a child from attendance at school for one of the reasons stated in section 3321.04 or 3321.042 of the Revised Code, or a superintendent or a chief administrative officer refuses upon request to grant an age and schooling certificate as provided in section 3331.01 of the Revised Code, an appeal may be taken from such decision to the juvenile judge of the county, upon the giving of bond, within ten days thereafter, to the approval of such judge, to pay the costs of appeal. The juvenile judge's decision in the matter shall be final.

**Sec. 3333.31.** (A) For state subsidy and tuition surcharge purposes, status as a resident of Ohio shall be defined by the chancellor of higher education by rule promulgated pursuant to Chapter 119. of the Revised Code. No adjudication as to the status of any person under such rule, however, shall be required to be made pursuant to Chapter 119. of the Revised Code. The term "resident" for these purposes shall not be equated with the definition of that term as it is employed elsewhere under the laws of this state and other states, and shall not carry with it any of the legal connotations appurtenant thereto. Rather, except as provided in divisions (B), (C), (D), (F), and (G) of this section, for such purposes, the rule promulgated under this section shall have the objective of excluding from treatment as residents those who are present in the state primarily for the purpose of attending a state-supported or state-assisted institution of higher education, and may prescribe presumptive

rules, rebuttable or conclusive, as to such purpose based upon 1300  
the source or sources of support of the student, residence prior 1301  
to first enrollment, evidence of intention to remain in the 1302  
state after completion of studies, or such other factors as the 1303  
chancellor deems relevant. 1304

(B) The rules of the chancellor for determining student 1305  
residency shall grant residency status to a veteran and to the 1306  
veteran's spouse and any dependent of the veteran, if both of 1307  
the following conditions are met: 1308

(1) The veteran either: 1309

(a) Served one or more years on active military duty and 1310  
was honorably discharged or received a medical discharge that 1311  
was related to the military service; 1312

(b) Was killed while serving on active military duty or 1313  
has been declared to be missing in action or a prisoner of war. 1314

(2) If the veteran seeks residency status for tuition 1315  
surcharge purposes, the veteran has established domicile in this 1316  
state as of the first day of a term of enrollment in an 1317  
institution of higher education. If the spouse or a dependent of 1318  
the veteran seeks residency status for tuition surcharge 1319  
purposes, the veteran and the spouse or dependent seeking 1320  
residency status have established domicile in this state as of 1321  
the first day of a term of enrollment in an institution of 1322  
higher education, except that if the veteran was killed while 1323  
serving on active military duty, has been declared to be missing 1324  
in action or a prisoner of war, or is deceased after discharge, 1325  
only the spouse or dependent seeking residency status shall be 1326  
required to have established domicile in accordance with this 1327  
division. 1328

(C) The rules of the chancellor for determining student residency shall grant residency status to both of the following:	1329 1330
(1) A veteran who is the recipient of federal veterans' benefits under the "All-Volunteer Force Educational Assistance Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans Educational Assistance Program," 38 U.S.C. 3301 et seq., or any successor program, if the veteran meets all of the following criteria:	1331 1332 1333 1334 1335 1336
(a) The veteran served at least ninety days on active duty.	1337 1338
(b) The veteran enrolls in a state institution of higher education, as defined in section 3345.011 of the Revised Code.	1339 1340
(c) The veteran lives in the state as of the first day of a term of enrollment in the state institution of higher education.	1341 1342 1343
(2) A person who is the recipient of the federal Marine Gunnery Sergeant John David Fry scholarship or transferred federal veterans' benefits under any of the programs described in division (C)(1) of this section, if the person meets both of the following criteria:	1344 1345 1346 1347 1348
(a) The person enrolls in a state institution of higher education.	1349 1350
(b) The person lives in the state as of the first day of a term of enrollment in the state institution of higher education.	1351 1352
In order for a person using transferred federal veterans' benefits to qualify under division (C)(2) of this section, the veteran who transferred the benefits must have served at least ninety days on active duty or the service member who transferred	1353 1354 1355 1356

the benefits must be on active duty. 1357

(D) The rules of the chancellor for determining student 1358  
residency shall grant residency status to a service member who 1359  
is on active duty and to the service member's spouse and any 1360  
dependent of the service member while the service member is on 1361  
active duty. In order to qualify under division (D) of this 1362  
section, the rules shall require the student seeking in-state 1363  
tuition rates to live in the state as of the first day of a term 1364  
of enrollment in the state institution of higher education, but 1365  
shall not require the service member or the service member's 1366  
spouse or dependent to establish domicile in this state as of 1367  
the first day of a term of enrollment in an institution of 1368  
higher education. 1369

(E) The rules of the chancellor for determining student 1370  
residency shall not deny residency status to a student who is 1371  
either a dependent child of a parent, or the spouse of a person 1372  
who, as of the first day of a term of enrollment in an 1373  
institution of higher education, has accepted full-time 1374  
employment and established domicile in this state for reasons 1375  
other than gaining the benefit of favorable tuition rates. 1376

Documentation of full-time employment and domicile shall 1377  
include both of the following documents: 1378

(1) A sworn statement from the employer or the employer's 1379  
representative on the letterhead of the employer or the 1380  
employer's representative certifying that the parent or spouse 1381  
of the student is employed full-time in Ohio; 1382

(2) A copy of the lease under which the parent or spouse 1383  
is the lessee and occupant of rented residential property in the 1384  
state, a copy of the closing statement on residential real 1385



property of which the parent or spouse is the owner and occupant 1386  
in this state or, if the parent or spouse is not the lessee or 1387  
owner of the residence in which the parent or spouse has 1388  
established domicile, a letter from the owner of the residence 1389  
certifying that the parent or spouse resides at that residence. 1390

Residency officers may also evaluate, in accordance with 1391  
the chancellor's rule, requests for immediate residency status 1392  
from dependent students whose parents are not living and whose 1393  
domicile follows that of a legal guardian who has accepted full- 1394  
time employment and established domicile in the state for 1395  
reasons other than gaining the benefit of favorable tuition 1396  
rates. 1397

(F) (1) The rules of the chancellor for determining student 1398  
residency shall grant residency status to a person who enrolls 1399  
in an institution of higher education and establishes domicile 1400  
in this state, regardless of the student's residence prior to 1401  
that enrollment and satisfies either of the following 1402  
conditions: 1403

(a) The person, while a resident of this state for state 1404  
subsidy and tuition surcharge purposes, graduated from a high 1405  
school in this state or completed the final year of instruction 1406  
at home as authorized under section ~~3321.04~~ 3321.042 of the 1407  
Revised Code. 1408

(b) The person meets all of the following criteria: 1409

(i) The person officially withdrew from a school in this 1410  
state while the person was a resident of this state for state 1411  
subsidy and tuition surcharge purposes. 1412

(ii) The person has not received a high school diploma or 1413  
honors diploma awarded under section 3313.61, 3313.611, 1414

3313.612, or 3325.08 of the Revised Code or a high school diploma awarded by a school located in another state or country.

(iii) The person, while a resident of this state for state subsidy and tuition surcharge purposes, both took a high school equivalency test and was awarded a certificate of high school equivalence.

(2) The rules of the chancellor for determining student residency shall not grant residency status to an alien if the alien is not also an immigrant or a nonimmigrant.

(G) The rules of the chancellor for determining student residency status shall grant residency status to a person to whom all of the following apply:

(1) The person, while not a resident of this state for state subsidy and tuition surcharge purposes, lives in this state and completes a bachelor's degree program at an institution of higher education in this state.

(2) The person, upon completing that bachelor's degree program, immediately enrolls in a graduate degree program, as determined appropriate by the chancellor, offered at any state institution of higher education.

(3) The person, while enrolled in the graduate degree program, resides in this state.

The chancellor's rules adopted under this section shall define "immediately" for the purposes of division (G) of this section.

(H) As used in this section:

(1) "Dependent," "domicile," "institution of higher education," and "residency officer" have the meanings ascribed

in the chancellor's rules adopted under this section.	1443
(2) "Alien" means a person who is not a United States citizen or a United States national.	1444 1445
(3) "Immigrant" means an alien who has been granted the right by the United States bureau of citizenship and immigration services to reside permanently in the United States and to work without restrictions in the United States.	1446 1447 1448 1449
(4) "Nonimmigrant" means an alien who has been granted the right by the United States bureau of citizenship and immigration services to reside temporarily in the United States.	1450 1451 1452
(5) "Veteran" means any person who has completed service in the uniformed services, as defined in section 3511.01 of the Revised Code.	1453 1454 1455
(6) "Service member" has the same meaning as in section 5903.01 of the Revised Code.	1456 1457
(7) "Certificate of high school equivalence" means either of the following:	1458 1459
(a) A certificate of high school equivalence awarded by the department of education under division (A) of section 3301.80 of the Revised Code;	1460 1461 1462
(b) The equivalent of a certificate of high school equivalence awarded by the state board of education under former law, as defined in division (C)(1) of section 3301.80 of the Revised Code.	1463 1464 1465 1466
<b>Sec. 3333.86.</b> The chancellor of higher education may determine the manner in which a course included in the clearinghouse may be offered as an advanced standing program as defined in section 3313.6013 of the Revised Code, may be offered	1467 1468 1469 1470

to students who are enrolled in nonpublic schools or are 1471  
instructed at home pursuant to section ~~3321.04~~3321.042 of the 1472  
Revised Code, or may be offered at times outside the normal 1473  
school day or school week, including any necessary additional 1474  
fees and methods of payment for a course so offered. 1475

**Sec. 3345.06.** (A) Subject to divisions (B) and (C) of 1476  
this section, a graduate of the twelfth grade shall be entitled 1477  
to admission without examination to any college or university 1478  
which is supported wholly or in part by the state, but for 1479  
unconditional admission may be required to complete such units 1480  
not included in the graduate's high school course as may be 1481  
prescribed, not less than two years prior to the graduate's 1482  
entrance, by the faculty of the institution. 1483

(B) Beginning with the 2014-2015 academic year, each state 1484  
university listed in section 3345.011 of the Revised Code, 1485  
except for Central state university, Shawnee state university, 1486  
and Youngstown state university, shall permit a resident of this 1487  
state who entered ninth grade for the first time on or after 1488  
July 1, 2010, to begin undergraduate coursework at the 1489  
university only if the person has successfully completed the 1490  
requirements for high school graduation prescribed in division 1491  
(C) of section 3313.603 of the Revised Code, unless one of the 1492  
following applies: 1493

(1) The person has earned at least ten semester hours, or 1494  
the equivalent, at a community college, state community college, 1495  
university branch, technical college, or another post-secondary 1496  
institution except a state university to which division (B) of 1497  
this section applies, in courses that are college-credit-bearing 1498  
and may be applied toward the requirements for a degree. The 1499  
university shall grant credit for successful completion of those 1500

courses pursuant to any applicable articulation and transfer 1501  
policy of the chancellor of higher education or any agreements 1502  
the university has entered into in accordance with policies and 1503  
procedures adopted under section 3333.16, 3333.161, or 3333.162 1504  
of the Revised Code. The university may count college credit 1505  
that the student earned while in high school through the college 1506  
credit plus program under Chapter 3365. of the Revised Code, or 1507  
through other advanced standing programs, toward the 1508  
requirements of division (B) (1) of this section if the credit 1509  
may be applied toward a degree. 1510

(2) The person qualified to graduate from high school 1511  
under division (D) or (F) of section 3313.603 of the Revised 1512  
Code and has successfully completed the topics or courses that 1513  
the person lacked to graduate under division (C) of that section 1514  
at any post-secondary institution or at a summer program at the 1515  
state university. A state university may admit a person for 1516  
enrollment contingent upon completion of such topics or courses 1517  
or summer program. 1518

(3) The person met the high school graduation requirements 1519  
by successfully completing the person's individualized education 1520  
program developed under section 3323.08 of the Revised Code. 1521

(4) The person is receiving or has completed the final 1522  
year of instruction at home as authorized under section ~~3321.04~~ 1523  
3321.042 of the Revised Code, or has graduated from a 1524  
nonchartered, nonpublic school in Ohio, and demonstrates mastery 1525  
of the academic content and skills in reading, writing, and 1526  
mathematics needed to successfully complete introductory level 1527  
coursework at an institution of higher education and to avoid 1528  
remedial coursework. 1529

(5) The person is a high school student participating in 1530

the college credit plus program under Chapter 3365. of the 1531  
Revised Code or another advanced standing program. 1532

(C) A state university subject to division (B) of this 1533  
section may delay admission for or admit conditionally an 1534  
undergraduate student who has successfully completed the 1535  
requirements prescribed in division (C) of section 3313.603 of 1536  
the Revised Code if the university determines the student 1537  
requires academic remedial or developmental coursework. The 1538  
university may delay admission pending, or make admission 1539  
conditional upon, the student's successful completion of the 1540  
academic remedial or developmental coursework at a university 1541  
branch, community college, state community college, or technical 1542  
college. 1543

(D) This section does not deny the right of a college of 1544  
law, medicine, or other specialized education to require college 1545  
training for admission, or the right of a department of music or 1546  
other art to require particular preliminary training or talent. 1547

**Sec. 3365.01.** As used in this chapter: 1548

(A) "Articulated credit" means post-secondary credit that 1549  
is reflected on the official record of a student at an 1550  
institution of higher education only upon enrollment at that 1551  
institution after graduation from a secondary school. 1552

(B) "Default ceiling amount" means one of the following 1553  
amounts, whichever is applicable: 1554

(1) For a participant enrolled in a college operating on a 1555  
semester schedule, the amount calculated according to the 1556  
following formula: 1557

$$((0.83 \times \text{formula amount}) / 30)$$
 1558

X number of enrolled credit hours	1559
(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following formula:	1560 1561 1562
((0.83 X formula amount) / 45)	1563
X number of enrolled credit hours	1564
(C) "Default floor amount" means twenty-five per cent of the default ceiling amount.	1565 1566
(D) "Eligible out-of-state college" means any institution of higher education that is located outside of Ohio and is approved by the chancellor of higher education to participate in the college credit plus program.	1567 1568 1569 1570
(E) "Fee" means any course-related fee and any other fee imposed by the college, but not included in tuition, for participation in the program established by this chapter.	1571 1572 1573
(F) "Formula amount" means \$6,020.	1574
(G) "Governing entity" means any of the following:	1575
(1) A board of education of a school district;	1576
(2) A governing authority of a community school established under Chapter 3314. of the Revised Code;	1577 1578
(3) A governing body of a STEM school established under Chapter 3326. of the Revised Code;	1579 1580
(4) A board of trustees of a college-preparatory boarding school established under Chapter 3328. of the Revised Code;	1581 1582
(5) When referring to the state school for the deaf or the state school for the blind, the state board of education;	1583 1584

(6) When referring to an institution operated by the department of youth services, the superintendent of that institution. 1585  
1586  
1587

(H) "Home-instructed participant" means a student who has been excused from the compulsory attendance law for the purpose of home instruction under section ~~3321.04~~3321.042 of the Revised Code, and is participating in the program established by this chapter. 1588  
1589  
1590  
1591  
1592

(I) "Maximum per participant charge amount" means one of the following amounts, whichever is applicable: 1593  
1594

(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula: 1595  
1596  
1597

((formula amount / 30) 1598  
X number of enrolled credit hours) 1599

(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following formula: 1600  
1601  
1602

((formula amount / 45) 1603  
X number of enrolled credit hours) 1604

(J) "Nonpublic secondary school" means a chartered school for which minimum standards are prescribed by the state board of education pursuant to division (D) of section 3301.07 of the Revised Code. 1605  
1606  
1607  
1608

(K) "Number of enrolled credit hours" means the number of credit hours for a course in which a participant is enrolled during the previous term after the date on which a withdrawal 1609  
1610  
1611



from a course would have negatively affected the participant's 1612  
transcripted grade, as prescribed by the college's established 1613  
withdrawal policy. 1614

(L) "Parent" has the same meaning as in section 3313.64 of 1615  
the Revised Code. 1616

(M) "Participant" means any student enrolled in a college 1617  
under the program established by this chapter. 1618

(N) "Partnering college" means a college with which a 1619  
public or nonpublic secondary school has entered into an 1620  
agreement in order to offer the program established by this 1621  
chapter. 1622

(O) "Partnering secondary school" means a public or 1623  
nonpublic secondary school with which a college has entered into 1624  
an agreement in order to offer the program established by this 1625  
chapter. 1626

(P) "Private college" means any of the following: 1627

(1) A nonprofit institution holding a certificate of 1628  
authorization pursuant to Chapter 1713. of the Revised Code; 1629

(2) An institution holding a certificate of registration 1630  
from the state board of career colleges and schools and program 1631  
authorization for an associate or bachelor's degree program 1632  
issued under section 3332.05 of the Revised Code; 1633

(3) A private institution exempt from regulation under 1634  
Chapter 3332. of the Revised Code as prescribed in section 1635  
3333.046 of the Revised Code. 1636

(Q) "Public college" means a "state institution of higher 1637  
education" in section 3345.011 of the Revised Code, excluding 1638  
the northeast Ohio medical university. 1639

(R) "Public secondary school" means a school serving 1640  
grades nine through twelve in a city, local, or exempted village 1641  
school district, a joint vocational school district, a community 1642  
school established under Chapter 3314. of the Revised Code, a 1643  
STEM school established under Chapter 3326. of the Revised Code, 1644  
a college-preparatory boarding school established under Chapter 1645  
3328. of the Revised Code, the state school for the deaf, the 1646  
state school for the blind, or an institution operated by the 1647  
department of youth services. 1648

(S) "School year" has the same meaning as in section 1649  
3313.62 of the Revised Code. 1650

(T) "Secondary grade" means any of grades nine through 1651  
twelve. 1652

(U) "Standard rate" means the amount per credit hour 1653  
assessed by the college for an in-state student who is enrolled 1654  
in an undergraduate course at that college, but who is not 1655  
participating in the college credit plus program, as prescribed 1656  
by the college's established tuition policy. 1657

(V) "Transcribed credit" means post-secondary credit that 1658  
is conferred by an institution of higher education and is 1659  
reflected on a student's official record at that institution 1660  
upon completion of a course. 1661

**Sec. 3365.02.** (A) There is hereby established the college 1662  
credit plus program under which, beginning with the 2015-2016 1663  
school year, a secondary grade student who is a resident of this 1664  
state may enroll at a college, on a full- or part-time basis, 1665  
and complete nonsectarian, nonremedial courses for high school 1666  
and college credit. The program shall govern arrangements in 1667  
which a secondary grade student enrolls in a college and, upon 1668

successful completion of coursework taken under the program, 1669  
receives transcribed credit from the college. The following are 1670  
not governed by the college credit plus program: 1671

(1) An agreement governing an early college high school 1672  
program, provided the program meets the definition set forth in 1673  
division (F)(2) of section 3313.6013 of the Revised Code and is 1674  
approved by the superintendent of public instruction and the 1675  
chancellor of higher education; 1676

(2) An advanced placement course or international 1677  
baccalaureate diploma course, as described in divisions (A)(2) 1678  
and (3) of section 3313.6013 of the Revised Code; 1679

(3) A career-technical education program that is approved 1680  
by the department of education under section 3317.161 of the 1681  
Revised Code and grants articulated credit to students 1682  
participating in that program. However, any portion of an 1683  
approved program that results in the conferral of transcribed 1684  
credit upon the completion of the course shall be governed by 1685  
the college credit plus program. 1686

(B) Any student enrolled in a public or nonpublic 1687  
secondary school in the student's ninth, tenth, eleventh, or 1688  
twelfth grade; any student enrolled in a nonchartered nonpublic 1689  
secondary school in the student's ninth, tenth, eleventh, or 1690  
twelfth grade; and any student who has been excused from the 1691  
compulsory attendance law for the purpose of home instruction 1692  
under section ~~3321.04~~3321.042 of the Revised Code and is the 1693  
equivalent of a ninth, tenth, eleventh, or twelfth grade 1694  
student, may participate in the program, if the student meets 1695  
the applicable eligibility criteria in section 3365.03 of the 1696  
Revised Code. If a nonchartered nonpublic secondary school 1697  
student chooses to participate in the program, that student 1698

shall be subject to the same requirements as a home-instructed 1699  
student who chooses to participate in the program under this 1700  
chapter. 1701

(C) All public secondary schools and all public colleges 1702  
shall participate in the program and are subject to the 1703  
requirements of this chapter. Any nonpublic secondary school or 1704  
private college that chooses to participate in the program shall 1705  
also be subject to the requirements of this chapter. 1706

(D) The chancellor, in accordance with Chapter 119. of the 1707  
Revised Code and in consultation with the state superintendent, 1708  
shall adopt rules governing the program. 1709

**Sec. 3365.03.** (A) A student enrolled in a public or 1710  
nonpublic secondary school during the student's ninth, tenth, 1711  
eleventh, or twelfth grade school year; a student enrolled in a 1712  
nonchartered nonpublic secondary school in the student's ninth, 1713  
tenth, eleventh, or twelfth grade school year; or a student who 1714  
has been excused from the compulsory attendance law for the 1715  
purpose of home instruction under section ~~3321.04~~ 3321.042 of 1716  
the Revised Code and is the equivalent of a ninth, tenth, 1717  
eleventh, or twelfth grade student, may apply to and enroll in a 1718  
college under the college credit plus program. 1719

(1) In order for a public secondary school student to 1720  
participate in the program, all of the following criteria shall 1721  
be met: 1722

(a) The student or the student's parent shall inform the 1723  
principal, or equivalent, of the student's school by the first 1724  
day of April of the student's intent to participate in the 1725  
program during the following school year. Any student who fails 1726  
to provide the notification by the required date may not 1727

participate in the program during the following school year 1728  
without the written consent of the principal, or equivalent. If 1729  
a student seeks consent from the principal after failing to 1730  
provide notification by the required date, the principal shall 1731  
notify the department of education of the student's intent to 1732  
participate within ten days of the date on which the student 1733  
seeks consent. If the principal does not provide written 1734  
consent, the student may appeal the principal's decision to the 1735  
governing entity of the school, except for a student who is 1736  
enrolled in a school district, who may appeal the decision to 1737  
the district superintendent. Not later than thirty days after 1738  
the notification of the appeal, the district superintendent or 1739  
governing entity shall hear the appeal and shall make a decision 1740  
to either grant or deny that student's participation in the 1741  
program. The decision of the district superintendent or 1742  
governing entity shall be final. 1743

(b) The student shall: 1744

(i) Apply to a public or a participating private college, 1745  
or an eligible out-of-state college participating in the 1746  
program, in accordance with the college's established procedures 1747  
for admission, pursuant to section 3365.05 of the Revised Code; 1748

(ii) As a condition of eligibility, satisfy one of the 1749  
following criteria: 1750

(I) Be remediation-free, in accordance with one of the 1751  
assessments established under division (F) of section 3345.061 1752  
of the Revised Code; 1753

(II) Meet an alternative remediation-free eligibility 1754  
option, as defined by the chancellor of higher education, in 1755  
consultation with the superintendent of public instruction, in 1756

rules adopted under this section; 1757

(III) Have participated in the program prior to ~~the~~ 1758  
~~effective date of this amendment~~ September 30, 2021, and 1759  
qualified to participate in the program by scoring within one 1760  
standard error of measurement below the remediation-free 1761  
threshold for one of the assessments established under division 1762  
(F) of section 3345.061 of the Revised Code and satisfying one 1763  
of the conditions specified under division (A) (1) (b) (ii) (I) or 1764  
(II) of this section as those divisions existed prior to ~~the~~ 1765  
~~effective date of this amendment~~ September 30, 2021. 1766

(iii) Meet the college's and relevant academic program's 1767  
established standards for admission, enrollment, and course 1768  
placement, including course-specific capacity limitations, 1769  
pursuant to section 3365.05 of the Revised Code. 1770

(c) The student shall elect at the time of enrollment to 1771  
participate under either division (A) or (B) of section 3365.06 1772  
of the Revised Code for each course under the program. 1773

(d) The student and the student's parent shall sign a 1774  
form, provided by the school, stating that they have received 1775  
the counseling required under division (B) of section 3365.04 of 1776  
the Revised Code and that they understand the responsibilities 1777  
they must assume in the program. 1778

(2) In order for a nonpublic secondary school student, a 1779  
nonchartered nonpublic secondary school student, or a home- 1780  
instructed student to participate in the program, both of the 1781  
following criteria shall be met: 1782

(a) The student shall meet the criteria in divisions (A) 1783  
(1) (b) and (c) of this section. 1784

(b) (i) If the student is enrolled in a nonpublic secondary school, that student shall send to the department of education a copy of the student's acceptance from a college and an application. The application shall be made on forms provided by the state board of education and shall include information about the student's proposed participation, including the school year in which the student wishes to participate; and the semesters or terms the student wishes to enroll during such year. The department shall mark each application with the date and time of receipt.

(ii) If the student is enrolled in a nonchartered nonpublic secondary school or is home-instructed, the parent or guardian of that student shall notify the department by the first day of April prior to the school year in which the student wishes to participate.

(B) Except as provided for in division (C) of this section and in sections 3365.031 and 3365.032 of the Revised Code:

(1) No public secondary school shall prohibit a student enrolled in that school from participating in the program if that student meets all of the criteria in division (A) (1) of this section.

(2) No participating nonpublic secondary school shall prohibit a student enrolled in that school from participating in the program if the student meets all of the criteria in division (A) (2) of this section and, if the student is enrolled under division (B) of section 3365.06 of the Revised Code, the student is awarded funding from the department in accordance with rules adopted by the chancellor, in consultation with the superintendent of public instruction, pursuant to section 3365.071 of the Revised Code.

(C) For purposes of this section, during the period of an expulsion imposed by a public secondary school, a student is ineligible to apply to enroll in a college under this section, unless the student is admitted to another public secondary or participating nonpublic secondary school. If a student is enrolled in a college under this section at the time the student is expelled, the student's status for the remainder of the college term in which the expulsion is imposed shall be determined under section 3365.032 of the Revised Code.

(D) Upon a student's graduation from high school, participation in the college credit plus program shall not affect the student's eligibility at any public college for scholarships or for other benefits or opportunities that are available to first-time college students and are awarded by that college, regardless of the number of credit hours that the student completed under the program.

(E) The college to which a student applies to participate under this section shall pay for one assessment used to determine that student's eligibility under this section. However, notwithstanding anything to the contrary in Chapter 3365. of the Revised Code, any additional assessments used to determine the student's eligibility shall be the financial responsibility of the student.

**Sec. 3365.033.** (A) Notwithstanding anything to the contrary in Chapter 3365. of the Revised Code, any student enrolled in a public or nonpublic secondary school in the student's seventh or eighth grade; any student enrolled in a nonchartered nonpublic secondary school in the student's seventh or eighth grade; and any student who has been excused from the compulsory attendance law for the purpose of home instruction



under section ~~3321.04~~3321.042 of the Revised Code and is the 1845  
equivalent of a seventh or eighth grade student, may participate 1846  
in the college credit plus program, if the student meets the 1847  
applicable eligibility criteria required of secondary grade 1848  
students for participation. Participants under this section 1849  
shall be subject to the same requirements as secondary grade 1850  
participants under this chapter. 1851

(B) Participants under this section shall receive high 1852  
school and college credit for courses taken under the program, 1853  
in accordance with the option elected under section 3365.06 of 1854  
the Revised Code. High school credit earned under the program 1855  
shall be awarded in the same manner as for secondary grade 1856  
participants. 1857

(C) If a participant under this section elects to have the 1858  
college reimbursed under section 3365.07 of the Revised Code for 1859  
courses taken under the program, the department shall reimburse 1860  
the college in the same manner as for secondary grade 1861  
participants in accordance with that section. 1862

(D) Notwithstanding section 3327.01 of the Revised Code, 1863  
the parent or guardian of a participant under this section shall 1864  
be responsible for any transportation for the participant 1865  
related to participation in the program. 1866

**Sec. 5103.55.** A parent of a child attending a private, 1867  
nonprofit therapeutic wilderness camp is not relieved of the 1868  
parent's obligations regarding compulsory school attendance 1869  
pursuant to section 3321.04 or 3321.042 of the Revised Code. 1870

**Sec. 5107.281.** A participant of Ohio works first who is 1871  
enrolled in a school district in a county that is participating 1872  
in the learnfare program and is not younger than age six but not 1873

older than age nineteen shall participate in the learnfare	1874
program unless one of the following is the case:	1875
(A) The participant is not yet eligible for enrollment in	1876
first grade;	1877
(B) The participant is subject to the LEAP program;	1878
(C) The participant has received one of the following:	1879
(1) A high school diploma;	1880
(2) A certificate stating that the participant has	1881
achieved the equivalent of a high school education as measured	1882
by scores obtained on a high school equivalency test approved by	1883
the department of education pursuant to division (B) of section	1884
3301.80 of the Revised Code.	1885
(D) The participant has been excused from school	1886
attendance pursuant to section 3321.04 <u>or 3321.042</u> of the	1887
Revised Code;	1888
(E) If child care services for a member of the	1889
participant's household are necessary for the participant to	1890
attend school, child care licensed or certified under Chapter	1891
5104. of the Revised Code or under sections 3301.52 to 3301.59	1892
of the Revised Code and transportation to and from the child	1893
care are not available;	1894
(F) The participant has been adjudicated a delinquent or	1895
unruly child pursuant to section 2151.28 of the Revised Code.	1896
<b>Sec. 5709.07.</b> (A) The following property shall be exempt	1897
from taxation:	1898
(1) Real property used by a school for primary or	1899
secondary educational purposes, including only so much of the	1900

land as is necessary for the proper occupancy, use, and 1901  
enjoyment of such real property by the school for primary or 1902  
secondary educational purposes. The exemption under division (A) 1903  
(1) of this section does not apply to any portion of the real 1904  
property not used for primary or secondary educational purposes. 1905

For purposes of division (A) (1) of this section: 1906

(a) "School" means a public or nonpublic school. "School" 1907  
excludes home instruction as authorized under section ~~3321.04~~ 1908  
3301.042 of the Revised Code. 1909

(b) "Public school" includes schools of a school district, 1910  
STEM schools established under Chapter 3326. of the Revised 1911  
Code, community schools established under Chapter 3314. of the 1912  
Revised Code, and educational service centers established under 1913  
section 3311.05 of the Revised Code. 1914

(c) "Nonpublic school" means a nonpublic school for which 1915  
the state board of education has issued a charter pursuant to 1916  
section 3301.16 of the Revised Code and prescribes minimum 1917  
standards under division (D) (2) of section 3301.07 of the 1918  
Revised Code. 1919

(2) Houses used exclusively for public worship, the books 1920  
and furniture in them, and the ground attached to them that is 1921  
not leased or otherwise used with a view to profit and that is 1922  
necessary for their proper occupancy, use, and enjoyment; 1923

(3) Real property owned and operated by a church that is 1924  
used primarily for church retreats or church camping, and that 1925  
is not used as a permanent residence. Real property exempted 1926  
under division (A) (3) of this section may be made available by 1927  
the church on a limited basis to charitable and educational 1928  
institutions if the property is not leased or otherwise made 1929

available with a view to profit. 1930

(4) Public colleges and academies and all buildings 1931  
connected with them, and all lands connected with public 1932  
institutions of learning, not used with a view to profit, 1933  
including those buildings and lands that satisfy all of the 1934  
following: 1935

(a) The buildings are used for housing for full-time 1936  
students or housing-related facilities for students, faculty, or 1937  
employees of a state university, or for other purposes related 1938  
to the state university's educational purpose, and the lands are 1939  
underneath the buildings or are used for common space, walkways, 1940  
and green spaces for the state university's students, faculty, 1941  
or employees. As used in this division, "housing-related 1942  
facilities" includes both parking facilities related to the 1943  
buildings and common buildings made available to students, 1944  
faculty, or employees of a state university. The leasing of 1945  
space in housing-related facilities shall not be considered an 1946  
activity with a view to profit for purposes of division (A) (4) 1947  
of this section. 1948

(b) The buildings and lands are supervised or otherwise 1949  
under the control, directly or indirectly, of an organization 1950  
that is exempt from federal income taxation under section 501(c) 1951  
(3) of the Internal Revenue Code of 1986, 100 Stat. 2085, 26 1952  
U.S.C. 1, as amended, and the state university has entered into 1953  
a qualifying joint use agreement with the organization that 1954  
entitles the students, faculty, or employees of the state 1955  
university to use the lands or buildings; 1956

(c) The state university has agreed, under the terms of 1957  
the qualifying joint use agreement with the organization 1958  
described in division (A) (4) (b) of this section, that the state 1959

university, to the extent applicable under the agreement, will 1960  
make payments to the organization in amounts sufficient to 1961  
maintain agreed-upon debt service coverage ratios on bonds 1962  
related to the lands or buildings. 1963

(B) This section shall not extend to leasehold estates or 1964  
real property held under the authority of a college or 1965  
university of learning in this state; but leaseholds, or other 1966  
estates or property, real or personal, the rents, issues, 1967  
profits, and income of which is given to a municipal 1968  
corporation, school district, or subdistrict in this state 1969  
exclusively for the use, endowment, or support of schools for 1970  
the free education of youth without charge shall be exempt from 1971  
taxation as long as such property, or the rents, issues, 1972  
profits, or income of the property is used and exclusively 1973  
applied for the support of free education by such municipal 1974  
corporation, district, or subdistrict. Division (B) of this 1975  
section shall not apply with respect to buildings and lands that 1976  
satisfy all of the requirements specified in divisions (A) (4) (a) 1977  
to (c) of this section. 1978

(C) For purposes of this section, if the requirements 1979  
specified in divisions (A) (4) (a) to (c) of this section are 1980  
satisfied, the buildings and lands with respect to which 1981  
exemption is claimed under division (A) (4) of this section shall 1982  
be deemed to be used with reasonable certainty in furthering or 1983  
carrying out the necessary objects and purposes of a state 1984  
university. 1985

(D) As used in this section: 1986

(1) "Church" means a fellowship of believers, 1987  
congregation, society, corporation, convention, or association 1988  
that is formed primarily or exclusively for religious purposes 1989

and that is not formed for the private profit of any person.	1990
(2) "State university" has the same meaning as in section 3345.011 of the Revised Code.	1991 1992
(3) "Qualifying joint use agreement" means an agreement that satisfies all of the following:	1993 1994
(a) The agreement was entered into before June 30, 2004;	1995
(b) The agreement is between a state university and an organization that is exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code of 1986, 100 Stat. 2085, 26 U.S.C. 1, as amended; and	1996 1997 1998 1999
(c) The state university that is a party to the agreement reported to the Ohio board of regents that the university maintained a headcount of at least twenty-five thousand students on its main campus during the academic school year that began in calendar year 2003 and ended in calendar year 2004."	2000 2001 2002 2003 2004
After line 2421, insert:	2005
<b>"Sec. 5747.72.</b> (A) As used in this section:	2006
(1) "Qualifying taxpayer" means a taxpayer that is an individual with a dependent who is a qualifying student.	2007 2008
(2) "Qualifying student" means a student who was excused from the compulsory attendance law for the purpose of home instruction under section <del>3321.04</del> <u>3321.042</u> of the Revised Code for the school year.	2009 2010 2011 2012
(3) "Education expenses" means expenses or fees for any of the following items used directly for home instruction of a qualifying student: books, supplementary materials, supplies, computer software, applications, or subscriptions. "Education	2013 2014 2015 2016

expenses" does not include expenses or fees for computers or 2017  
similar electronic devices or accessories thereto. 2018

(B) There is hereby allowed a nonrefundable credit against 2019  
a qualifying taxpayer's aggregate tax liability under section 2020  
5747.02 of the Revised Code equal to the lesser of two hundred 2021  
fifty dollars or the amount of education expenses incurred by 2022  
the taxpayer in the taxable year for the benefit of one or more 2023  
of the taxpayer's qualifying students. The credit shall be 2024  
claimed in the order required under section 5747.98 of the 2025  
Revised Code. 2026

The tax commissioner may request that a qualifying 2027  
taxpayer claiming a credit under this section furnish 2028  
information as is necessary to support the claim for the credit 2029  
under this section, and no credit shall be allowed unless the 2030  
requested information is provided. " 2031

In line 2422, after "sections" insert "2151.011, 3301.0712, 3310.70, 2032  
3313.5312, 3313.6110," 2033

In line 2423, delete "and" and insert "3321.03, 3321.04, 3321.13, 2034  
3331.02, 3331.08, 3333.31, 3333.86, 3345.06, 3365.01, 3365.02, 3365.03, 2035  
3365.033, 5103.55, 5107.281, 5709.07,"; after "5747.70" insert ", and 2036  
5747.72" 2037

After line 5407, insert: 2038

"Section 3301.0712 of the Revised Code as amended by both 2039  
H.B. 82 and H.B. 110 of the 134th General Assembly." 2040

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	2041
<b>Home school students - corrective amendment</b>	2042
<b>R.C. 3321.04 and 3321.042; conforming changes in R.C.</b>	2043
<b>2151.011, 3301.0712, 3310.70, 3313.5312, 3313.6110, 3321.03,</b>	2044
<b>3321.13, 3331.02, 3331.08, 3333.31, 3333.86, 3345.06, 3365.01,</b>	2045
<b>3365.02, 3365.03, 3365.033, 5103.55, 5107.281, 5709.07, and</b>	2046
<b>5747.72</b>	2047
Conforms current home school law to the bill's provisions	2048
and makes associated cross reference changes.	2049